

SCHOOL DISTRICT ORGANIZATION

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LEGAL NAME AND STATUS OF SCHOOL DISTRICT

AA

The official name of the school system shall be the Biloxi Public School District. The title shall be used in all official documents.

The Biloxi Public School District is a political subdivision of the State of Mississippi governed by its Board of Trustees.

The Biloxi Public School District Board of Trustees derives its legal status from the State Legislature, which is subject to the Constitution of the State of Mississippi and the Constitution of the United States. Accordingly, education is a state function. The Board of Trustees is subject to legislative action and acts as an agent for the State of Mississippi.

The Constitution of the State of Mississippi stipulates that the responsibility for establishing and maintaining the public schools rests with the Mississippi Legislature. The State Constitution further provides for a State Board of Education and provides that local public schools, under the general supervision of the State Board of Education, shall be maintained, developed, and operated by locally elected or appointed Boards. Legally, local school Boards are instruments of the Mississippi Legislature and derive their authority from the Mississippi Legislature and the regulations of the State Board of Education as set forth in the Mississippi Constitution, Mississippi Code of 1972 Annotated.

AUTHORITY OF THE BOARD OF TRUSTEES

ABA

As a body created in the law by the State of Mississippi, the Biloxi Public School District's Board of Trustees has authority within the limitations and interpretations of the federal and state laws.

The Trustees in their official capacity shall hold all school property and shall be capable of purchasing and holding real and personal property, of building and repairing school structures, selling and transferring the same for school purposes, and of prosecuting and defending suits for or against the school district. Board members acting as individuals have no authority over school affairs but have such authority when acting as a body duly called in session.

The legal authority of the Board of Trustees is set forth in the Mississippi Code of 1972 Annotated.

BOARD POWERS AND DUTIES**ABB**

The Board of Trustees, under authority of the statutes of the State of Mississippi and the regulations of the State Department of Education, and its own policies, is the basic policy-making authority for the Biloxi Public School District.

The Mississippi Code of 1972 Annotated specifies duties and powers for the Board of Trustees including appointment and removal of a Superintendent; establishing schools and attendance areas; reviewing, revising, and approving budget estimates; determining the number of teachers and other employees in the school district; approving, promoting, retiring, removing, and determining other personnel actions; initiating, revising, reviewing, and approving plans for erection or improvement of buildings and facilities; purchasing or otherwise acquiring land for school buildings, playgrounds, or other purposes; initiating questions of policy; cooperating with local governing bodies, and elected/appointed officials of other governmental jurisdictions, and identified community leaders.

The Board of Trustees will also exercise any and all powers not specifically stated in Chapter 37, Mississippi Code of 1972 Annotated, inclusive of this title but given to Boards of Trustees by general law, state as well as federal.

The Board of Trustees shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent and his/her district staff, who shall be responsible for effective administration and supervision of the entire school system.

LEGAL REF.:Mississippi Code, Section 37-7-301and 37-7-01.1

QUALIFICATIONS, TERM OF OFFICE, AND METHODS OF SELECTION

ABCB

Any person who is a bona fide resident and a qualified elector of the school district may qualify to become a member of the Biloxi School District's Board of Trustees. No person shall be eligible for membership while actively engaged in teaching in the Biloxi Public School District or serving as an employee of the schools or occupying a position of conflict of interest as set forth in policy BHA.

The members of the Board of Trustees are appointed to serve for a term of five years but are so chosen that the term of one member shall expire each year. The members are recommended by the mayor and are appointed by the City Council of Biloxi.

The term of office begins on the first Saturday in March following appointment.

1. Every School Board member selected after July 1, 2002, shall have a high school diploma or its equivalent.
2. Every School Board member selected after July 1, 1993, shall be required to complete a basic course of training and education for local School Board members, in order for Board members to carry out their duties more effectively and be exposed to new ideas involving school restructuring. Such basic course of training, approved by the State Board of Education, shall be conducted by the School Executive Management Institute of the State Department of Education or the Mississippi School Boards Association. Upon completion of the basic course of training, the School Executive Management Institute shall file a certificate of completion for the School Board member with the office of the local school Board. In the event that a Board member fails to complete such training within six (6) months of his selection, or six (6) months from April 15, 1993, such Board member shall no longer be qualified to serve and shall be removed from office.
3. In addition to meeting the requirements of subsection (2) of this section, after taking office, each School Board member shall be required to file annually in the office of the School Board a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association, the community/junior colleges, the state institutions of higher learning or other organizations approved by the State Board of Education.
4. In accordance with state law, every School Board member selected after July 1, 2002, shall spend at least one day in a school in the district, without compensation.

Legal Ref.: MS Code, §37-7-306

5. Upon the failure of any School Board member to file with the School Board the certificate of completion of the basic or continuing course of training as provided in subsection (2) or (3) of this section, the School Board member shall be removed from office by the Attorney General. In the event of a medical or other catastrophic hardship that prevents such School Board member from obtaining the required training or filing such certificate, as may be defined by the State Board of Education by rule and regulation, an additional period of three (3) months may be allowed to satisfy the requirement of subsection (2) or (3). §37-7-306 (2000)
6. All new Board members will attend the "School Board Member Training Course" conducted by the State Department of Education. (MS Code, §37-3-4)

UNEXPIRED TERM FULFILLMENT

ABCDA

All vacancies in the membership of the Board of Trustees caused by death, resignation, or other causes shall be filled for the unexpired term by appointment by the Mayor/City Council of Biloxi.

REMOVAL OF OFFICERS

ABCG

Any officer of the Board may be removed for cause by majority of the members under such procedures as the Board may direct for the specific occasions.

In accordance with law: "The term 'Superintendent' shall mean the head of a school district."

This school district shall have a superintendent of schools selected in the manner provided by law. No person shall be eligible to the office of superintendent of schools unless such person shall hold a valid administrator's license issued by the Mississippi Department of Education and shall have not less than six (6) years of classroom or administrative experience with at least three (3) of those years being administrative experience as a school building principal in either:

- (a) school with an "A" or "B" accountability rating;
- (b) a school that increased its accountability rating by a letter grade during the period in which the principal was employed as principal of the school; or
- (c) a school with comparable accountability rating or improvement in another state which shall be verified by the Mississippi Department of Education.

It shall be duty of the superintendent of schools to administer the schools within his/her district and to implement the decisions of the school board.

In addition to all other powers, authority, and duties imposed or granted by law, the superintendent of schools shall have the powers, authority, and duties set forth in Section 37-9-14 (1991) and other such statutes.

LEGAL REF. Mississippi Code, Section 37-151-5; Section 37-9-13; Section 37-9-14.

The School Board shall organize a school so as to avoid unnecessary duplication and shall determine what grades shall be taught at each school and shall have the power to specify attendance areas and to designate the school each pupil shall attend.

The school district shall maintain a uniform system of schools consisting of grades one (kindergarten) through twelve, which may be divided among grammar schools, junior high schools and high schools or any combination thereof, on such bases and in such grades as the Board of Trustees of the school district involved, in its discretion, shall deem necessary and desirable.

LEGAL REF.:Mississippi Code, Section 37-7-311 (1987); Section 37-13-1 (1954).

SCHOOL ATTENDANCE AREAS/SCHOOL BOUNDARIES
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AD

All students in the Biloxi Public School District shall attend school in the zone in which their parents or legal guardians reside.

Zone exceptions for residents are not permitted by the Biloxi Public School District. In accordance with Mississippi Code 37-15-29, certified school district employees are allowed zone exceptions. Employee zone exceptions for children of classified staff members is a courtesy afforded by the Biloxi Public School District and may be revoked at the discretion of the school principal.

AVERAGE DAILY ATTENDANCE

ADB

The Board of Trustees of the Biloxi Public School District recognizes the importance of regular student attendance both to the student and to the school district. The Superintendent and his/her staff are directed to encourage regular student attendance through a program designed to accomplish maximum ADA for the school district.

THE SCHOOL SESSION

AE

Each school year will vary in length according to the adopted school calendar but shall never be less than the number of days required by state law unless approved by state law. Staff development activities will be held during the school year as scheduled by the administration. Staff development is considered a part of the teacher's contractual responsibilities. A school calendar will be issued to each teacher prior to the opening of school.

SCHOOL CALENDAR**AEA**

The Board of Trustees shall establish a yearly school calendar in compliance with state law, rules and regulations, upon the recommendation of the Superintendent of Education. Consideration shall be given to all parties concerned. The school calendar will include a schedule of dates for the opening and closing of schools.

Every school shall have a uniform term of not less than the total number of days established by the State Board of Education as a minimum number of days for instructing pupils.

The School Board shall operate all of the schools under their control for extended year programs for such length of time during the year as may be required under accreditation standards.

The school district is in compliance with the following extended year requirements:

1. The program is under the leadership of the district Superintendent and the supervision of a principal.
2. Each program is housed in a school building.
3. A definite schedule of classes is followed.
4. All staff are appropriately licensed.
5. The instructional program and management system are consistent with that used in the regular session.
6. Students enrolled from other schools, grades 9-12, inside or outside the district provide written approval from the principal of their home schools.
7. The schedule of secondary summer school courses includes a minimum of 70-1/2 hours of instruction per half unit course and 140 hours per full unit course.
8. Students enrolled in an extended year program must complete all remaining course/subject requirements/objectives before credit for the course/subject is issued.
9. Students enrolled in a summer school program are limited to earning two units of credit, grades 9-12, during the summer school session, refer to policy IDCA.

LENGTH OF SCHOOL DAY AND TERM

AF

The Board of Trustees, in accordance with state statutes and regulations, shall authorize and establish the length of the school day, varying it according to the needs of the district.

The length of the school day and term shall not be less than prescribed by the rules, regulations, and minimum standards of the Mississippi State Board of Education. Extension beyond those standards shall be subject to approval by the Board of Trustees on the recommendation of the Superintendent of Education. The length of the school term shall be approved annually by the Board of Trustees, upon recommendations of the Superintendent.

This school board recognizes and accepts its duty and authority to maintain and operate all the schools under its control for such length of time during the year as may be required. 37-7-301 (m)

Upon application from the school board, the superintendent of schools may close any school because of an epidemic prevailing in the school district or because of the death, resignation, sickness or dismissal of a teacher or teachers or because of any other emergency necessitating the closing of the school. The superintendent is hereby authorized to declare an emergency and to close schools and district offices or dismiss them early in event of natural disaster, inclement weather or other emergencies which threaten the safety, health, or welfare, of students or staff members.

The superintendent will take such action only after consultation with transportation, emergency management, weather authorities or other agencies as necessitated by the circumstances. The superintendent shall notify the school board of the decision to close the schools. However, all such schools so closed shall operate for the required full time after being reopened during the scholastic year, unless the school board of the local school district submits a plan to alter the school term that is approved by the State Board of Education under the authority of Section 37-13-63 (2). 37-13-65

DISASTER EMERGENCY

If this school board determines that it is not economically feasible or practicable to operate any school within the district for the full one hundred eighty (180) days required for a scholastic year as contemplated due to an enemy attack, a manmade, technological or natural disaster, or extreme weather emergency in which the Governor has declared a disaster or state of emergency or the U.S. President has declared an emergency or major disaster to exist in this state, the school board may notify the State Department of Education of the disaster or weather emergency and submit a plan for altering the school term.

If the State Board of Education finds the disaster or extreme weather emergency to be the cause of the school not operating for the contemplated school term and that such school was in a school district covered by the Governor's or President's disaster or state of emergency declaration, it may permit that school board to operate the schools in its district for less than one hundred eighty (180) days; however, in no instance of a declared disaster or state of emergency under the provisions of this subsection shall a school board receive payment from the State Department of Education for per pupil expenditure for pupils in average daily attendance in excess of ten (10) days.

Leave Due to Declared Emergency Closures

After making every effort to make-up all days missed, the school board may, in its discretion, provide additional administrative leave with pay for all employees (professional, certified, and classified) in the event of declared emergency closures.

LEGAL REF.: MS CODE as cited

CROSS REF.: Policies AE School Year

CEB Duties of Superintendent