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STUDENTS

STUDENT POLICY GOALS

JA

The primary concern of the Biloxi Public Schools is the welfare of the students who attend the schools, and they must receive first consideration from the Board of Trustees and all staff members. In fulfilling its obligation to the students who attend the Biloxi Public Schools, the Board of Trustees should spend most of its time in formulating policy and considering other matters relating to said students. In pursuing this primary goal, the Board of Trustees shall also keep paramount its concern for the welfare of individual classes and schools, and the school system as a whole. Staff members shall seek to be wise counselors of students and skillful facilitators of learning, in order to achieve this primary goal. To this end, the Board of Trustees and the staff shall work together to establish an environment conducive to the very best learning opportunities for all students through meeting the following goals:

- A. To provide appropriately for each student according to specific background, capabilities, learning style, interests, and aspirations.
- B. To protect and preserve the legal rights of all students who attend the Biloxi Public School District.
- C. To enhance the self-image of each student by helping him/her to feel respected and worthy and by maintaining a learning environment which provides positive encouragement through frequent success.
- D. To provide a realistic environment where students can learn personal and civic responsibility through meaningful experiences as students.
- E. To provide discipline which is fair and consistent.
- F. To promote the safety, health, and welfare of students.
- G. To promote good attendance and good work habits.
- H. To assist each student in becoming self-sufficient in the utilization of the decision-making process.
- I. To make provisions for involving families in the educational program for each student.

EQUAL EDUCATIONAL OPPORTUNITIES

JAA

Every pupil of the district will have equal educational opportunities regardless of race, color, creed, sex, disability, religion or marital status.

No student shall be excluded on such basis from participating in or having access to any course offerings, athletics, counseling, employment assistance, and extra-curricular activities.

School Board policies shall follow federal laws related to nondiscriminatory practices in the operation of the school.

District policies governing attendance, grades K-12, are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

custodial placement of the student in the care of the non-parent district resident with general in *loco parentis* authority.

3. Children of members of the uniformed armed services on military deployment who reside with a non-parent district resident will be allowed to evidence their residence and eligibility to attend a school within the Biloxi Public School District without a formal guardianship being established by a court of competent jurisdiction. Such students may evidence their residence and eligibility to attend a school within the Biloxi Public School District by way of a power of attorney or comparable acknowledged document/instrument signed by the deployed parent which establishes a custodial arrangement or placement of the student in the care of the non-parent district resident with general in *loco parentis* authority.
4. In cases of students living with a parent divorced or separated from the other parent, the parent who is a district resident must provide a certified copy of the most current court order which addresses the custody placement of the student. Except in rare instances, only the parent awarded primary physical custody of the child shall be eligible to enroll the student. In cases of joint custody with no pronouncement within the court's order establishing an award of primary physical custody of the child, the consent of both joint custodial parents to enroll the student in the Biloxi Public School District shall be documented.
5. In all such cases of students residing with a non-parent district resident, the attendance zone applicable for the non-parent district resident shall determine the school assignment for the student. This requirement may be waived by the district administration for students residing with a non-parent district resident who is also a member of the certified or classified staff of the school district.

Students who attempt to enroll in school and who present guardianship papers or power of attorney may be sent to the central office for determination that the court-approved power of attorney meets the above guidelines.

Students whose parents or legal guardians are non-residents of the State of Mississippi must apply to the central office for admission.

Should a student, parents, or legal guardian give false essential information on the application form or personal data form, such student shall be subject to dismissal from the Biloxi Public School District.

The school system shall have the right to reject the application of any non-resident student who fails to meet satisfactory scholastic standards or who does not exhibit good conduct.

Immunizations - Birth Records

1. No child shall be allowed to enroll in or attend any school without a valid immunization or exemption certificate. (See policy JGCB on Immunizations and Vaccinations.) Valid certificates include:
 - Form 121 – Certificate of Immunization Compliance
 - Form 122 – Certificate of Medical/Religious Exemption
2. A licensed birth certificate or documentation as prescribed by law must be presented upon admission. The birth certificate must be from the Bureau of Vital Statistics or from the State Department for students born overseas. The principal or his/her designee must verify the birth certificate. Telephone calls are not acceptable.
3. A new student is enrolled on a 30-day temporary basis until the licensed birth certificate is received by the school. Temporary enrollment will preclude official recording or release of grades.
4. Each student must present an up-to-date immunization record.

K-12 Admission/Day of Registration

Upon completion of the registration process, the student may begin attendance the following day.

Admission of Pupils Over Eighteen Years of Age

Pupils over eighteen years of age who have left school shall be permitted to return to school only under procedures authorized by the Superintendent of Education or his designee. Readmission of such pupils shall not be automatic but shall be determined individually in each case under procedures and regulations established by the Superintendent of Education or his designee.

Special Education

Students who are identified as disabled in accordance with the applicable federal or state laws may be enrolled in special education programs up to the age of twenty-one (21).

Publication of Policies

District policies governing student admissions are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

RESIDENCY VERIFICATION**JBCAA**

The Biloxi Public School District shall be in compliance with all requirements of the State Board of Education policy on verification of residence of all students seeking to enroll or continuing to enroll in schools of the district. The administration shall develop procedures governing enrollment of students which provide for proper verification of residence through acceptable documentation and for maintaining files identifying types of documents used to verify each student's residency.

A student residing in the Biloxi School District who enrolls after the first day of the school year in the Biloxi Public Schools must make up all work missed because of late enrollment. Failure to make up such work may be cause for withholding credit for the term's work. All make-up work due to late enrollment must be completed as established under the make-up policy.

Any child who transfers from an out-of-state accredited public or private school in which that state's law provides for first grade enrollment date subsequent to September 1 shall be allowed to be enrolled in the Biloxi schools if (a) the parent or legal guardian of the child was a legal resident of the state from which the child is transferring; and (b) such child was legally enrolled in a public or private school of that state for a minimum of four weeks; and (c) the Superintendent of Education of the Biloxi School District or his designee determines that the child was making satisfactory progress in the school from which he/she is transferring.

District policies governing late entrance of students are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

ATTENDANCE OF MARRIED STUDENTS**JBCAC**

Married students shall be considered as any other students, subject to the rules and regulations of the Biloxi Public School District. In areas where parental permission is required for field trips or excuses for absences or tardiness, married students shall make special arrangements with the administrative staff of the school.

SCHOOL ASSIGNMENT - ATTENDANCE IN ZONE OF RESIDENCE

JBCCA

All students enrolled in the Biloxi Public School District shall attend school in the zone in which their parents or legal guardians reside. Attendance policies are adopted by the Board and published annually in student handbooks.

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.

The building principal or his/her designee is responsible for making student assignments to classes and/or teachers.

Parents may request that consideration be given for their child to be assigned to particular teachers; however, that decision rests solely with the building principal or his/her designee. If such a request is made, parents should make their request in writing, listing the reasons for their request, to the building principal or his/her designee.

Principals may consider the written parental request in light of the best interests of the child and the harmony of the school climate and staff and what the principal deems best for the school's instructional program.

It is the policy of this school district that a teacher's child shall not be assigned to his/her parent's classroom unless the assignment is made because of specific class/course offerings.

Students transferring from a non-accredited school environment will be placed according to the following procedures. An accredited school is identified as a school (or district) that meets the requirements of accreditation by a State or Regional accreditation agency. The procedure for enrollment of transfer students who were enrolled in a non-accredited school or in a correspondence school or who were receiving home schooling will be as follows:

1. Students transferring from a non-accredited school/environment must be tested prior to placement in a grade and/or school. The district administrator will arrange the testing schedule.
2. Principals will assign students to grade level or subject (discipline) based on the student's achievement test results
3. Pupils from non-accredited schools will not be accepted without examinations, using district tests and/or special subject area tests within thirty (30) days after transfer. Schools shall not permanently enroll a student who was formerly enrolled in the state until the Mississippi cumulative folder or official transcript of credits is received from the school from which the student transferred.

**STUDENT TRANSFERS/WITHDRAWALS/TUITION STUDENTS/DISCLOSURE
OF STUDENT RECORDS**

JBCD

Transfers

The Biloxi Public School District reserves the right to perform the appropriate tests for all students with special needs. Where applicable, the Biloxi Public Schools Department of Special Education may assist in placement determination.

In accordance with state statutes now in effect and in conformity with current judicial decisions, the Biloxi Public School District will accept for enrollment students whose parents or legal guardians are licensed personnel or instructional personnel of the district, provided that they meet requirements outlined in this policy.

In regard to legal transfers of all other students, the Biloxi Public School District establishes the following guidelines:

Out-of-district students will be accepted for enrollment in the Biloxi Public Schools only when their special needs and/or circumstances require a positive district response to requests for transfer and provided that they also meet requirements specified in this policy.

The Biloxi Public School District will not accept out of district students who cause the district an additional outlay of funds beyond that which is typical for all tuition students, require services or programs that the Biloxi Public School District does not have, cause the expansion of a program that would require additional expenditures, or cause the district additional financial or administrative burden.

Requirements governing the acceptance of transfer students for enrollment in the Biloxi Public Schools are the following:

1. The transfer of students to the Biloxi Public School District from another school district shall be by the mutual consent of the School Boards of all the school districts concerned and said consent shall be given in writing and spread upon the minutes of such Boards;
2. Parents must request a release from the district in which the student resides; the release must be sent to the Biloxi Public Schools and placed on file.
3. Parents must apply in writing to the Biloxi Public Schools for admission of the student;
4. The Biloxi School Board may in its discretion approve the request for enrollment;
5. The Biloxi Public School District will not furnish any transportation for the transfer student, and the parent of the transfer student must furnish student transportation to and from school;
6. Students whose parents or legal guardians are licensed personnel or instructional personnel of the district will not be required to pay tuition;
7. Military families that are unable to be assigned adequate base housing due to limited availability, will not be required to pay tuition (documentation of limited availability of base housing must be provided);
8. For reasons of fairness and equity, out-of-district transfer students other than those described in #6 above will be required to pay tuition. Payment will be made in advance at the beginning of the school year. No refund will be made once the student has begun attendance, for that semester, in a Biloxi district school;

9. Children residing outside the school district requesting placement in regular or special education classes will not be placed until all children residing in the Biloxi district are placed and receiving a free and appropriate education. Such students will be accepted in the Biloxi Public Schools only after approval by the Board of Education and in conformance with the guidelines of the Mississippi Department of Education. New transfer students will be required to present a properly documented behavioral statement from the previous school (form available from the Biloxi Public School District), official grades from the previous school, and official attendance reports from the previous school;
10. To enter and remain eligible for enrollment at Biloxi Public Schools, out of district students are expected to attend school on a regular basis. Excessive absenteeism and tardiness may result in the student's enrollment being terminated.
11. To enter and remain eligible for enrollment at Biloxi Public Schools, out of district students are expected to meet and maintain behavioral expectations throughout the school year. Disciplinary infractions may result in a student's enrollment being terminated. Behavioral expectations extend to legal parents/guardians as well. Parents/Guardians that do not comply with district procedures, are demeaning to staff members, or have a negative impact on the school environment may result in the student's enrollment being terminated.
12. To enter and remain eligible for enrollment through tuition, students are expected to maintain a letter grade of C or above in all subjects. Failure to maintain a letter grade of C or above may result in a student's enrollment being terminated at end of school term.

All students enrolled in the Biloxi Public Schools after the beginning of the school session who move outside the district any time during the school year must withdraw from the Biloxi Public Schools or apply for tuition status.

Students who make written requests for release from the Biloxi Public School District, stating their reasons, may be released according to state statutes if the School Board approves.

The Board recognizes that students residing in the individual school zones must have priority in regard to the placement of students. All requests for transfer into the Biloxi Public Schools shall be subject to administrative review and considered only on a space-available basis, with the administration to make all school assignments in accordance with federal court requirements, state statutes, and accreditation guidelines. In addition, the following guidelines will also apply:

1. Teachers who reside in the Biloxi Public School District may enroll their children in the schools where they teach. If they have a child who is not in one of the grades in the school where the teacher is employed, the child must attend in the zone of residence unless special approval is given by the Superintendent or his designee to attend outside the zone in which the teacher resides.
2. Teachers and instructional assistants who reside outside the Biloxi Public School District may enroll their children in the school where they are employed. If the child is not in one of the grades in the school where the staff member is employed, he/she may attend the appropriate school that is most convenient to the route traveled or the nearest to the school where the parent is employed, provided that no enrollment exception results. If other circumstances dictate that it seems necessary to attend one of the other schools, the situation may be presented to the Superintendent for his consideration. Cost of transportation must be borne by the parent.
3. Children of classified staff may attend the Biloxi Public School District tuition free.

Withdrawals

When a pupil withdraws from the Biloxi Public School District, the following procedures should be considered:

- A. If the pupil withdrawing from the Biloxi Public School District is moving outside the school district, the principal of the school from which the pupil is withdrawing should be notified in advance as soon as practicable.
- B. After a student has been absent from school for five (5) consecutive school days, the child may be dropped from the rolls unless the school has been notified by the parent or legal guardian as to the cause of the absences.
- C. The last day of attendance by the pupil shall be considered the date of withdrawal.
- D. The student's cumulative record (Form 1 only) shall be forwarded to the school to which the student is transferring, upon written request by that school. This form should be brought up-to-date before being forwarded to the school.

Form 2 of the permanent record shall remain in the files of the school from which the student is withdrawing. However, when students transfer from one school to another within the Biloxi Public School District, both Form 1 and 2 shall be forwarded

If the school to which the student is transferring is outside the State of Mississippi, a duplicate of Form 2 and an individual test sheet shall be forwarded to said school.

The Biloxi Public School District will grant parents access to their child's records, in accordance with the Family Rights and Privacy Act (see policy LDDDB).

District policies governing student withdrawals are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

Disclosure of Student Records

In accordance with the Family Rights and Privacy Act, student records may be forwarded on request to a school in which a student seeks or intends to enroll, without notifying the student's parent(s), guardian, or the student (if eligible). Annual notice of policy shall be available in each school in the district.

1. The principal will release Biloxi Public School District education reports or records when an official written request is received from the school district to which the student is transferring.
2. A parent or legal guardian has the right to review his/her child's school records.
3. A student leaving the Biloxi system may obtain a report card and/or a record of the student's work to date for the current term and a book card.
4. A student who moves from one school zone to another in the Biloxi Public School District will not be permitted to continue attendance in his/her present school as defined in policies governing attendance and published annually in student handbooks.
5. Any student who moves during the school year must record the change of address with the principal in the main office. Any change of telephone number must be corrected in the same manner.

Publication of Policies

District policies governing student transfers and changes of address are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

The Board of Trustees of the Biloxi Public School District affirms each parent's/guardian's right to educate his/her children as he/she chooses. Home schools, private schools, charter schools, and public schools are all viable educational options. The intent of this policy is not to disrupt the educational process of the home schools, private schools, charter schools, public schools, or other schools but rather to provide an environment for working in harmony for the benefit of each student.

The policies and procedures herein are applicable only to students who are eligible, by residence or under Board-approved tuition requirements, to attend the Biloxi Public Schools.

1. Enrollment status

There are several possibilities in regard to students' enrollment in school. These include students who are enrolled entirely in a home school, private school, or charter school, students who are enrolled entirely in a public school and students who are concurrently enrolled in any combination of the above.

2. Placement

The Biloxi Public School District retains the absolute right of placement for all students at the appropriate grade level and in the appropriate classes. The parent, counselor, student (when relevant), and principal/assistant principal shall meet to consider appropriate placement at grade level.

If the student is at the 8th grade level or below, the student will be given an appropriate standardized achievement and/or term grade level examination(s) (four term tests) to determine his/her appropriate grade level, and the student will be placed in a grade that reflects his/her achievement or grade level test scores.

If the student is transferring into grades 9-12 and requests that Carnegie units be awarded, then the student will be required to take each term examination (four term tests) in each subject and/or standardized subject area tests for which the Carnegie units are awarded. The Carnegie unit will be awarded only on a "pass" basis. No letter grades and/or number grades will be given for these courses under these conditions or for any courses completed in home schools or private schools not accredited by the Southern Association of Colleges and Schools or the state accrediting agency in the state where the student completed the school work.

3. Participation in Biloxi school programs/activities

Students who request permission to participate in any activities governed by the Mississippi High School Activities Association (athletics, band, chorus, debate, drama, cheerleading, etc.) must meet all MHSAA requirements and local district requirements in order to be allowed to participate.

4. Graduation requirements

In order to graduate, the student must have the required number of Carnegie units for the year of graduation as specified by the Biloxi Public School District.

Courses in which the transfer student has been given credit on the basis of passing term examinations and/or standardized subject areas tests -- as defined under #2 above -- shall not be included in determining class ranking or class standing at the time of graduation. Class ranking or class standing at graduation shall be determined as specified in school policy and as outlined in the Honors policy as stated in the student handbook.

In order to receive a diploma from Biloxi High School, the student transferring from home schools, non-accredited private schools, charter schools, or other schools not accredited by the state accrediting agency must be enrolled for one full semester and must meet all grade and graduation requirements as specified in student handbooks.

Testing for Grade Placement or Transfer Students

Students transferring to the Biloxi Public School District from unaccredited schools or a home-schooled environment must be tested prior to enrollment to determine grade placement.

Students in grades two through eight (2-8) will be tested by the district using a standardized test. The results of the test will be sent to the school principal for final determination of a student's grade placement.

Student placement in grades nine through twelve (9-12) is determined by the number of Carnegie units earned; therefore, the following procedure has been established:

1. The student and parent/guardian determine which credit(s) the student will attempt to earn, i.e., Geometry, Biology, English I, etc.
2. Students will be permitted to enroll only after the student's grade placement (grades K-8), or credits earned (grades 9-12) has been determined.

District policies governing tardies, grades K-12, are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

TRUANCY**JBDB**

Truancy is defined by State law as an absence from school without the knowledge of parent or guardian and/or leaving school without notification and consent of proper authorities.

It shall be the responsibility of the Superintendent of Education or his/her designee to investigate all unauthorized absences and work with all agencies that have jurisdiction over children within the Biloxi Public School District and to assure that all students attend school.

ABSENCES EXCEEDING NUMBER ALLOWED**JBDC**

Recognizing that students are sometimes faced with obligations that require them to exceed the number of student absences normally permitted under district policy, the School Board authorizes the Superintendent and/or his/her designee to exercise discretion in approving exceptions to the absentee policy. The Board further directs that administrative actions taken under this policy be reported to the Board as requested.

STUDENT CHECK-OUT POLICY, GRADE LEVELS K-12

JBH

District policies governing student check-out, grades K-12, are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

STUDENT COMPLAINTS OF SEXUAL DISCRIMINATION/HARASSMENT – TITLE IX PROCEDURES

JBP

As provided under Title IX of the Education Amendments of 1972, no person in the U.S. shall, on the basis of gender, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Students in the Biloxi Public School District (the “District”) are protected from sexual discrimination, including sexual harassment, by Title IX of the Education Amendments of 1972 to the Civil Rights Act. It is the intent of the Board to maintain an environment free from sexual harassment of any kind. Therefore, unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature amounting to or constituting harassment are prohibited.

HARASSMENT PROHIBITED

The District prohibits sexual harassment of or by any student. This policy applies to conduct during and relating to school and school-sponsored activities. 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.

SEXUAL MISCONDUCT PROHIBITED

If any person eighteen (18) years or older who is employed by any public or private school district 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, 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. §97-5-24 (1994). 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 (1980).

This complaint procedure shall provide a process for filing, processing and resolving complaints on matters related to complaints of sexual harassment/discrimination. Adherence to these procedures is mandatory. The failure of any person to follow these procedures will constitute a waiver of the right to pursue a complaint at any level, including review by the Board of Trustees of the District (the “Board”).

I. DEFINITIONS

- A. “Sexual harassment” exists when conduct occurs on the basis of sex which meets any of the following criteria:
 - 1. An employee of the District conditioning the provision of an aid, benefit or service of the District on an individual’s participation in unwelcome sexual conduct.
 - 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s educational programs or activities.
 - 3. Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. 20 U.S.C. 1092(f)(6)(A)(v).
 - 4. Dating violence, meaning violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim as defined in 34 U.S.C. 12291(a)(10);
 - 5. Domestic Violence, meaning felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim as defined in 34 U.S.C. 12291(a)(8); or

6. Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress as defined in 34 U.S.C. 12291(a)(30).
- B. A “complaint” is a report by any person, including a student, parent, legal guardian or custodian of a student, or employee which alleges that a policy or practice of the District or a practice or act of any of its employees or students has discriminated against a student on the basis of gender, including sexual harassment.
- C. The “complainant” is a person, or parent, legal guardian, or custodian of a person, who is alleged to be the victim of sexual harassment.
- D. The “respondent” is the person alleged to be responsible for the violation alleged in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.
- E. The Student Services Director of the District, who is located at 160 St. Peters Ave., shall serve as the Title IX Coordinator for student matters and shall coordinate the District’s efforts to comply with and carry out responsibilities under Title IX and other state and federal laws addressing equal educational opportunity.
- F. A “day” means a working day and does not include holidays and/or weekends.
- G. An “Education Program or Activity” includes any location, event or circumstance over which the District exhibits substantial control over both the respondent and the context in which the harassment occurred.
- H. “Supportive Measures” are non-disciplinary, non-punitive, individualized services offered as appropriate and without charge to a complainant or a respondent before or after the filing of a formal complaint or where a complaint has not been filed. Supportive measures include but are not limited to counseling, course modifications, schedule changes, increased monitoring or supervision.

II. GENERAL RULES

- A. Since it is important that complaints be filed and processed as rapidly as possible, the number of days indicated at each step is considered to be a maximum and every effort will be made to expedite the process. At any step in the complaint procedure, the time limits may be extended only when necessary under the circumstances. If the time limits are extended, then notice will be given to both complainant and respondent explaining the reasons for the delay. In no event shall these procedures be extended for more than a 90 day period.
- B. If a review is not requested at any step within the time allotted and if the decision at the prior step found a reasonable basis to believe that an employee has engaged in any sexual misconduct or involvement with any student under the age of 18, the Title IX Coordinator shall, immediately upon the expiration of the allotted time, submit such information to the superintendent. The superintendent shall make such information available to the appropriate District Attorney as required by policy and Mississippi law.
- C. Facts elicited during the complaint procedure with respect to an accused student are confidential and do not become part of a student’s permanent record. A copy of documents, communications and records dealing with the processing of a complaint will be filed in a separate file as designated by the superintendent.

- D. Facts elicited during the complaint procedure that result in adverse disciplinary action against an employee become part of that employee’s personnel file.
- E. The failure of a complainant to proceed from one step to the next within the set time limits, without being granted an extension of time by the Title IX Coordinator, shall be deemed to be an acceptance of the decision previously rendered and shall eliminate any future review concerning that particular complaint.
- F. The failure of the reviewing officer(s) to communicate his/her decision to the complainant or respondent within the time limits shall permit the complainant or respondent to proceed to the next step
- G. The complainant may withdraw his/her complaint at any step without reprisal. However, a complainant shall not be permitted to refile the same complaint once withdrawn unless it is within the initial time period. An investigation may be conducted even after the withdrawal of a complaint and without the participation of the complainant upon recommendation of the Title IX Coordinator.
- H. No reprisal shall be invoked against the complainant for filing a complaint or against any person for participation in any way in this procedure.
- I. If the complaint is against the student’s principal, the complainant may go directly to the Title IX Coordinator.
- J. The District shall retain all records relating to the investigation for a minimum of seven (7) years, including investigative records, disciplinary records, remedies, appeals and records of action taken including supportive measures. The District shall also retain for seven (7) years all materials used to train Title IX Coordinators, investigators, and decision – makers on the District website.

III. PROCEDURES FOR PROCESSING A COMPLAINT

The complainant may report sexual harassment or misconduct to the building level principal or Title IX Coordinator. The building level principal shall immediately investigate a complaint and provide written notice to any party who is invited or expected to attend, the date, time, participants, purpose, and location of any investigative interview or other meeting with enough time to allow the party to prepare and participate. The Title IX Coordinator shall immediately contact complainant and offer supportive measures, at no cost to complainant, regardless of whether complainant chooses to file a formal complaint. The Title IX Coordinator shall also explain the formal complaint process to complainant. If complainant chooses to file a formal complaint, then the following procedures shall govern.

Party/Parties Involved/Action Required

- A. Complainant

Within five (5) days from the time a complaint becomes known, the complainant must complete and submit to the Title IX Coordinator a written “Title IX Report” form. The report must state the respondent’s name, the nature and date of the alleged violation, the names of any witnesses to such alleged violation and requested action. Forms shall be available from all principals’ offices and from the Title IX Coordinator.
- B. Title IX Coordinator

Within two (2) days from receipt of the written complaint, the Title IX Coordinator shall notify the respondent and parent or legal guardian.

C. Respondent

Within five (5) days, the respondent shall be required to respond in writing to the Title IX Coordinator, as follows:

1. Confirm or deny the facts as alleged;
2. Indicate acceptance or rejection of the complainant's requested action; or
3. Outline alternative actions.

D. Building Level Principal

Within five (5) days from receipt of the respondent's response, the building level principal will present a prepared written investigation report that fairly summarizes the relevant evidence and provide the report to the complainant, respondent, and their advisors.

E. Complainant or Respondent

Within five (5) days of receiving the building level principal's written investigation report, the complainant or respondent may request, in writing, a hearing on the matter. Additionally, within five (5) days of receiving the building level principal's written investigation report, each party may also submit written, relevant questions that the party wants asked of another party or witness. Within five (5) days of the receipt of these questions, the party asked shall provide the other party with the answers and, within two (2) days of this response, the party may provide follow up questions limited to the subject matter of the response. Within two (2) days of receiving the follow up questions, the responding party shall issue a response.

F. Title IX Coordinator

If a hearing is requested within five (5) days after the building level principal presents a prepared written investigation report or within (5) days after the date the final set of questions are answered, whichever is later, the Title IX Coordinator shall schedule a hearing within 15 days before an unbiased panel of 3-5 District employees (the "Title IX Hearing Panel"), or if a hearing is not requested, then a review to discuss the written investigative report and relevant questions shall be held within 15 days before the Title IX Hearing Panel. The Title IX Coordinator shall give written notice of such hearing to the complainant, respondent, student's principal or employee's supervisor, superintendent and other appropriate witnesses if applicable. The standard for determine responsibility shall be by preponderance of the evidence. Notwithstanding any other provision herein, no hearing or review shall be held until ten (10) days after the building level principal's report is received by complainant and respondent.

G. Title IX Coordinator, Complainant,
Respondent, Title IX Hearing Panel

Within 15 days of the receipt of the written request for a hearing by the Title IX Coordinator, a hearing shall be scheduled before Title IX Hearing Panel. The Title IX Coordinator shall facilitate the hearing, at which the following rules shall apply:

1. The hearing shall be informal and the legal rules of evidence and procedure shall not apply.
2. The complainant and respondent shall be permitted to submit written evidence and to bring witnesses before the panel.
3. The Title IX Hearing Panel members may question any witnesses brought before them.
4. The complainant and respondent shall be permitted to make a statement before the panel and may be permitted to examine their witnesses and to cross-examine witnesses actually presented by the other parties.
5. Parties shall have the same opportunity to select an advisor of the party's choice who may be, but need not be, an attorney.
6. The Title IX Coordinator shall create and maintain a record of the hearing which shall include the names of all witnesses, all investigation reports, a summary of all witness testimony and all documentary evidence.

H. Title IX Hearing Panel

Within five (5) days after the hearing or review, the Title IX Hearing Panel shall issue a written decision which shall:

1. Identify the allegations that potentially constitute sexual harassment;
2. Describe the District's procedural steps taken from the receipt of the complaint to the determination;
3. Includes findings of fact supporting the determination;
4. Includes conclusions regarding application of the code of conduct to the facts;
5. Includes a statement of, and a rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the District's program or activity will be provided to the complainant; and
6. Includes procedure for appeals.

I. Title IX Coordinator

Upon receipt of the decision of the Title IX Hearing Panel, the Title IX Coordinator shall provide a copy of such decision to the complainant, respondent and parent, principal or supervisor and superintendent.

J. Complainant or Respondent

If the complainant or respondent is not satisfied with the decision, he/she may request an appeal for review by the superintendent. The request for such review must be made in writing to the Title IX Coordinator within five (5) days of receipt of the Title IX Hearing Panel's decision and may be based upon any of the following rational:

1. A procedural irregularity that affected the outcome;
2. New evidence that was not reasonably available at the time of the determination and could affect the outcome; or
3. A conflict of interest on the part of the Title IX Coordinator, investigator, or decision-maker that affected the outcome.

K. Title IX Coordinator

Upon receipt of an appeal for review by the superintendent, the Title IX Coordinator shall notify the superintendent of such request and submit to the superintendent the record of the hearing, the panel decision and all related documents.

L. Superintendent

Within ten (10) days of receiving notice of an appeal for review, the superintendent shall review the record and panel decision and shall issue a written decision. The superintendent may concur in the findings and recommendations of the Title IX Hearing Panel or may make alternate findings and recommendations. The superintendent shall have his/her decision provided to the Title IX Coordinator, complainant, respondent and the principal or supervisor within the ten (10) day period.

M. Complainant or Respondent

Within five (5) days of the receipt of the superintendent's decision, if dissatisfied with the decision, the complainant or respondent must submit a written request for review by the Board of the Title IX Coordinator.

N. Title IX Coordinator

Upon receipt of the request for review, the Title IX Coordinator must schedule a review before the Board to be held at the Board's next regular or special meeting, but in no event more than six (6) weeks from such request. The Title IX Coordinator shall provide the Board members with copies of the hearing record, all investigation reports, the panel decision, the superintendent's decision and all related records.

O. School Board, Title IX Coordinator,
Complainant, Respondent

With 30 days of the request for review, the Board shall review the hearing record, all investigation reports, the panel decision, the superintendent's decision and all related records. The review is not a hearing and no party has the right to present further witnesses or other evidence or to examine any witness party. However, the Board may, in its discretion, permit statements of limited duration from the complainant or his/her representative and the respondent or his/her representative. All usual rules of the Board procedure shall apply. Furthermore, the Board shall require that the review be conducted in closed or executive session.

P. School Board

Within ten (10) days of the review, the Board shall issue a final written decision. The Board may concur in the findings of the superintendent and direct that the recommended actions be taken or may make alternate findings and direct appropriate actions be taken by the superintendent or other appropriate administrator. The decision of the Board is final.

**CODE OF CONDUCT - SAFETY - WEAPONS - ALCOHOL - DRUGS –
SUBSTANCE ABUSE TESTING - ELECTRONIC DEVICES**

JC

REFERENCE: SEE ALL POLICIES IN THIS MANUAL UNDER "JC" AND "JD" CODING AND STUDENT HANDBOOK SECTIONS DEALING WITH CONDUCT AND ACTIVITIES, WHICH SHALL CONSTITUTE THE CODE OF STUDENT CONDUCT FOR THE BILOXI PUBLIC SCHOOL DISTRICT. STUDENT HANDBOOKS ARE REVISED ANNUALLY BY THE SCHOOL BOARD AND ADOPTED AS OFFICIAL STATEMENTS OF POLICY OF THE DISTRICT.

In accordance with the Mississippi School Safety Act of 2001 (Section 37-11-55, MS Code of 1972, amended), this School Board shall adopt and make available to all teachers, school personnel, students and parents or guardians, at the beginning of each school year a code of student conduct developed in consultation with teachers, school personnel, students and parents or guardians. The code shall be based on the rules governing student conduct and discipline adopted by the School Board and shall be made available at the school level in the student handbook or similar publication. The code shall include, but not be limited to:

- Specific grounds for disciplinary action under the school district's discipline plan; procedures to be followed for acts requiring discipline, including suspension and expulsion, which comply with due process requirements;
- An explanation of the responsibilities and rights of students with regard to attendance, respect for persons and property, knowledge and observation of rules of conduct, free speech and student publications, assembly, privacy and participation in school programs and activities;
- Policies and procedures for dealing with a student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities;
- Procedures for the development of behavior modification plans by the school principal, reporting teacher and student's parent for a student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities for a second time during the school year; and
- Policies and procedures specifically concerning gang-related activities in the school, on school property or vehicles, or at school-related activities; and
- Policies and procedures recognizing the teacher as the authority in classroom matters, and supporting that teacher in any decision in compliance with the written discipline code of conduct; such recognition shall include the right of the teacher to remove from the classroom any student who, in the professional judgment of the teacher, is disrupting the learning environment, to the office of the principal or assistant principal. The principal or assistant principal shall determine the proper placement for the student, who may not be returned to the classroom until a conference of some kind has been held with the parent, guardian or custodian during which the disrupting behavior is discussed and agreements are reached that no further disruption will be tolerated. If the principal does not approve of the determination of the teacher to remove the student from the classroom, the student may not be removed from the classroom, and the principal, upon request from the teacher, must provide justification for his/her disapproval

Ref: Section 37-11-55, MS Code of 1972, amended; also see JCB.

I. Student Conduct - Safety - Weapons - Alcohol - Drugs - Electronic Devices - Faculty Responses

District policies governing student conduct are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

Although student conduct in the Biloxi Public School District is considered in most cases to be exemplary and situations have not arisen to cause undue concern for student welfare and safety, the Biloxi Public Schools are required to establish policies and procedures that detail expectations of students and outline consequences of student misbehavior. The publication of these policies and procedures in student handbooks will help to assure that there is a clear understanding among students and parents concerning matters covered in the handbooks under Student Welfare.

The Board of Trustees wishes to establish an educational climate in which student behavior is at all times exemplary and in which the important processes of education can best be carried out. Recognizing the need to support the professional personnel of the Biloxi Public Schools in their instructional and supervisory duties, the Board of Trustees encourages the development of harmonious and cooperative relationships between the students and faculty members based on mutual respect and understanding.

Significant interruptions of the educational process resulting from overt disrespect shown by students to faculty members, unruly student behavior, and vulgar or otherwise discourteous actions will not be permitted.

A student must obey any and all instructions of the faculty and administrators, in the absence of parental instructions to the contrary. If a student refuses to obey instructions because of contrary parent instructions, he/she may be placed in parent care and/or suspended from school until a conference between the principal of the school and the student's parents can be arranged. In cases of emergency, the principal, or in his/her absence, the official then in charge of the school may so inform the student and require his/her immediate cooperation.

The provisions of these policies shall apply to all pupils during all of the period of time that they are under and subject to the jurisdiction of the Board of Trustees of this school district as defined by the laws of the State of Mississippi, and/or while participating in or going to or from any school activity sponsored by this school district and/or while under the supervision and direction of any teacher, principal, or other authority of this school district.

Any pupil who, in the sole and absolute discretion of the principal of the school wherein such offense is committed, and the Superintendent or his/her designee, has violated any of the provisions of these policies of the Board of Trustees, shall be suspended for a period to be determined by the school administrator and may be expelled.

II. Disciplinary Action

Disciplinary action which may result in corporal punishment, in-school reassignment, suspension, or expulsion will be taken as a result of the following misbehavior: (1) refusal to follow instructions from faculty members; (2) profane language; (3) failing to identify oneself when asked to do so by a member of the faculty; (4) insolent, contemptuous, or belligerent behavior or remarks; (5) other just cause.

III. Drugs/Alcohol

No pupil attending any school in the Biloxi Public School District shall be permitted to use or to carry upon his/her person or in any other manner or to consume and/or be under the influence of or to have in his/her possession in any way, any drugs classified as illegal by local/state/federal law, alcoholic beverages, morphine, marijuana (to include any levels of cannabis, cannabinoids, THC, CBD, and their derivatives), cocaine in any form, any "leisure" or recreational drug, opium, heroin (or any derivatives or compounds), LSD, spice, synthetic drugs, tranquilizers, or unauthorized prescription medications, or any narcotic drug, barbiturate, substance, ingredient, or compound which, when taken orally, intravenously, inhaled, or applied in any other manner, may cause the person to be under the influence of any of the same, at any school in this district. The provisions of this policy shall not apply to any pupil who is under the care of a licensed physician and who is taking medication prescribed which is under the supervision and direction of such physician. The District does not allow the use of medical cannabis while on District property. All medication required to be taken at school must be reported to the school office.

IV. Weapons

No pupil attending school at any school in the Biloxi Public School District shall be permitted to use or to carry upon his/her person or in any other manner or to have in his/her possession in any way any knife, razor blade, ice pick, brass or metallic knuckles, pistol, or other weapon, whether the same be manufactured or homemade, BB gun, cap pistol, plastic or toy gun, laser items or ammunition or any dynamite, firecrackers, caps, or other fireworks of any nature, kind, or description, or other instrument or paraphernalia which, when used in a vicious or careless manner could cause bodily harm, injury, or death to any person, except such instruments as may be required to be used by the pupil in his/her class for the furtherance of the student's education, as solely determined by the student's principal.

V. Possession of Weapons

A. Firearms

Any student who has in his/her possession any type of firearm, real or facsimile, operable or inoperable, while he/she is in school, on school property, at a school function or activity, on the school bus, on the way to and from school or any school function or activity will be suspended from school and recommended for expulsion. Such recommendation will be at the discretion of the principal of the school to which the offending student is assigned.

B. Other Weapons - Use of

Any student who uses or threatens to use any object, regardless of its original purpose, for a weapon while he/she is in school, on school property, at a school function or activity, on the school bus, on the way to and from school or any school function or activity will immediately be suspended and recommended for expulsion. Examples of such weapons include, but are not limited to, knife, billy club, brass knuckles, ammunition, throwing stars, pipe club, brick, bat, chain, razors, box cutters, etc.

C. Other Weapons - Possession of

Possession by a student of any object, regardless of its original purpose, that may be considered a weapon while he/she is in school, on school property, at a school function or activity, on the school bus, on the way to and from school or any school function or activity shall be considered in violation of this policy. Suspension and/or other recommendation for expulsion for violation of this section of the policy shall be directed by the principal, who shall deal with each individual case based on the circumstances.

VI. Faculty Responses Required In Relation To Suspected Alcohol/Drug Possession Or Use

A Suspected Drug Use

1. Initial teacher response to suspected drug use should be a close observation of the student's behavior for specific actions or conditions which MAY indicate drug use. The following may or may not indicate drug use:
 - a. red-rimmed, watery eyes
 - b. dizziness
 - c. slurred speech
 - d. uncoordinated gait
 - e. change in normal breathing rate
 - f. perspiration
 - g. other symptoms
2. If the student's behavior appears to warrant investigation because of suspected drug use, the teacher shall contact the building administrator immediately.
3. The teacher must avoid any open confrontation with or open embarrassment of the student.

4. Each student must be dealt with on an individual and completely private basis.
5. Faculty members shall refrain from public or private discussions with individuals not officially concerned with the problem regarding suspected cases of drug use.

B. Suspected Alcohol Use

1. Initial teacher response to suspected alcohol use should be a close observation of the student's behavior for specific actions or conditions which MAY indicate alcohol use. The following may or may not indicate alcohol use:
 - a. flushed face
 - b. talkative behavior
 - c. animated actions - early stages
 - d. drowsiness - later stages
 - e. abusive language and/or actions
2. If the student's behavior appears to warrant investigation because of suspected alcohol possession or use, the teacher shall contact the building administrator immediately.
3. The teacher must avoid any open confrontation with or open embarrassment of the student.
4. Each student must be dealt with on an individual and completely private basis.
5. Faculty members shall refrain from public or private discussions with individuals not officially concerned with the problem regarding suspected alcohol use.

C. Suspected Marijuana Use

1. Initial teacher response to suspected marijuana use should be a close observation of the student's behavior for specific actions or condition which MAY indicate marijuana use. The following may or may not indicate marijuana use:
 - a. reddened, tearing eyes
 - b. slurring or slowed speech
 - c. poor reasoning functions
2. If the student's behavior appears to warrant investigation because of suspected marijuana use, the teacher shall contact the building administrator immediately.
3. The teacher must avoid any open confrontation with or open embarrassment of the student.
4. Each student must be dealt with on an individual and completely private basis.
5. Faculty members shall refrain from public or private discussions with individuals not officially concerned with the problem regarding suspected marijuana use.

D. Possible Drug Overdose

1. Initial teacher response to possible drug overdose should be to determine immediately the physical and mental condition of the student.
 - a. Is he/she conscious?
 - b. Is he/she capable of understanding and rationally answering questions about his/her condition?
 - c. Does the student exhibit any violent tendencies?
 - d. Is he/she capable of walking without assistance?
 - e. What is the physical condition of the student? Vomiting? Color or skin? Temperature? Eyes? Breathing? Other conditions?
 - f. Can he/she be moved to an area where the nurse may help without first calling the nurse to come to the assistance of the teacher?

2. If the student can move with assistance or be moved without injury, he/she should be taken to the principal's office by the faculty member, who should ask that a staff member nearby help to supervise his/her class.
3. Under no circumstances is the student to be left alone.
4. In the principal's office, the principal or a designated staff member will see to the welfare of the student insofar as possible.
5. The decision to contact the student's parents, family physician, and/or emergency medical personnel will be made by the principal or his/her designated assistant.

E. General Procedures

1. In every case of suspected drug use, alcohol use, marijuana use, or overdose of drugs, the welfare of the students will be the concern of the staff.
2. In cases concerning drug or alcohol use when the student is required to have professional assistance of any kind, the student's parents will be notified as soon as possible.
3. Depending upon the circumstances surrounding each case, the principal may or may not contact local law enforcement officers to report suspected drug abuse.
4. "Labeling" of students concerning possible drug use is to be avoided by every staff member.

VII. Substance Abuse Testing Policy and Procedure

- A. **Introduction**—Reducing and ultimately eliminating the illegal use of drugs, alcohol and tobacco is a pressing concern of every school district in the nation. The purpose of the Substance Abuse Testing Policy is not to punish students who abuse alcohol, tobacco, or drugs, but rather to prevent drug and alcohol dependence and help drug and alcohol dependent students become drug and alcohol free.
- B. **Substance Abuse Testing Policy**—All Biloxi Junior High and High School students enrolled in grades seven (7) through twelve (12) shall be subject to drug and alcohol testing to the extent and in the manner provided in policy. Students who wish to participate in extracurricular activities, co-curricular activities, operate machinery, or who seek a privilege for which a school permit is required (e.g., operating a motor vehicle on campus) may not illegally use or consume alcohol, tobacco products, mood altering substances or drugs at any time including school hours and non-school hours, school days and non-school days, twelve months a year. If the school administration determines that the student who is participating in an activity or enjoys a privilege stated above or seeks to participate in any activity or privilege stated above, is engaged in the illegal use of alcohol, tobacco, or drugs, the student may be subject to consequences in accordance with the Biloxi Public School District Drug Policy. Prior to making this determination and imposing any exclusionary consequence, the administration shall give the student the right to explain his or her conduct.

All Biloxi Junior High and High School students enrolled in grades seven (7) through twelve (12) subject to drug and alcohol testing provided in this policy must sign the BILOXI PUBLIC SCHOOL DISTRICT MULTI PARTICIPATION WAIVER FORM (the "Participation Form") as a precondition to his or her participation or privilege. The student's signature on the Participation Form signifies the commitment to abide by the conditions of the Biloxi Public School District Substance Abuse Testing Policy and to remain free from alcohol, tobacco, and illegal substances. The parent's signature signifies that the parent has read and understands the Biloxi Public School District Substance Abuse Testing Policy.

- C. **Random Drug Testing**—The Biloxi Public School District will conduct random unannounced screening of students in grades seven (7) through twelve (12) who participate in extracurricular activities, operate machinery, or who enjoy a privilege for which a school permit is required (i.e., operating a motor vehicle on campus). All data from the random testing program will be maintained by the Athletic Director for year-end reporting to the Superintendent. The drug testing agency will provide computerized random sample lists to the designated school representative. The list of students in the random pool will be updated periodically. Participation in multiple school activities will not increase the students' chances of being selected for random testing.
1. **Testing**—The student will appear once on the list of participating students. When notified by a school administrator, the student will be immediately escorted to the designated collection site for testing. Testing protocol will be established by the testing laboratory in the Biloxi Public School District. In all cases precautions will be taken to guard against tampering and ensure the chain-of-custody and the proper handling of the specimen so that the test results are not called into question. The privacy of the student will be protected. Drug testing will be conducted by a licensed laboratory approved by the Biloxi Public School District Board of Trustees. Where the district has an employee collect a specimen or conduct a breath alcohol test, the district will provide instruction and training to that employee. At no time will the Random Testing results be shared with any law enforcement agency.
 2. **Prescription Drugs**—The proper use of medication prescribed by a physician is not prohibited; however, the Biloxi Public School District prohibits the misuse of prescribed (or over the counter) medications.
 3. **Cost of Testing**—All tests will be paid for by the Biloxi Public School District unless stated otherwise.
 4. **Testing Procedures**—The Biloxi Public School District reserves the right to utilize blood, hair, breath, saliva or urinalysis testing procedures. Initial positive specimens (urine, hair) will be confirmed by applicable mass spectrometry (GC/MS, GC/MS/MS or LC/MS/MS). All confirmed positive test results will be part of the student's discipline record but will not become part of the student's permanent file and will be shared with authorized personnel on a need-to-know-basis. Refusal to submit to a test or attempting to mask or otherwise tamper with the test or testing procedure will be treated as a positive test and exclusionary consequences will be imposed.
 5. **Test Results**—Test results are cumulative during grades seven (7) through eight (8). At the end of the eighth-grade year, the student's record is cleared of any previous violations. Beginning July 1 preceding the student's ninth grade year, the test results are cumulative until the student graduates. Exclusionary periods, including Return to Participation requirements, imposed for positive drug tests shall carry over into the following school year (including eighth to ninth grade) if the time period is not completed on the last day of school. For the purpose of carry-over days, the days will resume beginning the first day of school.
 6. **Parent Notification**—Parents will be informed in writing of a negative result (no drug, alcohol or tobacco use detected). Parents will be notified by the drug testing agency and school officials of a positive result (alcohol, tobacco, or illegal drug use was detected) by phone, and if necessary, other means of communication. All information, test results, written and otherwise, received by the Biloxi Public School District through the Substance Abuse Testing Program are confidential communications and will be released to authorized personnel on a need-to-know basis.
 7. **Request to Retest**—A student or parent/guardian may request a retest at his/her own expense, but the results will only be considered if scientifically meaningful and timely performed and in compliance with established testing procedures.

8. **Return to Participation Testing**—All students referred to counseling or a rehabilitative program or who are excluded from participation for abuse of substances covered under this policy will be subject to unannounced periodic testing during the exclusionary period and following return to participation for no less than twelve (12) months and no more than twenty-four (24) months.

D. Consequences

1. First positive test result.

- a. Parents are notified by the drug testing agency and school officials by phone, and if necessary, other means of communication.
- b. The student is excluded from all activities and privileges until a meeting between the parents and the school administration is held.
- c. Upon a meeting between the parents and the school administration, the student may immediately resume participation in all activities and privileges if within five (5) school days of the meeting, the student shows proof of participation in an approved substance abuse counseling program (at student/parent expense, if any), submits to a second random drug and alcohol test within ten (10) school days of the meeting and complies with the Return to Participation clause. Failure to meet these conditions will result in the exclusion of the student from participation in a school activity or privilege covered under the Substance Abuse Testing Policy for a period of forty-five (45) school days.
- d. Expense of retesting will be covered by the parent if the results are positive again. Expense of retesting will be covered by the School District if the results are negative.

2. Second positive test results.

- a. Parents are notified by the drug testing agency and school officials by phone, and if necessary, other means of communication.
- b. The student is excluded from all activities and privileges until a meeting between the parents and the school administration is held.
- c. Upon a meeting between the parents and the school administration, the student is excluded from participation in all covered activities and privileges for a period of twenty (20) school days beginning the day of the meeting. The student may resume participation in all activities and privileges after the twenty (20) school days exclusion, if the student shows proof of participation in an approved substance abuse counseling program (at student/parent expense, if any), and complies with the Return to Participation clause. Failure to meet these conditions will result in the exclusion of the student from participation in any school activity or privilege covered under the Substance Abuse Testing Policy for a period of ninety (90) school days.

3. Third positive test results.

- a. Parents are notified by the drug testing agency and school officials by phone, and if necessary, other means of communication.
- b. The student is excluded from all activities and privileges until a meeting between the parents and the school administration is held.
- c. Upon a meeting between the parents and the school administration, the student is excluded from participation in all covered activities and privileges for a period of one calendar year. The student may resume participation in all activities and privileges after the calendar year exclusion if the student shows proof of participation in an approved substance abuse counseling program (at student/parent expense, if any) and complies with the Return to Participation Clause.

4. **Subsequent positive tests following the third positive result.**

- a. Parents are notified by the drug testing agency and school officials by phone, and if necessary, other means of communication.
- b. The student is excluded from all activities and privileges until a meeting between the parents and the school administration is held.
- c. Upon a meeting between the parents and the school administration, the student is excluded from participation in all covered activities and privileges for a period of one (1) calendar year. The student may resume participation in all activities and privileges after the calendar year exclusion if the student shows proof of participation in an approved substance abuse counseling program (at student/parent expense, if any) and complies with the Return to Participation clause.

E. **Reasonable Suspicion Testing**

1. **Reasonable Suspicion** —If there is reasonable suspicion to believe that any student has abused alcohol, tobacco or drugs, or is under the influence of alcohol or any prohibited substance during the time period that the student is under and subject to the jurisdiction of the Biloxi Public School District in violation of Biloxi Public School District Policy “Alcohol Use/Drug Abuse by Students” and/or “Substance Abuse Testing Policy,” the student is subject to immediate disciplinary action and may be recommended for expulsion. The school district reserves the right to administer a breath alcohol test on any student where there is reasonable suspicion that he/she is under the influence of alcohol. Also, the student, with permission of his or her parent or guardian, may, at student/parent expense, voluntarily submit to an appropriate drug test (if applicable) to attempt to establish that he or she is not under the influence of any prohibited drug in violation of policy JC. If the test results are negative, the district will pay the costs of the test. The school administration shall record in writing the factors which led to the school’s conclusion, shall stipulate the specific consequence to be administered, and shall attempt to inform the student’s parents or guardian of the option of submitting to a drug test. The results of any such testing shall be confidential but shall be communicated to the student, his/her parents or guardians and appropriate school and law enforcement authorities

2. **Grounds for Reasonable Suspicion**—The following circumstances shall constitute grounds for reasonable suspicion:

- a. Direct observation by a school district employee of drug, tobacco, or alcohol use or possession;
- b. Abnormal or erratic behavior indicating intoxication in class, at school or at a school event, function or activity, or at any time while under the jurisdiction of the Biloxi Public School District as stated in Policy JC;
- c. Physical symptoms indicating intoxication including but not limited to glassy or bloodshot eyes, slurred speech, loss of balance, poor coordination or reflexes;
- d. Firsthand information provided by reliable and credible sources of use, possession or intoxication while at school or at a school sponsored or school approved function, activity, or event, or at any time while under the jurisdiction of the Biloxi Public School District as stated in policy JC;
- e. The presence of the drug on the student, detectable by the senses, such as the smell of activated marijuana or alcohol;
- f. Possession of illegal drugs; prescription drugs for which the student does not have a prescription; or alcohol containers or drug paraphernalia.

3. **Factors in Corroboration of the Finding of Reasonable Suspicion**

Any of the above circumstances shall be sufficient to constitute grounds for reasonable suspicion. If one of the above listed circumstances is found, Biloxi Public School District employees and administrators may, but are not required to, consider the following factors in corroboration of the finding of reasonable suspicion:

- a. Excessive tardiness
- b. Excessive absenteeism
- c. Significant decrease in academic performance
- d. Recent violation of school rules and regulations
- e. Any efforts to evade detection of the use or possession of drugs or alcohol or misrepresentations or untruths regarding the circumstances constituting grounds for reasonable suspicion;
- f. Information provided by reliable and credible sources of use, possession, or intoxication while at school or a school sponsored or school approved function, event or activity;
- g. Prior confirmed discipline for violations of this policy or violations of drug and alcohol laws.

F. **Prohibited Drugs/Alcohol**—The Biloxi Public School District reserves the right to test for illegal use of drugs, alcohol, tobacco, including any combination of the following:

Alcohol	Opiates	Methaqualone
Tobacco	Phencyclidine	Propoxyphene
Amphetamines	Barbiturates	Oxycontin
Cocaine	Benzodiazepines	Methadone
Marijuana	Lysergic Acid Diethylamide (LSD)	Vapes and E-Cigarettes

“Drugs” means any substance, including alcohol and tobacco, having psychological and/or physiological effects on a human being, including controlled substance analogs or volatile substances which produce the psychological and/or physiological effects through deliberate inhalation.

The Biloxi Public School District (“District”) is committed to providing an effective means for students and parents to voice concerns and complaints. A grievance is a formal complaint regarding specific decisions made by school personnel. A grievance may be submitted in specific circumstances such as when a student or parent believes that a policy of the District Board of Trustees (“Board”) or a law has been misapplied, misinterpreted, or violated, subject to the following conditions:

- a. If a student has been suspended or expelled, then the student’s appeal rights will be governed by Policy JCAA, “Due Process;”
- b. If a student’s grievance involves bullying or harassment, then Policy JDDA, “Student Bullying,” will control the filing of the student’s grievance and its investigation;
- c. If a student’s grievance involves discrimination against students with a disability/handicap, then Policy JCAD, “Student Grievances – Section 504/Americans With Disabilities Act” will control the filing of the student’s grievance and its investigation; and
- d. If a student’s grievance involves allegations of sexual discrimination, including sexual harassment, then Policy JBP, “Student Complaints of Sexual Discrimination/Harassment – Title IX Procedures” will control the filing of the student’s grievance and its investigation.

GENERAL GRIEVANCE PROCEDURE:

1. When a student or parent has a complaint regarding a specific decision made by school personnel (e.g. teacher, coach, administrator, etc.), the student/parent must first meet in conference with the decision-maker in an attempt to resolve the complaint. If the conference does not resolve the complaint to the satisfaction of the parent/student, they may appeal to the building administrator within five (5) school days of the conference.
2. If the building administrator’s conference does not resolve the complaint, the parent/student may appeal, in writing, within five (5) school days after a conference with the building administrator. The written notice of appeal must state a summary of the grievance, the specific grounds for the appeal, together with the names of all witnesses and other matters, including evidence, supporting the appeal. The written notice of appeal must be filed either with (1) the Director of Student Services (160 St. Peter Avenue, Biloxi, MS 39530; (228) 374-1810); or (2) with the building administrator, who will forward the written notice of appeal to the Director of Student Services. The District Superintendent (“Superintendent”) or his designee may assign a student to an alternative educational placement until the appeal process has been completed.
3. Within five (5) school days following the receipt of the written appeal by the Director of Student Services, the Director should begin discussing the problem with the party or parties involved and attempt to resolve the matter informally.
4. If the Director of Student Services is unable to resolve the matter informally within five (5) school days following his receipt of the notice of appeal, then the Director will forward the grievance to the District Hearing Committee.
5. Within five (5) school days following submission of the written appeal to the District Hearing Committee, the Committee shall consider the student grievance through either formal or informal means, including, if the Committee desires, meeting with the parties involved. The District Hearing Committee will prepare a grievance report and will provide notice of its decision to the student/parent. If the District Hearing Committee is unable to resolve the problem to the satisfaction of the student/parent, they may file a written appeal to the Superintendent. The student/parent must submit the written appeal to the Superintendent within five (5) school days of being notified of the District Hearing Committee’s decision.
6. The Superintendent will meet in conference after receipt of the student/parent’s written appeal from the District Hearing Committee’s decision, and after receipt of the Committee’s grievance report. Absent extenuating circumstances, the conference should be held within five (5) school days after receipt of the written appeal, and a decision should be made by the Superintendent concerning the student’s grievance within five (5) school days after

the conference. (In the event that the Superintendent is absent from his/her office, the conference must be held within five (5) school days after the Superintendent's return to his/her office.) The Superintendent will prepare a written decision concerning the grievance and provide it to the student/parent either in person or at their last known address. The student/parent shall have five (5) school days after receipt of the Superintendent's decision within which to appeal the decision to the Board.

7. The student/parent may appeal the Superintendent's decision to the Board by submitting a written appeal to the Superintendent no later than five (5) school days after the student/parent's receipt of the Superintendent's written decision. The Board reserves three basic rights: (1) it may elect not to hear the appeal and let the ruling of the Superintendent stand; (2) it may elect to make a ruling based on the written record of appeal; or (3) it may elect to provide a forum to all parties to present their case prior to making a ruling in the matter. In the event the Board elects to provide a forum/hearing, it will conduct its hearing as soon as practicable following written receipt of a request for such a hearing. The Board, in its sole discretion, has the authority to limit discussion, testimony (if allowed), and otherwise conduct the hearing as it deems reasonable and formal rules of evidence will not be followed. The Board may appoint a hearing officer to conduct the hearing and delegate to the hearing officer the authority to limit the hearing as he/she deems necessary.
8. Hearings shall be recorded electronically, and/or a written summary may be made. Any request for electronic and/or written summaries of the hearing must be made in writing, and a fee will be charged for copies of such summaries, together with appropriate charges for employee time in compiling and preparing these materials.
9. The District will maintain a full record of individual student's grievances.

A student who has been suspended or expelled has the right to due process. All aspects, circumstances and records of the student's case shall be confidential and available only to authorized officials of the Biloxi Public School District ("District") dealing directly with the student or to the student's parents, legal guardians or attorneys for the student or for the District's Board of Trustees ("Board"). The following procedures provide notice and opportunity to be heard in such matters.

STEP ONE: INITIAL INFORMAL HEARING

Applies to: All Suspensions and Recommendations of Expulsion

A. An initial informal hearing is required in each case where disciplinary action may be taken against a student. After an initial investigation that is appropriate under the circumstances, the school principal, District Superintendent ("Superintendent") or designee shall:

1. Advise the student of the charges against him/her;
2. Afford the student a full opportunity to respond; and
3. Explain the evidence in support of the charges, if the student denies the charges.

This process will be documented in writing using the appropriate forms and a copy of the documents will be provided to the student.

B. After the informal hearing, the school principal may take the following actions:

1. **SUSPENSION OF 10 DAYS OR LESS:** The school principal may issue to the student and legal guardian a notice of suspension not longer than 10 consecutive school days. The suspension is effective immediately and no further due process is required. However, the District has instituted an informal procedure for parents, guardians, or other persons having custody of a student who wish to appeal a suspension of 10 days or less. See Step Two, "Appeal," Section A below.
2. **IMMEDIATE SUSPENSION AND RECOMMENDATION OF EXPULSION:** The school principal or Superintendent shall immediately suspend a student for 10 days or less and recommend expulsion when there is reason to believe that the student committed an unlawful or violent act, as defined or otherwise provided by District policy or state law. The suspension shall be effective immediately, pending conclusion of due process on the recommendation of expulsion.
3. **IMMEDIATE SUSPENSION AND RECOMMENDATION OF SUSPENSION OF 11 DAYS OR MORE/EXPULSION:** The school principal or the Superintendent may immediately suspend a student for 10 days or less and recommend a suspension of 11 days or more or expulsion, as appropriate under the circumstances. The suspension shall be effective immediately, pending the conclusion of due process on the recommendation of long-term suspension or expulsion.

STEP TWO: APPEAL

A. Suspensions of 10 Days or Less

If the parent, guardian or other person having custody of the student wishes to appeal a suspension of 10 days or less, such person shall have the right to a hearing before either the school principal, Superintendent or designee, chosen at the Superintendent's discretion. An appeal must be submitted in writing to the school principal within five (5) school days of the student's receipt of a disciplinary referral form.

1. The parent, guardian or custodian shall be informed of this right and be given a form for requesting such a hearing.
2. The hearing shall be informal and shall afford the parent, guardian, or custodian an opportunity to respond to the charges against the student

B. Suspensions of 11 Days or More and/or Recommendation for Expulsion

If after the initial informal hearing the school principal or Superintendent determines that a recommendation of suspension for 11 days or more or expulsion is the appropriate disciplinary action:

1. The school principal or Superintendent shall give the student and the student's parent, guardian or custodian a written "Notice of Suspension and Recommendation of Expulsion and Statement of Rights" in a form provided by the Superintendent for such purposes.
2. The notice shall contain a statement of the charges/reasons, advise the student and the student's parent, guardian or custodian of the right to legal counsel, to present witnesses and to cross-examine witnesses presented against the student and state the date, time and place for the hearing. A copy of the notice will be hand-delivered to the student when possible and hand-delivered or mailed to the parent, guardian or custodian.
3. Unless the student is offered temporary placement in the alternative school program as outlined in Paragraph 4.a. below, a hearing before the District Discipline Hearing Committee must be scheduled and conducted no later than the tenth school day following the date of notice.
 - a. The hearing will be before the District Discipline Hearing Committee:
 - i. The Committee shall be composed of three or more school administrators, none of whom may be on the staff of the school from which the student is enrolled.
 - ii. The Superintendent's designee will serve as the investigator, convener and administrative officer of the Committee but shall not vote.
 - b. The District Discipline Hearing Committee shall hear and consider all cases presented and is authorized to:
 - i. To concur or not concur in the suspension or expulsion recommendation;
 - ii. To confirm or specify the duration of a suspension of eleven days or more, to reduce number of days of suspension, to remove the suspension or expulsion; and
 - iii. Subject to review and approval of the Superintendent, to recommend limited or unlimited expulsion to the Board.
 - iv. The District Discipline Hearing Committee shall prepare a written summary of each case.

- c. All expulsion recommendations shall be subject to review by the Superintendent and by the Board
 - d. After completing this appeal step, the student, parent, guardian or custodian aggrieved by a decision to suspend the student may request review of the decision by the Board. A request for review must be submitted to the Board within 2 days after receiving a decision at this appeal step.
4. Pending the outcome of the hearing before the District Discipline Hearing Committee:
- a. The student may be offered temporary placement in the alternative school program when the counselor verifies the student's suitability for such program and, in such case, the hearing before the District Discipline Hearing Committee may be held at any appropriate time without application of the 10-day limitation. However, the District may not offer temporary placement when the offense upon which the action is based is gang or group-related fighting, violation of prohibitions against weapons or controlled substances, assault of a staff member or other unlawful or violent act.
 - b. The student may be allowed to remain in school if the school principal or the Superintendent determines that his continued presence is not detrimental to the normal functioning of the school program and, in such case, the hearing before the District Discipline Hearing Committee may be held at any appropriate time without application of the 10-day limitation.

STEP THREE: REVIEW BY THE SUPERINTENDENT

Applies to: Expulsions

The Superintendent shall review all recommendations by the District Discipline Hearing Committee for expulsions:

- 1. If the Superintendent concurs in the decision of the District Discipline Hearing Committee, he shall submit the recommendation to the Board for final action.
- 2. If the Superintendent does not concur in the decision of the District Discipline Hearing Committee, he may remove expulsion, assign an appropriate duration of suspension or recommend expulsion.
- 3. All recommendations of expulsion by the Superintendent shall be subject to review by the Board.

STEP FOUR: REVIEW BY THE BOARD

Applies to: Suspensions of 11 Days or More (only upon request by the student, parent, guardian or custodian)
Expulsions

The Board shall, at its next regular or special meeting following the recommendation, review and take final action on all recommendations for expulsions and any requests for review of suspensions of 11 days or more. All consideration of student disciplinary actions shall be conducted in accordance with standard Board procedure. All decisions by the Board shall be final.

STANDARD OF PROOF

The standard of proof required in all disciplinary proceedings is substantial evidence. Substantial evidence has been defined by the Mississippi Supreme Court to mean something more than a "mere scintilla" of evidence.

It does not rise to the level of a “preponderance of the evidence.” Substantial evidence is “such relevant evidence as reasonable minds might accept as adequate to support a conclusion.” It affords “a substantial basis of fact from which the fact in issue can be reasonably inferred.

The Fourth Amendment to the United States Constitution and Article 3, §23 of the Mississippi Constitution provide all people with the right to be secure in their persons, houses, papers, and effects against unreasonable searches. However, circumstances will arise where searches of students' persons, possessions, lockers, desks and vehicles will be necessary. Administrators have the authority and obligation to exercise discretion in the implementation of this policy, balancing the District's responsibility to maintain discipline, order, and a safe environment conducive to education with the students' legitimate expectations of privacy.

I. Requirements

All searches should be pre-approved by the administration, principal, assistant principal or acting principal. Other District employees should not authorize a search except where an emergency situation exists.

At least two District employees should be present while a search is conducted. If, in the discretion of the administrator or employee conducting the search, the search is particularly intrusive, the person conducting the search and the witnesses, or at least one of them, should be the same sex as the student.

No student other than the student who is the subject of the search may be present during the search. All searches must be reasonable in scope.

II. Searches Permitted

Searches are permitted as follows:

- A. **PERSON, POSSESSIONS, LOCKERS:** Searches of a student's person, possessions or lockers may be conducted if a District employee has prior individualized reasonable suspicion that a student has violated or is violating a District policy, school rules or regulations or the law and that the search will result in discovery of evidence of such violation.
- B. **DESKS, OTHER SCHOOL PROPERTY:** Searches of desks and other school property (except lockers) may be conducted at any time, with or without reasonable suspicion of a violation.
- C. **VEHICLES:** Searches of vehicles driven to school by or for students may be searched by visual inspection with or without reasonable suspicion of a violation. If a visual search results in individualized reasonable suspicion of a violation, a more intrusive search of the vehicle may be conducted at the direction of the school administration.
- D. **CANINE SEARCHES:** The District may at any time utilize canines to search vehicles, possessions not on the student's person, desks, lockers and other school property, with or without reasonable suspicion of a violation. A canine response indicating the presence of contraband constitutes reasonable suspicion and a more intrusive search may be conducted at the direction of the school administration.
- E. **GROUP SEARCHES:** Caution shall be exercised when a search involving a number of students is conducted. In most instances, in order to justify a search, the District's reasonable suspicion must be particularized to an individual student. Exceptions to this requirement are appropriate only where the intrusiveness of the search is minimal, such as canine searches of lockers, desks or bookbags or automobile search, etc.
- F. **STRIP SEARCHES:** No student shall be subjected to a strip search except where an emergency situation exists and with pre-approval by the school administration. No student shall be asked to remove any article of clothing in the presence of a member of the opposite sex or of other students.

III. Definitions

A. "Reasonable in scope" means that the degree of the intrusion must be consistent with the objective of the search. Factors to be considered in whether the scope of a search is reasonable include, but are not limited to, the following:

1. The student's age, maturity, and sex;
2. The nature or level of seriousness of the suspected violation; and
3. The intrusiveness of the search; e.g., a canine search is less intrusive than a locker search; a locker search is less intrusive than a "pat down"; etc.

B. "Reasonable suspicion" refers to a flexible concept requiring the application of experience and common sense. Determinations of whether reasonable suspicion to support a search exists shall be made on a case-by-case basis with due consideration of all circumstances. In all cases, "reasonable suspicion" must be supported by articulable facts.

Factors to be considered in making this determination include, but are not limited to, the following:

1. The reliability of the information indicating that evidence of a violation may be discovered;
2. The existence of reasonable suspicion that such evidence will be discovered;
3. The individualization of the suspicion toward the person to be the subject of the search;
4. The prevalence or seriousness of the problem to which the search is directed;
5. The exigency of the circumstances; and
6. In some circumstances, the student's history and record in school.

C. An "emergency situation" exists if the destruction of evidence or use of contraband is an immediate possibility. In such a case, an administrator must be notified immediately. However, if an emergency situation does not exist, employees should take steps to prevent the possible destruction of evidence or use of contraband while securing approval for a search.

IV. DISCIPLINARY ACTION

If a search reveals grounds for a reasonable belief that a violation of a district policy, school rules and regulations or the law has occurred, the student will be subject to disciplinary action as provided by District policy.

V. POLICE SEARCHES

School officials are obligated to cooperate with law enforcement authorities who are validly carrying out their official duties. In such cases involving a student, the District should make an attempt to notify the student's parent, guardian, or custodian. The principal or principal's designee shall attend the search if conducted on or about the school premises and shall take any disciplinary action necessary as a result of the search.

The primary task of the school is the creation of a stimulating learning climate which evokes the active involvement of students in their education and development of the spirit of inquiry. This climate occurs only when students work together with school personnel in activities such as planning and evaluating school programs. The Board of Trustees, therefore, believes that, when feasible, students should:

1. Be encouraged to participate in establishing course goals and planning classroom activities and in improving courses of study.
2. Feel free to express, without any fear, their own opinions, recognizing that every privilege and right has a corresponding responsibility.
3. Be involved in the planning of assembly programs and school-sponsored forms of interest.
4. Be encouraged to participate in student government organizations that provide students with a voice in school affairs.
5. Be encouraged to participate in a variety of extra-curricular activities which are aimed at broadening their educational experiences.

Section 504/ADA prohibits discrimination against students with a disability in any program receiving federal financial assistance. No discrimination against any student with a disability will knowingly be permitted in any of the programs and activities of the Biloxi Public School District ("District"). To ensure the District's compliance with Section 504/ADA as it applies to students with disabilities, the following procedures have been adopted:

1. If a student claims that he/she has been subjected to discrimination on the basis of his/her disability, in violation of Section 504/ADA or if the District has reason to believe that a student has a disability requiring special instruction or related services (and the student is ineligible for services under IDD), a team of people who are knowledgeable of the student's educational needs shall be convened to review and consider all pertinent information related to the suspected disability. This team should be a multi-disciplinary team including, where possible, the student's teachers, parents, principal or designee and someone qualified to interpret test scores. Information such as grades, classroom documentation, comprehensive assessment data and other relevant information should be examined. This meeting shall be convened within ten (10) calendar days after the District receives a written statement describing the specific discriminatory conduct or the date when the District becomes aware of the student's disability requiring special instruction or related services.
2. The team described in Paragraph 1 above shall determine (i) whether the student is disabled under Section 504, and (ii) whether the student, because of the disability, requires special instruction or related services. If the student meets both criteria, the team must determine what accommodations are required to allow the student an equal opportunity to participate in school and school-related activities. The team will provide a written decision including conclusions and recommendations (if any) to the student's parent within ten (10) school days after the team meeting described in Paragraph 1. The decision will include the information on the right to ask for a hearing on the matter.
3. If the student's parents disagree with the District's conclusion and recommendations, the parents may request a hearing on the matter. Hearing requests shall be made in writing to the District Superintendent within ten (10) calendar days of the District's conclusion and recommendations regarding accommodations. The request shall give specific reasons describing the discriminatory actions by the District and why the District's accommodations are not appropriate. The hearing request shall include a list of accommodations requested by the parents and an explanation of why such accommodations are appropriate, along with copies of any documents and witnesses upon which the parents rely for support.
4. An impartial hearing shall be held within ten (10) calendar days of receipt of the written request. The District shall obtain as a hearing officer an individual who is not an employee of the District and who is knowledgeable of Section 504/ADA. The parent and student may take part in the hearing and have an attorney represent them at their own expense. The District also may be represented by counsel.
5. The hearing officer shall conduct the hearing so as to give the parents an opportunity to present evidence supporting their claim that their child has been subjected to discriminatory treatment in violation of Section 504/ADA. The District shall be given the opportunity to present evidence supporting its position with respect to the student. A tape recording or transcript of the hearing will be made by the District and a copy of the tape recording or transcript will be provided to the parents.
6. The impartial hearing will be conducted in an informal manner with the hearing officer directing the meeting and presentation of evidence.
7. The hearing officer shall make a decision within ten (10) calendar days after the conclusion of the hearing. The decision shall be given in writing to the District's 504/ADA Coordinator and the parents.
8. Any party aggrieved by the hearing officer's decision may file a civil action in a court of appropriate jurisdiction.

9. The District shall publish its policy of nondiscrimination against persons with disabilities and shall inform parents of their rights under Section 504/ADA, including the right to examine records relevant to their child, the right to an impartial hearing with representation by counsel and the District's review procedure.
10. These procedural safeguards should be provided to parents any time the District takes action with regard to the identification, evaluation or educational placement of a student with a disability.
11. The Section 504/ADA Coordinator for the District may be contacted by calling the central office of the Biloxi Public Schools.

STUDENT CONDUCT - DISRUPTIVE BEHAVIOR**JCB**

In accordance with the Mississippi School Safety Act of 2001, this school district shall adhere to requirements governing student conduct.

Section 6 of the Law defines student "disruptive behavior" as conduct of a student that is so unruly, disruptive or abusive that it seriously interferes with a school teacher's or school administrator's ability to communicate with the students in a classroom, with a student's ability to learn, or with the operation of a school or school-related activity, and which is not covered by other laws related to violence or possession of weapons or controlled substances on school property, school vehicles or at school-related activities. Such behaviors include, but are not limited to; foul, profane, obscene, threatening, defiant or abusive language or action toward teachers or other school employees; defiance, ridicule, or verbal attack of a teacher; and willful, deliberate, and overt acts of disobedience of the directions of a teacher.

The term "habitually disruptive" is defined as such actions of a student which cause disruption in a classroom, on school property or vehicles or at a school-related activity on more than two (2) occasions during a school year, and disruptive behavior that was initiated, willful and overt on the part of the student and which required the attention of school personnel to deal with the disruption. However, no student shall be considered to be habitually disruptive before the development of a behavior modification plan for the student in accordance with the code of conduct and discipline plans of the school district.

Any student who is thirteen (13) years of age or older for whom a behavior modification plan is developed by the school principal, reporting teacher and student's parent and which student does not comply with the plan may be deemed habitually disruptive and subject to automatic expulsion on the occurrence of the third act of disruptive behavior during a school year. After the second act of disruptive behavior during a school year by a student who is younger than thirteen (13) years of age, a psychological evaluation shall be performed upon the child.

Ref: Mississippi School Safety Act of 2001, Section 6, MS Code of 1972, amended. Also see Policy JC.

NON-RELATED SCHOOL CONDUCT**JCBA**

A principal or designee may discipline a student for dangerous or violent acts or the sale of controlled substances if such acts are committed away from the school or school related activities by recommending assignment of said student for other education placement, if there is a showing that the non-school related conduct of the student has a direct and negative effect upon the learning environment of the school and/or constitutes a threat to the safety of the student or others. Any student, parent or guardian aggrieved by the decision of the principal or principal's designee shall be entitled to due process pursuant to the District's existing policy on short/long term suspensions.

**INDIVIDUAL(S) UNLAWFUL ACTIVITY OR ASSOCIATION/GANGS
PROHIBITED ORGANIZATIONS**

JCBB

A student(s) will not be allowed to initiate or become involved in activities or conduct which threatens the safety and well-being of others or property on school premises or which disrupts or threatens to disrupt the school environment. The use of words or symbols that tend to disrupt the school environment or to encourage violations of school policy or which threaten the safety and well-being of others on the school premises will not be allowed.

An individual or individuals who are initiating, advocating, or promoting activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and educational objectives and creates an atmosphere where unlawful acts or violations of school regulations may occur.

No student shall actively participate or wear clothing or other indications of membership in an organization which advocates violence or hatred toward any group of students and other individuals, or an organization which either intends to or does disrupt the educational process through its purpose or actions.

Incidents involving initiations, hazings, intimidations, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The school district shall enforce the above rule and attempt to ensure that any student wearing, carrying, or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership and/or participation in activities which intimidate or affect the attendance of another student shall be subject to appropriate disciplinary action, in accordance with the disciplinary ladder.

(See Handbooks - Gang Activity or Association/Other Prohibited Organizations/Sororities, Fraternities, and Secret Organizations.)

District policies governing student fighting are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

District policies governing student behavior on buses are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

The Board of Education, in recognizing the potential for increased use of alcohol and drugs by students, approves the administrative inclusion of information in the school curriculum which will make students aware of the physical and psychological dangers incurred through the improper use of alcohol and drugs.

The administration has authorization to make arrangements to cooperate with the local, state, and federal agencies in the detection, prevention, and prosecution of any and all possible violations.

TRANSFER OF CONFISCATED DRUGS**JCBB**

When drugs or suspected drugs and/or related paraphernalia are found on any person on school property, the principal will immediately notify the police. All confiscated materials will be secured in a sealed envelope marked for identification purposes and immediately surrendered to the responding officer. A written record of the date and manner of transfer must be retained in the principal's office with a copy of the written record sent to the Superintendent of Education.

**STUDENT CONDUCT - WEAPONS - YOUTH COURT REPORTS/
RECORDS - CHILD ABUSE – EXPULSION**

JCBL

The Biloxi Public School District shall be in compliance with SB 2767, effective July 1, 1994, which includes the following requirements of particular concern to school personnel:

1. The youth court shall be notified when a child is expelled from the public schools and the reason for expulsion shall be stated.
2. Parents, guardians, or custodians of children under age 13 may be civilly liable for any criminal acts of their children.
3. Added to the list of factors which shall be considered by the youth court in determining the reasonable prospects of rehabilitation within the juvenile system is the following: whether the alleged offense was committed on school property, public or private, or at any school-sponsored event, and constituted substantial danger to other students.
4. Jurisdiction shall be removed from the youth court for an offense involving the use or possession of a firearm by a child who is 15 years of age or older if the same offense committed by an adult would be a felony.
5. School employees who receive law enforcement records of youth court children after written request shall submit to the sender a signed statement acknowledging his or her duty to maintain the confidentiality of the records. These records involving children who have been taken into custody for an act which if committed by an adult would be considered a felony and/or offenses involving possession or use of a dangerous weapon may be released to school officials without a court order.
6. All records involving a child convicted as an adult shall be public and shall not be kept confidential.
7. If any employee of a public or private school is accused of fondling or having any type of sexual involvement with a child under 18 who is enrolled in the school, then the principal and the district Superintendent shall notify the district attorney of the accusation provided that the accusation is reported to the principal and the Superintendent and there is reasonable basis to believe the accusation is true.
8. Possession of a handgun by anyone under 18 is established as an act of delinquency, with exceptions listed in section 97-37-14 of the law.

POSSESSION OR USE OF LASER ITEMS

JCBM

No student attending any school in the Biloxi Public School District shall be permitted to use or carry upon his/her person or in any other manner laser pointers, laser key chains, or any other laser item. Failure to comply will result in the student's being placed on the discipline ladder.

**EXPELLED STUDENTS -- STUDENTS NOT ATTENDING SCHOOLS --
EXCLUSION FROM SCHOOL PROPERTY**

JCBQ

Students who have been expelled from this or other school districts or former students who are not attending school(s) in this or other school districts shall not be on any campus of the Biloxi Public School District or enter any school property except on school business which is specifically authorized by the building administrator, with the individual required to report to the school office for written permission. Such students are specifically prohibited from having any unauthorized contact with members of the school staff or students attending the Biloxi schools, using abusive, obscene, or profane language, and/or violating any local and state prohibition in regard to drug or alcohol possession or use, possession of weapons, or other misbehavior. If these students or former students are found on the campus of any Biloxi school, police will be called and charges will be filed.

District policies prohibiting possession or use of tobacco are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

Also see Policy EBAB.

DRESS AND GROOMING CODE - K-12

JCE

District policies governing dress and grooming codes, grades K-12, are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

STUDENT CONDUCT - UNIFORM POLICY

JCEB

District policies governing student conduct while in school uniforms are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

In accordance with the Mississippi School Safety Act of 2001 (Section 37-11-53, MS Code of 1972, amended), the following requirements shall be met by this school district:

- A copy of the school district's discipline plan shall be distributed to each student enrolled in the district, and the parents, guardian, or custodian of such student shall sign a statement verifying that they have been given notice of the discipline policies of the district. The School Board shall have its official discipline plan and code of student conduct legally audited on an annual basis to insure that its policies and procedures are currently in compliance with applicable statutes, case law and state and federal constitutional provisions. As part of the first legal audit occurring after July 1, 2001, the provisions of Section 37-11-55 and Section 6 of Senate Bill NO. 2239, 2001 Regular Session, shall be fully incorporated into the school district's discipline plan and code of student conduct.
- The discipline plan of the schools of this district shall include, but not be limited to, the following: (a) a parent, guardian, or custodian of a compulsory-school-age child enrolled in the district shall be responsible financially for his/her minor child's destructive acts against school property or persons; (b) a parent, guardian or custodian or a compulsory-school-age child enrolled in the district may be requested to appear at school by the school attendance officer or an appropriate school official for a conference regarding acts of the child specified in (a) above or for any other discipline conference regarding the acts of the child; (c) any parent, guardian or custodian of a compulsory-school-age child enrolled in a school district who refuses or willfully fails to attend such discipline conference specified in (b) above may be summoned by proper notification by the Superintendent of Schools or the school attendance officer and be required to attend such discipline conferences;
- The teacher is the authority in classroom matters and his/her decisions which are in compliance with the written discipline code of conduct shall be supported by the administration. The teacher shall have the right to remove from the classroom any student who, in the professional judgment of the teacher is disrupting the learning environment, and send him/her to the office of the principal or assistant principal. (Also see JC.)

Children 13 and older

- The school principal, reporting teacher, student's parent/guardian shall create a written behavior modification plan for any child who displays a pattern of disruption in the classroom which seriously interferes with the teacher's ability to communicate with the students in a classroom, with the students' ability to learn, or with the operation of a school or school related activity. The creation of this plan is not required for disruptions which are violations of laws or offenses which amount to a Step 6-7 offense. If the child fails to follow the behavior modification plan, he/she may be deemed "habitually disruptive" and recommended for expulsion.
- For a child under the age of thirteen a habitually disruptive child shall be required to undergo an appropriate behavioral evaluation by the District in accordance with intervention procedures. The assessment will not be one which is in conflict with federal laws requiring parental notification of certain types of evaluations.
- Any parent, guardian or custodian of a compulsory-school-age child who (a) fails to attend a discipline conference to which such parent, guardian or custodian has been summoned under the provisions of this section, or (b) refuses or willfully fails to perform any other duties imposed upon him or her under the provisions of this section, shall be guilty of a misdemeanor and, upon conviction, shall be fined not to exceed Two Hundred Fifty Dollars (\$250.00).

- The School District shall be entitled to recover damages in an amount not to exceed Twenty Thousand Dollars (\$20,000.00), plus necessary court costs, from the parents of any minor under the age of eighteen (18) years and over the age of six (6) years who maliciously and willfully damages or destroys property belonging to the school district. The action authorized in this section shall be in addition to all other actions which the school district is entitled to maintain and nothing in this section shall preclude recovery in a greater amount from the minor or from a person, including the parents, for damages to which such minor or other person would otherwise be liable.
- The School District's discipline plan may provide that as an alternative to suspension, a student may remain in school by having the parent, guardian or custodian, with the consent of the student's teacher or teachers, attend class with the student for a period of time specifically agreed upon by the reporting teacher and school principal. If the parent, guardian or custodian does not agree to attend class with the student or fails to attend class with the student, the student shall be suspended in accordance with the code of student conduct and discipline policies of the school district.

The Mississippi School Safety Act shall take effect and be in force from and after July 1, 2001.

Ref: Sections 37-3-81; 37-3-83; 37-11-54; 37-11-55; 37-11-53, MS Code of 1972, amended.

The Board recognizes that discipline is a primary responsibility of the teachers and that teachers should employ disciplinary methods which are appropriate and effective.

District policies governing student discipline are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

The Board of Trustees of the Biloxi Public School District recognizes the need for an organized disciplinary system which supports teachers' efforts to teach and which addresses the growth of positive student activities and behaviors.

The administration of the school district is charged with the development of a defined, systematic approach to school discipline to be recommended to the Board of Trustees.

Assertive Discipline Plan

District policies governing the assertive discipline program for grades K-12 are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

The basic objectives of discipline within the school may be described as threefold:

1. To establish conditions under which no student will be permitted to prevent any teacher from teaching or any student from learning.
2. To establish and maintain study conditions that are conducive to learning.
3. To develop, on the part of each student, the habits and skills that make him/her self-directive and to help him/her realize that he/she is responsible for his/her own conduct.

Teachers and administrators shall be responsible for creating and implementing programs favorable to the development of self-discipline and self-direction. School personnel shall plan carefully to ensure active interest in class work and the total school program, including the teaching of good behavior and accepted goals of the school. The use of all personnel provided by the school shall be maximized to assist in the development of sound personal value judgments, the teaching of school and civic responsibilities, and human relations.

Teachers and administrators are authorized to take just and reasonable measures to establish effective school discipline and to develop in students self-disciplined, emotionally mature behavior. The authority to control student conduct shall extend to all activities of the school, including all games and performances of athletic teams and other school groups.

Discipline should have the qualities of understanding, fairness, firmness, and consistency. Consideration should be given to the cause, nature, condition, and frequency of misconduct. Teachers should manage their own discipline problems if at all possible. Discipline should be used by each teacher as a means of improving the fundamentals of self-control, good work habits, and sound citizenship in the student and the group. Each infraction serious enough to be recognized one time should be recognized each time it occurs on the part of any student.

Prescribing Disciplinary Measures

When a teacher sends a student to the principal's office for disciplinary reasons, the decision regarding punishing the child shall rest solely with the administration. Teachers will not prescribe to the administration what is to be done concerning disciplinary measures after they have attempted to solve the problem. This does not mean that a teacher cannot make suggestions - but in no case shall the teacher tell the student that he/she is going to be paddled, suspended, or disciplined in other ways. It shall be the administration's responsibility to determine appropriate disciplinary measures as outlined in the assertive discipline plan of the school district and in accordance with policies and procedures established by the Board of Trustees of the Biloxi Public School District.

Detention

Detention is a supervised consequence for handling student misbehavior. When a teacher requires a student to report before or after school for disciplinary reasons, that student must do so unless arrangements are made with the teacher. Students will be given a minimum of one day's written notice prior to detention. The written notice will serve as parent notification. Parents may appeal detention assignments to the principal, whose decision is final.

Student Detention for Discipline or Make-Up During School Day K-6

Students in grades K-6 may be kept from participating in physical education, music, or library activities for either disciplinary reasons or make-up work, so long as the teacher keeps the student during the entire period of the activity and he/she is under constant teacher supervision. The student may not be kept from participation in these activities for more than three (3) consecutive days because of discipline or make-up.

Corporal Punishment

Corporal punishment is not a disciplinary practice used within the Biloxi Public School District. Parent may not request that corporal punishment be used in lieu of other disciplinary actions.

Suspension

Suspension is a forfeiture of participation in regularly scheduled school activities for the time designated during suspension. Graded work missed during the time of suspension may be made up at a time designated by school officials.

School principals shall have the authority to suspend students from school attendance for unacceptable behavior. Walking to and from school, being transported by school bus, and all school-sponsored activities regardless of time or place are considered as extensions of the school day and shall be governed by these same procedures.

Any suspension must be preceded by appearance of the student before the principal or his/her designee, at which time the pupil will be informed of the violation and the basis of the accusation. The principal shall investigate the situation causing the violation, to the extent possible and reasonable, including but not limited to interviewing other students and faculty members who may have witnessed the infraction. The student shall be allowed to have other individuals called in who would possibly support his/her side of the story and place such conduct in what he/she deems to be the proper context.

In all instances of suspension, parents shall be notified by telephone if they can be reached with reasonable effort and by letter from the principal with a copy of the suspension notice to be given to the student.

During any period of suspension, the student shall not be permitted to be on school grounds or attend any school-related activity, including band, athletics, chorus, strings, etc.

Students may be assigned to either in-school reassignment or out-of-school suspension. In all cases, parents/legal guardian may be required to come to the school for a personal conference with the designated school administrator before the student will be allowed to return to classes. Telephone calls will not be acceptable.

In-school reassignment may be offered as a possible alternative to out-of-school suspension based upon the assertive discipline program of the school district.

In-school reassignment requires that a student complete all assignments during the period of suspension. Additional time in ISR may be given for failure to complete assignments in the ISR program. A student who disrupts the ISR program will be referred to the appropriate building administrator and the student will complete the assigned suspension out-of-school; he/she will not be allowed to return to classes until suspension is completed in its entirety. A student withdrawing from school while under suspension will be required to complete the suspension before being permitted to return to class.

For an out-of-school suspensions for nine (9) days or less, the student may appeal to the Superintendent or his designee for a hearing. The decision of the Superintendent or his designee shall be final.

Out-of-school suspension will be applied to students when their behavior warrants removal from the school based upon the assertive discipline program of the school district. For out-of-school suspensions of ten (10) days or more, the student may appeal to the Superintendent. The student may petition the Board of Education to review the decision made by the Superintendent. The Board, at its discretion, may elect to review the record, to affirm or reverse the Superintendent's decision, or to hold a hearing on the matter.

Special education students should be suspended in compliance with federal guidelines, and all other district and federal requirements in regard to such suspensions shall be followed.

Serial Suspension

The administration needs to be aware of the necessity to avoid serial suspension which would be an inaccurate reflection of the schools' discipline programs.

Expulsion

Expulsion is the total exclusion of the student from participation in or attendance at any school-related activity. The Board of Trustees shall be the sole authority to expel a student from school. A student who has been expelled by the Board of Trustees from the Biloxi Public School District must apply in writing for possible readmission. Requests for readmission must be sent to the Superintendent of Education.

The Board of Trustees, on recommendation of the Superintendent of Education or his/her designee, may expel or exempt students from attendance in accordance with the provisions of the statutes of the State of Mississippi.

Suspension/School Bus Transportation

District policies governing school bus transportation are adopted annually and published in student handbooks as official policy statements of the Biloxi Public School District.

Make-Up Work

Graded work missed during the time of suspension should be made up at a time designated by school officials. Students shall have the right to make-up all work missed as a result of suspension.

In the event the suspension occurs during the last ten (10) days of any term or semester, the student shall be permitted to take such final examinations or submit such required work as would be necessary to complete the course of instruction for that semester or term, provided that all work is completed after the regular school day.

Parental Assistance Program

Parents of students who are having serious disciplinary problems may be required to come to the school in order to monitor conduct and establish new behavioral patterns.

Also see Policy JCAA.

Introduction

The Mississippi Department of Education and the State Board of Education supports a positive approach to behavior that uses proactive strategies to create a safe school climate that promotes dignity, creates authentic student engagement, and improves student achievement for all students. When teachers and administrators implement evidence-based positive behavior supports with fidelity, a safe and orderly school environment is created that is conducive to learning and students are able to achieve without the constant interruptions that occur when teachers are required to address discipline in the classroom.

However, at times, some students exhibit behaviors which place themselves and others in imminent danger. Schools must implement proactive strategies and interventions to reduce the likelihood of these situations, and they must have clearly identified responses to address such situations when they occur. Additionally, schools should have policies in place that address the responses needed to ensure the safety of all students and staff.

Restraint and Seclusion Policy

A Restraint and Seclusion Policy is defined through written local school board-approved policies and procedures that define appropriate means of restraint and seclusion to provide for a safe and orderly education. These policies and procedures should apply to all students in the local school district and must not focus on one or more subgroups of students.

In accordance with Miss. Code Ann. §§ 37-9-69 and 37-11-57, it is recognized that staff may intercede in situations wherein students are displaying physically violent behavior or is deemed to be a danger to themselves or others. State Board policy positively prohibits the use of excessive force, or cruel and unusual punishment regarding student management. Under no circumstances shall restraint or seclusion be utilized as a punitive measure.

This policy in no way shall inhibit the right of staff to reasonable self-defense in accordance with the provisions of the 5th and 14th amendments to the Constitution of the United States nor negate the obligation of the district to provide a safe work environment.

Definitions

1. Physical Restraint is defined as "the use of physical force, without the use of any device or material that restricts the free movement of all or a portion of a student's body." Physical restraint does not include briefly holding a student's hand or arm to calm them or escort them to another area. A physical restraint shall be removed as soon as the student is calm.
2. Physical escort is the temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out and able to respond to such physical prompt, to move to a safe location.
3. Mechanical restraint is defined as "any device that attaches to a student's body that restricts movement and cannot be removed by the student." Examples include: straps, tie downs, boards, and harnesses. Handcuffs are also considered mechanical restraints, but may be used by certified school resource officers, as defined in Miss. Code Ann. §§ 37-7-321 and 37-7-323. The use of mechanical restraints is prohibited in Mississippi Public Schools.

Devices not considered mechanical restraints include: adaptive equipment, protective devices, or assistive technology devices documented in a student's individualized education plan (IEP),

Section 504 plan, behavior intervention plan, or otherwise prescribed for the student by a medical or related service provider, seatbelts, and other safety equipment when used to secure students during transportation.

4. Chemical restraint is defined as "the administration of medication for the purpose of restraint." Chemical restraint does not apply to medication prescribed by and administered in accordance with the directions of a licensed physician. The use of chemical restraint is prohibited in Mississippi Public Schools.
5. Seclusion is defined as "the confinement of a student in an enclosure from which the student's egress is restricted." Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques is physically present in the same unlocked room as the student, in-school suspension, detention, or alternative school.
6. Individualized Education Plan (IEP) means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with State Board Policy 7219 §§ 300.320-300.324.
7. Section 504 Plan is defined as an individualized plan of accommodations and modifications to provide a free appropriate public education to a student who has a disability that substantially limits a major life activity. A 504 plan spells out the modifications and accommodations that will be needed for a student to have the opportunity to perform at the same level as their peers.
8. Behavior Intervention Plan (BIP) is a plan of action for managing a student's behavior. The BIP includes a set of strategies and supports intended to increase the occurrence of behaviors that school personnel encourage and to decrease behaviors that school personnel want to lessen or eliminate.

General Procedures

1. Physical restraint is considered to be an emergency response after all other verbal de-escalation measures have failed in effectiveness based on the following criteria:
 - a. The student or other person is engaged in actions that would constitute a danger to themselves or others;
 - b. The student or other person is engaged in actions that would constitute potential or actual destruction of property;
 - c. To remove a non-compliant student or person from the scene of an incident;
 - d. The restraint should be removed as soon as the student is no longer a danger to themselves or others.
2. When using physical restraint for students who are a danger to themselves or others, staff should take precautions necessary to ensure the safety of the student and the staff members engaged in restraining the student. Physical restraints that restrict the flow of air are prohibited in all situations. When deemed it is necessary to restrain a student who is a danger to themselves or others, the following procedures should be used:
 - a. Restraint should be conducted by staff who are trained in the restraint procedures adopted by the school district;
 - b. Staff should carefully observe the student throughout the restraint to observe the student's physical and emotional status;
 - c. Restraint shall be immediately terminated if the student appears to be, or claims to be, in severe stress;
 - d. The restraint should be removed as soon as the student is no longer a danger to himself/herself or others;
 - e. As soon as possible after the restraint is removed, the staff should discuss the incident leading up to the restraint and discuss alternative behaviors that could have been utilized;
 - f. When the student is able, he/she should be returned to the instructional activity, or to a less restrictive environment;

- g. Parents must be notified within one school day of the incident
3. School districts that permit restraint and seclusion must ensure that staff members are trained in the use of restraint. This training should be provided as a part of a program which addresses a full continuum of positive behavioral intervention strategies, crisis intervention, and de-escalation techniques.

Absent a clear and present danger to health or safety, physical restraint may only be practiced by staff trained in the physical restraint approach adopted by the local school district. The Mississippi Department of Education does not endorse a particular training program. The local school district shall select programs that are founded on evidence based techniques that focus on:

- a. Certification for school personnel and recertification as required by the training program;
- b. Preventing the need for restraint;
- c. Training in first aid;
- d. Identification of antecedent behaviors;
- e. Use of positive behavior supports, de-escalation, and conflict management;
- f. Keeping staff and students safe during required restraints.

Local school district administrators should monitor the use of physical restraint to ensure fidelity of implementation. Additional and follow-up training should be provided on an ongoing basis and any situations in which procedures are not followed should be immediately addressed.

4. Behavioral intervention must be consistent with the child's right to be treated as an individual. Schools should implement an evidence-based system of positive behavioral intervention and support. Elements of the system of support should include universal screening to identify potential students, teaching school-wide expected behaviors and social skills, and a system to monitor the effectiveness of the interventions and supports.
5. Behavioral strategies, in conjunction with the school-wide system of behavioral interventions should be used to help identify the causes of dangerous behavior and could reduce the need for restraint or seclusion. Information on a student through interviews, observation, and records help identify the causes of the dangerous behavior and should guide the development of a behavioral plan for the student. A complete plan should include:
- a. Addressing the characteristics of the setting and the event;
 - b. If possible, removing the antecedents that triggered the event;
 - c. Adding antecedents that promote appropriate behavior;
 - d. Teaching appropriate behaviors to replace the dangerous behaviors.
6. The use of seclusion occurs in a specially designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion shall cease once the student regains control of his or her behavior.

Only school personnel trained on the use of restraint and seclusion should be used to observe and monitor these students. Staff engaged in monitoring students should have knowledge of effective restraint and seclusion procedures, emergency procedures, and knowledge as to how to effectively debrief students after the use of restraint or seclusion

7. The room used for seclusion must not contain any objects or fixtures with which a student could be harmed. Additionally, the room must provide adequate lighting and ventilation.

8. The room used for seclusion may not be locked and staff must be present to monitor the student's safety and to know when the student has regained control of their behavior.
9. School personnel may use seclusion to address a student's behavior.
 - a. If the student's behavior unreasonably interferes with the student's learning or the learning of others;
 - b. If the student's behavior constitutes an emergency and seclusion is necessary to protect a student or other person from imminent, serious physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate;
 - c. After less restrictive or alternative approaches have failed or have been determined to be inappropriate.
10. Each time a student is placed in restraint or seclusion, the incident must be documented in the student's educational record. The documentation must be available to the parent or guardian, and the parent or guardian must be notified verbally or in writing by the next school day, unless the student's behavior plan, IEP, or Section 504 Plan requires some other arrangement. This documentation should be provided using an incident report that is completed for each student in each instance in which the student is restrained or placed in seclusion. This report must include the following:
 - a. Date;
 - b. Student's name, age and grade level;
 - c. Ethnicity, sex, and non-disabled/disabled status;
 - d. Location of restraint;
 - e. Precipitating behavior/antecedent;
 - f. De-escalation efforts tried;
 - g. The student's behavior and physical status during the restraint/seclusion ;
 - h. Type of restraint used ;
 - i. Total time spent in restraint or seclusion. The student shall not be kept in seclusion for more than 20 minutes. If additional time is needed , school personnel must reassess the student and document why the extra time is needed , or after this time, if the physical behavior is still manifested , the student should be assessed for transport to a medical facility for evaluation by a physician and the parent notified ;
 - j. Injuries to student or staff;
 - k. Staff participating in the restraint/seclusion;
 - l. Staff signatures;
 - m. Name of school employee that the parent can contact; and
 - n. Date and time parent was contacted.

After an incident of restraint or seclusion , all school personnel involved in the incident and appropriate administrative staff shall participate in a debriefing session for the purpose of planning to prevent or at least reduce the reoccurrence of the event. The debriefing session shall occur no later than five school days following the imposition of physical restraint or seclusion.

11. If restraint or seclusion is used for a student who is not identified as a student with a disability, the student shall immediately be referred to the school's intervention team. The team shall determine if the student shows a pattern of behavior that would indicate the need for an intervention plan.
12. If restraint or seclusion is used for a student with a disability, and the student's IEP, Section 504 Plan, or behavior intervention plan does not include the use of restraint or seclusion , the IEP or 504 team shall meet, within 10 school days of the incident to consider:

- a. The need for a functional behavioral assessment ;
- b. Developing appropriate behavioral interventions ;
- c. Implementing a behavioral intervention plan.

Administrative Procedures

1. Local school districts that utilize physical restraint and seclusion for all students must develop written policies and procedures that govern its use. The written policies and procedures must be designed to ensure the safety of all students, school personnel , and visitors and include the following provisions:
 - a. Staff and faculty training on the use of physical restraint;
 - b. Parental notification when physical restraint is used to restrain their student not to exceed one school day from the use of the restraint;
 - c. Documentation of the use of physical restraint or seclusion by staff or faculty participating in or supervising the restraint or seclusion event;
 - d. Procedures for the periodic review of the use of restraint and seclusion policies;
 - e. Procedures by which a parent may submit a complaint regarding the physical restraint or seclusion of their child;
 - f. Procedures for reporting the use of restraint or seclusion to the local board of education.
2. The policies and procedures should be reviewed with all staff on an annual basis.
3. Teachers and other district personnel should be trained on how to collect and analyze student data to determine the effectiveness of these procedures in increasing appropriate behavior .
4. All parents should receive, at least annually, written information about the policies and procedures for restraint and seclusion issued by the local school district or school. The written policies are to be included in each local education agencies code of conduct, student handbook, or other appropriate school publication.
5. A review of the use of a restraint and seclusion process must be conducted to determine if a revision of behavioral strategies in place to address dangerous behavior or if positive behavioral strategies are not in place when:
 - a. There is repeated use for an individual student;
 - b. Multiple uses within the same classroom;
 - c. Used multiple times by the same individual
6. School districts should not only establish and disseminate policies and procedures on the use of seclusion and restrain, but also should periodically review and update them as appropriate. The school district or school should maintain records of its review of seclusion and restraint data and any resulting decisions or actions regarding the use of seclusion and restraint.
7. In any situation in which a student is a danger to themselves or others, and it becomes necessary to contact law enforcement or emergency medical personnel, nothing in this policy guidance should be construed to interfere with the duties of law enforcement or emergency medical personnel.

Source: Miss. Code Ann. §§ 37-9-69; 37-11-57; 37-7-321; 37-7-323

The Biloxi Public School District (“District”) does not condone and will not tolerate bullying or harassing behavior. Bullying or harassing behavior is any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic, that takes place on school property, at any school sponsored function, or on a school bus, and that: (a) places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property, or (b) creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits. A “hostile environment” means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior. The conduct described above is considered bullying if the conduct interferes with a student’s education or substantially disrupts the operation of the school.

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

It is the intention of the District to provide all students and employees a learning and work environment free of bullying or harassing behavior by school employees or students. Likewise, it is the goal of the District to prevent acts of reprisal or retaliation against victims, witnesses or other persons with reliable information concerning an act of bullying or harassing behavior.

A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident to the appropriate school official. A student or volunteer who has witnessed or has reliable information that a student or school employee has been subjected to any act of bullying or harassing behavior should report the incident to the appropriate school official.

The District’s Board of Trustees (“Board”) directs the Superintendent or designee to design and implement procedures for reporting, investigating, and addressing bullying and harassing behaviors. The procedures should be appropriately placed in District personnel policy handbooks, school handbooks that include discipline policies and procedures, and any other policy or procedure that deals with student or employee behavior. The discipline policies and procedures must recognize the fundamental right of every student to take “reasonable actions” (except those in which self-defense is necessary) as may be necessary to defend himself or herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing conduct. Furthermore, the District defines “reasonable action” in most cases as promptly reporting the behavior to a teacher, principal, counselor, or other school employee when subjected to bullying or harassing behavior.

STUDENT COMPLAINTS OF BULLYING OR HARASSING BEHAVIOR

Students and employees in the District are protected from bullying or harassing behavior by other students or employees. It is the intent of the Board and the District’s Administration to maintain an environment free from bullying and harassing behavior. This complaint procedure provides a process for filing, processing and resolving complaints of such conduct. Adherence to these procedures is mandatory. The failure of any person to follow these procedures will constitute a waiver of the right to pursue a complaint at any level, including review by the Board.

I. Definitions

Bullying or harassing behavior is any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic, that takes place on school property, at any school sponsored function, or on

a school bus, and that: (a) places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or (b) creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities or benefits. A "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

The conduct described above is considered bullying if the conduct interferes with a student's education or substantially disrupts the operation of the school.

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

II. Procedures for Filing and Processing a Complaint

A. Procedure

1. Complaints/Reporting

a. A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident to a teacher, principal, counselor or other school official.

b. A student or volunteer who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior should report the incident to a teacher, principal, counselor or other school official.

c. A student who wishes to obtain assistance and intervention in response to bullying shall report the incident to a teacher, principal, counselor or other school official.

2. Time Period for Reporting: Any report of bullying or harassing behavior must be made promptly but, absent exceptional justifying circumstances, no later than five (5) school days after the alleged act or acts occurred.

B. Investigation/Reports

1. A school administrator will meet with the individual reporting an act of bullying or harassing behavior. The reporting individual and the school administrator shall complete a "Bullying/Harassing Behavior" complaint form which shall include the name of the reporting person, the specific nature and date of the misconduct, the name(s) of the victim(s) of the misconduct, the names of any witnesses and any other information that would assist in the investigation of the complaint. The report shall be given promptly to the school principal or the Superintendent who shall institute an immediate investigation. Complaints against the school principal shall be made to the Superintendent and complaints against the Superintendent shall be made to the Board President.

2. The complaint shall be investigated promptly. Within a reasonable amount of time after the alleged incident, the District will notify a parent/guardian of the alleged victim and a parent/guardian of the alleged bullying student concerning the nature of any complaint involving their student. The District will arrange such meetings as may be necessary with all concerned parties within five (5) school days after initial receipt of the complaint by the District. The parties will have an opportunity to submit evidence and a list of witnesses. The results of the investigation conducted by the District official shall be shared with the victim and parents to include a report of any disciplinary action taken.

3. During the investigation or immediately thereafter, the District will provide information to the victim, alleged bullying student, and any witnesses concerning available counseling options.

C. Other

1. The District prohibits any form of retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying. Any such allegations of retaliation should be reported as soon as possible to the school principal/Director of Student Services.

2. The District further prohibits the imposition of a disciplinary measure on a student who, after investigation, is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying. The District recognizes the fundamental right of every student to take reasonable actions as may be necessary to defend himself or herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing conduct. The District defines "reasonable action" in most cases as promptly reporting the behavior to a teacher, principal, counselor, or other school employee when a victim is subjected to bullying or harassing behavior.

3. Any discipline for bullying of a student with a disability must comply with the applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.)

4. A copy of this procedure will be posted on the District's internet website.

III. Review Decision

If the victim is not satisfied with the decision of the District official, he/she may submit a written appeal to the Superintendent within five (5) school days after receipt of the results of the initial decision. The appeal will follow the procedure provided in Student Grievance Policy JCA. A written appeal presented to the Superintendent will be slotted at Step 6 of the Student Grievance Policy and further appeal rights will be controlled by Policy JCA.

EXPULSION - ALTERNATIVE PLACEMENT**JDE**

The Biloxi School Board shall have authority to expel a student, assign to GED, or change placement to an alternative school or a homebound program for misconduct in the school, on the road to and from school, or at any school-related activity or event, or for misconduct on property other than school property or other than at a school-related event when such conduct, in the determination of the Superintendent or principal, renders the pupil's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher or such class as a whole. Any changes in placement with a student with a disability, shall include a review and possible revision of the student's Individual Educational Program (IEP).

A student may be placed at the Center for New Opportunities either through action by the Board of Trustees, Parental Consent or through Administrative Placement. Students may be administratively placed at the Center for New Opportunities without appearing before the District Hearing Committee for expulsion. In order to administratively place a student in the program, the following requirements must be met:

The student must be of compulsory school age.

The student must be a constant discipline problem at his/her school for the current school year resulting in multiple sessions in ISR and/or OSS. All referrals must be documented through the principal's office.

The student must be recommended for administrative placement by the principal of the school and one of the student's teachers (if elementary, the home room teacher's recommendation is required).

The school must show documentation that a Three (3) Tier Intervention program was used and proven unsuccessful in meeting the needs of the student.

All administrative placements must be approved by the office of the Superintendent or his designee.

Students administratively placed at the Center or New Opportunities must remain at the Center for New Opportunities for a minimum of forty-five (45) school days and until he/she has successfully met the school's exit requirements.

Placement will be based on available openings at the Center for New Opportunities.

In order to protect the privacy of all students and to comply with the Federal Education Right to Privacy Act (FERPA), only student-safety tracking devices without the capability to transmit and/or record audio and video will be allowed on school campus, on District provided transportation, and at school events. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other students.

A parent/guardian shall obtain approval from the building principal before operating a student- tracking safety device on any school property.

Approval shall be in the form of an approved user agreement that:

1. Documents a need for the use of a student-tracking safety device;
2. Provides the product information for the device (make, model, serial number, etc.) to verify device capabilities; and
3. Acknowledges the parent/guardian is responsible for maintenance, proper use, and any cost associated with the device.

The District is not responsible for damage, loss, theft, or any cost associated with the tracking device.

The District reserves the right to deny any request for the use of a student-safety tracking device that does not meet the requirements of the District. The District reserves the right to require proof of compliance with this policy by the parent/guardian within a reasonable amount of time after such request is made by the District in writing. The District reserves the right to rescind approval of the use of the student-tracking safety device for any violations.

LEGAL REF: 20 U.S.C. § 1232g, *et seq.*; 34 C.F.R. Part 99

ACADEMIC ACHIEVEMENT

JF

The Board of Trustees of the Biloxi School District recognizes the importance of rewarding the academic and professional accomplishments of its students and staff and for providing a system of recognition and rewards.

The administrative staff is charged with the development and implementation of a system of recognition and rewards and for providing information concerning said system to school personnel and students.

A. Student Data File

Student Locator card will be kept on file in the school for each student and will include information necessary for the school to act under emergency conditions. Emergency telephone numbers must be provided by parents or guardians and other information must be recorded. Students and parents or guardians will be expected to indicate their wishes regarding information contained on the Student Locator card at the time of student registration or at a time designated by school officials. Parents have a responsibility to provide information to the school which would permit school officials to contact a responsible adult at any and all times for emergency care or other situations requiring care of the child. In the event that this information is not available, school personnel will contact appropriate officials, including police department or the Child Welfare Department.

B. Child Abuse

In accordance with the laws of the State of Mississippi regarding child abuse, any person who has reasonable cause to suspect that child abuse or neglect is occurring shall report such information to the director of social services in the county in which the child resides.

Child abuse shall be suspected when a student shows such physical signs as bruises, scars, burns, etc., and injuries which might have resulted from being maliciously beaten and shows other indications of cruel and abusive treatment.

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

- A. Abandoned
- B. Poorly clothed, ill fed, ill without medical attention
- C. Overworked or otherwise exploited
- D. Lacking love, care, guidance, or protection

STUDENT INSURANCE PROGRAM**JGA**

Since the Board of Trustees has no funds or insurance that may be used legally to defray cost of student injuries, the Board of Trustees shall not accept any financial liability for student injuries occurring on or off the school premises. However, the Board of Trustees shall arrange for insurance policies which may be purchased by students and all employees of the school. Whether a student participates in the insurance program is left entirely to the parents' discretion. The Board of Trustees has no pecuniary or other interest in this service other than to make it available to those students who desire it.

The Board of Trustees of the Biloxi Public School District (the “Board” of the “District”) is implementing this policy in an effort to minimize the risk that COVID-19 will impact the District going forward. The Board recognizes that every employee and student of the District has a personal responsibility to help mitigate the risk of COVID-19’s impact on staff, students, and visitors.

Accessing Campus

Each employee and student is expected to return to campus in accordance with the MS Department of Health guidance.

SCHOOL HEALTH SERVICES**JGC**

Appropriate school health services shall be provided by the Biloxi Public School District in accordance with procedures established by the district.

It shall be the policy of the Biloxi Public School District to safeguard student's health and safety through an organized program of services designed to handle health and safety problems and to coordinate school and community health and safety resources.

The district administrative staff shall develop and implement procedures which ensure that all pupils comply with immunization requirements.

Rationale

The link between the health of students and learning is well documented. If children are to be successful in school, they cannot be tired, hungry, sick, suffering from drug abuse, or worried that school is an unsafe environment in which they could become a victim of a violent act. It has become apparent that problems such as poor nutrition, lack of physical activity, substance abuse, depression, teen pregnancy, obesity, bullying, and more – can adversely affect not only a child’s health, but also his or her ability to learn! And that is precisely what a coordinated approach to school health can make a difference! A coordinated approach to school health improves kids’ health and their capacity to learn through the support of families, schools, and communities working together. At its very core, a coordinated approach to school health is about keeping students healthy over time, reinforcing positive healthy behaviors throughout the school day, and making it clear that good health and learning go hand and hand.

Goal

All students in the **Biloxi Public School District** shall possess the knowledge and skills necessary to make nutritious food choices and enjoyable physical activity choices for a lifetime. All staff in the **Biloxi Public School District** are encouraged to model healthful eating and physical activity as a valuable part of daily life.

To meet this goal the **Biloxi Public School District** 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.

In determining these goals for nutrition promotion and education, physical activity and other school-based activities that promote student wellness, the Biloxi Public School District Health Council has reviewed and considered evidence-based strategies.

Commitment to Nutrition Environment and Services

The **Biloxi Public 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 and the Mississippi Department of Education, Office of Child Nutrition Programs.
- Offer school breakfast with menus that meet the meal patterns and nutrition standards established by the U.S. Department of Agriculture and the Mississippi Department of Education, Office of Child Nutrition Programs.
- Encourage school staff and families to participate in school meal programs.
- Operate all Child Nutrition Programs with school food service 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) Attachment A Competitive Food Policy, Attachment B Implementation of “Smart Snacks”.
- Include goals for nutrition promotion, nutrition education, physical activity and other school based activities to promote school wellness.
- Implement nutrition standards as adopted by the State Department of Education in accordance with the Mississippi Healthy Schools Act (State Board of Education Policy 4011).
 - Healthy food and beverage choice;
 - Healthy food preparation;
 - Marketing of healthy food choices to students, staff and parents;
 - Food preparation ingredients and products;
 - Minimum/maximum time allotted for students and staff lunch and breakfast;
 - Availability of food items during the lunch and breakfast periods of the Child Nutrition Breakfast and Lunch Programs;
 - Methods to increase participation in the Child Nutrition School Breakfast and Lunch Program

- Establish guidelines in accordance with the “Smart Snacks” regulations for all foods available on the school campus during the school day with the objective of promoting student health and reducing childhood obesity. **See Attachment B.**
- Encourage students to make food choices based on the **Healthy Hunger-Free Kids Act of 2010 (HHFKA)** and the **Choose My Plate** resources by emphasizing menu options that feature baked (rather than fried foods), whole grains, fresh fruits and vegetables, and reduced-fat dairy products. Read more about **HHFKA** at <http://www.gpo.gov/fdsys/pkg/FR-2013-06-28/pdf/2013-15249.pdf> and **Choose My Plate** at <http://www.choosemyplate.gov/>
- Establish a cafeteria environment conducive to a positive dining experience, with socializing among students and between students and adults; with supervision of eating areas by adults who model proper conduct and voice level; and with adults who model healthy habits by eating with the students.
- Replace deep fat fryers with combination oven steamers. Try to schedule recess before lunch in order to increase meal consumption and nutrient intake at meals and improve behavior in the dining area.
- Make school meals accessible to all students with a variety of delivery strategies, such as Breakfast in the classroom, grab-and-go lunches, or alternate eating sites.
- Provide nutrition information for parents, including nutrition analysis of school meals and resources to help parents improve food that they serve at home.
- Add nutritious and appealing options (such as fruits, vegetables, reduced-fat milk, reduced fat-yogurt, reduced fat-cheese, 100 %juice, and water) whenever food/beverage are sold or offered at school, including vending machines, school stores, concession stands at sporting events, parties, celebrations, social events, and other school function.
- Encourage all school-based organizations to use services, contests, non-food items, and /or healthful foods for fundraising programs. Alternative fundraising ideas can be downloaded at <http://www.healthysd.gov/Documents/HealthyFundraisingIdeas.pdf>
- Eliminate use of foods as rewards for student accomplishment and the withholding of food as punishment (e.g., restricting a child’s selection of flavored milk at mealtime due to behavior problems).

Commitment to Food Safe Schools

The **Biloxi Public School District** will:

- Implement a food safety program based on HACCP principles for all school meals, as required by the U.S. Department of Agriculture and the Mississippi Department of Education, Office of Child Nutrition Programs and ensure that the food service permit is current for the school site. HACCP Principle’s for K-12schools can be downloaded at: <http://www.nfsmi.org/ResourcesOverview.aspx?ID=151>
- Ensure that all staff have access to the video developed by the Office of Healthy Schools to support food safety on the school campus. The video and Pre/Post Test can be downloaded at http://origin.k12.ms.us/Everyone/Food_Safety/Food_Safety_files/Default.htm
http://healthyschoolsms.org/ohs_main/documents/PreandPostFoodSafetyTest-000.doc
http://healthyschoolsms.org/ohs_main/documents/PreandPostTestAnswerGuide_000.doc
- All school personnel including school board members, administrators, teachers, school nurses, foodservice staff, custodians and facilities managers will have the Local School Wellness Policy to include food safety policies and procedures and relevant professional development available to them online.
- Adequate access to hand washing facilities and supplies will be available whenever and wherever students, staff, 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.
- Encourage parents, caregivers, vendors, and any other community members who provide or are likely to provide foods prepared for consumption at school events to review appropriate information about safe food preparation and storage.

Commitment to Physical Activity/Physical Education

The Biloxi Public 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, Mississippi Code 1972, Ann., reference 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 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 and required for graduation by the Mississippi Healthy Students Act (State Board of Education Policy 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 2013-14 Mississippi Physical Education Frameworks.
- Implement the requirements of the Mississippi Healthy Students Act of 2007 (Senate Bill 2369).
- Beginning with 9th graders in school year 2015 – 2016, 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. MS Code 37-13-134 (Senate Bill 2185).
- Address concussions by adopting and implementing a policy for students in grades 8-12 who participate in activities sanctioned by the Mississippi High School Activities Associates (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. (House Bill 48)

State requirements monitored by the Office of Healthy Schools:

Commitment to Comprehensive Health Education

The Biloxi Public School District will:

- Provide ½ Carnegie unit of health education for graduation (2012 Mississippi Public School Accountability Standard 20, Appendix A).
- Instruction must be based on the Mississippi Contemporary Health for grades 9-12 (2013 Mississippi Public School Accountability Standard 20, Appendix A).
- 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 8th.
- 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 or abstinence-plus 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 physical education or health education. MS Code 37-13-134 (Senate Bill 2185).

Commitment to a Healthy School Environment

The Biloxi Public School District will:

- Ensure that all chemicals are stored properly (in accordance with the Material Safety Data Sheet www.msdssearch.com).
- Ensure that fire extinguishers are inspected each year and properly tagged.
- Complete yearly maintenance of the heating and cooling system in your school; check coils, filters, belts, etc. in order to maintain safe operation and healthy air quality.
- Conduct at least one emergency evacuation drill per month.
- Every school will have an anti-bullying policy that outlines procedures for dealing with bullying situations in the schools.

- Comply with the applicable rules and regulations of the State Board of Education in the operation of its transportation program (in accordance with the MS Code 37-41-53; State Board of Education Policies 7903, 7904, and 7909; and Accreditation Standard #29).
- Inspect all buses on a quarterly basis and ensure that they are well maintained and clean.
- Require that all bus drivers have a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. Maintain a record of yearly motor vehicle reports on each bus driver and evidence that each driver has received two hours of in-service training per semester. (SB Policy 7903)
- Ensure arrival of all buses at their designated school sites prior to the start of the instructional day.
- Conduct bus evacuation drills at least two times a year. (SB Policy 7904)
- Provide facilities that meet the criteria of: (MS Code 37-7-301 (c) (d) (j); 37-11-5, 49 and 45-11-101; and Accreditation Standard #29).
- Provide facilities that are clean.
- Provide facilities that are safe.
- Provide proper signage that explains tobacco, weapons, and drugs are prohibited on the school campus and at school functions.
- Provide operational facilities that are equipped and functional to meet the instructional needs of students and staff (in accordance with the Mississippi School Design Guidelines at <http://www.edi.msstate.edu/guidelines/design.php>)
- Provide air conditioning in all classrooms. Code 37-17-6(2) (2000).

Comply with the requirements for Safe and Healthy Schools:

- Maintain a comprehensive School Safety Plan on file that has been approved. (MS Code 37-3-81 and 37-3-82 (2); and Accreditation Standard #37.1); see the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan at <http://www.mde.k12.ms.us/safe-and-orderly-schools/school-safety>
- State Board Policy EBB (1990) prohibits the possession of pistols, firearms or weapons by any person on school premises or at school functions. Code 37-11-18 (1996) requires any student who possesses a knife, a handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or who commit a violent act on educational property be subject to automatic expulsion for one calendar year. The superintendent of the school is authorized to modify the period of time for expulsion on a case by case basis.
- Prohibits students from possessing tobacco on any education property, Criminal Code 97-32-9 (2000). Code 97-32-29 (2000) further prohibits the use of tobacco on any educational property for adults who, if in violation, would be subject to a fine and issued a citation by law enforcement officer. Educational property is defined as any public school building or bus, campus, grounds, athletic field, or other property used or operated during a school related activity.

Commitment to Quality Health Services

The Biloxi Public School District will:

- Ensure that 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 Section 37-11-71 and 73-25-37).
- 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)

Commitment to Family and Community Involvement

The Biloxi Public School District will:

- Invite parents and community members to participate in school health planning by serving on the local School Health Council.

Commitment to Implementing a Quality Staff Wellness Program

The Biloxi Public School District will:

- Make as a requirement that all staff are aware of the Mississippi State and School Employees' Health Insurance Plan that has been enhanced to include My Active Health, a wellness and health promotion program designed to help individuals live a healthy lifestyle and increase their overall wellness benefit – www.MyActiveHealth.com/Mississippi

Commitment to Marketing a Healthy School Environment

The Biloxi Public School District will:

- Provide positive, consistent, motivating messages, about healthy lifestyle practices throughout the school setting.
- Use school announcement systems, internal TV channels, school website, Facebook, text messaging and other social media to promote health messages to students and families.
- Use traditional marketing materials such as posters, flyers, T-shirts, wrist band, buttons, to promote health messages to students and families.
- Involve students in the local school health council for planning and marketing school health messages throughout the school.
- Promote healthful eating, physical activity, and healthy lifestyles to students, parents, teachers, administrators and the community at school events.
- Work with local media, like newspaper, TV and radio, to promote healthy lifestyles and to highlight the benefits and successes of school health initiatives.
- Create awareness of the link between the health of students and academic performance.
- Apply for recognition award through the Governor's Commission on Physical Fitness and Sports at www.presidentialyouthfitnessprogram.org

Commitment to Implementation

The Biloxi Public 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 the coordinated school health program, including a school wellness policy (MS Code of 1972 Annotated Section 37-13-134).

In accordance with Federal law and U.S. Department of Agriculture (USDA) policy, discrimination is prohibited on the basis of race, color, national origin, sex, age or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202)720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ATTACHMENT A: *Competitive Food Policy*

Descriptor term:

Code - 2002

Competitive Foods

To ensure that children are not in the position of having to decide between non-nutritious foods immediately before or during the meal service period:

- No food items will be sold on the school campus for one hour before the start of any meal services period.
- The school food service staff shall serve only those foods which are components of the approved federal meal patterns being served (or milk products) and such additional foods as necessary to meet the caloric requirement of the age group being served.
- With the exception of water and milk products, a student may purchase individual components of the meal only if the full meal unit also is being purchased.

Students who bring their lunch from home may purchase water and milk products.

ATTACHMENT B: Implementation of “Smart Snacks”

Beginning July 1, 2014, USDA “Smart Snacks” regulations must be implemented for all foods and beverages sold in schools, as required by the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). Students will be able to buy snacks that meet common-sense standards for fat, saturated fat, sugar and sodium, while promoting products that are whole grain-rich, low fat dairy, fruits, vegetables or protein foods as their main ingredients.

Overview

Smart Snacks guidelines closely resemble existing State Board of Education Policies (4003 & 4004) regarding beverages and vending. Smart Snacks and SBE Policies apply to **all foods and beverages** available to students through: Vending machines, Student stores, Snack bars, Fundraisers, or any other sales. In addition, SBE Policy 2002 states; **no food items** will be sold on the school campus for one (1) hour before the start of any meal services period, including breakfast if offered. Smart Snacks guidelines apply to all food sold on campus during the school day. The school day is defined as the as the period from the midnight before, to 30 minutes after the end of the official school day or 4:00 p.m., whichever is later.

Evaluating Foods

All foods sold on campus must meet calorie, sodium, fat, sugar and other nutrient guidelines. Due to the variety of items available, we recommend the use of the Healthier Generation Product Calculator (link below) to determine if foods meet the Smart Snacks requirement. Also, schools may submit a product evaluation form and a complete product label to the Office of Child Nutrition for evaluation. A list of approved products will be maintained on the OCN website. The form and list may found on the Resources section of the OCN website under vending regulations. Complete nutrition guidelines are attached to this guide.

Nutrition Standards for Beverages

All schools may sell: Plain water (with or with carbonation), Unflavored low fat milk, Unflavored or flavored fat free milk and milk alternative permitted by NSLP/SBP, 100% fruit or vegetable juice and 100% fruit or vegetables juice diluted with water (with or without carbonation), and no added sweeteners.

Elementary schools may sell: Up to 8 ounce portions, while middle and high schools may sell up to 12 ounce portions of milk and juice. There is no portion size limit for plain water.

Beyond this, the standards allow additional: “no calorie” and “lower calorie” beverage options for high school students. No more than 20 ounce portions of calorie-free, flavored water (with or without carbonation); and other flavored and/or carbonated beverages that are labeled to contain <5 calories per 8 fluid ounces or ≤ 10 calories per 20 fluid ounces. No more than 12 ounce portions of beverages with ≤ 40 calories per 8 fluid ounces, or ≤ 60 calories per 12 fluid ounces.

Nutrition Standards for Foods

Any food sold in school must: Be a “whole grain-rich” grain product; or have as the first ingredient a fruit, a vegetable, a dairy produce, or a protein food; or be a combination food that contains at least $\frac{1}{4}$ cup of fruit and /or vegetable; or contains 10% of the Daily Value (DV) of one of the nutrients of public health concern in the 2010 Dietary Guidelines for Americans (calcium, potassium, vitamin D or dietary fiber).

Foods must also meet several nutrient requirements:

Calorie Limits

Snack Items: no more than 200 calories

Entrée Items: no more than 350 calories

Sodium Limits

Snack Items: no more than 230 mg

Entrée Items: no more than 480 mg

Fat Limits

Total Fat: no more than 35% of calories

Saturated Fat: Less than 10% of calories

Trans Fat: zero grams

Sugar Limit:

Not more than 35% from total sugars in foods

Accompaniments: Accompaniments such as cream cheese, salad dressing and butter must be included in the nutrient analysis as part of the food item sold. This helps control the amount of calories, fat, sugar and sodium added to foods.

Additional Resources:

https://www.healthiergeneration.org/take_action/schools/snacks_and_beverages/smart_snacks/alliance_product_calculator/

<http://www.mde.k12.ms.us/child-nutrition/resources/vending-regulations>

<http://www.fns.usda.gov/school-meals/smart-snacks-school>

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

This institution is an equal opportunity provider.

**IMMUNIZATIONS AND VACCINATIONS – COMMUNICABLE
DISEASES AND INFECTIONS**

JGCB

Immunizations and Vaccinations

Mississippi law requires that every student in grades K-12 have on file with the school one of the following before the student can be allowed to attend school even for one day:

- A. A Certificate of Compliance (MSDH form);
- B. An unexpired time-limited Temporary Compliance Form (MSDH form); or
- C. A combination of one of these with a Certificate of Medical or Religious Exemption (MSDH form).

The Certificate of Compliance is necessary for the enrollment of all students, grades K-12. Students who previously had Certificates of Compliance in grades 2-12 in the prior year do not need new Certificates of Compliance for the current school year. Students required to have new Certificates of Compliance are the following:

- A. All students enrolling in kindergarten or first grade for the first time who have not been issued a certificate previously;
- B. All students enrolling in a Mississippi school for the first time;
- C. All previously enrolled students with the original Certificate of Compliance marked "incomplete" and those who have a Temporary Compliance Form with an expired date.

Any student wishing to enter school without one of the above forms specified must be excluded until the proper form is obtained.

In regard to transfer students, the following will apply: Students wishing to enroll in school as in-state transfer students would require an appropriate compliance form within their cumulative folders. **ALL SCHOOLS MUST SEND THE ORIGINAL COPY OF THE COMPLIANCE REPORT FORM IN THE CUMULATIVE FOLDER OF THE CHILD TRANSFERRING TO ANOTHER SCHOOL.**

Students wishing to enroll in a Mississippi school from another state (out-of-state transfer) would present one of the three required Mississippi State Department of Health Compliance report forms noted above.

Although the Certificate of Compliance Form was revised in July, 1989, it is not necessary to replace forms from previous years with the latest revisions.

County health departments, KAFB medical officials, or private physicians may issue a valid Certificate of Compliance or a Temporary Compliance Form. Certificates of Medical or Religious Exemption Forms must be approved by the local county health officer or his/her designee in addition to the child's physician to be valid.

Both the Temporary Compliance Form and the Certificate of Medical or Religious Exemption for all students in school must be kept together in a separate file for ready access for compliance evaluation or outbreak control.

All Temporary Compliance Forms are time-limited and must be reviewed periodically to see that the student is in permanent compliance prior to expiration of the Temporary Compliance Form.

In instances where further information is required by the county health departments or the local health officer for the final disposition regarding immunization needs of a child seeking enrollment, a Temporary Compliance Form is given at the time of the request, provided a review of the case indicates that immediate attendance poses no apparent significant threat to the child or students or staff of the school.

A child is in compliance if he/she is enrolled with either a Temporary or a Full Certificate of Compliance on his/her first day of attendance, whether that first day is at the beginning of the school year or during the school term. The deadline for having forms on file in schools is not October or December. These are deadlines for reports only. The interval from the beginning of the school year to the filing of these Compliance Reports is not a "grace period" with regard to the obligation of the schools to have each child in compliance. This gives schools time to tabulate and complete the reports.

Both a Preliminary Compliance Report and a Final Compliance Report are required by the schools. Procedures require that the Preliminary Compliance Report be completed and sent to the immunization health program representative at the "return address" stamped on the report forms by October 1. The Final Compliance Report must be completed and returned by December 31. Forms for the Preliminary Report and instructions are available from the State Department of Education.

Communicable Diseases and Infections

Educating Students with Chronic Infectious Diseases

The following shall be the policy of this school district for educating students known to have a chronic infectious disease (persistent illness in the carrier state as compared to an acute short-term self-limiting illness -- such as, but not limited to, hepatitis B, herpes simplex, AIDS/ARC or cytomegalovirus).

1. A student with a chronic infectious disease shall be removed from the classroom temporarily and until a medical advisor of the District's choosing has completed consultation with the student's physician to determine whether the student's presence in the school poses a risk of transmission of such chronic infectious disease to others.
2. Should it be determined by the school's medical advisor that attendance poses no threat, the student shall be allowed to resume attendance at school subject to whatever restrictions or limitations, if any, that the school's medical advisor shall recommend. The student's school attendance shall be reviewed by the school's medical advisor in consultation with the student's physician at least once every month to determine if continued school attendance poses any risk of transmission of such chronic infectious disease to others.
3. Should it be determined by the school's medical advisor that attendance at school poses a risk of transmission of such chronic infectious disease to others, an appropriate alternative education program shall be established for that student which shall continue until the district's medical advisor determines that the risk of transmission to others has abated and normal school attendance can resume.
4. The decision of the district's medical advisor shall be final.

Exclusion from School

The law provides the school district with the power to exclude from school any student suffering from contagious or infectious diseases. Each staff member has the responsibility to observe students and notify the principal of any student suspected of having an infectious or contagious disease.

A student who is absent from school as a result of contagious or infectious diseases shall be excluded from attending school as indicated below:

<u>Disease</u>	<u>Exclusion From School</u>
Chicken Pox	Eight (8) days after eruption appears (until rash is dry)
German Measles	Four (4) days after onset of rash; clearance by physician
Red Measles	Seven (7) to ten (10) days after onset of rash; clearance by physician
Mumps	Nine (9) days after glands swell (until swelling has subsided)
Scarlet Fever	One (1) day (with antibiotic treatment) Four (4) days (without treatment)
Hepatitis	Clearance by physician
Conjunctivitis (pinkeye)	Until under proper treatment
Impetigo	Until under proper treatment
Ringworm	Until under proper treatment

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

INFESTATIONS: HEAD/BODY LICE, SCABIES, BED BUGS OR ANY OTHER INVASIVE SPECIES

Infestations: Invasion of the body by arthropods, including insects and mites.

Head lice, *Pediculus humanus capitis*, are a common problem in school children in Mississippi. While head lice do not transmit human disease, they are a nuisance, and require the effort of school officials and parents to control

HEAD LICE: When a student is identified as having head lice, the parent and/or guardian will be notified and the student shall be sent home. The student must be free of live lice and nits (eggs) before returning to school. A pediculicide treatment should be used on the student and live lice and nits (eggs) must be removed from the hair. A second treatment is required in seven (7) days to prevent the reoccurrence of lice.

SCABIES: (*sarcoptes scabiei*): Treatment is required with anti-scabicide medication. The child may return twenty four (24) hour after the treatment has been applied or as directed by a physician.

A student with an infestation, e.g. head/body lice or scabies is required to comply with the school district procedure for removal of the insect. Student must be checked by the school nurse before returning to classroom. The school nurse will provide a note to the principal indicating they are cleared before the student can return to school.

If a student is found to have head lice on three (3) occasions during one school year as determined by the school nurse, public health nurse, or physician, the principal or administrator the county health department will be notified of the recurring problem. The student shall not be allowed to attend school until proof of treatment is obtained.

NOTE: The principal may require a written note from the student's family doctor or public health department for a student returning to school after having a communicable or infectious disease.

BED BUGS: Bed bugs are often spread through hitch hiking on items transported by individuals from one location to another. There is no evidence that bed bugs transmit disease. However, bed bugs can severely reduce the quality of life by causing discomfort, sleeplessness, embarrassment, and for some people, anxiety. When a student is identified with bed bugs present on them at school, the parent will be contacted and education materials about transporting bed bugs and care at school will be given to the parent to prevent the spread of bed bugs at school. Prompt reporting is necessary so their presence can be confirmed and prompt action taken to prevent the spread.

NOTE: Based on an assessment, the principal and/or the school nurse may require the student to be dismissed for the remainder of the day to address the infestation.

**PROCEDURES FOLLOWING ACCIDENT OR INJURY/
COMMUNICABLE DISEASES/CLEAN-UP AND CARE**

JGCBA

All staff shall use the following routine and standard procedures to care for or clean up after a student has an accident or injury at school.

1. Blood, body fluid, or wastes emanating from ANY student, including one known to have a chronic infectious disease, shall be treated cautiously. Personnel caring for these students and coming into contact with the above noted fluids shall wear gloves. Hands must be thoroughly washed with soap and water for thirty (30) seconds after contact with these fluids.
2. Plastic or rubber gloves shall be worn when cleaning up blood spills or vomit or any body fluids. These spills shall be disinfected with an approved solution or a comparable AIDS killing germicide, and persons coming in contact with blood spills, vomit, or any body fluids or wastes must wash their hands immediately as directed above.
3. Blood-soaked items or items which have come in contact with body fluids or wastes shall be placed in leak-proof bags for return to parents for washing or further disposition.

In order to solicit necessary information to provide for the best welfare of the child, the following policy has been adopted by the Biloxi Public School District.

1. Students infected with HIV-AIDS should be allowed to attend school under the following conditions: A team consisting of the student's personal physician, school administrator, principal, teacher, student's parents, and the school nurse will work together to determine if the student's behavior, neurological development and physical condition are such that the student can in general perform like other students of his/her grade/age level. This team will also be charged with determining whether or not the student poses a threat to other students and/or faculty by virtue of a secondary infection that causes a medically recognized risk of transmission in a school setting.
2. A school nurse or administrative appointee will be designated as the student's advocate to assist in problems that may arise, to serve as a liaison with the student's physician and parents, to provide educational materials, to function as the focal point for questions and to act as an impartial party with whom all sides can consult regarding issues related to the student. The parent or legal guardian will be asked to sign a release of information form for the communication between the physician and school system. The student's physician shall make the final decision as to whether the student should be permitted to attend a regular school program and shall make his/her recommendation in writing to the Superintendent.
3. The team will be responsible for determining what staff is to be notified of student's infectious status. **NOTE:** In order to protect the confidentiality rights of the student those informed will be kept to a minimum: principal, teacher, nurse, and other person designated for personal care. The records and the information regarding the student shall be considered confidential and so maintained and filed. Any employee who breaches the confidentiality of an HIV-affected child shall be subject to reprimand.
4. In instances where the student's physical and/or mental health regresses, and there is evidence of a secondary infection that causes a risk of transmission in the school setting, the team will convene to discuss the student's attendance status. In the case of an official removal by the team, the student's physician will be responsible for notifying the student's advocate of improvement of student's condition. The student's parent/legal guardian and the student's physician will be responsible for making recommendation to the team regarding re-entry to normal school attendance.
5. Instances that may also necessitate recommendation to the physician that he/she approve removal of the student from regular school attendance:
 - lack of control of his/her body fluids
 - violent behavior such as biting, fighting, (persistent) kicking
 - open sores and/or oozing lesions that cannot be covered
 - persistent diarrhea, vomiting, nose bleeds
 - other indicators as noted by the child's physician and/or school personnel
6. The team will be responsible for reviewing any request by student to participate in extra-curricular activities, such as football, baseball, basketball, and/or other contact sports.
7. A student who is immunodeficient may need to be removed from the classroom for his/her own protection when cases of measles, chicken pox, or other communicable diseases, etc., are occurring in the school population. This decision will be made by the student's physician.
8. Immune suppressed children may have immunizations waived by written permission from their doctor.
9. Blood and body fluid precautions: See Policy JGCBA.
10. A limited medical release form shall be used by the district.

District policies governing student medications are adopted by the School Board of the Biloxi Public School District (the "School District") and published annually in student handbooks as official policy statements of the School District.

1. Prescribed Medications

Medication shall be provided or administered to a student by school personnel ONLY with the written request and consent of the student's parent/custodian/legal guardian. The district does not allow the use of medical cannabis while on district property. Dispensing of a prescribed medication by school personnel shall be done in accordance with the following procedures:

I. Initial Preparation

- A. All new requests for administration of medication or changes in the medication dosage must be checked by the nurse and recorded on the documentation sheet before being dispensed by school personnel.
- B. School personnel may dispense only those medications checked by the nurse.
- C. All prescribed medications are to be safely and securely stored in the school nurse's office or other designated location.

II. Dispensing Medication

- A. Dispense one medication at a time.
- B. Ask student to give his or her name.
- C. Verify student's name with the label on the bottle and on the medication sheet.
- D. Check medication name and dosage on the label and on the medication sheet.
- E. Observe student taking medication.
- F. Before replacing medication bottle, recheck student's name, medication name, administration time and dosage.
- G. Document time and initials on the medication sheet immediately after dispensing.

2. Asthma Medication/Epinephrine Auto-Injectors ("Epipens")

- I. The School District shall permit a student to self-administer asthma medications and Epipens, if his/her parent or guardian meets the following requirements:
 - A. Provides written authorization for self-administration to the school; and
 - B. Provides a written statement from the student's health care practitioner that the student has asthma and/or severe allergic reactions, and has been instructed in self-administration of asthma medications and/or Epipens. The statement shall also contain the following information:
 - 1. The name and purpose of the medications;
 - 2. The prescribed dosage;
 - 3. The time or times the medications are to be regularly administered and under what additional special circumstances the medications are to be administered; and
 - 4. The length of time for which the medications are prescribed.
- II. The statements required in subsection I of this section 2 shall be kept on file in the office of the school nurse or school administrator.

- III. The School District shall inform the parent or guardian of the student that the School District and its employees and agents shall incur no liability as a result of any injury sustained by the student from the self-administration of asthma medications or Epipens. The parent or guardian or the student shall sign a statement acknowledging that the School District shall incur no liability and the parent or guardian shall indemnify and hold harmless the School District and its employees against any claims relating to the self-administration of asthma medications and Epipens.
- IV. The permission for self-administration of medications shall be effective for the school year in which it is granted and shall be renewed each following school year upon fulfilling the requirements of subsections (I) through (III) of this section.
- V. Upon fulfilling the requirements of this section, a student with asthma or severe allergic reactions may possess and use asthma medications or Epipens when at school, at a school-sponsored activity, under the supervision of school personnel or before and after normal school activities while on school properties including school-sponsored childcare or after-school programs.
- VI. Regardless of whether a student has a prescription for epinephrine, the school nurse or a trained school employee may administer auto-injectable epinephrine via an EpiPen to a student who the school nurse or trained school employee, in good faith, believes is having an anaphylactic reaction with a potentially life-threatening allergic reaction (anaphylaxis).

The Board of Trustees of the Biloxi Public School District (the “Board” of the “District”) recognizes that a pandemic/epidemic outbreak is a serious threat that stands to affect students, staff, and the community as a whole. With this consideration in mind, the Board establishes this policy in the event the town/municipality and/or school district is affected by a pandemic/epidemic outbreak. At all times the health, safety and welfare of the students shall be the first priority.

PLANNING AND COORDINATION

The Superintendent shall designate one or more employees to serve as a liaison between the District and local and state health officials. This designee is responsible for connecting with health officials to identify local hazards, determine what crisis plans exist in the District and community, and to establish procedures to account for student well-being and safety during such a crisis. The designee shall work with local health officials to coordinate their pandemic/epidemic plans with that of the District.

With fiscal concerns in mind, the District shall purchase and store supplies necessary for an epidemic/pandemic outbreak, including but not limited to disinfectant products, face masks, water, examination gloves, and other supplies as recommended by the school nurse.

RESPONSE

In the event anyone within the District is discovered or suspected to have a communicable disease that may result in an epidemic/pandemic, that person shall be immediately quarantined pending further medical examination. Local and state health officials shall be notified immediately.

The Superintendent shall ascertain whether an evacuation, lockdown, or shelter-in-place needs to be established. As soon as such a decision has been made, the District shall attempt to notify the parents of all students.

In the event of an evacuation, the Superintendent is charged with determining when the school shall re-open. In the event of a lockdown or shelter-in-place, the Superintendent shall notify all proper authorities and relief agencies to seek their assistance for the duration of the lockdown or shelter-in-place.

INFECTION CONTROL

Any student or staff member found to be infected with a communicable disease that bears risk of pandemic/epidemic will not be allowed to attend school until that person does not bear the risk of transmitting the communicable disease.

Students with excessive absences due to a communicable disease shall be given a reprieve from other Board policies relative to excessive student absences. Efforts will be made by the staff to determine what, if any, school work the student can complete while absent.

Staff members who are forced to miss excessive days of work shall first use any leave entitled to them through the Family and Medical Leave Act and/or accrued sick leave.

CONTINUANCE OF EDUCATION

The Superintendent shall develop a plan of alternate means of educating students in the event of prolonged school closings and/or extended absences. Such a plan may include providing students with assignments via mail, local access cable television, District's website, or distance learning.

The Superintendent, with the Board's consent, is authorized to amend the traditional class schedule and schedule of days. Such a plan may include extending the school day, having school days held on Saturdays, the use of previously scheduled vacation days, and/or extend the school year beyond the previously established end of school year.

Pursuant to guidance and literature from the U.S. Department of Education, the Biloxi Public School District (the "District") will utilize Elementary and Secondary School Emergency Relief Program (ESSER) funds to provide an incentive to eligible District students who voluntarily provide documentation or other confirmation on or before a District specified date that they have received a full and completed Covid-19 vaccination from a third-party vendor (pharmacy, doctor, health care provider, etc.). Eligible District students are those District students who are eligible to receive the Covid-19 vaccination under the guidelines of the Center for Disease Control (the "CDC"), whose custodial parent or legal guardian has signed a parental consent form, and who furnish proof of enrollment in a District school. This incentive program will motivate students to get vaccinated sooner than they otherwise would have and thereby mitigate greater expenses to the District. District students are potentially exposed to hundreds of students and other District employees daily, which increases the risk of students and employees contracting Covid-19. Increased vaccination rates among students will allow the District to provide a continuation of services, reduce interruptions to operations, and reduce health risks to District employees and students.

Eligible District students (as defined below) who are fully vaccinated (as defined below) will receive on a District specified date a \$100.00 cash card incentive that must be received by the custodial parent or legal guardian for the benefit of the eligible District student, unless the student is eighteen years of age or older. The person receiving the cash card for the eligible District student must sign a receipt furnished by the District. Eligible District students are those District students who are eligible to receive the Covid-19 vaccination under the guidelines of the CDC, whose custodial parent or legal guardian has given permission for the student, if under the age of eighteen, to receive a cash card incentive on a parental consent form furnished by the District, and who furnish a District school ID, report card or other proof of enrollment in a District school. Fully vaccinated is defined as when an eligible District student voluntarily provides documentation or other confirmation on or before a District specified date that the eligible District student has received a full and completed Covid-19 vaccination from a third-party vendor (pharmacy, doctor, health care provider, etc.).

This policy was created to reduce the challenges presented by the Covid-19 pandemic, and the District reserves the right, with or without notice, to modify or cancel the policy accordingly.

**AUTHORIZATION FOR THE ADMINISTRATION OF OVER-THE-COUNTER
MEDICATIONS**

JGCDR

The Biloxi Public School District, in compliance with the Mississippi State Board of Nursing, allows school nurses to administer a limited number of over-the-counter medications in accordance with standing orders from a medical physician. The distribution of any over-the-counter medication will be administered at the direction of the school nurse and may not exceed one dose per school day. Unlicensed school personnel will not be able to administer over-the-counter medications in the event a school nurse is unavailable.

School nurses will not be able to administer any over-the-counter medication without written authorization from the parent/guardian at registration.

*Chronic conditions that require frequent administration of over-the-counter medications will still need to follow **Biloxi Public Schools Medication Policy** (“Policy JGCD: Medication”) and have written orders from a healthcare provider (e.g., chronic headaches, frequent menstrual cramping, known allergies, rash/abrasion or sore throat).

All over-the-counter medications (dosages and frequency) will be administered according to the district’s standing orders. **Parental consent is only valid for the current school year.**

To be completed by parent/guardian at time of registration:

Student: _____

Date of Birth: _____

_____ **I do not give permission for my child to receive medication at school. (You must sign below.)**

OR

I give permission for my child to receive the medication(s) listed below if deemed necessary by the school’s registered nurse (check all that apply).

_____ **Acetaminophen** (Tylenol) – For muscle pain, fever greater than 100°, headache, menstrual cramps or toothache.

_____ **Diphenhydramine** (Benadryl) – Orally or topically for allergic reactions, hives, itching, sneezing, watering eyes with redness, rash or lesion.

_____ **Ibuprofen** (Motrin, Advil) – For muscle pain, fever greater than 100°, headache, menstrual cramps or toothache.

_____ **Triple Antibiotic Ointment** - (Neosporin) Applied to minor skin wounds with inflammation, oozing or drainage.

_____ **Hydrocortisone Cream (1%)** – Applied to skin rash.

_____ **Cough Drop** – For cough or sore throat.

_____ **Dermal Wound Cleanser** (Carraklenz) – Cleanser for mild abrasions or lacerations.

List any allergies to medications: _____

****I have read and understand the Biloxi Public School District’s policy for the administration of over-the-counter medications by licensed nurses.***

Parent/Guardian Signature

Date

**Biloxi Public School District
Naloxone Policy**

I. Policy

In accordance with the Mississippi Department of Public Health, it is the policy of Biloxi Public School District (the “District”) to provide assistance to any person who may be suffering from an opioid overdose. The Director of Special Services, or his or her designee (the “School Medical Advisor”), shall provide and annually renew a standing order for the administration of Naloxone to individuals suspected of suffering an opioid overdose on school grounds. Licensed nurses employed by the District shall make every reasonable effort to include the use of Naloxone in life saving measures to revive any victim suspected of suffering from an apparent opioid-related drug overdose.

II. Training

School nurses shall be trained in the use of naloxone by the Mississippi Department of Public Health, or designee organization, before having custody of and administering Naloxone.

III. Acquisition and Storage

The District will provide and maintain Naloxone (*pre-packaged nasal spray*) on-site at the following facilities:

- Biloxi High School
- Biloxi Junior High School
- Center for New Opportunities

Naloxone shall be safely and securely stored in the school nurse’s office or other locations designated by the School Medical Advisor, in accordance with the drug manufacturer’s instructions.

Naloxone shall be made accessible only to those school nurses who have completed the required training to administer it in the event of a suspected drug overdose. Only properly trained school nurses shall be informed of the exact locations where Naloxone is being stored.

The School Medical Advisor shall obtain sufficient supplies of Naloxone pursuant to the standing order in the same manner as other medical supplies for the District’s health program. The School Medical Advisor shall regularly inventory and refresh Naloxone stocks, and maintain records thereof, in accordance with established internal procedures, manufacturer recommendations and guidelines from the Mississippi Department of Public Health.

STUDENT SOCIAL SERVICES - PROVISIONS FOR INDIGENT STUDENTS

JGE

The Biloxi Public School District shall work closely with community agencies in providing services for indigent children. The schools shall provide services for students determined to be needy in accordance with procedures established by the district.

The Board of Trustees of Biloxi Public School District adopts this concussion management and return to play policy that includes the following guidelines:

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

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

Concussion Policy Definitions

- "Health care provider" means a licensed physician or a licensed nurse practitioner, licensed physician assistant or licensed health care professional working within the person's scope of practice and under the direct supervision or written consultation of a physician. All health care providers referred to in this act also must be trained in the evaluation and management of concussions.
- "School athletic event" means activities sanctioned by the Mississippi High School Activities Association (MHSAA) or the Mississippi Association of Independent Schools (MAIS), and school-sponsored activities in Grades 7 through 12 of schools that are not members of the MHSAA or the MAIS which activities are organized and conducted in a manner substantially similar to activities that are sanctioned by the MHSAA or the MAIS.

Policy JGF addresses certification of compliance with Unsafe School Choice Option Requirements as required in the *Consolidated Plan for No Child Left Behind (Title IX, section 9532)*. The following section of the *Consolidated Plan for No Child Left Behind* shall serve as guidance and be observed as policy & procedure for the Biloxi Public School District (Local Educational Authority-LEA).

I. The following definitions apply to the policy:

A. A “persistently dangerous school” is a public school other than a charter school in which conditions during the past two school years continually exposed its students to injury from violent criminal offenses and it is:

1. an elementary, middle, or secondary public school in which a total of 20 or more violent criminal offenses were committed per one thousand (1000) students (2.0 or more per one hundred (100) students) in two consecutive school years; or
2. an elementary, middle, or secondary public alternative school in which a total of 75 or more violent criminal offenses were committed per one thousand (1000) students (7.5 or more per one hundred (100) students) in two consecutive years; and

B. “Violent criminal offenses” are the following crimes reported in the Mississippi Student Information System and defined in the Mississippi Code Annotated 1972; Section 97 – 3:

Simple or Aggravated Assault, Homicide, Kidnapping, Rape, Robbery, Sexual Battery, Mayhem, Poisoning, Extortion, Stalking, and Seizure and Forfeiture of Firearms.

II. Whenever the State Board of Education has information that a school meets the criteria described in paragraph I.A.I or I.A.2, the State Board of Education shall provide the local board of education the opportunity to report on conditions in the school. After consideration of that report and consultation with a representative sample of local educational agencies, the State Board of Education shall determine whether the school is a persistently dangerous school.

III. Students assigned to a school which the State Board of Education has determined to be persistently dangerous shall be allowed to attend another school in the LEA which is not designated as a persistently dangerous school, provided there is such a school in the LEA which offers instruction at the student’s grade level.

IV. Any student who is the victim of a violent criminal offense committed against him or her while he or she was in or on the grounds of the public school that he or she attends shall be allowed to choose to attend another school in the LEA which is not designated a persistently dangerous school, provided there is such a school in the LEA which offers instruction at the student’s grade level and provided the student requests transfer within thirty (30) days of the violent criminal offense.

V. Local School systems shall establish a process for assuring any student who has the right to transfer from a school under this policy is allowed to transfer to a school in the LEA, which is not persistently dangerous. The process must be included in the system’s Safe School Plan.

VI. The LEA shall report each student transfer effected pursuant to this policy to the State Board of Education in the Mississippi Student Information System.

Each school will establish its procedures for fire drills, including signals, and will carry out the required drills throughout the year. Individual evacuation plans are included in the Emergency Operations Plans prepared by the Biloxi Public School District and approved by the Board of Trustees. In case of fire:

- A. Evacuate the building as planned in the fire drill procedure.
- B. Call the fire department IMMEDIATELY.
- C. Notify the Superintendent of Education.
- D. Return to the building only after the all-clear signal has been sounded.
- E. If fire damage has resulted, the principal will decide in conjunction with fire department officials whether it is safe to return to the building.

Emergency Drills

The Board of Trustees, in accordance with state law, requires that all schools formulate and practice emergency drill activities.

Fire Drills

The principal shall conduct a fire drill within the first two weeks of the opening of school and at least once each month thereafter. The drill shall include all students and all school employees. The route of egress and alternative routes should be clearly understood by all employees and shall be posted in each classroom in the building.

Active Shooter Drill

In accordance with the School Safety Act of 2019, it shall be the further duty of such principals and teachers to develop and conduct an active shooter drill within the first sixty (60) days of each new school semester for students, teachers, and staff.

Other Emergency Drills

Other emergency drills and evacuation procedures shall be conducted, and routes designated when deemed necessary. Procedures for emergency conditions such as intruder/lock down, train derailment, bomb threats, tornadoes, storms, or flash floods shall be developed for every school by the principal, in accordance with the guidelines set forth in the School Safety and Crisis Management Guide of the Biloxi Public School District.

In cases of an emergency, it may become necessary to retain students at the school building, since parents may not be at home. Once a child is involved in the emergency procedures, whether a drill or actual emergency, parents will not be permitted to remove their children from school premises until the emergency drill is over.

See School Safety and Crisis Management Guide for procedures.

Because there are a number of school districts in Harrison County, parents and students need to be aware that announcements related to the dismissal or closing of the Biloxi Public Schools should not be confused with announcements related to the Harrison County Schools, which are in a separate district. During an emergency situation, parents will receive timely information through our various means of communication including but not limited to phone calls, text messages, emails, and the website. We will also share emergency information with local media but only after the emergency has been assessed and we have communicated with parents.

Schools are sometimes faced with emergencies which require the total cooperation of staff members and students. The Biloxi schools have made detailed plans for operating the schools under such emergency conditions as fire, tornado, flood, severe weather, explosions, intruder, and other disasters.

Emergency preparedness measures are a regular part of each school's program. Students are expected to learn the procedures to be followed under emergency conditions and to cooperate fully with the supervising teacher.

Detailed instructions for emergency operations will be outlined to all students at their respective schools.

STUDENT SAFETY - LEAVING THE CAMPUS - LEAVING CLASS

JGFB

District policies governing student safety - leaving the campus - are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

District policies governing student supervision and leaving class are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

VIDEO SURVEILLANCE POLICY**JGFBA**

The Board authorizes the use of surveillance cameras on district property, in school buses and in classrooms, and on school campuses.

Video cameras may be used in locations as deemed appropriate by the administration. (These statements are found in the student handbook.) Because of the Family Educational Rights and Privacy Act and confidentiality, only authorized school personnel or law enforcement officials shall be permitted to view surveillance records.

See Student Handbook.

Students or staff in violation of Board policies, administrative regulations, building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law-enforcement agencies.

Video recordings may become a part of a student's educational record or a staff member's personnel record. The district shall comply with all applicable state and federal laws related to record maintenance and retention.

Parents shall not have the right to view video recordings because of the Family Rights and Privacy Act. Law enforcement officials shall have the right to view such tapes.

**DISMISSAL PRECAUTIONS - DISMISSAL OF STUDENTS DURING SCHOOL
HOURS FOR ACTIVITIES THAT ARE NON-SCHOOL SPONSORED**

JGFC

The following procedures shall be observed regarding dismissal of pupils during school hours:

- A. No teacher shall permit any pupil to leave school prior to regular dismissal time unless in the company of a parent, legal guardian, school employee, police officer, court officer, or a person designated by the parents or legal guardian. Emergency telephone requests or notes from home for early dismissal may be honored by the principal.
- B. No pupil shall be sent from the school during school hours to perform an errand or act as a messenger except with the approval of the principal and the consent of the pupil's parent or guardian.
- C. Parents are urged to schedule dental and medical appointments outside of school hours. When such appointments cannot be scheduled outside of school hours, parents must send a written request for dismissal from school or call for the pupil in person. All check-out procedures must be followed as outlined in student handbooks.

A number of actions shall be taken following a school bus accident; the order and number of such actions will vary, based on the severity of the accident and the extent or nature of the injuries, if any. Following a school bus accident, the procedures listed below shall be implemented:

1. The school bus driver must immediately check all student passengers for injury and ask whether anyone is hurt or injured. If so, first aid shall be administered, if appropriate. The school bus driver must notify authorities and/or the Transportation Department. The students should be evacuated from the school bus in accordance with standard procedures only if the condition or position of the school bus creates a further hazard to the student passengers. If there are no injuries or very minor injuries, the school bus driver must immediately take control of the student passengers, calm the students, and maintain discipline. While waiting for the proper authorities to arrive, the school bus driver will complete the necessary accounting data as required by the school district and the public safety department. In addition, the driver must follow the procedures in the Transportation Handbook.
2. The Transportation Department, upon notification of an accident, will immediately dispatch a representative to the accident location and assist the school bus driver and the authorities as appropriate. The Superintendent's office must be notified of all accidents, and in the case of severe accidents, the Superintendent must be notified immediately.
3. The school will be notified of the accident if students were on Board. Upon receiving notification of an accident, the principal will notify school nurses and take action as appropriate. The principal or his/her designee will be responsible for being sure that all parents of students on a bus involved in an accident are notified.
4. The school nurse(s) will be provided a list of passengers on Board the school bus involved in an accident. If possible, the nurse(s) will screen each passenger for visible injuries or complaints after his/her arrival at school and will provide information to be given to parents.

Accident Report Form

The standard student accident report form shall be completed in duplicate for any student accident occurring on the school grounds or in connection with school-related activities. One copy of the form will be kept on file in the school and one copy will be sent to the central office.

Students needing assistance because of accident or injury must be handled in accordance with school policy regarding first aid. First aid specialists are available in every school.

Emergency Care (First Aid)

The school attempts to provide an environment in which the student will be safe from accidents. Emergencies shall be dealt with promptly by teachers, first aid specialists, and principals by taking appropriate action, including sending a child to the hospital or summoning medical aid or an ambulance. In all cases where it is necessary to send a student to the hospital, every effort must be made to notify parents.

If an accident occurs, first aid will be administered. School personnel shall not exceed usual practice of competent first aid (American Heart Association).

Student Data Files for each student shall be readily accessible for rapid use, updated as changes occur in the student's status, with current home telephone numbers, business telephone numbers, emergency telephone numbers and instructions for emergency card in case a parent cannot be reached.

Each school shall keep a written record of all injuries sustained by students or staff members while at school, on file in the office of the principal. A copy of the report shall be forwarded to the central office as soon as possible. Accidents involving staff members shall be immediately reported to the Superintendent or his designee for filing of Worker's Compensation. Severe and extensive injuries shall be reported to the Superintendent of Education.

First Aid and CPR Training of Staff

Each school principal is responsible for seeing that there are members of the school's staff currently licensed to administer first aid and CPR.

Unexpected Illnesses

When a student becomes ill at school, he/she shall be observed by a school staff member and, if necessary, sent to the office to contact his/her parents or legal guardian. Serious illnesses shall be reported to the parents. In all cases where it is necessary to send a student to the hospital, every effort must be made to notify the parents or legal guardian, and the Superintendent or his designee.

STUDENT TRANSPORTATION - OPERATIONS**JGG**

In keeping with the laws of the State of Mississippi, certain students will be assigned and transported to various schools throughout the school district. Locations of students and assignments to the schools in the Biloxi Public School District are made available to parents, students, and staff members upon request. Each student will attend school in the zones of residence as assigned by the Biloxi Public School District.

STUDENT TRANSPORTATION - WALKERS AND RIDERS - PARKING REGULATIONS JGGA

District policies governing parking regulations, faculty and students, and student walkers and riders, are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

STUDENT TRANSPORTATION - TRANSPORTING STUDENTS BY STAFF MEMBERS	JGGC
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The Biloxi Public School District strongly discourages the use of privately owned vehicles for the transportation of students. While it is within the realm of possibility that personnel in the Biloxi Public School system will be called upon to transport students under emergency conditions or another situation involving student well being, under no circumstances should a privately owned vehicle be used when there is a National Transportation Safety Board approved student transportation vehicle available. Under no circumstances should a privately owned vehicle be used even if there is no National Transportation Safety Board approved student transportation vehicle available if there is an available Biloxi Schools Campus Police unit/vehicle and member of the Biloxi Campus Police staff available to provide such transportation.

Should emergency conditions or some other situation involving the well being of a student(s) exist when neither a National Transportation Safety Board approved student transportation vehicle nor a Campus Police unit/vehicle be available to manage the transportation needed, a different vehicle may be used to transport the student(s) only when the following conditions have been met:

1. Every effort should be made to secure permission of the parent/guardian of each student being transported.
2. Every effort should be undertaken to ensure that a School District employee providing transportation to a student be of the same gender as the student being transported. In the transportation of more than one student not all of the same gender, a School District employee of each gender should be present and available.
3. Under no circumstances shall the operator allow more than five elementary age or four junior high or senior high students to ride in the vehicle at any one time.
4. Each use of the vehicle must be approved in writing by the principal and/or superintendent. No administrator shall approve the use of an employee owned vehicle when School District owned vehicles are available.
5. School District employee must provide the principal and/or superintendent with proof of liability insurance to cover all risks reasonably associated with the transportation of the student(s) in that employee's private vehicle.
6. No one shall be permitted to operate the vehicle other than an authorized School District employee.
7. Each use of a vehicle other than a National Transportation Safety Board approved student transportation vehicle or Biloxi School Campus Police unit/vehicle must be documented to describe the perceived emergency or other situation involving student well being, the place of origin of the transportation as well as the destination with a log maintained for mileage and times of day of departure and arrival.

District policies governing cafeteria services are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

CELLULAR PHONES, PAGERS, WALKMANS, GAMES OR OTHER ELECTRONIC DEVICES JGJ

Students shall be allowed limited use of electronics devices under guidelines published in the board approved student handbooks.

In addition to programs of classroom instruction, schools shall provide programs of student activities to meet educational needs to the extent that resources are available. Membership and participation in student activities shall be open to all students without restrictions as to race, religion, sex, national origin, or disability. All student activities provided by Biloxi Public School District must be under the direct supervision of assigned school personnel and shall be subject to the regulations of the school administration.

School officials should cooperate with other community groups or agencies in programs of educational value for children and youth when such cooperation is deemed to be desirable and feasible.

All student activity accounts shall be charged with all costs to the school system accrued by the operation of that activity. No money shall be expended from the activity fund without a requisition approved by principal. Principals will be held strictly accountable for spending all activity funds.

In conducting various student activities, the following should be observed in order not to infringe on the regular activities of the school program.

- A. Test week performances shall be avoided unless approved by the principal.
- B. No student should be removed from classroom activity for practice sessions, performances, or other scheduled activities unless prior approval comes from the principal.
- C. Inter-school programs must be scheduled for the regular activity period of the receiving school.
- D. Out-of-district performances involving groups of students shall be restricted to schedules approved by the school principal.

When required, students participating in extra/co-curricular activities must have on file at the school written parent consent, insurance form, concussion form, and liability waiver forms.

District policies governing activity schedules are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

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

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

School Activity Funds

1. Meaning

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

2. Purpose

The raising or collecting and spending of activity fund money by student bodies has one purpose only - to promote the general welfare, education and morale of all the students and to finance the normal legitimate extra-curricular activities of the student body organization.

Money derived from the student body as a whole shall be so expended as to benefit the student body as a whole, and not for the benefit of a special group. The principal/director of the school location, as trustee, is responsible for replacement of student activity money improperly spent.

3. General

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

Each local school shall maintain its own bank account for the receipt and disbursement of activity funds. The account must be interest-bearing, if practicable; it must be styled, "(name of school) Activity Fund" and it must be approved by the Board of Trustees and entered into its minutes along with the name and position of those school district employees who are to be the only person(s) authorized to sign checks on the account and make deposits into the account. A minimum of two designated individual signatures shall be necessary for the proper disbursement of activity fund checks.

The Superintendent must determine the locations of all petty cash funds, the amount of any petty cash fund, and the designated person responsible for the fund. This determination shall be made at the beginning of each fiscal year, for that fiscal year. A report shall be completed at the time for replenishment and submitted to the school location bookkeeper for replenishment. A report should be substantiated by complete, signed vouchers supporting each petty cash expenditure. A report should be reviewed and signed by the school location principal/director before replenishment is made. Each principal/director will be personally responsible for the amount of petty cash at his/her school location.

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

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

4. Receipts

All activity funds received by the local school must be deposited into the student activity fund bank account, through the office of the school principal/director. The office of the school principal/director must maintain a permanent three-part receipt book, containing such information as prescribed by the state auditor's office, to record all receipts. The person transferring the money to the office of the principal/director for deposit will be given the original receipt. The second copy of the receipt will be attached to the transmittal report forwarded to the central office at the end of each month, and the third copy will be kept in the bound book and on permanent file in the principal's office. All of these prenumbered receipts must be accounted for. Receipt warrants must be signed by a person authorized by the Superintendent to receipt money at the school location. For all receipts of \$500 or more, the school location principal/director shall either sign the receipt warrant or affix his/her initials to the signed receipt warrant, after determining the property of the amount received.

When an individual school location determines the need for a cash register to facilitate the receipting of money, the person transferring the money to the office of the principal/director for deposit will be given a copy of the cash register receipt. The second copy of the cash register receipt (internal copy) will be used as a control total to balance to the total cash collected for the day. The second copy of the cash register receipt (internal copy) shall be forwarded with the validated deposit tickets to the central office at the end of each month.

In all instances where a cash register is used to facilitate the receipt of activity fund money, the use of the register shall be restricted to a minimum of two Board-designated personnel. The register shall be secured by a register lock at all times, and the only persons having access to the register lock shall be those so designated by the Superintendent at the beginning of the fiscal year, for that fiscal year.

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

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

5. Disbursement

Any disbursements of activity funds (other than petty cash expenditures) must be made from the account on prenumbered checks and adequately supported as to the reason for disbursement. Only those school district employees authorized by the Superintendent may sign checks on the account. School location principals/directors have the responsibility to limit disbursements to amounts available for disbursement.

In addition to the above, the Superintendent or the Superintendent's designee shall give prior approval for all activity fund expenditures (including both general fund expenditures and agency fund expenditures) that are in an amount of \$500 or more.

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

No activity fund account checks shall be written before a "request for check" form has been completed and signed by all required personnel. This form will be prescribed by the business department of the central office.

6. Reporting to the Central Office

Within five (5) working days of the close of the month, the school location principal/director must deliver to the central office a transmittal of all activity fund transactions. Required items shall include:

- Cash receipts source document sheet(s) (typed)
- Typewriter check source document sheet(s) (typed)
- Voided checks
- Docket of claims
- Furniture and equipment subsidiary ledger
- Copies of validated deposit slips
- Activity event receipt forms
- Itemized balances - miscellaneous accommodations account
- Detailed explanations - deficit balances in club accounts
- Transmittal cover sheet (signed by principal/director)

The transmittal information must contain the breakdown of receipts and disbursements by individual activity, and it will list each check (by check number, date, purpose, amount, and account number), and each deposit (by date, receipt numbers, source, account number, and amount).

Upon receipt of the transmittal information the central office staff will review the information for accuracy and completeness prior to making the entries to the accounting records. The information from the transmittal form will be used to reconcile the monthly bank statements. A copy of each month's bank reconciliation will be returned to the school for review and management purposes.

All school activity fund transmittal reports and bank reconciliations will be reviewed and approved by the Board of Trustees. This approval will be acknowledged in the Board of Trustees' official minutes.

7. Purchasing - See policy DJE and DJEA.

8. Other Policies/Procedures

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

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

Any arrangements between a school and a company supplying merchandise, such as school pictures, class rings and caps and gowns, must be by written contract, signed by the principal/director and the company's representative, and approved by the Board of Trustees.

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

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

The term "activity funds" shall not include any funds raised and/or expended by any organization, unless deposited with existing activity funds, regardless of whether the funds were raised using school facilities.

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

If a specific organization donates any assets to the school district/specific school location, the Board of Trustees must acknowledge in its official minutes the acceptance of the donation and the conveyance of the title of the assets. The donated assets must be added to the general fixed assets furniture and equipment inventory subsidiary ledger. The "Proposed Gift to Individual Schools" form must be completed by the school location principal/director and submitted to the appropriate central office administrator. After approval by the central office administrator and Superintendent, the proposal shall be submitted to the Board of Trustees for final approval and acceptance of the proposed gift. The conveyance of the gift shall conform to the criteria set forth by the form. (Also see DFK.)

School activity funds shall be classified as either general funds or agency funds. Student club funds shall be classified as agency funds unless expenditures for general operational purposes of the school district are made directly from the club fund. In such case, the club fund would be classified as a general fund. Student club funds generally are used to account for assets held by the school district acting as an agent for a school-sponsored club.

New student club accounts may be added only upon the approval of the principal, chief fiscal officer, appropriate central office administrator, and the Superintendent. Such approval must be in writing. The purpose of each student club account, the designated sponsor, and the planned activity for the account should be included in the request submitted to the principal/chief fiscal officer by the designated sponsor.

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

9. Deficit Spending

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

10. Fund Raising and Student Activity Travel

The Superintendent shall develop rules and regulations for fund-raising activities and the approval and reimbursement of student activity travel.

11. Accounting

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

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

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

Also see Policy DK.

The Board of Trustees of the Biloxi Public School District recognizes the need for limited student fundraising activities. The type of and extent of these activities, however, must be rigidly restricted and limited to activities that have recognized educational value.

Requests to raise funds of any kind must be submitted in writing to the Superintendent's office. These requests shall include the following:

- A. Type of fund-raising activity;
- B. Specific purpose for raising funds;
- C. Educational value attributed to the activity;
- D. Participants (organization, sponsor, vendor);
- E. Length of activity (inclusive dates); and
- F. Projected fundraising profits

The Superintendent or his designee will grant approval or deny approval for the fundraising activity, in accordance with the provisions outlined in this policy. The Superintendent's approval or denial shall be in writing. No fundraising activity may be approved that is in direct conflict with this policy. The Superintendent or his designee has the authority to limit the number of fundraisers by each group to allow for all groups the opportunity to have successful fundraisers. The following rules/restrictions apply to all fundraising activities.

1. Each school location principal/director shall compile a school year fundraising activity calendar, which shall include all school related fundraising activities. The school location calendar shall be compiled with the input of interested school club sponsors and shall include all school related fundraising activities. Each fundraising activity listed shall have a written request as required by the school district.
2. Each fundraising activity shall be supervised by a regular classroom teacher/club sponsor or other licensed staff member employed by the school district. This person shall be held personally responsible for the fundraising activity and all profits incurred as a result of the activity. This person will be asked to sign the written request to the Superintendent or the Superintendent's designee. By affixing his/her signature, the person is taking responsibility for the activity and resulting profits, assuming administrative approval. This same fundraising activity supervisor shall be responsible for completing a post-activity profit reconciliation sheet, showing accountability for purchases and sales of goods and resulting profits. The fundraising activity supervisor shall be held personally responsible for any money missing from the activity, whether missing by theft or missing through a lack of accountability.
3. No outside group, organization, social club, or person shall solicit on school premises at any time without the written permission of the Superintendent.
4. The instructional integrity of each school day must be protected. Fundraising activities shall not interfere with the regular instructional periods of any student. Students shall not be asked to use instructional periods in order to participate in fund-raising activities. No door-to-door classroom sales of fund-raising products may occur when the sales cause an interruption in the regular instructional period, however brief the interruption may be. No class time shall be used to collect money for fundraising activities.
5. Fundraising activities of any type are expressly prohibited during school or office hours except those approved by the Superintendent.
6. Students in elementary grades K-6 shall not be permitted to solicit sales in door-to-door solicitations under any circumstances.

7. No students in grades K-12 shall be required to participate in any fundraising activity under any penalty for failure to participate.
8. No solicitations for any outside group or organization shall be made during school or office hours by any student or school district employee without the express, written approval of the Superintendent.
9. A post-activity profit reconciliation form shall be prepared and signed by the individual accepting responsibility for the fundraising activity at the activity conclusion date. This post-activity profit reconciliation form shall be in the form prescribed by central office administration and shall be signed by the classroom teacher/sponsor/director responsible for the related activity and the school location principal/director. The form shall include:
 - a. fundraising activity;
 - b. actual length of activity (inclusive dates);
 - c. students/sponsors who participated in the activity;
 - d. reconciliation of actual profits to projected profits; and
 - e. specific times (hours of day) money was collected for fund-raising project from students

The post-activity profit reconciliation form shall be completed within five working days from the conclusion of the fundraising activity. The form shall be approved by the school location principal/director and forwarded to the business department of the central office.

Fund-raising activities, as governed by the policy, do not include routine teaching assignments such as collecting lunch money, fees, book fines, etc.

Sponsorship of clubs will be assigned by the principal.

State laws specifically prohibit the existence of any sorority, fraternity, or secret society as a part of any school in Mississippi. The Biloxi Public School District expressly prohibits use of Biloxi school names as a part of the name of any of these groups, raising funds in the name of Biloxi schools, conducting any part of their initiation at Biloxi schools (including wearing of unusual dress, signs, and directions or instructions given to initiates by members), and the use of any school facility - grounds or buildings - for the purpose of meeting or holding any type of program or exhibition.

The above regulations are not all inclusive; other conduct in connection with these groups is forbidden at or in the schools. Students who violate the position of the Biloxi Public School District in this matter will be subject to suspension, with a parental conference required before student reinstatement.

**STUDENT COUNCIL, OFFICERS, CLASS OFFICERS, CAMPAIGNING,
COUNTING VOTES**

JHCB

District policies governing election, membership, qualifications, duties, campaigning, and counting votes in regard to Student Council and Class Officers and Members are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

Because student publications in the Biloxi Public Schools are centered in the instructional programs and are developed through classroom experiences, the professional staff member directing student publications shall exercise proper control over the content, development, and distribution of publications under his/her charge and shall be directly responsible to the building principal for the exercise of such control.

It is the intent of the Board of Education to support the continuing development of student learning through publications of high quality, to encourage the growth of student writers, to develop respect for the responsibilities that accompany the opportunity to prepare school publications, and to assist students in the development of their appreciation of the rights of others. The Board encourages students to exercise sound and reasonable judgment in the selection or creation of materials for publication and further recommends that articles, letters, etc., which appear to be objectionable be considered for revision to avoid problematic language, statements, or inferences without destroying the intent and point of view of the writer. Staff members shall be directly responsible to the publication advisor/sponsor; all materials prepared, selected, and edited by staff members must be submitted to the advisor/sponsor for approval or disapproval. Disagreements among staff members over matters of taste, propriety, or form will be resolved by the advisor/sponsor. Further disagreements must be submitted to the building principal for his/her decision regarding publication.

The Board specifically prohibits publication in school papers, magazines, yearbooks, and other school-sponsored publications of any item which may libel any person, items with anonymous writers or sources, materials which are considered by teacher advisors/sponsors or by the principal to be obscene or in poor taste, materials which might result in any possibility of violence, or items which might damage or hurt any person.

The District recognizes a student's right to free speech provided it is exercised in a manner which is not prohibited by law nor disrupts the educational process.

STUDENT SOCIAL EVENTS - PARTIES, DANCES - K-12

JHD

In Biloxi Public Schools, K–12 parties will only be permitted with principal recommendation and superintendent/designee approval.

All evening parties and dances shall be scheduled with the administration in accordance with district policy and shall end no later than 10:00 p.m. for junior high school and 11:30 p.m. for senior high, unless special permission is granted from the office of the Superintendent. Parties and dances will not be held on an evening during the school week. All junior high school parties or dances will be limited to events which do not permit students to rent or wear formal attire.

Students who indulge in or have possession of alcoholic beverages or drugs will be subject to disciplinary action as required under Board policy regarding use and/or possession of alcohol or controlled substances on school grounds or at school events.

When a student leaves a party or a dance, the student will not be allowed to return to the event.

Parties or dances are given only for members of the sponsoring student body unless written permission is granted by the office of the Superintendent of Education.

There will be no spontaneous parties or dances. Plans must be made by the sponsor of each activity and submitted in writing to the principal at least ten (10) school days before the activity.

The Superintendent of Education must give written approval before any final action is taken in regard to social activities.

Chaperones for Parties, Field Trips, Etc. - This responsibility will be approved by the principal. Any student group making a field trip of any kind will be required to have approval as required under Board policy and the sponsor of that group must accompany the students and be in conformance with district policies.

The Board of Education supports a program of student activities offering a wide range of opportunities for exploratory experience, enrichment, independent learning, and public performances by various student groups. The Board also recognizes that out-of-town trips by groups of students may be required in connection with student performances. Because extended trips may sometimes interfere with the instructional program as a whole, the Board requires that all student activities be fully justified in terms of expenditures of time and resources and result in minimal interference with the over-all instructional program. In addition, the Board requires that all student activities be in compliance with accreditation standards regarding student absence from class(es).

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

Student Performances - Procedures

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

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

Prior to engaging in any activities related to a major trip, written approval for the trip must be secured from the Board of Education.

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

A major trip shall not require funding by the Biloxi Public Schools.

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

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

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

Band/Choral Groups - Procedures - Senior High/Junior High Schools

Senior High

One major band/choral group trip will be permitted each school year. Unusual exceptions may be considered by the Board of Education.

Junior High Schools

The junior high school bands shall be limited to one out-of-town band football trip during each school year.

Fund-Raising

Any fund-raising projects by interested individuals, Booster Club, or band/choral students must have prior written approval from the principal and the Superintendent of Education or his designee.

District policies governing the string music program are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

District policies governing the band are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

Also see Policy JHE.

**REQUIREMENTS FOR CHEERLEADER AND DANCE TEAM TRY-OUTS AND ELIGIBILITY
FOR CONTINUATION AS A CHEERLEADER AND/OR DANCE TEAM MEMBER - 7-12 JHF**

District policies governing cheerleader and dance team try-outs and eligibility for continuation as a cheerleader and/or dance team member are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

**REQUIREMENTS FOR MAJORETTE, GUARD/DANCE TEAM, AND
FLAG CORPS TRY-OUTS AND ELIGIBILITY FOR CONTINUATION
AS MAJORETTE OR GUARD/DANCE TEAM OR FLAG CORPS MEMBERS**

JHG

District policies governing requirements for majorette, dance/drill team, and flag corps try-outs and eligibility for continuation as majorette or guard/dance team or flag corps member are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

**REQUIREMENTS FOR DRUM MAJOR TRY-OUTS AND ELIGIBILITY
FOR CONTINUATION AS A DRUM MAJOR**

JHH

District policies governing requirements for drum major try-outs and eligibility for continuation as a drum major are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

GIFTS BY STUDENTS/TEACHERS

JL

Gifts to teachers by students and gifts to students by teachers are discouraged. However, if such is done, it shall be completely voluntary and on an individual basis.

CONTESTS FOR STUDENTS - POPULARITY CONTEST - HIGH SCHOOL

JM

District policies governing contests for students are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

AWARDS AND SCHOLARSHIPS

JN

District policies governing awards and scholarships and senior honors are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

SENIOR RECOGNITION PROGRAM

JNA

District policies governing the senior recognition program are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

While participating in or attending, as representatives of the Biloxi Public School District, any school-related activity held on the school grounds or at some other location, students are subject to the same rules and regulations concerning conduct which apply during the usual school day.

Students should understand that their actions while members of the student body of Biloxi Public School District may reflect upon the total school image held by the community and the public in general. Therefore, the Board of Trustees encourages all pupil activities, both curricular and extra-curricular, to be conducted in such a manner as to foster good community relations both on and off the campus.

**TITLE 1, ECIA PROGRAM - PARENTAL INVOLVEMENT
SPECIAL PROGRAMS**

JQA

The Biloxi Public School District shall be in compliance with Title 1 regulations requiring parental involvement in the school system's planning and implementation of the Title 1 compensatory education programs which affect children enrolled in the Biloxi Public School District.

Such parental involvement shall include, but is not limited to, conferences between parents and teachers and assisting parents in home training and direct work with their children. A public meeting of the parents involved in Title 1 shall be held annually and shall meet federal regulations affecting parent participation. In addition, the school shall provide proper information to parents concerning their children and shall keep these parents adequately informed of their children's progress, needs, and individual objectives. (See IDD -Title 1 Parent Involvement Policy.)

GRADUATION REQUIREMENTS FOR SPECIAL EDUCATION (SPED) STUDENTS**JQB**

Students with disabilities will be issued a regular education high school diploma, certificate of completion or a Mississippi occupational diploma as follows:

1. By age 14 or prior to a student's entering ninth grade, an Individualized Education Program (IEP) committee will consider the exiting options from high school. The parent(s) and, if appropriate, the student will be informed of the requirements for each option and the various alternatives in post-school activities based on each exiting option. An IEP Committee will determine and document the option appropriate for each student.
2. Students pursuing a regular educational high school diploma must meet the requirements set forth by the State Board of Education and the Biloxi Public School District. Special education and related services will be provided to assist a student to reach this goal based on the student's IEP.
3. Beginning with the 2002-03 school year, a student with a disability as defined by the federal Individuals with Disabilities Education Act shall be afforded the opportunity to choose the occupational diploma curriculum. Students who choose the occupational diploma will be required to complete the criteria as designated by the State Board of Education.
4. Every student who completes an approved course of study by or before age 21 will receive a standard high school diploma, a certificate of completion, or a Mississippi occupational diploma and will be permitted to participate in graduation activities.

The Biloxi School District will provide a free appropriate public education to children ages three (3) through twenty (20), with a disability who, by reason thereof, need special education and, as appropriate, related services as defined under Part B of the current Individuals With Disabilities Education Act (IDEA), Mississippi statutes, and the State Board of Education policies. A free appropriate public education will be provided to students with disabilities residing within the jurisdiction of the district and who are enrolled in the Biloxi District. These services will be provided at no cost to the parent, meet the standards of the State Board of Education as set forth in State policies and procedures, and in conformity with a student's Individualized Education Program (IEP).

Preschool students who have been determined to have a disability under IDEA, Part B, shall be provided a free appropriate public education in accordance with an IEP no later than their third birthday. If the student's birth date occurs during the summer months, the child's IEP Committee shall determine the date when services under the IEP will begin. This date will be no later than the beginning of the next school year.

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

In accordance with Part B of IDEA regulations, students with disabilities who have graduated from high school with a standard high school diploma are not entitled to a free appropriate public education by the District. Provision of a free appropriate public education will continue for a student with a disability through the school year in which a student reaches age twenty-one (21) if the student was enrolled in the district and was twenty (20) at the beginning of the school year if determined appropriate by the IEP Committee.

Procedures for the implementation of this policy by the district are those contained in State Board Policy 7219 that are relevant to local school districts and issued by the State Board of Education.

FULL SERVICE GOAL POLICY - STUDENTS WITH DISABILITIES

JQD

The District is committed to serving students with disabilities and hereby sets a goal of expanding and providing full educational opportunities for all students with disabilities, ages birth through twenty-one (21) in accordance with the State Board of Education's policies and procedures. The opportunities will be provided in accordance with applicable State statutes, Federal laws and the State Board of Education's policies.

LEAST RESTRICTIVE ENVIRONMENT**JQE**

Each child with a disability will be educated with children having no disabilities in his/her age range to the maximum extent appropriate, including children in public or private institutions or other care facilities. No special classes, separate schools or other removal of children with disabilities from the regular educational environment will occur unless the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Children with disabilities will be afforded an equal opportunity to participate in nonacademic and extracurricular services and activities. The district's procedures for implementation of this policy are those contained in the state regulations issued by the State Board of Education. The IEP Committee, when determining placement of each student with a disability, will utilize this policy and the designated procedures.

INDIVIDUALIZED EDUCATION PROGRAM (IEP) POLICY**JQF**

In accordance with the policies and procedures of the State Board of Education, the Biloxi District will ensure the development, implementation, review, and revision of each student's IEP periodically but not less than annually. Educational placement decisions will be determined by a student's IEP Committee, except when a school official has the authority under IDEA, Part B, to remove a student with a disability from the student's current placement due to a discipline procedure. The Biloxi District will initiate and conduct IEP meetings to develop, review, and revise the IEP of a student residing within its jurisdiction who is provided special education and related services in accordance with State Board of Education Policy 7219. The district's procedures for implementation of this policy are those contained in the state regulations issued by the State Board of Education.

**EVALUATION AND DETERMINATION OF ELIGIBILITY -
PROTECTION IN EVALUATION**

JQG

All testing and evaluation materials and procedures used by the Biloxi District personnel for assessment and placement will be, to the maximum extent possible (with the current state of the art), selected and administered so as not to be racially or culturally discriminatory. The district will ensure that no child will be misclassified, misplaced, or unnecessarily identified as having a disability because of the inappropriate selection, administration or interpretation of materials or procedures.

The Biloxi District will conduct a full and individual initial evaluation in accordance with the policies and procedures of State Board of Education prior to the initial provision of special education and related services to a student with a disability. Following a referral for an initial evaluation, the district will ensure a Comprehensive Assessment is conducted. A reevaluation will be conducted of each student with a disability in accordance with State Board of Education Policy 7219. All initial evaluations and reevaluations conducted by the district will be provided at no cost to the parent. The district's procedures for implementation of this policy are those contained in the state regulations issued by the State Board of Education.

PLACEMENT IN PRIVATE SCHOOLS BY AGENDA

JQH

Each child with a disability under the current IDEA, Part B, who is placed in or referred to a private school by the Biloxi School District, will be provided special education and related services in conformance with an IEP and at no cost to the parents. The IEP committee decision will place children with disabilities in private schools or facilities only as a means of providing special education and related services in the students' least restrictive environment. The district will determine, in consultation with the child's parent(s), that a free appropriate public education could not be provided in the local school. The district's procedures for implementation of this policy are those contained in State Board of Education policy 7219.

**PARTICIPATION OF PRIVATE SCHOOL CHILDREN NOT PLACED
OR REFERRED BY PUBLIC AGENCIES**

JQHA

To the extent consistent with the number and location of children with disabilities enrolled by their parents in private schools, provision will be made for their participation in activities assisted or carried out under Part B by providing them an opportunity to receive special education and/or related services in accordance with the policies and procedures under IDEA, Part B, and those issued by the State Board of Education. No private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in this public school district. A Service Plan will be developed and implemented for each private school child with a disability who has been designated by the district to receive special education and related services. The district's procedures for implementation of this policy are those contained in the state regulations issued by the State Board of Education.

Children with disabilities residing outside the school district requesting placement in special education classes will not be placed until all children with disabilities residing in the Biloxi district are receiving a free and appropriate education. Such students will be accepted in the Biloxi Public Schools only after approval by the Board of Education and in conformance with the guidelines of the State Board of Education.

DUE PROCESS POLICY**JQI**

The Biloxi District assures the provision of the rights and the procedures provided to parents and students with disabilities as required under IDEA, Part B, and the regulatory policies and procedures issued by the State Board of Education. Due process rights are provided to students with disabilities and their parents. The district's procedures for implementation of this policy are those contained in the state regulations issued by the State Board of Education.

The Biloxi District will continue its efforts to search for unidentified children, ages birth through twenty-one, who may be in need of special education and related services as defined under the current IDEA, Part B. Children with disabilities who reside within the district's jurisdiction, including children attending private schools, regardless of the severity of their disability, are identified, located and evaluated for services. The district will adhere to the relevant policies and the procedures for implementation of the Child Find requirements for local school districts under IDEA, Part B, as issued by the State Board of Education.

The Biloxi District will protect the confidentiality of any personally identifiable data, information and records collected and maintained relative to students with disabilities as required under IDEA, Part B, and the Family Educational Rights and Privacy Act (FERPA). The procedures for implementation of the policy are those issued by the State Board of Education.

HEARING/VISION SCREENING**JQL**

Any student who has not been successful in the regular education program may be screened for hearing/vision as a means of determining whether hearing/vision problems are the cause of the child's lack of success in the regular program.

It is the policy of the Biloxi Public School District that no student can be denied admission to school because of pregnancy and that no student can be dismissed from school due to pregnancy. In cases where pregnancy would prevent a student from participating in the normal programs provided by the Biloxi Public School District, it shall be the responsibility of both the school system and the student to work out an appropriate program for the pregnant student.

A student who becomes pregnant is responsible for notifying the school officials (principal/nurse) of this condition.

A student who becomes pregnant should obtain a statement from a licensed physician indicating present physical condition, limitations, if any, anticipated delivery date and normal recuperative time, information pertinent to the student's carrying on regular classroom duties, and any other matters related to the pregnancy that would be of benefit to school officials in maintaining the student's good health. Periodic written medical statements may be requested by school officials in determining the physical and mental health of the student. Plans will be made to continue the formal education program with as little disruption as possible.

The student, parents, or legal guardian, and/or husband should be responsible for meeting with the student's counselor to discuss possible educational alternatives for the continuation of her education. The following suggestions may be considered:

1. The student may continue in the regular school program provided by the Biloxi Public School District until date of confinement.
2. The student may request information concerning a home for unwed pregnant students. Information is available through a school counselor or school nurse.
3. A written statement from the student's physician is to be brought to the counselor and/or school nurse when the student is unable to continue in the regular school program. The student, her parents, or legal guardian, and/or her husband should request and be responsible for picking up all school assignments. These assignments are to be turned in to her teachers as they are completed for grading.
4. After the student has missed ten (10) consecutive school days, as substantiated by the student's physician, on the eleventh day the absences will be voided if the assignments have been completed to the satisfaction of and within the time period specified by the teacher. The student may return to the regular school program when school officials receive a written statement from her physician stating that she is able to resume normal school activities.
5. Other alternatives may be discussed with the student's school principal, counselor, and/or school nurse.

DROP-OUTS**JQN**

The Biloxi Public School District will develop and implement a program or programs designed to keep children in school voluntarily and to prevent drop-outs.

See Policy IHA.

The Biloxi Public Schools will accept exchange students for enrollment in district schools under the following conditions:

1. No more than eight exchange students may be accepted during any school year.
2. Applications for enrollment must be completed and submitted to the Superintendent's office prior to the beginning of the school year.
3. No more than three exchange students from any individual sponsoring organization will be accepted during any school year.
4. Exchange students must be proficient in the use of the English language. It is the responsibility of the sponsoring organization to determine the proficiency level for each exchange student.
5. The Biloxi Public School District reserves the right not to permit students with any sponsoring organization that continually provides students who are not proficient in the English Language.
6. Host parents of exchange students must be residents of the Biloxi Public School District or reside within the annexed areas of Biloxi and have been a tuition paying family in good standing for a minimum of 5 years.

Students who have graduated from high school or secondary school previously are prohibited from enrolling in Biloxi Public Schools. Such students seeking admission are to be referred to institutions of higher learning located in the area.

Students must be highly proficient in the English language, both oral and written, as determined by the sponsoring exchange program/agency. "Proficient," for this purpose, is defined as able to converse with the teachers at Biloxi High School and follow/understand instruction that occurs in the classroom. No supplemental services will be provided by Biloxi Public Schools for those students who cannot follow or understand classroom instruction. Such support or service, if necessary, must be provided by the sponsoring program/agency since the program/agency is tasked with ensuring that the students are English proficient.

Biloxi Public Schools does not accept foreign exchange students on a tuition basis, unless the host family resides in an annexed area of Biloxi and has been a tuition paying family in good standing for a minimum of 5 years. First priority for placement of foreign exchange students will be granted to residents of the Biloxi Public School District.

Exchange students must attend the entire school year and comply with other policies already in effect related to exchange students.

The sponsoring program/agency or sponsoring adult must provide the district with a copy of the student's transcript in English prior to enrollment.

Exchange programs/agencies and sponsoring adults who will not agree to these terms will not be permitted to enroll exchange students in Biloxi Public Schools.

Exchange students must meet all district and state requirements for graduation in order to be awarded a diploma from Biloxi High School. Graduation participation is limited to students who have fulfilled both state and district requirements.

The Biloxi Public School District's admission policies and statements for homeless children and youth shall be in compliance with the guidelines of the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 - 11434A).

A homeless individual is defined as one who lacks a fixed, regular and adequate residence, has a primary nighttime shelter in a supervised publicly or privately operated shelter for temporary accommodations, an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designed or ordinarily used as a regular sleeping accommodation for human beings (Section 103 (a) (1) (2) of the Act).

The term "homeless individual" does not include any individual imprisoned or otherwise detained by an Act of Congress or a State law (Section 103 (c) of the Act).

All homeless children and youth seeking admission or enrollment in the public school system of the Biloxi Public School District will be accommodated or transportation and other technical services will be provided to educate the child or youth in the district of origin, whichever is in the child's or youth's best interest.

Procedures to be used in determining the child's best interest as to enrollment and to provision of services will include, but not be limited to, consultation with parent or guardian; investigation as to causes of homelessness; review of school records if available; consultation if possible with agencies which may be involved, such as the Women's Shelter, Harrison County Social Services, etc.; and testing for specific needs and placement.

Resolution of Dispute - The Superintendent will designate a staff person to investigate and report complaints that are believed to be in non-compliance with the McKinney-Vento Homeless Assistance Act and/or issues that deal with the educational placement of homeless children and youth. The Superintendent will initiate steps to resolve the dispute. In the event the dispute cannot be solved locally, the parent, guardian and/or Superintendent may request a formal review of the dispute by the State Department of Education's Coordinator of the Homeless Program. The review must be requested in writing immediately after the dispute takes place.

A central office administrator will be charged with making required reports in regard to homeless children and youth. A review will be made which addresses the issues in the dispute within ten (10) days from the receipt of the written request for resolution from the parent or the School Board. If the issue is not resolved in the written review, assigned members of the State Department of Education will make on-site visits to further clarify and resolve the issue, and a final decision, binding on both parties, will be made in writing within sixty (60) days of the initial written request for resolution unless an extension is requested and approved.

Student Records - The Biloxi Public School District will comply with Immunization requirements (MS Codes 37-7-301; 41-23-37). Permanent and cumulative records for homeless children and youth will contain academic achievement and other required data. Records will be maintained and disseminated in compliance with MS Codes 37-3-49, 37-15-1 through 37-15-3, and the Family Educational Rights and Privacy Act of 1974.

Supportive Services - The Biloxi Public School District will provide comparable educational and supportive services to all homeless children and youth. These services may include, but are not limited to, Special Education Services, Migrant Services, Title I Services, Handicapped Services, Vocational Education Services and Gifted Services.

Additional supportive services include but are not limited to transportation, feeding programs, tutorial services, counseling services and extra-curricular activities, together with hearing impaired program, language/speech therapy for language/speech disabled students, visually impaired classes, school nurses, English As A Second Language (ESL) Program, or other compensatory educational programs.

Stigmatization and Isolation - The Biloxi Public School District will enroll and provide technical, educational and supportive services to homeless children and youth in an environment and manner that does not stigmatize, isolate, label or penalize the child, youth, or family for being homeless. The district's homelessness liaison will provide training to school personnel and the community to promote awareness and sensitivity of homelessness. In the absence of a homelessness liaison, these services can and will be provided by the State Homeless Children Education Coordinator upon request.

**PLACEMENT OF CHILDREN WITH DISABILITIES IN AN
ALTERNATE EDUCATIONAL SETTING**

JQQ

Students with disabilities, as defined under IDEA, Part B, are responsible for adhering to the same rules of conduct as nondisabled students. In accordance with current Federal requirements under the Individuals with Disabilities Education Act (IDEA), the State statutes and the State Board of Education's policies and procedures, when a student with a disability violates school rules, the principal or designated school officials may order the removal of a student with a disability from the student's current educational placement.

Students with disabilities are entitled to a free appropriate public education, even those who have been suspended or expelled from school as specified under IDEA, Part B, State statutes and the State Board of Education's policies and procedures. Whenever a student with a disability is removed from the student's current educational setting for disciplinary reasons 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.

In accordance with requirements under IDEA, Part B, when a student is removed from the student's educational placement due to a violation of school rules and that removal constitutes a change of placement, a manifestation determination will be conducted and the student's Individualized Education Program (IEP) Committee will determine the student's placement. Based on the timelines and processes specified under IDEA, Part B, the IEP Committee will meet to plan for a functional behavioral assessment to be conducted and to implement a behavioral intervention plan.

The district's procedures for implementation of this policy are those contained in the state regulations issued by the State Board of Education.

The district will continue with efforts to recruit, prepare and retain appropriately and adequately trained personnel to provide special education and related services to children with disabilities in accordance with the personnel standards of the State Board of Education. The district provides for ongoing personnel development activities, as necessary, to ensure the provision of free appropriate public education for students with disabilities in accordance with regulations issued by the State Board of Education. In accordance with state regulations and procedures, the district will determine local inservice needs and provide for training on topics determined to be district priorities.

BEHAVIORAL OBSERVATION**JQS**

As a means of determining whether behavioral problems are the cause of the child's lack of success in the regular or special education program, a teacher, with the approval of his/her principal, may request a functional behavioral assessment in an effort to correct the behavior problem.

PERFORMANCE GOALS

JQT

The Biloxi District will utilize the established performance goals and indicators established by the Mississippi Department of Education to assess the district's progress toward achieving those established goals.

PARTICIPATION IN STATE AND DISTRICT-WIDE ASSESSMENTS

JQU

The district will ensure that children with disabilities are included in general State and district-wide assessment programs, with appropriate accommodations and modifications in the administration of such tests in accordance with the policies and procedures established by the State Board of Education and the local school district. Children with disabilities who cannot participate in general State and district-wide assessment programs will be provided an alternate assessment in accordance with policies and procedures established by the State Board of Education and the local school district.

LOCAL INTERAGENCY AGREEMENTS

JQV

The district will establish local interagency agreements, as appropriate, to ensure a free appropriate public education is provided to children with disabilities residing within the jurisdiction of the district as required by federal and state rules and regulations

EXTENDED SCHOOL YEAR SERVICE**JQW**

The Biloxi District will ensure that extended school year (ESY) services are available to provide a free appropriate public education. ESY services are special education and related services that are provided to a child with a disability which meet State Board of Education Policy 7219 criteria. Services, as appropriate, will be provided beyond the 180 day school year of the district, in accordance with the student's IEP, and at no cost to the parents.

The Biloxi Public School District requires that a Mississippi Cumulative Folder be kept for each student who enrolls. Contents will include, but not be limited to, the following:

- A. Student's birthplace, as verified by birth certificate;
- B. Annual attendance record;
- C. Grades;
- D. Health information, including immunization records;
- E. Results of standardized testing required by the State of Mississippi.

Active permanent records are to be housed in the school office and kept in binders or folders in a fire-resistant storage unit.

To comply with the Family Educational Rights and Privacy Act of 1974, the Superintendent of Education and his/her staff shall develop for Board of Trustees' approval written guidelines which specify which district personnel shall have access to student records for the purposes of planning, implementing, and reviewing students' instructional programs.

The student's permanent record may never be destroyed unless a complete copy is made on microfilm or photographic film and stored in the central depository of the district. The Board of Trustees may order that cumulative folder, exclusive of permanent record, may be destroyed after the record is inactive for five (5) or more years.

The district requires an annual pupil performance record for each student enrolled.

Cumulative Records - Procedures

Progress shall be maintained for each student enrolled in the Biloxi Public School District. Information contained in the cumulative records shall be treated in a confidential manner by all school personnel. Cumulative records shall be taken from the building only by the principal or his/her designee, except for transfer through the school mail to another school within the Biloxi Public School District. Information in a cumulative record will be made available to parents and students ages eighteen or over in accordance with the Family Rights and Privacy Act.

Cumulative records will be kept for only five (5) years following the student's graduation from high school or his/her dropping out of high school and failing to enroll in another school or to return to the high school as a regularly enrolled student. Cumulative records at other schools in the district which are not sent to the high school or to other schools within a five-year period will also be destroyed. Building principals will establish safe and efficient procedures for the complete destruction of cumulative records in accordance with these procedures. The pupil's permanent record shall become a part of the permanent binder in a fire-resistant depository.

See student handbook for additional information.

Fee Schedule for Public Use of School Records

The following schedule of fees for the photocopying, searching and/or reviewing, and mailing of copies of school records of the Biloxi Public School District is established, effective April 8, 1997:

- Photocopying - \$3.00 per page;
- Searching and/or reviewing - \$15.00 per hour, based on actual time required;
- Actual cost of postage shall be assessed for all mailed records;
- All fees are payable prior to processing records requested.

Fees may be changed at any time by the Board of Trustees.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

JRAB

In accordance with the policies set by the Board of Trustees (the “Board”) of the Biloxi Public School District (the “District”), the following regulation shall govern the release of student records to students and members of the student's family, legal custodian, or legal guardian.

DEFINITIONS

For the purpose of this regulation, the District has used the following definitions of terms:

Student: Any person who attends or has attended a program of instruction sponsored by the District.

Eligible Student: A student or former student who has reached age 18 or is attending a post-secondary school, and who is no longer a dependent of the parent for federal tax purposes.

Parent: Either natural parent of a student unless his or her rights under the Family Education Rights and Privacy Act (FERPA) have been removed by a court order; an adopted parent; a guardian; or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records: Any item of information or record (in handwriting, print, computer media, video or audio tapes, film, microfilm, microfiche, or other medium) maintained by the District, an employee of the District, or an agent of the District which is directly related to an identifiable student except:

1. A personal record, including informal notes, kept by a school staff member, which meets the following tests:
 - A. It was made as a personal memory aid;
 - B. It is in the sole possession of the individual who made it; or
 - C. Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;
2. An employment record which is used only in relation to a student's employment by the District (employment for this purpose does not include activities for which a student receives a grade or credit in a course); or
3. Alumni records that relate to the student after the student no longer attends classes provided by the District and the records do not relate to the person as a student.

Personal Identifier: Any data or information that makes the subject of a record known. This includes the student's name, the student's parents or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics, or any other information that would make the student's identity known.

STATEMENT OF RIGHTS

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

1. The right to inspect and review the student's education record;
2. The right to exercise a limited control over other people's access to the student's education record;

3. The right to seek to correct the student's education record, in a hearing, if necessary;
4. The right to report violations of the FERPA to the Department of Education; and
5. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post-secondary school. See the notification of Rights under FERPA contained in each School's Student Handbook.

PROCEDURE TO INSPECT EDUCATION RECORDS

The parent of a student or an eligible student may inspect the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies below.

Since a student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from locations other than a student's school, so they may be inspected at one site. However, if a parent or eligible student wishes to inspect records where they are maintained, school principals will make every effort to accommodate the wishes.

The parent or eligible student should submit to the student's school principal a written request that identifies, as precisely as possible, the record or records he or she wishes to inspect.

The principal (or other record custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other record custodian) will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If for any valid reason, such as working hours, distance between record location sites, or health, a parent or eligible student cannot personally inspect and review a student's education record, the District will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students.

FEES FOR COPIES OF RECORDS

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

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

FERPA requires the District to provide copies of records:

1. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;

2. At the request of the parent or eligible students when the District has provided the records to third parties by the prior consent of the parent or eligible student; or
3. At the request of the parent or eligible student when the District has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. The fee will be from no cost to ten cents per page. (Actual copying cost, less hardship factor.)

The fee for all other copies, such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience, will be from ten cents to thirty-five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

USE OF STUDENT EDUCATION RECORDS

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

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

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

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

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

1. When a student seeks or intends to enroll in another District or a post-secondary school (the District will not further notify the parent or eligible student prior to such a transfer of records; and the parent or eligible student has a right to obtain copies of records transferred under this provision);
2. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. The parties who provide or may provide financial aid to a student to;

- A. Establish the student's eligibility for the aid,
 - B. Determine the amount of financial aid,
 - C. Establish the conditions for the receipt of the financial aid, or
 - D. Enforce the agreement between the provider and the receiver of financial aid;
4. When the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid, or improve instruction;
 5. To accrediting organizations to carry out their accrediting functions;
 6. To comply with a judicial order or lawfully issued subpoena (the District will make a reasonable effort to notify the student's parent or the eligible student before making a disclosure under this provision); or
 7. If the disclosure is an item of directory information, and the student's parent or eligible student has not refused to allow the District to designate that item as directory information for the student (see the Directory Information Notice contained in each School's Student Handbook); or
 8. In response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

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

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
2. The information is necessary and needed to meet the emergency;
3. The persons to whom the information is to be disclosed are qualified and, in a position, to deal with the emergency; or
4. Time is an important and limiting factor in dealing with the emergency.

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

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

The student's parent or the eligible student may obtain a copy of any records disclosed under this provision.

The District will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be re-disclosed without the parent's or eligible student's prior written consent. See the Directory Information Notice contained in each School's Student Handbook.

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

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

The record will include at least:

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

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

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

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

The parent of a student or an eligible student has a right to seek to change any part of the student's record believed to be inaccurate, misleading, or in violation of student rights. (*NOTE: under FERPA, the District may decline to consider a request to change the grade a teacher assigns for a course.*)

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term "correct" will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term "requester" will be used to describe the parent of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct an education record for a requester, the District may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision

When a parent of a student or an eligible student finds an item in the student's education record that he or she believes is inaccurate, misleading, or in violation of student rights, he or she should immediately ask the record

custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the record custodian cannot change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the record custodian will:

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

Second Level Decision

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

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

The request will be dated and signed by the requester.

Within two weeks after the record custodian receives a written request, he or she will study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the District's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the record should be corrected, he or she will affect the change and notify the requester in writing that the change has been made. Each such notice will include an invitation for the requester to inspect and review the student's education record to make certain the record is in order and the correction is satisfactory.

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

Third Level Decision

The District superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the Board attorney, or the Board (in executive session). The superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the superintendent will notify the requester, in writing, of the reasons for the delay and a date when the decision will be made.

If the superintendent decides the record is incorrect and should be changed, he or she will advise the record custodian to make the changes. The record custodian will advise the requester of the change as he or she would at the second level.

If the superintendent decides the record is correct, he or she will prepare a letter to the requester, which will include:

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

Fourth Level Decision

After the requester has submitted (orally, or in writing) his or her wishes concerning the hearing officer and the time and place for the hearing, the superintendent will, within a week, notify the requester when and where the District will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education record is incorrect as shown in the requester's written request for a change in the record (second level).

Within a week after the hearing, the hearing officer will submit to the District superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged.

The District superintendent will prepare the District's decision within two weeks of the hearing. The decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the District's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the District's decision, the superintendent will take one of the following actions:

1. If the decision is that the District will change the record, the superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as he or she would at the second level decision.
2. If the decision is that the District will not change the record, the superintendent will prepare a written notice to the requester that will include:
 - A. The District's decision that the record is correct and will not be changed;
 - B. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision; and
 - C. Advice to the requester that he or she may place in the student's education record an explanatory statement which gives the reasons he or she disagrees with the District's decision and/or the reasons he or she believes the record is incorrect.

DISTANCE LEARNING

Online Educational Services are services involving computer software, mobile applications (apps), and web-based tools provided by a third-party to a school District that students and/or parents access via the internet and use as part of a school activity.

All methods of distance learning involving online educational services shall be evaluated and approved by the superintendent or his/her designee prior to use to ensure the platform's security and to ensure that there is no risk of disclosure of student protected personally identifiable information. If a contract with a provider is not possible, such as with free-to-use applications, the District must use the utmost caution and validate the security of the application before use.

Personally identifiable information must be protected at all times in accordance with FERPA. The District shall inform parents of any third-party provider used during distance learning. Non-students shall not participate in any District sponsored distance learning.

The Biloxi Public School District will provide timely, accurate and reliable data to the Mississippi Student Information System (MSIS) that is in compliance with the data collection requirements as specified in MS Code 37-37-7. The superintendent of schools (or his/her designee) shall be responsible for developing and implementing district procedures that follow the guidelines as set forth in the manual titled "Data Collection Policy and Procedure Guidelines."

MINIMUM STANDARDS

In accordance with H.B. 1251 (2004), the Auditor's Office will use the following Minimum Standards when auditing schools:

1. Deadline for entering data
2. Who may enter data in the school package
3. Who may enter data into MSIS at the school level
4. Who may enter data into MSIS at the district level
5. Length of time student data is stored
6. Where data is stored
7. Method of data backup
8. Format in which records are stored (printouts, diskettes, etc.)
9. Policies requiring accurate data
10. Procedures outlining who is responsible for collecting missing and incomplete data
11. Procedures to check accuracy of data entered in the school package and MSIS
12. Required regular training for appropriate personnel
13. Backup paper copies if/when requested

This board directs the superintendent (or his/her designee) to ensure that appropriate procedures as required by the above minimum standards are implemented and maintained by well trained personnel.

LEGAL REF.: MS CODE 37-37-7 (2004)

CROSS REF.: Policies JRAA – Student Recruitment and Student Directory Information
JRAB – Compliance with FERPA

District policies governing transcripts are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

1. The Biloxi Public School District may charge reasonable fees, but not more than the actual cost, for the following:
 - A. Supplemental instructional materials and supplies, excluding textbooks;
 - B. Other fees designated by the Superintendent of Education as fees related to valid curriculum educational objectives, including transportation; and
 - C. Extracurricular activities and any other educational activities of the school district which are not designated by the Superintendent of Education as valid curriculum educational objectives, such as band trips and athletic events.
2. All fees authorized to be charged under this policy, except those fees authorized under subsection (1) (c) of this policy, shall be subject to waiver pursuant to the Financial Hardship Waiver Policy of the school district.

Financial Hardship Waiver Policy

A financial hardship waiver for fees may be granted upon the following conditions:

1. For financial hardship reasons the Biloxi Public School District is authorized to waive all or any part of fees it imposes except for extracurricular activities and any other educational activities of the school district which are not designated by the Superintendent of Education as valid curriculum educational objectives, such as band trips and athletic events.
2. Pursuant to the provisions of the law of the State of Mississippi, the financial hardship waiver policy of the school district shall be kept in the strictest of confidence together with all files, and personal disclosures in the administration thereof shall be restricted from review by the general public.
3. The school district shall prepare a written application form to be used in processing requests for fee waivers.
4. The school district must use the same criteria in determining eligibility for financial hardship fee waivers as the school district uses in determining eligibility for free school meals or reduced price school meals.
5. No applicant for a financial hardship fee waiver shall be discriminated against nor shall there be any overt identification of any applicant by use of special tokens or tickets, announcements, posting or publication of names, physical separation, choice of materials or by any other means. In no case shall the school district's procedures expose any applicant to any type of stigma or ridicule by other pupils or school district personnel.
6. In no case shall the inability to pay the assessment of fees, except for extracurricular activities and any other educational activities of the school district which are not designated by the Superintendent of Education as valid curriculum education objectives such as band trips and athletic events, result in a student's being denied or deprived of any academic awards or standards, any class selection, grade, diploma, transcript or the right to anticipate in any activity related to educational advancement.
7. The confidentiality of the financial hardship waiver policy together with all files and personal disclosures in connection with the administration of said policy shall apply to all students who have an inability to pay any fees imposed for extracurricular activities and any other educational activities of the school district which are not designated by the Superintendent of Education as valid curriculum educational objectives such as band trips and athletic events.

District policies governing senior class orator are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

District policies governing student lockers are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

TELEPHONE**JTC**

District policies governing use of the telephone are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

SCHOOL COLORS**JTE**

District policies governing school colors are adopted by the School Board and published annually in student handbooks as official policy statements of the Biloxi Public School District.

Definition: School pictures shall be defined as individual pictures taken of students enrolled in the public schools and taken at school by an officially contracted photographer during the school day.

School pictures will be made available to students during each school year. Funds derived from the sale of pictures to the students will be reported through individual school activities funds. The Superintendent of Education shall establish guidelines for uniform sale of pictures and expenditures of monies received for said sale.

The criteria below will be used to establish uniform criteria for the selection of a photographer as well as guidelines for the use of funds derived from the sale of pictures.

Pictures are taken in the schools in order to have pictures available for placement in cumulative records. At the secondary level, pictures are also desired for the school annuals. Parents may also wish to purchase additional copies of the pictures for their own personal use.

The school administrator may request pictures to be taken once a year of all students for the school annual or for cumulative records. These should be provided at no cost to the school.

The school district may enter into agreement annually with a professional photographer to offer students the choice of purchasing school pictures. The agreement will be made using the following criteria:

1. Students should receive a minimum of two (2) weeks notification of the day selected for making school pictures.
2. A procedure will be established by the photographer which will allow money for the pictures to be collected without involving school personnel, who shall not collect the money.
3. The photographer will guarantee satisfaction or money will be refunded or the picture will be retaken.
4. The photographer will schedule retakes and a day for absentee students to have pictures taken in coordination with the building principal.
5. The photographer will state a uniform price, cleared through the office of the Superintendent, which will be available to all schools during a fiscal year.

Funds derived from the taking of school pictures shall be recorded in the records of the individual school activity fund and validated by a check from the company. The funds may be expended for those supplies which will directly affect the student.

Individual checks for each school's handling of school pictures shall be sent to the business office and deposited to the school's activity account.

**INTERVIEWS WITH STUDENTS BY PERSONS OUTSIDE
THE SCHOOL SYSTEM**

JTG

No person other than officials of the Biloxi Public School District shall be allowed to interview students at the school except with the approval of the principal. Principals shall give such approval when convinced that the interview is in the best interest of the student or is in the interest of justice, and after reasonable effort has been made to contact the parent or guardian. When a police or court officer requests permission to interview a student, the principal or some member of the professional staff designated by the principal shall be present at the interview. Certain exceptions to this policy may be allowed in cases of child abuse.