

District: Holmes County Consolidated School District
Section: B - School Board Operations
Policy Code: BBB - School Board Members - Individual Board Member's Authority and Responsibilities

SCHOOL BOARD MEMBER'S AUTHORITY AND RESPONSIBILITIES

An individual board member exercises the authority and responsibility of his/her position only when the board is in legal session. A board member has the authority to act in the name of the board when authorized by a specific board motion, such motion reflected in the board's minutes.

A board member has the right to express personal opinions. When expressing such opinions in public, the board member must clearly identify the opinions as his or her own and not that of the school board.

Members of the board expected to adhere to the following in carrying out his or her responsibilities:

1. Request for Information

Any individual board member of the Holmes County Consolidated School District who desires a copy of existing written materials, reports or surveys prepared by the administrative staff will make such a request to the superintendent. A copy of the requested material may be made available to each member of the board.

2. Requests for Legal Opinions

Any board member of the Holmes County Consolidated School District may request a legal opinion. However, such request shall be made through the board chair to the superintendent. If the legal opinion sought involves the superintendent's employment or performance, the request should be made to the board chair. Legal counsel is responsible to the board.

3. Action on Complaints or Requests Made to Board Members

When board members receive complaints or requests for action from staff, students or members of the public, the board members will direct the staff, students, and/or members of

the public to follow the district's "Chain of Command" procedure. Any complaints received by a board member shall be conveyed to the superintendent.

4. Board Member's Relationship to Administration

Individual board members will be informed about the district's educational program by the superintendent or his or her designee. Board members may visit schools or other facilities to gain information, and may request information from the superintendent. All such visits and request for information shall be in compliance with school board policy. Board members shall not intervene in the administration or classroom instruction of the district or its schools.

5. Contracts or Agreements Made by Individual Board Members

Contracts or agreements made by individual Board members without the board's authority are invalid.

CROSS REF: MS Process Accreditation Standard 1; A.G Opinions 2003-0683, 2004-0263, 2005-0351

LEGAL REF: MS Code § 25-61-1 and 37-7-30

Adopted Date: 1/30/2018

Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District
Section: B - School Board Operations
Policy Code: BBBE - Board Member Compensation and Expenses

BOARD MEMBER COMPENSATION AND EXPENSES

BOARD MEMBER CHOICE

Each school board member shall receive per diem in the amount of one hundred twelve dollars (\$112.00) for no more than thirty-six (36) meetings of the school board during any one (1) fiscal year, or may choose to receive as compensation for services an annual salary subject to the following provisions:

1. For a school board member serving in a district with less than five thousand students enrolled in the school district, that member shall receive an annual salary of four thousand dollars (\$4,000);
2. For a school board member serving in a district with at least five thousand students but less than ten thousand students enrolled in the school district, that member shall receive an annual salary of not less than four thousand dollars (\$4,000) but not more than five thousand dollars (\$5,000);
3. For a school board member serving in a district with greater than ten thousand students enrolled in the school district, that member shall receive an annual salary of not less than four thousand dollars (\$4,000) but not more than six thousand dollars (\$6,000);

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

REIMBURSEMENT

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

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

REFRESHMENTS / MEALS AT BOARD MEETINGS

When attending meetings of the board and mandatory training sessions, board members may be provided refreshments and/or a meal when such is deemed necessary to prevent major interruptions to the board meeting or training session. A meal may be provided in lieu of reimbursement in order to avoid disruption of business, if the board determines that such is a necessary and reasonable expense of the meeting.

PENALTY FOR MISSED BOARD MEETINGS

If a member of a school board misses twenty percent (20%) or more of the meetings of the school board during a calendar year, except for absences caused by required military duty, the member must reimburse the school district that portion of the total salary paid to the member that year which is proportionate to the number of meetings missed by the member in relation to the total number of school board meetings held during that year. For purposes of this subsection, consideration may be given only to meetings of which public notice is required. 37-6-13

LEGAL REF.: MS CODE as cited

CROSS REF.: Policy DJD - Expense Reimbursements

Last Review Date: 12/8/22

Review History: June 8, 2022

Adopted Date: 1/30/2018

Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District

Section: B - School Board Operations

Policy Code: BCBK - Executive Sessions

EXECUTIVE SESSIONS

The board may go into executive session for those reasons listed in the Open Meetings Act (MS Code 25-41-7). An executive session shall be limited to matters allowed to be exempted from open meetings and shall be applicable to that particular meeting on that particular day. Nothing shall be construed to require that any meeting be closed to the public, nor shall any executive session be used to circumvent or defeat the purposes of the Open Meetings Law.

The stated reason for going into executive session and no other topic may be discussed in the session. If another topic needs to be discussed in executive session other than the one first stated and the second is a legitimate topic for executive session discussion, then the board must come back into open session and repeat the process as outlined below.

The Homes County Consolidated School Board may enter into an executive session from an open meeting only, for the transaction of public business by the following procedure:

1. Any board member may request by motion a closed determination upon the issue of whether or not to declare an executive session. A second is not necessary. At this point the meeting is to be temporarily closed and the room cleared.
2. If after a discussion of the reasons for going into an executive session a motion is made, seconded and approved by 3/5 of the members present, the president is to briefly reopen the meeting and announce publicly that the board is going into executive session and give the reasons therefor.
3. The meeting is then closed and in executive session.

PERMISSIBLE REASONS

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

- a. Transaction of business and discussion of personnel matters relating to the job performance, character, professional competence, or physical or mental health of a person holding a specific position.
- b. Strategy sessions or negotiations with respect to prospective litigation, litigation or issuance of a detrimental effect on the litigating position of the public body.
- c. Transaction of business and discussion regarding the report, development or course of action regarding security personnel, plans or devices.
- d. Investigative proceedings by any public body regarding allegations of misconduct or violation of law.
- e. Any body of the Legislature which is meeting on matters within the jurisdiction of such body.

- f. Cases of extraordinary emergency which would pose immediate or irrevocable harm or damage to persons and/or property within the jurisdiction of such public body.
- g. Transaction of business and discussion regarding the prospective purchase, sale or leasing of lands.
- h. Discussions between a school board and individual students who attend a school within the jurisdiction of such school board or the parents or teachers of such students regarding problems of such students or their parents or teachers.
- i. Transaction of business and discussion concerning the preparation of tests for admission to practice in recognized professions.
- j. Transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business or industry.
- k. Transaction of business and discussions regarding employment and termination of employees. The exemption provided by this paragraph includes the right to enter into executive session concerning a line item in a budget which might affect the termination of an employee or employees. Final budgetary adoption shall not be taken in executive session.
- l. Discussions regarding material or data exempt from the Mississippi Public Records Act of 1983 pursuant to Section 25-11-121.
- m. Investigative discussions, investigative strategies, probative strategies related to identifiable instances of human trafficking or commercial sexual exploitation, and discussions involving locations of shelters or safe-houses for victims of human trafficking or commercial sexual exploitation.
- n. Transaction of business of committees, subcommittees or boards that would require discussion of any identifiable information of victims of human trafficking or children under eighteen years old who are victims of commercial sexual exploitation.

MINUTES

The minutes of the board must reflect that the board voted for a closed session and that a second motion was made and adopted for the specific reason to go into executive session.

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

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

1. Listing of members present and absent.
2. Date, time, and place of the meeting.
3. An accurate recording of any final actions taken at the board meeting.
4. A record, by individual member, of any votes taken.

5. Any other information that the board requests be included or reflected in the minutes.

EXECUTIVE SESSION ATTENDANCE

The board may designate those persons it wishes to be present during an executive session. It is a matter of good practice for the superintendent to be present at all times, unless there is discussion of his/her compensation or an evaluation of his/her performance. When there is discussion of personnel, pending litigation or other such sensitive matters, it is best that the board follows the advice of the school board attorney.

When there is a discussion of discipline or special needs if a child, attendance will be limited to the parent or legal guardian of the child. The child or parent/guardian of a child may be represented by an attorney. If an attorney is present as legal counsel, the attorney must state for recording in the minutes that he/she is representing the child or parent/guardian. Other school officials may be called into the session if needed to provide relevant information for the discussion.

ENFORCEMENT OF OPEN MEETINGS LAW

The Mississippi Ethics Commission shall have the authority to enforce the provisions of this chapter upon a complaint filed by any person. Upon receiving a complaint, the commission shall forward a copy of the complaint to the head of the public body involved. The public body shall have fourteen (14) days from receipt of the complaint to file a response with the commission. After receiving the response to the complaint or, if no response is received after fourteen (14) days, the commission, in its discretion, may dismiss the complaint or proceed by setting a hearing in accordance with rules and regulations promulgated by the Ethics Commission.

If the Ethics Commission finds that a member or members of a public body has willfully and knowingly violated the provisions of this chapter, the Ethics Commission may impose a civil penalty upon the individual members of the public body found to be in violation of the provision of this chapter in a sum not to exceed Five Hundred Dollars (\$500.00) for a first offense and One Thousand Dollars (\$1,000.00) for a second or subsequent offense, plus all reasonable expenses incurred by the person or persons in bringing the complaint to enforce this chapter.

TELECONFERENCE OR VIDEO MEETING

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

LEGAL REF.: MS CODE 25-41-7 and 25-41-11; Attorney General Opinion No. 2001-0093, Mabry, March 23, 2001 and Clements, 2-8-02(#272)(2002-0022)

CROSS REF.: Policies BCAD Teleconference or Video Board Meeting
BCBH Minutes of Board Meetings

Last Review Date: 12/8/2022

Review History: 6/24/2022

[Going Into Executive Session.pdf](#)

Adopted Date: 1/30/2018

Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District

Section: C - General School Administration

Policy Code: CNA - Access to Public Records

ACCESS TO PUBLIC RECORDS

HOLMES COUNTY CONSOLIDATED SCHOOL DISTRICT

PUBLIC RECORDS ACCESS PROCEDURES

The following policies and procedures are adopted in order to comply with the requirements of the Mississippi Public Records Act of 1983 (hereinafter the Act).

RECORDS ACCESSIBLE

All public records maintained by the district, as defined by the Act, shall be made available for access and duplication, subject to the exceptions and requirements of these policies, and other state or federal laws.

REQUESTS FOR ACCESS

Requests for access to public records shall be filed in writing, on forms provided, with the Superintendent of Schools, Holmes County Consolidated School District, 313 Olive Street, Lexington, MS 39095. The request must state with sufficient specificity the nature, location, and description of the public record sought in order to enable the appropriate official(s) of the district to obtain the records for review and/or duplication. In the event that the request lacks sufficient clarity or is otherwise unduly burdensome, it will be returned to the originator for clarification or correction. All requests to inspect or duplicate public records must be filed between the hours of 9:00 a.m. and 3:00 p.m. on any working day in the superintendent's office.

Requests for inspection and/or duplication of records shall be honored at such time during the day as the documents are not being used by the appropriate officials of the district. After the records are located and made available for inspection and/or duplication, the originator of the request will be notified of a time, place and date, not later than seven (7) days from the date of the receipt of the request, to allow inspection and/or duplication.

FEES CHARGED

As allowed by statute, the district shall charge and collect fees to reimburse it for the actual costs of searching, reviewing, duplicating and mailing copies of public records. All applicable charges shall be paid to the district in advance of complying with any requests, pursuant to the following schedule:

- Photocopying: 0.50 cents per page, with a minimum charge of \$5.00 per search.
- Searching and Reviewing: An hourly charge of any staff time or contractual services included in actual cost shall be at the pay scale of the lowest level employee or contractor competent to respond to the request. Such fees shall be collected by the district in advance of complying with the request.
- Postage: Actual cost of postage shall be assessed for all records mailed.

Any request which will require considerable assistance of school personnel for searching and reviewing shall be subject to a minimum deposit of \$25.00. In the event that the actual cost is found to be less than \$25.00, the balance shall be refunded to the originator of the request at the appointed time for the inspection and/or duplication.

EXEMPT RECORDS

The following records are exempt from the Act and from this policy and shall not be subject to disclosure, except under other authority and under appropriate circumstances.

1. Records furnished to public bodies by third parties which contain trade secrets or confidential, commercial or financial information, as provided by the Act.
2. Records which are confidential or privileged, as provided by constitutional, statutory or case law of this state or of the United States.
3. Records which are developed among judges, judges and their aides, and juries.
4. Personnel records, including but not limited to applications for employment, test questions and answers used in employment examinations, and letters of recommendation.
5. Test questions and answers in the possession of a public body which are to be used in future academic examinations.
6. Records which represent and constitute the work product of an attorney representing the district, records which are related to litigation by or against the district, or in anticipation of prospective litigation, and communications between the district and the attorney in the course of an attorney-client relationship.
7. Records which would disclose information about a person's individual tax payment or status.
8. Records concerning the sale or purchase of property for public purposes prior to the announcement of the purchase or sale where the release of the record would have a detrimental effect on the sale and purchase.
9. All educational records of students and former students, as defined by Policy JR Student Records and by the Federal Privacy Act; such exemption shall also apply to letters of recommendation respecting admission to any educational agency or institution.

10. Records that are maintained regarding the process of detection and investigation of unlawful activity, in addition to such records as defined in Section 45-29-1 of the Mississippi Code of 1972.
11. Commercial and financial information of a proprietary nature required to be submitted to the district.
12. Certain information technology (IT) records in accordance with MS Code 25-61-11.2.
13. School safety plan documents containing preventive services listed in Section 37-3-83.
14. Records relating to the identities of any person designated by a school's governing body to serve as a school safety guardian under the Mississippi School Safety Guardian Act.

INABILITY TO PRODUCE THE RECORD BY THE SEVENTH DAY

If a public body is unable to produce a public record by the seventh working day after the request is made, the public body must provide a written explanation to the person making the request stating that the record requested will be produced and specifying with particularity why the records cannot be produced within the seven-day period. Unless there is mutual agreement of the parties, in no event shall the date for the public body's production of the requested records be any later than fourteen (14) working days from the receipt by the public body of the original request.

DENIAL OF ACCESS

In the event that the district denies a request for access to or copies of public records, the denial will be in writing and contain a statement of the specific exemption relied upon by the public body for the denial. The district will maintain a record of all denials for a period of three (3) years.

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

LEGAL REF.: MS CODE 25-61-1 *et seq.*; 37-11-51

CROSS REF.: Policies BE School Board Records

CN Administrative Records

GAR Professional Personnel Records

JR Student Records

NOTE: The "Public Records Access Report" is below under Exhibits.

Last Review Date: 4/20/2023
Review History: 12/17/2021

[School District Public Records Access Report.pdf](#)

Adopted Date: 1/30/2018

Approved/Revised Date: 4/20/2023

District: Holmes County Consolidated School District
Section: D - Fiscal Management
Policy Code: DJEC - Federal Purchasing and Procurement

FEDERAL PURCHASING AND PROCUREMENT

The Holmes County Consolidated School District shall comply with all state and federal laws regarding purchasing and procurement. The implementation of this guidance is to reduce administrative burden and risk of waste, fraud, and abuse for federal awards.

When utilizing federal funds, district staff must strictly adhere to the guidance and rules outlined by the Office of Management and Budget (OMB) in the Uniformed Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 Part 200); including but not limited to the following:

- Federal purchases of services under \$10,000 are considered "micro purchases." The purchase orders for micro purchases may be awarded without soliciting any competitive quotes if the costs are deemed reasonable. To the extent practicable, these purchases should be distributed equitably among qualified suppliers.
- All federal purchases of services between the amounts of \$10,000 to \$250,000 must have at least two (2) price or rate quotes. Any services over \$250,000 will need to follow the competitive bidding process.

The state of Mississippi is **more restrictive** on the purchase of goods (commodities); therefore, district staff must also adhere strictly to the guidance and rules outlined by the Mississippi State Purchase Law Summary, including the following:

- Purchases which do not involve an expenditure of more than \$5,000, exclusive of freight and shipping charges, may be made without advertising or otherwise requesting competitive bids.
- For all (irrespective of funding source) purchases of goods (commodities) between the amounts of \$5,000 and \$75,000, exclusive of freight and shipping charges, districts must have at least two (2) price quotes.
- For all (irrespective of funding source) purchases of goods (commodities) over \$75,000, exclusive of freight and shipping charges, must adhere to the Mississippi State Purchase Law Summary which requires the application of competitive bidding process.

The superintendent or designee shall develop procedures for the support of this policy.

Adopted Date: 12/16/2019
Approved/Revised Date: 5/16/2023

District: Holmes County Consolidated School District

Section: G - Personnel

Policy Code: GAHB - Political Activity of Staff Members

POLITICAL ACTIVITY OF STAFF MEMBERS

The Holmes County Consolidated board recognizes the right of its employees, as citizens, to engage in political activity. The board also recognizes that school property and school time should not be used for political purposes except as provided for in policies pertaining to the use of school buildings by civic and political organizations.

Nothing in this policy should be interpreted as prohibiting employees from conducting appropriate activities which encourage students to become involved in the political processes of the party of the student's choice or as independents, nor does it prohibit the use of political figures as resource persons in the classroom.

SCHOOL TIME

School time shall be defined as the time employees are required to be on school grounds during the school day and includes:

- the specified time before school begins
- the specified time after school is dismissed
- the specified time immediately prior to and after school-sponsored events
- the specified time immediately prior to and after extra-curricular activities

CANDIDACY FOR POLITICAL OFFICE

An employee who intends to campaign for an elective public office shall, at the earliest possible moment, notify the school board in writing of the office which he intends to seek, together with his decision as to whether he wishes to continue his employment and under what terms and conditions. The essential element to be determined by the board is whether the activities proposed by the employee are compatible with the time requirements for fulfilling his responsibilities to the district. The board shall not require an employee seeking public office to resign or take a leave of absence.

GENERAL GUIDELINES

All employees shall be encouraged to exercise their constitutional rights as citizens, but they shall not involve their schools in political campaigns.

Campaign literature supporting one or more candidates shall not be distributed within the schools or on school buses by pupils, teachers, or others, nor shall campaign posters be displayed on school owned property. Customary community political activities may be expected on election days at schools when schools are used as polling places.

Employees shall not poll their pupils to determine how their parents are voting on any issue, and shall not attempt to indoctrinate pupils with personal political and social philosophy; however, employees are not prohibited from political activity after hours of official employment.

SPECIFIC PROHIBITIONS

Activities specifically prohibited during school time include, but are not limited to:

1. The circulation of political posters, petitions or other campaign material;
2. The collection or solicitation of funds in support of a candidate's campaign;
3. The solicitation for campaign workers;
4. The writing or addressing of campaign material and distribution of campaign materials on school property;
5. Any activity that indicates that an employee is using his or her position to further personal views on candidates for office;
6. The intimidating, harassing or coercing an employee relative to a political race or issue;
7. The use of school system facilities, equipment or supplies;
8. A candidate talking to school personnel during school time regarding the candidate's campaign.

VIOLATIONS

Violations of this policy shall be reported and discussed in a conference between the employee and the superintendent. In the event the political activity is associated with the superintendent of education, violations of the policy shall be reported in writing to the president of the school board.

If the superintendent finds the complaint to be factual, he shall issue a written reprimand to the employee(s) involved. This reprimand shall become a part of the employee's personnel file. Depending on the severity of the violation, the result may be non-renewal of an employee's contract or dismissal.

If the school board investigates a complaint against the superintendent of education and finds the complaint to be factual, it shall direct the school board president to issue a written reprimand to the employee(s) involved. This reprimand shall become a part of the employee's personnel file. Continuous violation of this policy may result in additional disciplinary action.

CROSS REF.: BA Board Operations Goals and Objectives Mission Statement

GBRG Professional Personnel Non-School Employment

IB Instructional Goals

Adopted Date: 1/13/2022

Approved/Revised Date:

District: Holmes County Consolidated School District
Section: G - Personnel
Policy Code: GBEN - Possession of Weapons on School Premises

POSSESSION OF WEAPONS ON SCHOOL PREMISES

The possession of any weapon, as defined in policy JCDAE, on school premises or at any school-related activity by any employee of the district, including those employees having a license or permit for possession of a firearm pursuant to Miss. Code Section 45-9-101 and/or Section 97-37-7, unless an exception under the law applies, is prohibited. Employees in violation of this policy shall be disciplined accordingly, including possible termination of employment.

It is the responsibility of every employee to report to his/her principal or immediate supervisor or the person responsible for supervising a school-related activity or event any knowledge of the possession of a weapon on school premises or at any school-related activity or event by any employee of the district. Appropriate steps shall then be taken to carry out the intent of this policy, including notification to police officials, so that employees in possession of weapons are promptly removed from school premises or school-related activities or events and/or are refused admittance to school premises, buildings, activities or events.

This policy is not meant, in any way, to limit the authority of any school resource officer, law enforcement officer, or designated school safety guardian to carry their issued firearm in performance of their assigned duty.

This policy does not prevent faculty leaders from participating in MHSAA sanctioned activities which require a firearm. (ex. Archery and Marksmanship).

LEGAL REF: MS Code as cited.

(MS AG Opinion number 2013-00023 Scott Cantrell Oct. 1 2013)

CROSS REF: Policy JCDAE – Weapons

Policy JCBF – Reporting of Unlawful or Violent Acts

Adopted Date: 1/30/2018

Approved/Revised Date: 11/11/2021

District: Holmes County Consolidated School District
Section: G - Personnel
Policy Code: GBN - Professional Personnel Separation/Nonrenewal

PROFESSIONAL PERSONNEL SEPARATION

It is recognized by the Holmes County Consolidated school district that it is necessary, from time to time, to release from future employment licensed personnel where their performance fails to meet the standards established by the State Department of Education and/or this board or where their services are no longer needed.

An employee shall include:

1. Any professional personnel employed by the local school district for a continuous period of two (2) years with that district and who is required to have a valid license issued by the State Department of Education as a prerequisite of employment; OR
2. Any professional personnel who has completed a continuous period of two (2) years of employment in a Mississippi public school district and one (1) full year of employment with the school district of current employment and who is required to have a valid license issued by the State Department of Education as a prerequisite of employment. 37-9-103

NOTICE OF NONRENEWAL

If a recommendation is made by the school district not to offer an employee a renewal contract for a successive year, written notice of the proposed non-reemployment stating the reasons for the proposed non-reemployment shall be given no later than the following:

1. If the employee is a principal, the superintendent, without further board action, shall give notice of non-reemployment on or before March 1; or
2. If the employee is a teacher, administrator or other professional educator covered under Sections 37-9-101 through 37-9-113, the superintendent, without further board action, shall give notice of non-reemployment on or before April 15, or within ten (10) calendar days after the date that the Governor approves the appropriation bill(s) comprising the state's education budget for funding K-12, whichever date is later.

An interim superintendent appointed pursuant to Section 37-17-6(14)(a) or a school board acting on the recommendation of a school district financial advisor appointed pursuant to Section 37-9-18 shall not be required to comply with the time limitations prescribed in this section for recommending the reemployment of principals, teachers, administrators or other professional educators. 37-9-105

A decision not to renew licensed employees of the Holmes County Consolidated school district shall be based upon valid educational reasons or noncompliance with school district personnel policies.

LICENSED EMPLOYEE RIGHTS

A principal or other professional educator receiving written notice under the provisions of this policy shall, upon written request within ten (10) calendar days of notice of proposed non-

reemployment, be entitled to:

1. Written notice of the specific reasons for non-reemployment together with a summary of the factual basis therefor, a list of witnesses and a copy of documentary evidence substantiating the reasons intended to be presented at the hearing. The school district shall give this notice to the principal or other professional educator at least fourteen (14) calendar days prior to any hearing. If the district fails to provide this information to the employee, then the recommendation for non-reemployment shall be null and void, and the board shall order the execution of a contract with the employee for an additional period of one (1) year;
2. An opportunity for a hearing at which to present matters relevant to the reasons given for the proposed non-reemployment, including any reasons alleged by the employee to be the reason for non-reemployment; provided, however, that any school superintendent whose employment has been terminated by the school board under Section 37-9-59, or whose employment contract has not been renewed by the school board shall not have the right to request a hearing before the school board or a hearing officer;
3. Receive a fair and impartial hearing before the board or hearing officer; provided, however, that any school superintendent whose employment has been terminated by the school board under Section 37-9-59, or whose employment contract has not been renewed by the school board shall not have the right to request a hearing before the school board or a hearing officer;
4. be represented by legal counsel, at his/her own expense.

If the employee does not request a hearing, the recommendation regarding the nonreemployment of the employee shall be final.

It is the intent of the Holmes County Consolidated school district to establish procedures for providing professional educators with notice of the reasons for not offering him/her a renewal of his/her contract and to provide an opportunity for principals and other professional educators to present matters relevant to the reasons given for the proposed non-reemployment determination and to the reasons the employee alleges to be the reasons for non-reemployment. The board is required to determine whether the recommendation of non-reemployment is a proper employment decision and not contrary to law and whether the nonrenewal decision is based upon valid educational reasons or noncompliance with school district personnel policies.

Any and all hearings shall be conducted pursuant to the "Rules of Procedure Under the Education Employment Procedures Law of 2001" (Policy GBN-R), adopted by this board. All proceedings under this policy are and shall be governed by the Education Employment Procedures Law of 2001, where applicable. 37-9-101 *et. seq.*

Where a school board has acted in a manner which is arbitrary and capricious and where its actions are not supported by substantial evidence, the Chancery Court and ultimately the Supreme Court have the responsibility to intervene.

LEGAL REF.: MS CODE, as cited

Merchant v Pearl MSSD (Miss. 1986) 492 So. 2d 959

CROSS REF.: Policy GBN-R Rules of Procedure Under the Education Employment
Procedures Law

Adopted Date: 1/30/2018

Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District
Section: G - Personnel
Policy Code: GBRM-2 - Drug and Alcohol Testing Policy

DRUG AND ALCOHOL TESTING POLICY

The following is Holmes County Consolidated School District's Drug and Alcohol Testing Policy. This policy is effective _____, 2024. After this date, the district will begin testing personnel if it reasonably suspects that an employee is under the influence of illegal drugs or alcohol. In addition, the district will begin conducting random testing of all bus drivers, and preemployment testing of all prospective employees. This policy will be enforced uniformly with respect to all personnel. All of the district's personnel, including administrators, will be subject to testing.

The purposes of this policy are as follows.

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

SUBSTANCE ABUSE

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

1. All employees are prohibited from being under the influence of drugs or alcohol while on duty or on district premises. All employees are prohibited from using illegal drugs, or prescription medication for which they do not have a proper prescription.
2. The use, sale, possession, transfer, or purchase of illegal drugs, non-prescription drugs, medical marijuana, or controlled substances while on district property or while performing district business is strictly prohibited and is cause for immediate termination. Such action will be reported to appropriate law enforcement officials.
3. No alcoholic beverage will be brought or consumed on district premises.
4. No prescription drug will be brought on district premises by any person other than the person for whom the drug is prescribed. Prescription drugs will be used only in the manner, combination, and quantity prescribed.
5. The district is not prohibited from establishing or enforcing a drug-testing policy under the Mississippi Medical Cannabis Act. The district is not required to permit, accommodate, or allow the use of medical cannabis, or to modify any job/working conditions of any employee

who engages in the medical use of medical cannabis or who for any reason seeks to engage in the medical use of medical cannabis.

6. The district is not prohibited from taking an adverse employment action against an employee, up to and including termination, as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of cannabis.
7. Any employee whose off-duty use of alcohol, medical marijuana, illegal, or non-prescription drugs results in excessive absenteeism, tardiness, poor work, or an accident will be subject to discipline, up to and including termination.

DRUG AND ALCOHOL TESTING

1. Effective _____, 2024 the Holmes County Consolidated School District will begin conducting preemployment testing, reasonable suspicion testing of all personnel and random testing of bus drivers.
2. An employee will be allowed to provide notice to the district of currently or recently used prescription or non-prescription drugs prior to the time of the test.
3. Random testing of bus drivers will be implemented using a neutral selection basis. The district will not waive the selection of any employee chosen pursuant to the random selection procedures.
4.
 - a. Reasonable suspicion is defined under this policy as the belief by the district that an employee is using or has used drugs or alcohol in violation of the district's policy. Reasonable suspicion may be based upon, among other things:
 - i. Observable phenomena, such as direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug;
 - ii. Abnormal conduct or erratic behavior while at work, absenteeism, tardiness, or deterioration in work performance;
 - iii. A report of drug use provided by reliable and credible sources and which has been independently corroborated;
 - iv. Evidence that an individual has tampered with a drug and alcohol test during his employment with the current employer;
 - v. Information that an employee has caused or contributed to an accident while at work; and
 - vi. Evidence that an employee is involved in the use, possession, sale, solicitation, or transfer of drugs while working or while on school premises or while operating one of the school's vehicles, its machinery, or its equipment.
 - b. If there is reasonable suspicion that an employee is using or has used drugs or consumed alcohol in violation of the district's policy, that employee will be required to

- submit to a drug and/or alcohol test. The superintendent (or in his or her absence an appointed replacement) must approve in advance all reasonable suspicion testing. If the test result is confirmed positive for drugs or alcohol in violation of the district's drug and alcohol policy, the employee will be subject to immediate termination of his or her employment with the district.
5. Any employee who refuses to take a drug and alcohol test will be subject to discipline, up to and including immediate termination of employment.
 6. The following are drugs for which the district may test: alcohol, opiates, amphetamines, phencyclidine (PCP), marijuana, and cocaine.
 7. An employee who receives a positive confirmation drug and alcohol test result may contest the accuracy of the result or explain the results within ten days of the date of such result by filing a written statement with the superintendent. An employee, at his or her own cost, also may request that the specimen be retested at a certified laboratory of his or her own choosing.
 8. An employee who receives a positive confirmation test result and who fails to present a satisfactory contest or explanation to such result, or a contrary result from a certified laboratory of the employee's own choosing, will be subject to discipline, up to and including termination.
 9. (*Optional Provision*) -- If the district determines that discipline and/or discharge are not necessary or appropriate in a case where an employee is in violation of Holmes County Consolidated School District's Drug and Alcohol Testing Policy, the employee as a condition of continued employment must complete a certified substance abuse rehabilitation program at the employee's own cost and expense. The employee may be allowed to work for the district while undergoing the treatment, but the employee must provide evidence of continued treatment and/or rehabilitation upon request. The employee must also agree to submit to random testing for three years after the date of the positive confirmation drug and alcohol test result.

A copy of this policy, and state law regarding drug testing can be obtained from the district office.

FEDERAL CLEARINGHOUSE QUERIES

The Holmes County Consolidated School District will conduct queries through the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse on all current and new bus drivers in the school district. A consent form must be signed by the person on which the query will be run for both pre-employment queries and annual queries of current employees before a query can be initiated. The district may NOT query the Clearinghouse to determine whether a record exists for any driver without first obtaining that driver's written or electronic consent.

The district will not permit a driver to perform a safety-sensitive function if the driver refuses to grant consent.

The district will not employ a bus driver to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the driver has:

1. A verified positive, adulterated, or substituted controlled substances test result;

2. Has an alcohol confirmation test with a concentration of 0.04 or higher;
3. Has refused to submit to a test; OR
4. That an employer has reported actual knowledge, as defined at 49 CFR § 382.107, that the driver used alcohol on duty in violation of 49 CFR § 382.205, used alcohol before duty in violation of 49 CFR § 382.207, used alcohol following an accident in violation of 49 CFR § 382.209, or used a controlled substance, in violation of 49 CFR § 382.213.

The district will also query the Clearinghouse annually for all currently employed CDL drivers. There are two types of queries:

1. Limited Query – This query will tell the district whether there is information about the individual driver in the Clearinghouse, but will not release that information to the district. The individual driver may give consent to conduct limited queries that is effective for more than one year.
2. Full Query – If the limited query shows that information exists in the Clearinghouse about the individual driver, the district must conduct a full query within 24 hours of conducting the limited query. The driver will need to sign another consent giving the district permission to do a full query. If the district fails to conduct a full query within 24 hours, the district must not allow the driver to continue to perform any safety-sensitive function until the district conducts the full query and the results confirm that the driver's Clearinghouse record contains no prohibitions.

The district will report a driver's drug and alcohol program violations (listed in 1-4 above) to the Clearinghouse within three (3) business days after the district learns of the information. The district will prohibit drivers who have violated the FMCSA's drug and alcohol program regulations from performing safety-sensitive duties unless the driver complies with the return-to-duty process set forth in 49 CFR Part 40, Subpart O.

LEGAL REF: MS Code 71-7-1et seq., 49 CFR § 382.701, 49 CFR § 382.703

CROSS REF: GBRL – Drug Free Schools and Workplace

Last Review Date: _____
 Review History:[1/1/1900][1/1/1901]

[Pre-Employment Drug Test Consent and Information Release Form.pdf](#)
[Drug Test Consent and Information Release Form.pdf](#)
[GBRM-2 Notice.pdf](#)
[School District Drug and Alcohol Testing Policy.pdf](#)
[Drug and Alcohol Testing Indemnity Agreement.pdf](#)
[Clearinghouse Limited Query Consent.pdf](#)
[Clearinghouse Full Query Consent.pdf](#)

Adopted Date: 1/30/2018

Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District

Section: I - Instructional Program

Policy Code: ICG - Sex-Related Education

ABSTINENCE-PLUS SEX EDUCATION

BELIEF

The Holmes County Consolidated School District Board believes that every student has the right to accurate information concerning the prevention of pregnancy and sexually transmitted infections. The School Board is committed to fostering community partnerships that educate both students and parents about this important topic.

The Holmes County Consolidated School District Board seeks to affirm its commitment to creating healthy and responsible teens in the Holmes County Consolidated School District Board by fully complying with the Mississippi Code of 1972, Annotated, Section 37-13-171, and by:

- Adopting educational programs designed to help students and parents take action to reduce rates of teen births and sexually transmitted infections and integrating such programs into already established classes, and
- Establishing principles, guidelines, and strategies for implementing effective sex education programs, referred to in state law as “Abstinence-Plus” education programs.

The district shall utilize an age-appropriate, evidenced based, medically accurate, Abstinence-Plus curriculum from the list of curricula approved and recommended by the Mississippi Department of Education (MDE), including as one choice the curricula of Abstinence-Plus developed by the Mississippi Department of Human Services and the Mississippi Department of Health, if such curricula are on the MDE’s approved curriculum list.

ABSTINENCE-PLUS SEX EDUCATION

The Holmes County Consolidated School District Board adopts a Mississippi Department of Education approved “Abstinence-Plus Education Curriculum” and requires the implementation of such program and curriculum in the Holmes County Consolidated School District Board effective September 2018-2019 school year.

Furthermore, the Holmes County Consolidated School District Board Board:

1. Prohibits any teaching that abortion can be used to prevent the birth of a baby;
2. Requires boys and girls to be separated into different classes when sex-related education is discussed or taught;
3. Prohibits instruction and demonstrations on the application and use of condoms; and
4. Requires the school nurse employed by the school district to carry out the functions of those strategies to promote consistency in the administration of the program if the district adopts the program developed by the Mississippi Department of Health.

DEFINITION

Abstinence-Plus education is a grade and age appropriate school curriculum that includes every component of the following, plus any other programmatic or instructional components approved by the MDE:

- the social, psychological, and health gains to be realized by abstaining from sexual activity, and the likely negative psychological and physical effects of not abstaining;
- the harmful consequences to the child, the child's parents and society that bearing children out of wedlock is likely to produce, including the health, educational, financial and other difficulties the child and his or her parents are likely to face, as well as the inappropriateness of the social and economic burden placed on others;
- that unwanted sexual advances are irresponsible and teaches how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances;
- that abstinence from sexual activity before marriage, and fidelity within marriage, is the only certain way to avoid out-of-wedlock pregnancy, sexually-transmitted diseases and related health problems;
- the current state law related to sexual conduct, including forcible rape, statutory rape, paternity establishment, child support and homosexual activity; and
- that a mutually faithful, monogamous relationship in the context of marriage is the only appropriate setting for sexual intercourse.
- any other age and grade appropriate material such as contraceptives (excluding instruction and demonstrations on the application and use of condoms), the nature, cause and effects of sexually transmitted diseases, including HIV/AIDS, along with a factual presentation of the risks and failure rates.

PARENT'S RIGHTS

Each school providing instruction or any other presentation on human sexuality in the classroom, assembly or other official setting shall be required to provide no less than one (1) week's written notice thereof to the parents of children in such programs of instruction. The written notice must inform the parents of their right to request the inclusion of their child for such instruction or presentation. The notice must also inform the parents of the right, and the appropriate process, to review the curriculum and all materials to be used in the lesson or presentation. Upon the request of any parent, the school shall excuse the parent's child from such instruction or presentation, without detriment to the student.

PROCEDURES

The superintendent, or his/her designee, shall establish procedures to support this policy. The Superintendent will provide the Holmes County Consolidated School District Board with an annual report on the outcomes of the Abstinence-Plus education program. If funding is available, this report shall include quantitative as well as qualitative analysis of the program and shall include the perspective of students, teachers, and parents/guardians.

REVIEW OF POLICY

This policy will be reviewed on an on-going basis in accordance with the Board's policy review

process. This policy shall comply with all applicable provisions of the Mississippi Code of 1972, Annotated, including but not limited to code sections 37-13-171, 37-13-173, 37-13-175, as amended and with all other applicable federal and state laws.

LEGAL REF: MS Code 37-13-171, 37-13-173, 37-13-175

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

Adopted Date: 9/12/2018
Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District

Section: I - Instructional Program

Policy Code: IDAG - Dual Enrollment

DUAL ENROLLMENT CREDIT

Eligible students may participate in the dual enrollment program established by the Holmes County Consolidated school district in compliance with MS Code 37-15-38.

A “Dual Enrolled Student” is a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school.

A “Dual Credit Student” is a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school and who is receiving high school and college credit for postsecondary coursework.

(1) Dual credit program allowances. A student may be granted credit delivered through the following means:

- a. Examination preparation taught at a high school by a qualified teacher. A student may receive credit at the secondary level after completion of an approved course and passing the standard examination, such as an Advanced Placement or International Baccalaureate course through which a high school student is allowed CLEP credit by making a three (3) or higher on the end-of-course examination.
- b. College or university courses taught at a high school or designated postsecondary site by a qualified teacher who is an employee of the school district and approved as an instructor by the collaborating college or university.
- c. College or university courses taught at a college, university or high school by an instructor employed by the college or university and approved by the collaborating school district.
- d. Online courses of any public university, community or junior college in Mississippi.

(2) Admission criteria for dual enrollment in community and junior college or university programs. Students may be admitted to enroll in community or junior college courses under the dual enrollment programs if they meet that individual institution's stated dual enrollment admission requirements.

(3) Tuition and cost responsibility. Tuition and costs for university-level courses and community and junior college courses offered under a dual enrollment program shall be the responsibility of the parents or legal guardians of the student. Payment for tuition and any other costs shall be made directly to the credit-granting institution.

(4) *Transportation responsibility.* Any transportation required by a student to participate in the dual enrollment program is the responsibility of the parent, custodian or legal guardian of the student.

(5) *School district average daily attendance credit.* When dually enrolled, the student shall be counted, for adequate education program funding purposes, in the average daily attendance of the public school district in which the student attends high school.

(6) *High school student transcript transfer requirements.* Grades and college credits earned by a student admitted to a dual credit program must be recorded on the high school student record and on the college transcript at the university or community or junior college where the student attends classes.

(7) *Eligible courses for dual credit programs.* Courses eligible for dual credit include, but are not necessarily limited to, foreign languages, advanced math courses, advanced science courses, performing arts, advanced business and technology, and career and technical courses. Distance Learning Collaborative Program courses shall be fully eligible for dual credit. All courses being considered for dual credit must receive unconditional approval from the superintendent of the local school district and the chief instructional officer at the participating community or junior college or university in order for college credit to be awarded. A university or community or junior college shall make the final decision on what courses are eligible for semester hour credits.

(8) *High school Carnegie unit equivalency.* One (1) three-hour university or community or junior college course is equal to one (1) high school Carnegie unit.

(9) *Maximum dual credits allowed.* It is the intent of the dual enrollment program to make it possible for every eligible student who desires to earn a semester's worth of college credit in high school to do so. A qualified dually enrolled high school student must be allowed to earn an unlimited number of college or university credits for dual credit.

(10) *Qualifications of dual credit instructors.* A dual credit academic instructor must meet the requirements set forth by the regional accrediting association (Southern Association of College and Schools). University and community and junior college personnel have the sole authority in the selection of dual credit instructors. A dual credit career and technical education instructor must meet the requirements set forth by the Mississippi Community College Board in the qualifications manual for postsecondary career and technical personnel.

DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP

Public school districts and institutions participating in the Mississippi Dual Enrollment/Dual Credit Scholarship Program shall be permitted to enter into agreements under Section 37-15-38, which allow students to enroll and complete additional dual credit or dual enrollment courses.

Students in Grades 11 and 12 who are residents of Mississippi shall be eligible to participate in the program, provided they meet the minimum eligibility criteria in the Procedures Manual for the

State of Mississippi Dual Enrollment and Accelerated Programs.

Each eligible student shall be qualified for up to 6 dual enrollment/dual credit semester credit hours prior to high school graduation.

All Dual Enrollment/Dual Credit Scholarship Program student recipients shall be required to participate in an advising component related to the Mississippi Articulation and Transfer Tool (MATT) to ensure their understanding of course transferability. Credits earned with a final grade of C or above on the eligible student's college transcript in courses offered through the program, whether academic or career and technical, shall transfer to any postsecondary institution in Mississippi.

Books, course materials, tools, supplies, lab fees, transportation costs and other applicable course fees shall be the responsibility of the student or high school district.

Future enrollment at the providing institution cannot be a requirement for a student to be eligible for Dual Enrollment/Dual Credit Scholarship Program funds.

The superintendent and/or designee shall develop procedures to support this policy.

LEG REFERENCE: MS Code 37-15-38 & 37-106-85, 87, 89, 91, 93

Adopted Date: 12/10/2020

Approved/Revised Date: 8/5/2022

District: Holmes County Consolidated School District
Section: I - Instructional Program
Policy Code: IJ-R - Internet/Technology Acceptable Use Policy

INTERNET/TECHNOLOGY ACCEPTABLE USE POLICY

The Holmes County Consolidated School Board endorses student use of the internet and other district technology for learning and educational research. Use of district technology includes participation in distance learning activities, asking questions of and consulting with teachers, communicating with other students and individuals, and locating material to meet the educational needs of the student.

Students will be educated about appropriate and safe online behavior. All reasonable efforts will be made to ensure that students are not accessing inappropriate or unrelated material. Students are to utilize the district's computers, networks, and internet services and other district technology for school-related purposes only. Any student who uses district technology for personal or non-academic purposes will be subject to disciplinary action in accordance with district policy, the student code of conduct, and state law.

Students using the internet, district computers, networks, and/or other district technology shall comply with all applicable board policies and administrative procedures. The school board, through its administrative staff, reserves the right to monitor, without prior notice, all computer and internet activity by students. This includes filtering software along with other electronic monitoring systems. While teachers and other staff will make reasonable efforts to supervise and monitor student use of district technology, they must have student and parent cooperation in exercising and promoting responsible use. Staff and students should have no expectation of privacy in their use of district computers or other technology.

The Superintendent or his/her designee reserves the right to eliminate use of the district's computer systems or other district technology by any student at any time.

Inappropriate communications or other unacceptable uses or abuses of all district technology is prohibited. Specifically prohibited is any illegal use, or use that is a violation of board policies, procedures, or school rules including, but not limited to, those prohibiting harassment, discrimination, bullying, defamation, violence, threatening, infringement of copyright or trademark laws, use involving obscene or pornographic materials, or use that harms the reputation of the school district or its employees or disrupts the educational environment.

This board makes no assurances of any kind, whether expressed or implied, regarding any internet services provided. Neither the individual school nor school district is responsible for any damages the student/user suffers. Use of any information obtained via the Internet is at the student's own risk. This board and school district specifically denies any responsibility for the accuracy or quality of information or software obtained through its services.

PROHIBITION OF OBSCENE MATERIALS

All digital or online resources or any database provided in this district by a vendor or other entity shall contain technology protection measures that:

1. Prohibit and prevent a person from sending, receiving, viewing, or downloading materials that are inappropriate or obscene; and
2. Block, or otherwise prohibit and prevent, access to obscene and inappropriate materials as defined under MS Code 37-11-81.

INTERNET ACCESS AGREEMENT

In order for a student to gain access to the Internet, the student and student's parent(s) / guardian(s) must sign an Internet Access Agreement.

The superintendent is authorized to amend or revise the following board-approved initial administrative procedure as he/she deems necessary and appropriate consistent with this policy. The superintendent is further authorized to amend or revise the Internet Network Access Agreement with the advice of board counsel.

It must be understood by all concerned that the global and fluid nature of the Internet network's contents make it extremely difficult for the board to completely regulate and monitor the information received or sent by students. As such, the board cannot assure parents that students will be prevented from accessing undesirable materials or sending or receiving objectionable communications.

CROSS REF.: Policies EI - Computer Software Usage
IJ - Technology and Instruction / Electronic Information Resources
IJB - CIPA Policy-Acceptable Use
IJBD – Responsible Use of District Issued Technology

Adopted Date: 12/10/2020

Approved/Revised Date: 8/5/2022

District: Holmes County Consolidated School District

Section: I - Instructional Program

Policy Code: IK - Limited English Proficiency Instruction

LIMITED ENGLISH PROFICIENCY INSTRUCTION

The Holmes County Consolidated Board of Education will provide a program of language instruction to students who have limited English proficiency. Student participation in any language instruction program or instruction in English as a second language is voluntary and requires written parental permission.

IDENTIFICATION

Students who meet any one or more of the following criteria shall be identified as being limited in English proficiency. A student who:

1. Was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; **or**
2. Is a Native American or Alaskan Native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency; **or**
3. Is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; **and**
4. Who has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of instruction is English or to participate fully in our society.

REQUIREMENTS

If the Holmes County Consolidated School District receives federal funding for Limited English Proficient (LEP) Programs, the following will be provided:

1. Parents will be notified of their student's placement in a language program and their options associated with that placement. Notification will include the reasons for identifying the child as LEP and the reasons for placing the child in the specified program.
2. Students will participate in regular assessments in a manner that will yield an accurate assessment. Test waivers may be granted on a case-by-case basis for LEP students who demonstrate unusual and unique circumstances; however, students who have been educated in the United States for three years are required to participate in reading/language arts assessment in English.

3. Certification that teachers in the program are fluent in English as well as other languages used in instruction (if the district receives sub grants).
4. Evaluation of the program and the academic success and language achievement of the students in the program. Parents will be notified of:
 - A. Their child's level of English proficiency and how such a level was assessed.
 - B. The status of their child's academic achievement.
 - C. The method of instruction used in the program in which the child is placed, and the methods of instruction used in other available programs.
 - D. Information as to how the program will meet their child's educational strengths, assist him/her to learn English, and meet age-appropriate academic achievement standards.
 - E. Exit requirements for the program.
 - F. If the child has a disability, a statement as to how the LEP will meet the objectives of the child's IEP.

Consequences of inadequate yearly progress include notification of parents, development of improvement plans, and restructuring of programs or the district will lose federal funds. For non-English speaking parents, the district will arrange to provide translations of this information in their native language.

ENROLLMENT

Every public school in the United States is required to provide a free and equitable education to all school age children who live within the boundaries of the Local Educational Agency (LEA), regardless of immigration status. Several laws protect the rights of English Learners (ELs) and their families, particularly during the enrollment process. These protections are provided because many EL students' levels of transiency and lack of English proficiency make them a particularly vulnerable population.

When enrolling students, LEAs may not request information from students or their parents or guardians in order to deny access to public schools on the basis of race, color, or national origin.

Parent(s) or Legal Guardians(s) must be present when enrolling the child. A child will not be enrolled if a parent or legal guardian is not present at the time of enrollment.

CROSS REF.: Policies IDDF Special Education Programs

II Testing Programs

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

[LEP PROGRAMS PARENT NOTIFICATION FORMS.pdf](#)

Adopted Date: 1/30/2018

Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District

Section: J - Students

Policy Code: JBC - School Admission

SCHOOL ADMISSION

The term "minor" when used in any statute, shall include any person, male or female, under twenty-one years of age. MS Code 1-3-27

ENROLLMENT AGE

Except as provided in subsection (2) and subject to the provisions of subsection (3) of MS Code 37-15-9, no child shall be enrolled or admitted to any kindergarten which is a part of the free public school system during any school year unless such child will reach his fifth birthday on or before September 1 of said school year, and no child shall be enrolled or admitted to the first grade in any school which is a part of the free public school system during any school year unless such child will reach his sixth birthday on or before September 1 of said school year. No pupil shall be permanently enrolled in a school in the State of Mississippi who formerly was enrolled in another public or private school within the state until the cumulative record of the pupil shall have been received from the school from which he transferred. Should such record have become lost or destroyed, then it shall be the duty of the superintendent or principal of the school where the pupil last attended school to initiate a new record. 37-15-9 (1)

EVIDENCE OF AGE

It shall be the responsibility of the person in charge of each school to enforce the requirement for evidence of the age of each pupil before enrollment. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

- a. A certified birth certificate;
- b. A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by a parent, grandparent or custodian;
- c. An insurance policy on the child's life which has been in force for at least two (2) years;
- d. A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent, grandparent or custodian;
- e. A passport or certificate of arrival in the United States showing the age of the child;
- f. A transcript of record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth; or
- g. If none of these evidences can be produced, an affidavit of age sworn to by a parent, grandparent or custodian. Any child enrolling in Kindergarten or Grade 1 shall present the required evidence of age upon enrollment. Any child in Grades 2 through 12 not in compliance at the end of sixty (60) days from enrollment shall be suspended until in compliance. 37-15-1

PARENT, LEGAL GUARDIAN OR LEGAL CUSTODIAN

Whenever any minor child seeks or applies to enroll or gain entrance to any public school in this state, and the child is not accompanied by an adult or is accompanied by an adult who is not the child's parent, guardian, if a legal guardian has been appointed for the child, or legal custodian, the school official or officials or teacher to whom the child applies or reports for enrollment or admission may delay consideration of the enrollment or enlistment of the minor child and require

the child's parent, legal guardian or legal custodian to accompany the child and apply for enrollment and admission into the school for and on behalf of the minor child. 37-15-11

GENERAL ELIGIBILITY

1. This school district shall admit into its free public schools all minor-age children (MS Code 1-3-27) and all compulsory school age children as defined by in MS Code 37-13-91 (2) (f).
2. Each minor child shall attend school in the school district of his/her residence unless legally transferred to another school district by the school board pursuant to MS Code 37-15-29.
3. Except for those students who have been legally transferred, each minor child seeking to enroll in this school district shall be a school district resident. All students shall register at the school they are assigned to attend. 37-15-29; 37-15-13
4. Any new student enrolling in this school district or any continuing student whose residence has changed shall be accompanied to enrollment by a parent, guardian, adult custodian or adult agent of a social service agency of the district who shall register the minor child for admission, except students who have been legally transferred. The accompanying adult shall be required to verify his/her residence as herein provided as part of the registration process. 37-15-11
5. The person in charge of each school shall require any child enrolling in kindergarten or grade 1 to present a certified birth certificate and valid immunization certificate upon enrollment. No child will be allowed to enroll in or attend any school without a certified birth certificate or valid immunization certificate. 37-15-1
6. Subject to the provisions of MS Code 37-15-9, subsection (3), [see item 7 below] any child who transfers from an out-of-state public or private school in which that state's law provides for a first grade or kindergarten enrollment date subsequent to September 1, shall be allowed to enroll in this school district at the same grade level as their prior out-of-state enrollment, if:
 - a. The parent, legal guardian or custodian of such child was a legal resident of the state from which the child is transferring;
 - b. The out-of-state school from which the child is transferring is duly accredited by that state's appropriate accrediting authority;
 - c. Such child was legally enrolled in a public or private school for a minimum of four (4) weeks in the previous state; and
 - d. The superintendent of schools of this school district has determined that the child was making satisfactory educational progress in the previous state. 37-15-9
7. When any child applies for admission or enrollment in any public school in the state, the parent, guardian or child, in the absence of an accompanying parent or guardian, shall indicate on the school registration form if the enrolling child has been expelled from any public or private school or is currently a party to an expulsion proceeding. If it is determined from the child's cumulative record or application for admission or enrollment that the child has been expelled, the school district may deny the student admission and enrollment until the superintendent of the school or his designee has reviewed the child's cumulative record and determined that the child has participated in successful rehabilitative efforts including, but not limited to, progress in an alternative school or similar program. If the child is a party

to an expulsion proceeding, the child may be admitted to a public school pending final disposition of the expulsion proceeding. If the expulsion proceeding results in the expulsion of the child, the public school may revoke such admission to school. If the child was expelled or is a party to an expulsion proceeding for an act involving violence, weapons, alcohol, illegal drugs or other activity that may result in expulsion, the school district shall not be required to grant admission or enrollment to the child before one (1) calendar year after the date of the expulsion. 37-15-9 (3)

8. No child shall be allowed to enroll in or attend any school without a valid immunization certificate. 37-15-1 Valid certificates include:

- a. Form 121 -- Certificate of Immunization Compliance
- b. Form 122 -- Certificate of Medical/Religious Exemption

MEDICAL AND RELIGIOUS EXEMPTIONS FOR VACCINATION

Any child seeking admission or enrollment may seek a medical or religious exemption from the vaccination requirement. In order to seek an exemption, the parent or guardian must complete and submit the appropriate form to the Mississippi State Department of Health.

Once all requirements have been met, the Mississippi State Department of Health will issue a Certificate of Medical/Religious Exemption (Form 122) to the parent or guardian. That form must then be presented to the district. The district will not acknowledge any medical or religious exemption without the appropriate form on file in the central office.

In his/her discretion, the superintendent may grant an extension to allow a parent or guardian to obtain an appointment with a health care provider and to return the completed 139-R (religious) or 139-M (medical) exemption request form to the school district. The district reserves the right to revoke the exemption and remove the child from school if the parent or guardian does not return all completed forms in a timely manner.

Children with a Certificate of Medical/Religious Exemption who are not adequately immunized will be excluded from school if there is a threat of vaccine preventable diseases occurring in the community. The child will be excluded until the infectious disease is no longer present or is no longer a threat to the safety and welfare of the child or other children in the school.

The Superintendent or his/her designee will develop procedures to support this policy.

RESIDENCE VERIFICATION PROCEDURE

Definition of residence for school attendance purposes: The student physically resides full time week days/nights and weekends, at a place of abode located within the limits of this school district.

Residency may be determined in the following manner:

1. STUDENTS LIVING WITH PARENT(S) OR GUARDIAN(S) The parent(s) or legal guardian(s) of a student seeking to enroll must provide this school district with at least two of the items numbered 1 through 10 below as verification of their address, except that a document with a post office box as an address will not be accepted.
 - a. Filed Homestead Exemption Application form

- b. Mortgage documents or property deed
 - c. Apartment or home lease
 - d. Utility bills
 - e. Driver's license
 - f. Voter precinct identification
 - g. Automobile registration
 - h. Affidavit and/or personal visit by a designated school district official
 - i. Any other documentation that will objectively and unequivocally establish that the parent or guardian resides within the school district
 - j. Certified copy of filed petition for guardianship if pending and final decree when granted
2. HOMELESS CHILDREN - When a child is determined to be homeless as defined by the Stewart B. McKinney Act 42 USC Section 11431 (1), 11432 (e) and 11302 (a), this school district shall consider and take enrollment action that is in the best interest of the child pursuant to 42 USC 11432 (e) (3).
3. STUDENTS LIVING WITH ADULTS OTHER THAN PARENTS OR LEGAL GUARDIANS:

- a. The non-parent(s) claiming district residency must meet the criteria of subparagraph 1 (a) through (j) above, required of a parent or legal guardian.
- b. The district resident must provide the school with an affidavit stating his or her relationship to the student, and that the student will be living at his/her abode full time, and provide documentation fully explaining the reason(s) (other than school attendance zone or district preference) for this arrangement. The superintendent or his/her designee will make the necessary factual determinations as required under this policy. Examples of situations where "in loco parentis" authority of an adult will be recognized to establish residency of the minor include but are not limited to the following:
 - Death or serious illness of the child's parent(s) or guardian(s);
 - Abandonment of the child;
 - Child abuse or neglect;
 - Unstable family relationships or undesirable conditions in the home of the child's parents or guardians having a detrimental effect on the child;
 - Students enrolled in recognized exchange programs residing with host families.

- c. Whenever appropriate the person who has assumed responsibility for the care and custody of the child shall be encouraged to obtain legal guardianship of the child.

4. STUDENTS OF MILITARY FAMILIES

- a. A pupil complies with the residency requirements for school attendance in a school district if the parent of the pupil is transferred to, or is pending transfer to, a military installation with this state while on active military duty pursuant to an official military order. A school district shall accept an application for enrollment and course registration by electronic means for a pupil who meets these requirements, including enrollment in a specific school or program within the school district.
- b. The parent of a pupil who meets these requirements shall provide proof of residence to the school district within ten (10) days after the published date provided on official documentation.
- c. The parent may use the address of any of the following as proof of residence.
 - A temporary on-base billeting facility.
 - A purchased or leased home or apartment.
 - Any federal government housing or off-base military housing, including off-base military housing that may be provided through a public-private venture.

The Holmes County Consolidated school district may require additional documentation and verification at any time.

At the minimum, this school district shall maintain in a file a written instrument identifying the types of documents used to verify each student's residency and copies of any relevant guardianship petition or decree.

The provisions of this policy do not apply to students who reside outside the school district, but who have legally transferred into the school district.

Any court ordered procedure shall take precedent over any procedure contained herein.

TRANSFER STUDENTS

(See also Policy JBCD Transfers and Withdrawals of Students)

1. No student is to be enrolled in this school district until any and all questions regarding residence or immunizations have been resolved.
2. Students suspended or expelled from another school or school district may not be allowed to enroll. 37-15-9 (3)

3. No pupil shall be permanently enrolled in a school in this school district who formerly was enrolled in another school within the state or outside the state until the cumulative record of said pupil shall have been received from the school from which he transferred. Should such record have become lost or destroyed, then it shall be the duty of the superintendent or principal of the school where the pupil last attended school to initiate a new record. 37-15-9 (1)
4. Unless a transfer student is tested in the manner provided in paragraph 5 below, the student will be permanently enrolled and placed in a grade or class on the basis of an official transcript of credits from the last school attended. 37-15-33
5. All students seeking to transfer from any school, public, private or home school, within or outside of the boundaries of the State of Mississippi, to this school district shall be required to take a standardized test to determine the grade and class to which the pupil shall be assigned at the time of pupil transfer.

The administrative head of the school shall administer the test or tests to such pupil or pupils as shall apply for transfer to such public school. Such test or tests shall be administered within thirty days after the filing of each such application for transfer. Notice of the giving of such test shall be given the applicant not less than five days prior to the date of the administration of such test.

No transfer of a pupil shall be affected until the test has been given and the pupil is assigned to the grade and class for which the test shows he is best suited. No pupil shall be assigned to a grade and class more than three (3) grades above or below the grade or class that the pupil would have been assigned to had the pupil remained in the school from which the transfer is being made. Pending the administration of the test herein provided for and its grading and an assignment based thereon the superintendent of this school district or the attendance center principal to which the pupil seeks admission may assign the pupil temporarily to a grade and class comparable to that in which the pupil would have been had the pupil continued in the school from which the transfer was being made.

If any student is transferred or reassigned within this school district by an order of the board of trustees of this school district as designated by law of the State of Mississippi and not at his own request, the requirement of that pupil's taking the standardized test shall be waived. Likewise, if a pupil shall transfer from one school district to another school district in the manner provided and required by the laws of the State of Mississippi, the requirement of such pupil taking the standardized test shall be waived. 37-15-33

6. Any legal guardianship formed for the purpose of establishing residency for school district attendance purposes shall not be recognized by this school board. 37-15-31 (1) (d)

The Mississippi Public School Accountability Process Standard for this policy is standard 7.

LEGAL REF.: MS CODE 37-15-1; 37-15-3; 37-15-9; 37-15-11;
37-15-13; 37-15-29; 37-15-31; 37-13-33; and 41-23-37; 42
United States Code Sections 11431 - 11434 State Board of Education:
Residency Verification Process

CROSS REF.: JQN Education for Homeless Children and Youth
JGCB - Student Health Services Inoculations

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

Adopted Date: 1/30/2018
Approved/Revised Date: 10/28/2021

District: Holmes County Consolidated School District

Section: J - Students

Policy Code: JCA - Student Conduct

STUDENT CONDUCT

The term minor when used in any statute, shall include any person, male or female, under twenty-one years of age. MS Code 1-3-27

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

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

Students in violation of board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

SECONDARY SCHOOLS

The administration of Holmes County Consolidated Public Schools is based on the theory that junior and senior high students are young ladies and young gentlemen and, as such, should be capable of conducting themselves in accordance with accepted standards of conduct. Every student is expected at all times to keep in mind that his conduct should not interfere with others, rather that it should be an example to others.

The primary emphasis of this school system is to provide the best quality education for the boys and girls of the district. The school system feels strongly that a basic prerequisite for any successful instructional program is that a clear understanding of the operation is based upon the policies and resulting rules. Therefore, it is imperative that policies and resulting rules be understood and followed without exception.

ELEMENTARY SCHOOLS

Helping children to develop self-discipline and to conduct themselves in an acceptable manner is a major behavioral objective of the school as well as of the home. Parents may assume that a student's behavior is satisfactory or better unless they are notified by telephone or by letter. In most cases it is believed that the call or letter will suffice -- if not, the parents may be asked to come to the school for a conference in order to affect an acceptable solution to the problem.

The school will expect and demand nothing less than good conduct on the part of students. It is believed that the above described procedure will be effective in achieving a desirable learning atmosphere and in guiding students toward assuming a greater degree of responsibility for their behavior. It should be fully understood that any student whose conduct interferes with the learning process of others will be removed from the classroom and dealt with accordingly.

GENERAL RULES OF STUDENT CONDUCT

1. Students are expected to conduct themselves in all school activities in such a manner that will promote development rather than inhibit it.
2. A teaching situation which is conducive to learning must be maintained. Therefore, any student whose actions make it impossible for the teacher to devote full attention to the class will be disciplined, including but not limited to being sent to the principal's office. The counselor and principal will review the case and try to resolve the problem. A student who has been sent from class repeatedly will be suspended from school.
3. Any student who starts a disturbance or who participates in one will be suspended from school immediately and will be able to re-enter only after satisfactory assurance has been given in writing to the principal by the student and by his parents or guardians that there will not be a recurrence of this sort of behavior.
4. Corridor courtesy requires that students walk in an orderly manner on the right side of the corridor.
5. Profanity, cheating, stealing, and gambling can never be accepted by the schools of this system. Such offenses can result in suspension or expulsion.
6. Radios and/or other sound reproducers shall be forbidden on campus unless specifically requested by the teacher in charge.
7. All schools in the District are smoke-free zones. Smoking is prohibited on property owned or used by the school, whether during school, after school or at school-related events. Students caught smoking in unauthorized areas will be suspended.

8. A student is strictly prohibited by law from possessing a weapon, as identified in Policy JCDAE, while on school property, going to school, going from school or during school-related activities. Any student violating this rule shall be subject to immediate suspension and recommendation of expulsion by the principal, his designee or the superintendent and subject to all other penalties and requirements provided by law and District policies.
9. A student is strictly prohibited by law from possessing, using or selling any controlled substance, including drugs and alcohol as identified in Policy JCDAC, while on school property, going to school, going from school or during school-related activities. Any student violating this rule shall be subject to immediate suspension and recommendation of expulsion by the principal, his designee or the superintendent and subject to all other penalties and requirements provided by law and District policies.
10. A student who uses or is under the influence of any alcohol or drugs shall be subject to an immediate suspension for a minimum of 10 days or expulsion and subject to all other penalties and requirements provided by law and District policies.
11. A student who commits an unlawful or violent act, as defined by Policy JCBE, shall be subject to immediate suspension and recommendation of expulsion by the principal, his designee or the superintendent and subject to all other penalties and requirements provided by law and District policies.
12. A student who carries or otherwise has in his possession a firearm on campus, in violation of Policy JCBH, shall be subject to immediate suspension and recommendation of expulsion for a minimum of one calendar year by the principal, his designee or the superintendent and subject to all other penalties and requirements provided by law and District policies.
13. A student, upon his second suspension for a disciplinary reason, will be informed that his third such suspension may result in expulsion.
14. Student behavior that harasses or threatens other students or school personnel will not be tolerated. This district shall treat hazing, as defined in MS Code 97-3-105 and stalking, as defined in MS Code 97-3-107, as serious offenses subject to criminal prosecution.
15. Student-to-student sexual harassment will not be tolerated. Complaints of student-to-student sexual harassment will be handled in accordance with Policy JB-P, Students Complaints of Sexual Discrimination/Harassment Title IX Procedures.
16. Any student in any school who possesses any controlled substance in violation of the Uniform Controlled Substance Law, a knife, handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or who commits a violent act on educational property as defined in Section 97-37-17 shall be subject to automatic expulsion for a calendar year by the superintendent or principal of the school in which the student is enrolled; provided, however, that the superintendent is authorized to modify the period of time for such expulsion on a case by case basis. Such expulsion shall take effect immediately subject to the constitutional rights of due process, which shall include the student's right to appeal to the local school board. 37-11-18
17. Any student who looks through a window, hole or opening, or otherwise views by means of any instrumentality, including, but not limited to, a periscope, telescope, binoculars, drones, camera, motion-picture camera, camcorder or mobile phone, into the interior of a bathroom, changing room, fitting room, locker room, dressing room, spa, massage room or therapy room or the interior of any other area in which the occupant has a reasonable

expectation of privacy, with the intent to invade the privacy of a person or persons inside and without the consent or knowledge of every person present, for the lewd, licentious and indecent purpose of spying upon the occupant or occupants thereof, shall be Subject to immediate suspension and recommendation of expulsion by the principal, his designee or the superintendent subject to all other penalties provided by law and District policies.

ARTIFICIAL INTELLIGENCE

Students are expected to use all technology responsibly and ethically. Any misuse of technology for academic purposes will be considered a violation of school board policy. Obtaining improper assistance from artificial intelligence tools including, but not limited to, Chat GPT is strictly prohibited. Any attempt to obtain improper assistance from AI tools will be considered a violation of school board policy. Students in violation of this policy will be subject to discipline up to and including suspension or expulsion.

SEXUAL MISCONDUCT PROHIBITED

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

Any superintendent, or his designee, who fails to make a report required by this section shall be subject to the penalties provided in Section 37-11-35. Any superintendent, principal, teacher or other school personnel participating in the making of a required report pursuant to this section or participating in any judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person reporting in good faith shall be immune from any civil liability that might otherwise be incurred or imposed. 97-5-24

If any teacher and any pupil under eighteen (18) years of age of such teacher, not being married to each other, shall have sexual intercourse, each with the other, they shall, for every such offense, be fined in any sum, not more than five hundred dollars (\$500.00) each, and the teacher may be imprisoned not less than three (3) months nor more than six (6) months. 97-29-3

HARASSMENT PROHIBITED

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

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

SPECIAL EDUCATION STUDENTS

Special education students are responsible for adhering to the same rules of conduct as nondisabled students. All special education students are entitled to a free appropriate public education, even those who have been suspended or expelled. Whenever a special education student is removed for disciplinary reasons from his/her current education setting and placed in an interim alternative setting, the setting must be one which enables the student to continue to participate in the general curriculum, to continue to receive those services and modifications described in the student's current IEP, and to receive services and modifications designed to address the student's behavior. The special education director/coordinator or designee should be contacted immediately when a special education student commits a violation of the rules of conduct which may result in the removal from the classroom by suspension or expulsion. All procedural safeguards described in the IDEA shall be followed whenever a special education student is disciplined.

As provided under 37-23-135, Educational services for children with disabilities who have been suspended or expelled from school shall be provided based on the requirements of IDEA, applicable federal regulations and state regulations.

STUDENT CONDUCT AND GRADES

Criteria used in the evaluation process to determine a student's grade must be supported by rationale. The criteria must be in writing and must include the following:

1. Course content (goals, objectives, materials, etc.) as outlined in the curriculum guides
2. Methods of evaluation grades will reflect some combination of the areas listed below:
 - a. Class work
 - b. Homework
 - c. Test scores

d. Participation

e. Skill application

f. Preparation for class

3. The effect of absence on grades

4. Procedures for making up assigned work and tests

5. Other criteria as may be approved by the superintendent and school board

DISCIPLINARY ACTION / THE SCHOOL SAFETY ACT OF 2001

For information related to student conduct, disciplinary action, and the School Safety Act of 2001, please refer to MS CODE 37-11-55 and policy JCB, Code of Conduct.

LEGAL REF: MS CODE as cited; 37-11-29 and 37-23-133

Mattie T Consent Decree; *Davis v. Monroe County Board of Education* (1999)

Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*

1972 Education Amendments, Title VII and Title IX
(Attorney General Opinion, *Carter*, 1-9-98) (#183) (97-0817)

CROSS REF.: Policies JB Students Complaints of Sexual Discrimination/Harassment

JCB Code of Conduct

JCBE Unlawful or Violent Acts

JCBH Gun-Free Schools

JCD-2 Student Conduct -- Discipline Plan

JCDAC Drugs and Alcohol

JCDAE Weapons

JDD Suspension

JDE Expulsion

Adopted Date: 1/30/2018
Approved/Revised Date: 4/20/2023

District: Holmes County Consolidated School District

Section: J - Students

Policy Code: JG - School Wellness Policy

SCHOOL WELLNESS POLICY

The Holmes County Consolidated School Board affirms its commitment to providing a healthy environment for students and staff. The board directs the superintendent to coordinate the components of the district's wellness policy. The wellness policy shall be developed with the involvement of the school health council. This wellness policy shall be reviewed and approved by the school board annually.

All students in Holmes County Consolidated School shall possess the knowledge and skills necessary to make healthy choices that promote healthy lifestyles. All staff members in Holmes County Consolidated School District are encouraged to model a lifestyle of healthy eating patterns and moderate physical activity as a valuable part of their daily lives.

To meet this goal, the Holms County Consolidated School adopts this school wellness policy with the following commitments to implementing a coordinated approach to school health. This policy is designed to effectively utilize school and community resources and to equitably serve the needs and interests of all students and staff, taking into consideration differences in culture

Specifically, the federal legislation requires:

- Specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. LEA's are required to review and consider evidenced-based strategies in determining these goals.
- Standards and nutrition guidelines for all foods and beverages sold to students on the school campus during the school day that are consistent with Federal regulations for school meal nutrition standards and Smart Snacks in School Nutrition standards.
- Standards for all foods and beverages provided but not sold to students during the school day (e.g., in classroom parties, classroom snacks brought by parents, or other foods given as incentives).
- Policies for food and beverage marketing that allow marketing and advertising of only those foods and beverages that meet the Smart Snacks in School Nutrition standards.

NUTRITION ENVIRONMENT AND SERVICES

The Holmes County Consolidated School District will:

- Offer a school lunch program with menus that meet the meal patterns and nutrition standards established by the U.S. Department of Agriculture (USDA) and the Mississippi Department of Education, Office of Child Nutrition Programs.
- Offer school breakfast and snack programs (where approved and applicable) with menus that meet the meal patterns and nutrition standards established by the USDA and the Mississippi Department of Education, Office of Child Nutrition Programs.

- Promote participation in school meal programs to families and staff.
- Operate all Child Nutrition Programs with school foodservice staff who are properly qualified according to current professional standards (Mississippi Board of Education Policy, Code 2001).
- Follow State Board of Education policies on competitive foods and extra food sales (Mississippi Board of Education Policy, Code 2002).
- Include goals for nutrition promotion, nutrition education, physical activity and other school-based activities to promote student wellness.
- Implement Nutrition Standards as adopted by the State Board of Education in accordance with the Mississippi Healthy Students Act (State Board of Education Policy 4011).
 - a. Healthy food and beverage choices;
 - b. Healthy food preparation;
 - c. Marketing of healthy food choices to students, staff and parents;
 - d. Food preparation ingredients and products;
 - e. Minimum/maximum time allotted for students and staff lunch and breakfast;
 - f. Availability of food items during the lunch and breakfast periods of the Child Nutrition Breakfast and Lunch Programs;
 - g. Methods to increase participation in the Child Nutrition School Breakfast and Lunch Programs.
- Establish guidelines in accordance with USDA Smart Snacks in Schools for all foods available on the school campus during the school day with the objective of promoting student health and reducing childhood obesity. (see Nutrition Environment and Services section of the *Tools That Work – Your Guide to Success for Building a Healthy School* Toolkit that is found on the Office of Healthy Schools website at <http://www.mdek12.org/OHS>)
- Establish standards for all foods and beverages provided but not sold to students during the school day (e.g. in classroom parties, classroom snacks brought by parents, or other foods given as incentives).
- Establish guidelines in accordance with USDA Smart Snacks in Schools for the sale of food items for fundraising.
- Use Smart Snacks Resources to educate the school community about the importance of offering healthy snacks for students and staff members.
<http://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks> Smart Snacks Product Calculator.
- The Alliance for a Healthier Generation Smart Snacks Product Calculator is an effective online instrument that has been determined by the USDA, Food and Nutrition Service to be accurate in assessing product compliance with the federal requirements for Smart Snacks in Schools. The calculator can be used for food and beverage products.
<https://www.healthiergeneration.org/>

FOOD SAFE SCHOOLS

- Implement a food safety program based on HACCP principles for all school meals, as required by the USDA and the Mississippi Department of Education, Office of Child Nutrition Programs and ensure that the food service permit is current for the school sites. HACCP Principles for K-12 schools can be downloaded at: https://fns-prod.azureedge.us/sites/default/files/Food_Safety_HACCPGuidance.pdf

- Develop a food safety education plan for all staff and students, consistent with Fight Bac® (www.fightbac.org) and other national standards for safe food handling at home and in schools.
- Ensure that all staff has received instructions to support food safety on the school campus. Food Safety resources have been developed by the Office of Child Nutrition to assist with the training of school staff members. These resources which include a training power-point presentation, food Safety Post Test and Food Safety Post Test Answer Key can be found on the Office of Healthy Schools website at <http://www.mdek12.org/OHS>
- All school personnel (school board members, administrators, teachers, school nurses, instructional and health services paraprofessionals, foodservice staff, custodians and facilities managers, and administrative support staff) will receive copies of the Local School Wellness Policy that includes food safety policies and procedures and provides for relevant professional development.
- Adequate access to hand-washing facilities and supplies will be available whenever and wherever students, staff, and families prepare, handle, or consume food.
- The food safety assurance plan must address strategies that minimize risks for students and staff who have food allergies and intolerances.

PHYSICAL EDUCATION/PHYSICAL ACTIVITY

The Holmes County Consolidated School District will:

- Provide 150 minutes per week of activity-based instruction for all students in grades K-8 (in accordance with Section 37-13-134, 2014 Mississippi Public Schools Accountability Standards 27.1.
- Provide Physical Education/Activity in accordance with the Physical Education Rules and Regulations as approved by the State Board of Education in compliance with the Mississippi Healthy Students Act (State Board of Education Policy Rule 4012).
- Require fitness testing for all 5th grade students.
- Require fitness testing for high school students; during the year they acquire the ½ Carnegie unit in physical education as required for graduation by the Mississippi Healthy Students Act (State Board of Education Policy Rule 4012).
- Offer a planned sequential program of physical education instruction incorporating individual and group activities, which are student centered and taught in a positive environment.
- Instruction must be based on Mississippi Physical Education Frameworks.
- Implement the requirements of the Mississippi Healthy Students Act of 2007.
- Graduation requirements for 9th through 12th grade students shall include ½ Carnegie unit in physical education.
- Provide instruction in Cardiopulmonary Resuscitation (CPR) and use of Automated External Defibrillator (AED) for students in grades 9-12 in the school year they earn their ½ Carnegie Unit for physical education or health Education. MS Code 37-13-134.
- Address concussions by adopting and implementing a policy for students in grades 7-12 who participate in activities sanctioned by the Mississippi High School Activities Association (MHSAA). This policy will include a concussion recognition course that has been endorsed by the Mississippi Department of Health. This course will provide information on the nature and risk of concussions for students participating in athletics. Also included in the policy, parents/guardians will be provided with a concussion policy before the start of regular school athletic season.
- Links to resources to aid policy development and Office of Healthy Schools website.

a. www.cdc.gov/concussion/HeadsUp/high_school.html#5

- b. <http://www.misshsaa.com/GeneralInfo/SportsMedicine.aspx>
- c. <http://www.mde.k12.ms.us/ohs/home> <http://www.mdek12.org/OHS>

HEALTH EDUCATION

The Holmes County Consolidated School District will:

- Provide ½ Carnegie unit of health education for graduation (Mississippi Public School Accountability Standards).
- Instruction must be based on the Mississippi Contemporary Health for grades 9-12 (Mississippi Public School Accountability Standards).
- Implement the requirements of the Mississippi Healthy Students Act of 2007, which requires 45 minutes per week of health education instruction as defined by the State Board of Education for grades K through 8.
- Instruction must be based on the Mississippi Contemporary Health for grades K-8.
- Implement the requirements of MS Code 37-13-171, which requires the development of a sex related education policy and instruction on medically accurate or evidenced based abstinence-only, abstinence-plus, or sexual risk avoidance education curricula.
- Provide instruction in Cardiopulmonary Resuscitation (CPR) and use of Automated External Defibrillator (AED) for students in grades 9-12 in the school year they earn their ½ Carnegie Unit for health education or physical education. MS Code 37-13-134.

HEALTH SERVICES

The Holmes County Consolidated School District will:

- Ensure all school nurses are working under the guidelines of the 2013 Mississippi School Nurse Procedures and Standards of Care.
- Provide for teachers and staff training regarding signs and symptoms of asthma. (MS Code Sections 37-11-71 and 73-25-37)
- Every child who has been diagnosed with asthma must have an asthma action plan on file in the school office.
- Know the district anaphylaxis policy. Providing training by a healthcare professional, preferably a school nurse, for the individuals that will be responsible for implementing the policy at the school site. (MS Code Sections 37-11-71 and 73-25-37)

COUNSELING, PSYCHOLOGICAL AND SOCIAL SERVICES/SOCIAL AND EMOTIONAL CLIMATE

The Holmes County Consolidated School District will:

- Adhere to the details outlined in the Licensure Guidelines (436 or 451) when hiring guidance counselors and psychologists. The state does not have a policy specifically outlining the requirements for a school social worker. For licensure as a social worker in the state of Mississippi, a candidate must: provide verification of a baccalaureate degree in social work from a college or university accredited by the Council on Social Work Education (CSWE) or Southern Association of Colleges and Schools (SACS) and scores a minimum of 70 on the ASWB basic exam.
- Abide by Mississippi Code 37-9-79 as the school provides for counseling and guidance for students.
- Hire school guidance counselors with a minimum of a Master's Degree in Guidance and Counseling, or in an emergency situation, an appropriate certification as determined by the

Commission on Teacher and Administrator Education, Certification and Licensure and Development. MS Code 37-9-79.

- Hire school counselors who agree to abide by the American School Counselor Association Code of Ethics.
- Ensure that all school guidance counselors provide comprehensive counseling services such as:

- a. Academic and personal/social counseling.
- b. Student assessment and assessment counseling.
- c. Career and educational counseling.
- d. Individual and group counseling.
- e. Crisis intervention and preventive counseling.
- f. Provide all licensed teachers and principals with in-service suicide prevention training as directed by MS Code 37-3-101.
- g. Referrals to community agencies.
- h. Educational consultations and collaborations with teachers, administrators, parents and community leaders.
- i. Education and career placement services.
- j. Follow-up counseling services.
- k. Conflict resolution.
- l. Professional school counselors must spend a minimum of eighty percent (80%) of their contractual time to the delivery of services to students as outlined by the American School Counselor Association

FAMILY ENGAGEMENT AND COMMUNITY INVOLVEMENT

The Holmes County Consolidated School District will:

- Invite parents and community members to participate in school health planning by serving on the local School Health Council.
- Establish methods to inform and update the public regarding the LSWP and the assessment of the LSWP

MARKETING A HEALTHLY SCHOOL ENVIRONMENT

- Eliminate advertising or promoting unhealthy food choices on the school campus. Advertising must be restricted to only those foods and beverages that meet the Smart Snacks in School Nutrition Standards.

The Holmes County Consolidated School District will:

- Create awareness of the link between the health of students and academic performance.

IMPLEMENTATION

The Holmes County Consolidated School District will:

- Establish a plan for implementation of the school wellness policy.
- Designate one or more persons to insure that the school wellness policy is implemented as written.
- Establish and support a School Health Council (SHC) that addresses all aspects of a coordinated school health program, including a school wellness policy (Mississippi Code of 1972 Annotated, Section 37-13-134).
- Conduct a review of the progress toward school wellness policy goals each year to identify areas for improvement.
- Prepare and submit a yearly report to the school board regarding the progress toward implementation of the school wellness policy and recommendations for any revisions to the policy as necessary.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410;
2. Fax: (202) 690-7442; OR
3. Email: program.intake@usda.gov

Adopted Date: 1/30/2018

Approved/Revised Date: 6/24/2022

District: Holmes County Consolidated School District

Section: J - Students

Policy Code: JGCB - Student Health Services Inoculations

STUDENT HEALTH SERVICE 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 or religious 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-

Children with a Certificate of Medical/Religious Exemption who are not adequately immunized will be excluded from school if there is a threat of vaccine preventable diseases occurring in the community. The child will be excluded until the infectious disease is no longer present or is no longer a threat to the safety and welfare of the child or other children in the school.

The Superintendent or his/her designee will develop procedures to support this policy.

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

LEGAL REF.: MS CODE as cited
CROSS REF.: JBC - School Admission
JGCC - Communicable Diseases

Last Review Date: _____
Review History:[1/1/1900][1/1/1901]

Adopted Date: 1/30/2018
Approved/Revised Date: 12/18/2021

District: Holmes County Consolidated School District
Section: J - Students
Policy Code: JGCDA-P - Management of Narcan and Other Opioid Antagonists

MANAGEMENT OF NARCAN AND OTHER OPIOID ANTAGONISTS

In accordance with state law, it is the policy of the Holmes County Consolidated School District to seek to provide assistance to any person who may be suffering from an opioid overdose on school property.

Opioid Antagonist – Any drug that binds to opioid receptors and block or inhibits the effects of opioids acting on those receptors and that is approved by the federal Food and Drug Administration for the treatment of an opioid-related overdose. This includes, but is not limited to, Narcan.

An education employee may store or distribute an opioid antagonist. An education employee may administer an opioid antagonist to another person if the education employee:

1. In good faith, believes the other person is experiencing a drug overdose; and
2. Acts with reasonable care in administering the opioid antagonist to the other person.

Narcan, or other opioid antagonists, will be available at all schools in the Holmes County Consolidated School District. School nurses and school resource officers will be trained on the administration of Narcan, or other available opioid antagonists. Unless otherwise proscribed by state law, school nurses may serve as trainers.

All opioid antagonists shall be stored safely in compliance with the drug manufacturer's instructions. Narcan, and other opioid antagonists, shall be readily accessible to administer in the event of suspected drug overdose. All staff shall be made aware of the Narcan and other opioid antagonist storage locations.

Parents/guardians and Emergency Medical Services (911) must be called upon whenever an opioid antagonist is administered and in all suspected overdose situations.

Any person acting in good faith and with reasonable care to another person whom he/she believes to be experiencing an opioid-related overdose may administer an opioid antagonist and shall be immune from any civil or criminal liability or professional licensing sanctions.

Nothing in this policy is intended to regulate, restrict or otherwise deter a law enforcement officer, emergency medical technician, firefighter, licensed medical professional or other authorized individual from administering his/her own supply of Narcan or other opioid antagonist when responding in good faith to a suspected drug overdose occurring on school property.

LEGAL REF: MS Code 41-29-319 & 41-29-321

Adopted Date: 4/20/2023

Approved/Revised Date: