

**OFFICE OF CHIEF ACADEMIC OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**September 28, 2023**

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

- F. 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: J; Policy Code: JGCDA  
Policy: Self-Administration of Medication of Asthma/Anaphylaxis Medications
2. Section: D; Policy Code: DJED  
Policy: Bids and Quotations
3. Section: J; Policy Code: JGCB  
Policy: Student Health Services Inoculations
4. Section: J; Policy Code: JGEB  
Policy: Concussion Management and Return to Play Policy
5. Section: E; Policy Code: EBBABB  
Policy: Prohibition Against Aiding and Abetting Sex Offenders in Obtaining Employment
6. Section: E; Policy Code: EDDAA  
Policy: Transporting Students to Events in Vehicles Other than School Buses

Recommendation: Approval

Back-up material attached



**Section: J Students**

**Policy Code: JGCDA**

**Policy: Self-Administration of Medication of Asthma/Anaphylaxis Medications**

Every child who has been diagnosed with asthma must have an asthma action plan on file in the school office.

The school board of this public school district permits the self-administration of asthma and anaphylaxis medication pursuant to the requirements of this policy. A student with asthma and/or anaphylaxis is entitled to possess and self-administer prescription asthma and/or anaphylaxis medication while on school property, on school-provided transportation, or at a school-related event or activity if:

1. The prescription asthma and/or anaphylaxis medication has been prescribed for that student as indicated by the prescription label on the medication;
2. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health care provider; and
3. A parent of the student provides to the school:
  - a. Written authorization, signed by the parent, for the student to self-administer prescription asthma and/or anaphylaxis medication while on school property or at a school-related event or activity;
  - b. A written statement, signed by the parent, in which the parent releases the school district and its employees and agents from liability for an injury arising from the student's self-administration of prescription asthma and/or anaphylaxis medication while on school property or at a school-related event or activity unless in cases of wanton or willful misconduct;
  - c. A written statement from the student's physician or other licensed health care provider, signed by the physician or provider, that states:
    - i. That the student has asthma and/or anaphylaxis and is capable of self-administering the prescription asthma and/or anaphylaxis medication;
    - ii. The name and purpose of the medication;
    - iii. The prescribed dosage for the medication;
    - iv. The times at which or circumstances under which the medication may be administered;
    - v. The period for which the medication is prescribed; and



- vi. The physician's statement must be kept on file in the office of the school nurse of the school the student attends or, if there is not a school nurse, in the office of the principal of the school the student attends.
4. If a student uses his/her medication in a manner other than prescribed, he/she may be subject to disciplinary action under the school codes. The disciplinary action shall not limit or restrict the student's immediate access to the medication.
5. The school board authorizes the school nurse or trained school employee to administer auto-injectable epinephrine to a student who the school nurse or trained school employee, in good faith, believes is having an anaphylactic reaction, whether or not the student has a prescription for epinephrine.

**Definitions:**

1. "Parent" means parent or legal guardian.
2. "Auto-injectable epinephrine" means a medical device for the immediate administration of epinephrine to a person at risk for anaphylaxis.
3. "Asthma and anaphylaxis medication" means inhaled bronchodilator and auto-injectable epinephrine.
4. "Self-administration of prescription asthma and/or anaphylaxis medication" means a student's discretionary use of prescription asthma and/or anaphylaxis medication.

**OPTIONAL**

Each public, private and parochial school may maintain a supply of auto-injectable epinephrine at the school in a locked, secure, and easily accessible location. A licensed physician, including, but not limited to, Mississippi State Department of Health District Health Officers, may prescribe epinephrine auto-injectors in the name of the school system or the individual school to be maintained for use when deemed necessary under the provisions of this section.

Each public, private and parochial school that maintains a supply of auto-injectable epinephrine at the school shall require at least one (1) employee at each school to receive training from a registered nurse or a licensed medical physician in the administration of auto-injectable epinephrine.

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

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

Adopted Date: 9/28/2023





**Section: D Fiscal Management**  
**Policy Code: DJED**  
**Policy: Bids and Quotations**

### BIDS AND QUOTATIONS

The school district shall comply with all applicable provisions of the Mississippi Code of 1972 Annotated including but not limited to § 31-7-13 as amended, and with all other applicable federal and state laws and regulations relating to bids.

### PERSONAL LIABILITY

The superintendent, any employee or agent of this school board, who appropriates or authorizes the expenditure of any money to an object not authorized by law, shall be liable personally for up to the full amount of the appropriation or expenditure as will fully and completely compensate and repay such public funds for any actual loss caused by such appropriation or expenditure, to be recovered by suit in the name of the school board or in the name of any person who is a taxpayer suing for the use of the school board, and such taxpayer shall be liable for costs in such case. In the case of the school board, only the individual members of the board who voted for the appropriation or authorization for expenditure shall be liable under this subsection.

No individual member of this school board, or agent of this school board shall let contracts or purchase commodities or equipment except in the manner provided by law; nor shall this school board ratify any such contract or purchase made by any individual member, employee or agent thereof, or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided, however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the school board shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by this school board to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by this school board.

The individual members, employees or agents of this school board as defined in Section 31-7-1 causing any public funds to be expended, any contract made or let, any payment made, in any manner whatsoever, contrary to or without complying with any statute of the State of Mississippi, regulating or prescribing the manner in which such contracts shall be let, payment on any contract made, purchase made, or any other payment or expenditure made, shall be liable, individually, and upon their official bond, for compensatory damages, in such sum up to the full amount of such contract, purchase, expenditure or payment as will fully and completely compensate and repay such public funds for any actual loss caused by such unlawful expenditure.



In addition to the foregoing provision, for any violation of any statute of the State of Mississippi prescribing the manner in which contracts shall be let, purchases made, expenditure or payment made, any individual member, employee or agent of this school board who shall substantially depart from the statutory method of letting contracts, making payments thereon, making purchases or expending public funds shall be liable, individually and on his official bond, for penal damages in such amount as may be assessed by any court of competent jurisdiction, up to three (3) times the amount of the contract, purchase, expenditure or payment. The person so charged may offer mitigating circumstances to be considered by the court in the assessment of any penal damages.

Any sum recovered under the provisions hereof shall be credited to the account from which such unlawful expenditure was made.

Except as otherwise provided, any individual member of the school board as defined in Section 31-7-1 shall not be individually liable under this section if he voted against payment for contracts let or purchases made contrary to law and had his vote recorded in the official minutes of the school at the time of such vote, or was absent at the time of such vote. ' 31-7-57

LEGAL REF.: MS CODE as cited

Adopted Date: 9/28/2023





**Section: J Students**

**Policy Code: JGCB**

**Policy: Student Health Services Inoculations**

This school board has the power, authority and duty to require those vaccinations specified by the state health officer as provided in Section 41-23-37. ' 37-7-301(i).

Whenever indicated, the state health officer shall specify such immunization practices as may be considered best for the control of vaccine preventable diseases. A listing shall be promulgated annually or more often, if necessary.

Except as provided hereinafter, it shall be unlawful for any child to attend any school, kindergarten or similar type facility intended for the instruction of children (hereinafter called "schools"), either public or private, with the exception of any legitimate home instruction program as defined in Section 37-13-9, for ten (10) or less children who are related within the third degree computed according to the civil law to the operator, unless they shall first have been vaccinated against those diseases specified by the state health officer.

A certificate of exemption from vaccination for medical reasons may be offered on behalf of a child by a duly licensed physician and may be accepted by the local health officer who, in his opinion, such exemption will not cause undue risk to the community.

Certificates of vaccination shall be issued by local health officers or physicians on forms specified by the Mississippi State Board of Health. These forms shall be the only acceptable means for showing compliance with these immunization requirements, and the responsible school officials shall file the form with the child's record.

If a child shall offer to enroll at a school without having completed the required vaccinations, the local health officer may grant a period of time up to ninety (90) days for such completion when, in the opinion of the health officer, such delay will not cause undue risk to the child, the school or the community. No child shall be enrolled without having had at least one (1) dose of each specified vaccine.

Within thirty (30) days after the opening of the fall term of school (on or before October 1 of each year) the person in charge of each school shall report to the county or local health officer, on forms provided by the Mississippi State Board of Health, the number of children enrolled by age or grade or both, the number fully vaccinated, the number in process of completing vaccination requirements, and the number exempt from vaccination by reason for such exemption.

Within one hundred twenty (120) days after the opening of the fall term (on or before December 31), the person in charge of each school shall certify to the local or county health officer that all children enrolled are in compliance with immunization requirements.





For the purpose of assisting in supervising the immunization status of the children the local health officer, or his designee, may inspect the children's records or be furnished certificates of immunization compliance by the school.

It shall be the responsibility of the person in charge of each school to enforce the requirements for immunization. Any child not in compliance at the end of ninety (90) days from the opening of the fall term must be suspended until in compliance, unless the health officer shall attribute the delay to lack of supply of vaccine or some other such factor clearly making compliance impossible. 41-23-37

Failure to enforce provisions of this Section shall constitute a misdemeanor and upon conviction be punishable by fine or imprisonment or both. ' 41-23-37 (1983)

The Mississippi Public School Accountability Standard for this policy is standard 6 and 28.

LEGAL REF.: MS CODE as cited

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

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

Adopted Date: 9/28/2023





**Section: J Students**

**Policy Code: JGEB**

**Policy: Concussion Management and Return to Play Policy**

The Board of Trustees of this school district adopts this concussion management and return to play policy that includes the following guidelines:

- Parents or guardians shall receive and sign a copy of the concussion policy before the start of the regular school athletic event season.
- An athlete who reports or displays any symptoms or signs of a concussion in a practice or game setting shall be removed immediately from the practice or game. The athlete shall not be allowed to return to the practice or game for the remainder of the day regardless of whether the athlete appears or states that he or she is normal.
- The athlete shall be evaluated by a health care provider working within the provider's scope of practice.
- If an athlete has sustained a concussion, the athlete shall be referred to a licensed physician, preferably one with experience in managing sports concussion injuries.
- The athlete who has been diagnosed with a concussion shall be returned to play only after full recovery and clearance by a health care provider.
- Return to play after a concussion should be gradual and follow a progressive return to competition.
- An athlete shall not return to a competitive game before demonstrating that he or she has no symptoms in a full supervised practice.
- Athletes shall not continue to practice or return to play while still having symptoms of a concussion.

The superintendent/designee shall develop procedures to support this policy and the all staff shall implement.

### **Concussion Policy Definitions**

- "Health care provider" means a licensed physician or a licensed nurse practitioner, licensed physician assistant or licensed health care professional working within the person's scope of practice and under the direct supervision or written consultation of a physician. All health care providers referred to in this act also must be trained in the evaluation and management of concussions.



- "School athletic event" means activities sanctioned by the Mississippi High School Activities Association (MHSAA) or the Mississippi Association of Independent Schools (MAIS), and school-sponsored activities in Grades 7 through 12 of schools that are not members of the MHSAA or the MAIS which activities are organized and conducted in a manner substantially similar to activities that are sanctioned by the MHSAA or the MAIS.

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

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

Adopted Date: 9/28/2023





**Section: E Business Management**

**Policy Code: EBBABB**

**Policy: Prohibition Against Aiding and Abetting Sex Offenders in Obtaining Employment**

The Mississippi Schools for the Deaf and the Blind School District prohibits any individual who is a school employee, contractor, or agent, from assisting and abetting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or district knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

The requirements above shall not apply if the information giving rise to probable cause:

- (1)(a) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and
  - (b) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; AND
- (2)(a) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;
  - (b) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or
  - (c) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

This school district shall report incidents of sexual misconduct to the proper law enforcement, the Mississippi Department of Education and all other required agencies. This school district shall not enter confidentiality agreements with sexual predators.

Official references may only be provided by the superintendent or designee. Personal letters of reference or recommendations provided by employees shall not be written on district letterhead and are not considered official. All requests for official references shall be submitted to the superintendent or designee.



The superintendent shall develop procedures to support this policy.

Adopted Date: 9/28/2023







**Section: E Business Management**

**Policy Code: EDDAA**

**Policy: Transporting Students to Events in Vehicles Other than School Buses**

While students are being transported for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions, school buses are to be used whenever practical.

This school board may regularly permit the use of motor vehicles other than school buses when the transportation is for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions, but is not for customary transportation between a student's residence and such sites.

When the transportation of students is provided, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by this school district, the following provisions shall apply:

1. The vehicle must be a passenger car or multipurpose passenger vehicle or truck, as defined in 49 C.F.R. Part 571, designed to transport fewer than ten (10) students. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.
2. An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.
3. The driver of an authorized vehicle transporting students must maintain a valid driver's license and must comply with the requirements of the school district's locally adopted safe driver plan, which includes review of driving records for disqualifying violations.
4. The superintendent or designee shall establish procedures specifying guidelines and consequences for violation of the policy.

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

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

Adopted Date: 9/28/2023