

# WEST BOLIVAR CONSOLIDATED SCHOOL DISTRICT

*"We're Stronger Together"*



## Employee Handbook

2021-2022

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## WEST BOLIVAR CONSOLIDATED SCHOOL DISTRICT

### MISSION STATEMENT

The mission of the West Bolivar Consolidated School District is to cultivate collaboration with our communities to create an environment where all students will have the opportunity to attain the highest level of achievement in all areas.

### VISION STATEMENT

The vision of the West Bolivar Consolidated School District is to provide an optimum learning environment that will enable all students to become productive members of society.



### NON-DISCRIMINATION STATEMENT

The West Bolivar Consolidated School District does not discriminate on the basis on race, color, national origin, marital status, religion, sex, disability, or age in its hiring, programs and activities.

Greetings Employees,

The West Bolivar Consolidated School District would like to welcome you to the 2021-2022 school year! While this has been a year of change, we will still keep our focus on student achievement. Increasing student achievement is the goal this year; therefore, we hope all staff members will embody the following attributes/characteristics: personal commitment, effective communication, teamwork, and empowering others.

The purpose of this handbook is to help facilitate safe and orderly schools. As we return to in-person learning, please note this handbook is subject to change based on board policy and/or recommendations from health officials. Let's work together to make this the best year yet!

Together in education,

Dr. Montrell Greene

Interim Superintendent

West Bolivar Consolidated School District

**WEST BOLIVAR CONSOLIDATED SCHOOL**

**ADMINISTRATIVE DIRECTORY**

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Physical Address: 909 Highway 8

Rosedale, MS 38769

Web Address: <http://www.wbcstk12.org/>

Phone: (662)759-3525 | Fax: (662)759-6316

**BOARD OF TRUSTEES**

Mrs. Jacqueline Lloyd, President

Mr. Evereth Stanton, Vice-President

Mrs. Ruby Miller, Secretary

Mr. Michael Honorable, Member

Mr. Charlie Jackson, Jr., Member

Mr. Willie Griffin, Board Attorney

**CENTRAL OFFICE ADMINISTRATION**

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( 662)759-3525

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Mrs. Shelia Brown, Director of Special Education Services  
(662)759-0005

Ms. Katie Armstrong, Director of Child Nutrition  
(662)759-6667

Mr. Bradford Fair, Technology Director  
(662)759-3525

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**SCHOOL ADMINISTRATION**

**McEvans School, Grades K-12**

Dr. Barbara J. Flore, Principal  
Ms. Tracy Dunn, Assistant Principal  
601 Hwy 61 North  
Shaw, MS 38773  
(662) 754-6109

**West Bolivar Elementary School, Grades K-6**

Mrs. Tanya Rodges, Principal  
1212 South Main Street  
Rosedale, MS 38769  
(662) 759-3823

**West Bolivar High School, Grades 7-12**

Dr. Londeria Hayes, Principal  
1213 South Main Street  
Rosedale, MS 38769  
(662) 759-3743

**Joe Barnes Career and Technical Center**

Dr. Latonya Johnson, Director  
500 Bradford Street  
Rosedale, MS 38907  
662-759-3791

**WBCSD Alternative School**

Mr. Damius Robinson, Director  
500 Bradford Street  
Rosedale, MS 38907  
662-759-3791

## A WORD ABOUT THIS HANDBOOK

The policies outlined in this handbook should be regarded as guidelines only. The West Bolivar Consolidated School District Board of Trustees retains the right to make decisions involving employment as needed in accordance with the laws of the State of Mississippi. This handbook supersedes and replaces any and all prior handbooks, procedures, and practices of the individual districts.

The district has sole discretion to add to, delete, or change any information contained in this employee handbook. If there are discrepancies between the employment contract and the employee handbook, the provisions of the employment contract are controlling.

### PERSONNEL – POLICY SECTION G

#### **Mississippi Educator Code of Ethics and Standards of Conduct – Policy GAA**

Each educator, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles which defines professional conduct.

These principles are reflected in the following code of ethics which sets forth to the education profession and the public it serves standards of professional conduct and procedures for implementation.

This code shall apply to all persons licensed according to the rules established by the Mississippi State Board of Education and protects the health, safety and general welfare of students and educators.

Ethical conduct is any conduct which promotes the health, safety, welfare, discipline and morals of students and colleagues. Unethical conduct is any conduct that impairs the license holder's ability to function in his/her employment position or a pattern of behavior that is detrimental to the health, safety, welfare, discipline, or morals of students and colleagues.

**Any educator or administrator license may be revoked or suspended for engaging in unethical conduct relating to an educator/student relationship (Standard 4). Superintendents shall report to the Mississippi Department of Education license holders who engage in unethical conduct relating to an educator/student relationship (Standard 4).**

## Code of Ethics Standards

### Standard 1: Professional Conduct

*An educator should demonstrate conduct that follows generally recognized professional standards.*

- 1.1. Ethical conduct includes, but is not limited to, the following:
  1. Encouraging and supporting colleagues in developing and maintaining high standards
  2. Respecting fellow educators and participating in the development of a professional teaching environment
  3. Engaging in a variety of individual and collaborative learning experiences essential to professional development designed to promote student learning
  4. Providing professional education services in a nondiscriminatory manner
  5. Maintaining competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter, and pedagogical practices
  6. Maintaining a professional relationship with parents of students and establish appropriate communication related to the welfare of their children.
  
- 1.2. Unethical conduct includes, but is not limited to, the following:
  1. Harassment of colleagues
  2. Misuse or mismanagement of tests or test materials
  3. Inappropriate language on school grounds or any school-related activity
  4. Physical altercations
  5. Failure to provide appropriate supervision of students and reasonable disciplinary actions

### Standard 2: Trustworthiness

*An educator should exemplify honesty and integrity in the course of professional practice and does not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.*

- 2.1. Ethical conduct includes, but is not limited to, the following:
  1. Properly representing facts concerning an educational matter in direct or indirect public expression
  2. Advocating for fair and equitable opportunities for all children



3. Embodying for students the characteristics of honesty, diplomacy, tact, and fairness.

2.2. Unethical conduct includes, but is not limited to, the following:

1. Falsifying, misrepresenting, omitting, or erroneously reporting any of the following:
  - 1) employment history, professional qualifications, criminal history, certification/recertification
  - 2) information submitted to local, state, federal, and/or other governmental agencies
  - 3) information regarding the evaluation of students and/or personnel
  - 4) reasons for absences or leave
  - 5) information submitted in the course of an official inquiry or investigation
2. Falsifying records or directing or coercing others to do so.

### **Standard 3. Unlawful Acts**

*An educator shall abide by federal, state, and local laws and statutes and local school board policies.*

3. Unethical conduct includes, but is not limited to, the commission or conviction of a felony or sexual offense. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless of whether an appeal of the conviction has been sought or situation where first offender treatment without adjudication of guilt pursuant to the charge was granted.

### **Standard 4. Educator/Student Relationship**

*An educator should always maintain a professional relationship with all students, both in and outside the classroom.*

- 4.1. Ethical conduct includes, but is not limited to, the following:
  1. Fulfilling the roles of mentor and advocate for students in a professional relationship. A professional relationship is one where the educator maintains a position of teacher/student authority while expressing concern, empathy, and encouragement for students
  2. Nurturing the intellectual, physical, emotional, social, and civic potential of all students
  3. Providing an environment that does not needlessly expose

students to unnecessary embarrassment or disparagement

4. Creating, supporting, and maintaining a challenging learning environment for all students

4.2. Unethical conduct includes, but is not limited to the following:

1. Committing any act of child abuse
2. Committing any act of cruelty to children or any act of child endangerment
3. Committing or soliciting any unlawful sexual act
4. Engaging in harassing behavior on the basis of race, gender, national origin, religion, or disability
5. Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs.
6. Soliciting, encouraging, participating, or initiating inappropriate written, verbal, electronic, physical, or romantic relationship with a student.

Examples of these acts may include but not be limited to:

1. sexual jokes
2. sexual remarks
3. sexual kidding or teasing
4. sexual innuendo
5. pressure for dates or sexual favors
6. inappropriate touching, fondling, kissing, or grabbing
7. rape
8. threats of physical harm
9. sexual assault
10. electronic communication such as texting
11. invitation to social networking
12. remarks about a student's body
13. consensual sex

### **Standard 5. Educator Collegial Relationships**

*An educator should always maintain a professional relationship with colleagues, both in and outside the classroom.*

5. Unethical conduct includes but is not limited to the following:

1. Revealing confidential health or personnel information

- concerning colleagues unless disclosure serves lawful professional purposes or is required by law
2. Harming others by knowingly making false statements about a colleague or the school system
  3. Interfering with a colleague's exercise of political, professional, or citizenship rights and responsibilities
  4. Discriminating against or coercing a colleague on the basis of race, religion, national origin, age, sex, disability, or family status
  5. Using coercive means or promise of special treatment in order to influence professional decisions of colleagues

### **Standard 6. Alcohol, Drug and Tobacco Use or Possession**

*An educator should refrain from the use of alcohol and/or tobacco during the course of professional practice and should never use illegal or unauthorized drugs.*

- 6.1. Ethical conduct includes, but is not limited to, the following:
  1. Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice
- 6.2. Unethical conduct includes, but is not limited to, the following:
  1. Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs
  2. Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages. A school-related activity includes but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc. which involve students.
  3. Being on school premises or at a school-related activity involving students while documented using tobacco.

### **Standard 7. Public Funds and Property**

*An educator shall not knowingly misappropriate, divert, or use funds, personnel, property, or equipment committed to his or her charge for personal gain or advantage.*

- 7.1. Ethical conduct includes, but is not limited to, the following:
  1. Maximizing the positive effect of school funds through judicious use of said funds

2. Modeling for students and colleagues the responsible use of public property

7.2. Unethical conduct includes, but is not limited to, the following:

1. Knowingly misappropriating, diverting or using funds, personnel, property, or equipment committed to his or her charge for personal gain
2. Failing to account for funds collected from students, parents, or any school-related function
3. Submitting fraudulent requests for reimbursement of expenses or for pay
4. Co-mingling public or school-related funds with personal funds or checking accounts
5. Using school property without the approval of the local board of education/governing body

### **Standard 8. Remunerative Conduct**

*An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.*

8.1. Ethical conduct includes, but is not limited to, the following:

1. Insuring that institutional privileges are not used for personal gain
2. Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization.

8.2. Unethical conduct includes, but is not limited to, the following:

1. Soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local governing body.
2. Tutoring students assigned to the educator for remuneration unless approved by the local school board
3. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. *(This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents, or other persons or organizations in recognition or appreciation of service)*

**Standard 9. Maintenance of Confidentiality**

*An educator shall comply with state and federal laws and local school board policies relating to confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements.*

- 9.1. Ethical conduct includes, but is not limited to, the following:
1. Keeping in confidence information about students that has been obtained in the course of professional service unless disclosure serves a legitimate purpose or is required by law
  2. Maintaining diligently the security of standardized test supplies and resources.
- 9.2. Unethical conduct includes, but is not limited to, the following:
1. Sharing confidential information concerning student academic and disciplinary records, health and medical information family status/income and assessment/testing results unless disclosure is required or permitted by law.
  2. Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing, or distributing test items or answers, discussing test items, and violating local school board or state directions for the use of tests.
  3. Violating other confidentiality agreements required by state or local policy.

**Standard 10. Breach of Contract or Abandonment of Employment**

*An educator should fulfill all of the terms and obligations detailed in the contract with the local school board or educational agency for the duration of the contract.*

10. Unethical conduct includes, but is not limited to, the following:
1. Abandoning the contract for professional services without prior release from the contract by the schoolboard.
  2. Refusing to perform services required by the contract.

**EMPLOYEE CONDUCT – POLICY GAB**

Employees of the West Bolivar Consolidated School District are expected to conduct themselves in a manner that will reflect positively on the school district and the community, thus promoting a positive environment for teaching, learning and student well-being.

The dignity of students and of the educational environment shall be maintained at all times. Dress and grooming regulations listed in the handbook, inappropriate conduct, the use of abusive, foul or profane language in the presence of students is expressly prohibited and will not be tolerated.

### VIOLATIONS

Violations of this policy shall be reported and discussed in a conference between the employee and the school principal (or superintendent and principal if a principal is in violation of this policy). If the principal or superintendent finds the complaint to be factual, he or she shall issue a written reprimand to the employee(s) involved. This reprimand shall become a part of the employee's personnel file. Severe violations or continuous violation of this policy may lead to an employee being suspended, dismissed or non-renewed.

Employees shall have the right to appeal any disciplinary action taken against them by following the proper chain of command as specified in the district's "Employee Grievance Procedure" Policy and the provisions of the Education Employees Procedures Law (EEPL). Please refer to the EEPL Handbook, published by MSBA.

### TEACHER NEGLIGENCE

It is essential that emphasis be given to the issue of teacher negligence and legal implications that may arise due to negligence. Considering the relevance of teacher negligence to actual legal liability of teachers, the following should be observed as examples of negligence:

- Classes and students left unattended
- Improper enforcement of policy on corporal punishment
- Improper enforcement of policy on medication and first aid
- Pupil injury due to teacher carelessness, etc.
- Teacher profanity
- Improper enforcement of dress and grooming
- Revealing confidential information
- Use of students for off-campus errands
- Improper enforcement of search and seizure policy
- Improper enforcement of policy on pupil use of buildings
- Failure to follow policy for handling school money
- Failure to report a potentially dangerous situation

- Use of tobacco
- Failure to follow line of communication and authority
- Failure to complete lesson plans or engage in professional learning communities [Professional Growth System (PGS)]

### SANCTIONS

Sanctions against district employees may range from a letter of reprimand to termination of employment. The district may refer employees for prosecution to the appropriate officials. The district will impose disciplinary sanctions on students and employees consistent with local, state, and federal laws.

### STAFF/STUDENT NON-FRATERNIZATION (GABB)

Adults who have contact with children and adolescents through school activities have the responsibility not to betray or misuse their privileged positions and shall never take advantage of students' vulnerability or of their confidence.

#### Staff Guidelines for Non-Fraternization

1. Staff members shall not make derogatory comments to students regarding the school or/or staff.
2. Staff members shall not exchange gifts with students.
3. Staff members shall not fraternize, written or verbally, with students except on matters of that pertain to school-related issues.
4. Staff members shall not text students nor participate in any student blogs.
5. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
6. Staff members shall not date students, have sexual relations with students, regardless of age and/or consent, are prohibited and will result in dismissal and criminal prosecution.
7. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
8. Staff members shall not send students on personal errands.

9. Staff-sponsored parties, at which students are in attendance, are prohibited unless the students are a part of the school's extracurricular program and are properly supervised.
10. Staff members should maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.
11. Staff members shall, pursuant to law and Board policy, immediately report signs of child abuse or neglect.
12. Staff members shall not attempt to counsel, assess, diagnose, or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but instead, should refer students to appropriate school personnel or agency for assistance, pursuant to law and Board policy.
13. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health, and/or family background.

### **SOCIAL NETWORKING WEBSITES – POLICY GABBA**

Access of social networking websites for individual use during school hours is prohibited. Employees, faculty, and staff should not give social networking website passwords to students.

All employees, faculty and staff of this school district who participate in social networking websites shall not post any data, documents, photos or inappropriate information on any website or application that might result in a disruption of classroom activity. This determination will be made by the Superintendent.

Fraternization via the internet between employees, faculty or staff and students is prohibited and violation of any of these policies may result in disciplinary action, up to and including termination.

Nothing in this policy prohibits employees, faculty, staff, or students from the use of educational websites since educational sites are used solely for educational purposes.



**CLASSIFIED STAFF SECTION – POLICY GC**

Classified non-instructional personnel are "at will" employees whose duties do not require a certificate (or license) issued by the State Department of Education. Classified employees have no property rights in their employment, which may be terminated without notice at any time by either the employee or the employer.

The superintendent has the power, authority, and duty to make assignments to the various schools in the district of all non-instructional and non-licensed employees, as provided in Section 37-9-17, and to make reassignments of such employees from time to time. §37-9-14 (2)(s)

The superintendent has the power, authority, and duty to employ and dismiss non-instructional and non-licensed employees as provided by law. §37-9-14 (2) (y)

Within the limits of the available funds, the superintendent of schools shall recommend to this school board all non-instructional employees to be employed and may prescribe the duties thereof. Compensation for such employees may be paid from any lawful funds §37-9-3.

This board has the power, authority, and duty to employ all non-instructional and non-certificated employees and fix the duties and compensation of such personnel deemed necessary pursuant to the recommendation of the superintendent of schools. §37-7-301 (w) The board considers its classified personnel who serve as secretaries, cafeteria workers, public relations consultants, custodians, maintenance workers, bus drivers, and other non-licensed and non-instructional positions to be vital to the smooth functioning of the school system.

Certificated and non-certificated personnel are to work together as partners to provide the best possible learning situations for the students at this school district.

**CLASSIFIED PERSONNEL HIRING – POLICY GCD**  
**DEFINITION**

Classified non-instructional personnel are "at will" employees whose duties do not require a certificate (or license) issued by the Mississippi Department of Education. Classified employees have no property rights in their employment, which may be terminated without notice at any time by

either the employee or the employer.

### AUTHORITY

Within the limits of the available funds, the superintendent shall recommend to the school board thereof all non-instructional employees to be employed and may prescribe the duties thereof.

Compensation for such employees may be paid from any lawful funds. §37-9-3 (1987) The superintendent has the power, authority, and duty to

make assignments to the various schools in the district of all non-instructional and non-licensed employees, as provided in §37-9-17, and to make reassignments of such employees from time to time. §37-9-14 (2) (s) (1999)

The superintendent has the power, authority, and duty to employ and dismiss non-instructional and non-licensed employees as provided by law. §37-9-14 (2) (y) (1999)

This board has the power, authority and duty to employ all non-instructional and non-certificated employees and fix the duties and compensation of such personnel deemed necessary pursuant to the recommendation of the superintendent of schools. §37-7-301 (w) (1996)

### APPLICATION

Candidates for non-certificated positions shall make formal application with the appropriate supervisor, principal or superintendent of schools. The candidate shall provide letters of recommendation by former employers and records of specific training for the position for which application is being made.

In cases where specific training is required by a state or federal agency the school board will be guided by these specific requirements.

The school district shall select the most competent candidates available for non-certificated positions, taking into consideration the experience, training, personality, health, and attitudes of each applicant.

The candidate shall possess acceptable personal traits and qualities as revealed by appraisals based on personal interviews by persons deemed competent to make such evaluations. Annual health certificates are

required, as may be obtained at the local health department without expense to the employee.

### SALARY

The school board shall fix the salary of non-certificated personnel taking into consideration the training, experience, and responsibility of the employee. The salary paid shall be not less than the federal minimum wage and shall be in compliance with the Fair Labor Standards Act.

### CRIMINAL RECORDS BACKGROUND CHECK / CHILD ABUSE REGISTRY CHECK

1. All new hire licensed, and non-licensed employees must have a state child abuse registry check and criminal records background check
2. The fingerprints shall be forwarded by the school district to the Department of Public Safety who shall in turn forward them to the FBI.
3. The district may charge the applicant up to \$50.00 or may pay the fee at its discretion.
4. Information obtained via these checks is for employment use only and cannot be disseminated.
5. Applicants are ineligible for employment if checks disclose a guilty plea, conviction, or nolo contendere plea to a felony conviction for:
  - Possession or sale of drugs.
  - Murder, Manslaughter, or Armed Robbery.
  - Rape, Sexual Battery, or sex offense as listed in Section 45-31-3
  - Child Abuse, Arson, Grand Larceny, or Burglary.
  - Gratification of Lust or Aggravated Assault.
6. If the school district has hired an applicant contingent upon a background check and derogatory information is obtained, that applicant's contract is voidable at the time of the report and the applicant's contract should so state.
7. The school board may, at its discretion, waive any convictions and hire an applicant with a criminal record based on:
  - Age at commission of the crime.
  - Circumstances surrounding the crime.
  - Length of time and criminal history since the crime.
  - Work history and current employment and character.
  - Other evidence demonstrating the ability of the person to perform the job and does not pose a threat to the health or safety of the school children.

8. No school district or employee may be held liable in an employment discrimination suit involving this statute. §37-9-17

### **CONVICTION BASED ON ERRONEOUS INFORMATION**

In the event an applicant wishes to contest a conviction based on erroneous information the applicant shall appeal the information to the Department of Public Safety. The applicant will show the school board or its designee proof of the corrected record.

### **PROFESSIONAL PERSONNEL (REDUCTION IN FORCE) – Policy GBKAR**

The Board of Trustees has the responsibility for providing and maintaining quality schools within the district. In order to carry out its responsibility, the board may: (1) abolish or combine job positions, (2) reduce the length of the work year with a concomitant reduction in salary (the same to be in no event less than 187 days per contract year), (3) reduce administrative supplements, (4) reduce the number of employees. Initially, staff reduction will be accomplished by attrition.

When reducing the number of licensed employees, the board will take into account the following reasons for such reduction in force:

1. Enrollment declines,
2. Financial decline/reduction
3. Educational program(s) elimination, and
4. Priority need for human, material, and financial resources.

The primary objective of the board when reducing the work force will be the maintenance of a fair and balanced educational program consistent with the needs of the students and the functions and responsibilities of the school district. When deciding reduction in force, the board will consider the following factors, not necessarily in the order listed:

1. Criticality of the position to the mission, goals, and objectives of the school district
2. Subject area(s) and advanced degrees by certification.
3. Experience, professional training, length of service within the district and work assignment.
4. Quality of performance including the proven ability to accomplishment the educational mission of the school district.
  1. Executive ability.

2. Employee attendance and discipline history.
3. Skills and licensure in the area(s) where the district has instructional and/or supervisory needs.

When an excess of staff occurs in any area of work for any reason, (i.e., decrease in pupil enrollment, decrease or elimination of funding) renewal of contracts for the next school year shall be withheld for personnel having the most recent date of employment by the West Bolivar.

### **EQUAL EMPLOYMENT OPPORTUNITY – POLICY GAAA**

West Bolivar Consolidated School District is committed to equal employment opportunity. The District will not discriminate against employees or applicants for employment on any legally recognized basis including, but not limited to race color, religion, sex, sexual orientation, national origin, disability, age, creed, marital status and/or any other state or federal requirements or classifications. Employees may discuss equal employment opportunity-related questions with the Superintendent.

### **STAFF COMPLAINTS AND GRIEVANCES – POLICY GAE**

As the primary means of solving staff complaints and grievances, the board expects each administrator to:

1. discover and practice effective means of resolving differences that may arise among employees and administrators.
2. reduce potential reasons of complaints and grievances; and
3. establish and maintain recognized channels of communication between the staff, administration, and board.

When and if the primary means fail, the administration shall have established, and the board shall have approved formal procedures for the prompt and equitable adjustment of serious grievances. In this context, a serious grievance shall be defined as:

...a disagreement involving the work situation in which one individual or group of individuals believes that an injustice has been done because of a lack of policy or because of a policy that is unfair, deviation from, or misapplication, or interpretation of a policy or contract. Policies dictated by law are not included in this definition.

Such procedures shall provide for the resolution of grievances at the lowest possible administrative level and for ultimate appeal of any unresolved grievance to the board. In the resolution of grievances, hearing at all administration levels shall be:

1. Conducted in the presence of the administrator who made the ruling which is the subject of the grievance and the presence of any other staff member personally involved.
2. Held only after due written notification to all persons concerned.
3. Free from interference, coercion, restraint, discrimination, or reprisal.
4. Held in private, with only the persons involved and/or their representatives present.
5. Summarized in writing or on tape, with an official record kept for the district.

At all hearing levels, the employee or an employee group involved shall at his/her own expense, have the right to be represented by legal counsel. Either party to the dispute shall have the right to call and cross-examine witnesses.

Reasonable time limits, as set forth in the procedures for implementing this policy shall be observed by the person or group presenting the grievance, by the administration, and by the board. No employee shall suffer a reprisal or reduction in status as a result of having presented a grievance for review or of having represented an employee in a grievance.

## **FAIR LABOR STANDARDS POLICY – POLICY GCRAA**

### **PURPOSE**

The purpose of this policy is to ensure that the West Bolivar Consolidated School District is in compliance with the requirements of the Fair Labor Standards Act (FLSA), 29 U.S.C. ' 201 *et seq.*

### **EXEMPT EMPLOYEES**

Certain employees are exempt from coverage of the FLSA and are not subject to compensation for overtime work. Exempt employees include executive, administrative and professional employees. Examples include, but are not limited to, certified professional employees such as teachers,

counselors, supervisors and administrators. Certain non-certified administrators are also exempt and include business managers, transportation directors, maintenance directors and other similar administrative and supervisory positions. Supervisors should seek advice from the school board attorney if there is a question whether a position is exempt.

### COVERED EMPLOYEES

Employees in the job classifications listed below are generally considered to be non-exempt and are covered by the FLSA unless a specific exception exists. In those instances, the reasons for the exempt status will be specifically outlined.

Secretaries	Bookkeepers	Clerks
Mechanics	Janitors	Cafeteria Personnel
Assistant Teachers	Substitute Teachers	Bus Drivers
Security Data	Entry Operators	Maintenance Personnel

In some instances, employees may perform dual jobs for the District, such as bus driver/maintenance worker. If duties of the two jobs require the employee to work overtime, the amount due will be calculated using the method described below under OVERTIME PAY.

### EMPLOYMENT RELATIONSHIPS

No employment relationship is created between student teachers or students and the district due to the circumstances surrounding their activities. No employment relationship is created between the District and individuals who volunteer and donate their services to the District as a public service without contemplation of pay.

The hiring of off-duty policemen or deputies on a part time basis by the District for crowd control or for security purposes does not create a joint employment relationship between the District and the city or county with which the policemen or deputies are employed. The District is separate and distinct and acts entirely independent of other governmental entities.

### HOURS WORKED

The work week for the West Bolivar Consolidated School District begins on Sunday and ends on Saturday. Each employee subject to the FLSA shall be paid for all hours worked. Compensable time includes

all time that an employee is required to be on duty. Coffee breaks, waiting time and meal periods, which are frequently interrupted by calls to duty, are hours worked and are compensable.

Hours worked shall be accurately recorded by each employee on the monthly or weekly time sheet in the form which is provided by the District. Employees using time sheets shall furnish all information requested and shall record the exact time of arrival and departure from work.

Employees are expected to arrive and depart at the time specified by his/her supervisor unless requested to work overtime by his/her immediate supervisor. All overtime shall be recorded by each employee on the time sheet or timecard. Only actual hours worked count towards computing weekly overtime. Hours worked means "actual hours on the job exclusive of holiday pay, sick, personal and vacation time used". **All overtime must be approved in advance by the Superintendent.**

No overtime shall be worked without prior written permission by the employee's immediate supervisor. In the event of emergencies requiring work in excess of 40 hours in a work week, the employee shall inform his/her supervisor as soon as practicable regarding the overtime worked.

#### **BREAKS AND MEAL PERIODS**

Although not required by the FLSA, employee should be allowed coffee breaks of no more than 15 minutes when appropriate. The time of day for breaks and their length shall be determined by each employee's immediate supervisor.

Meal periods for some employees shall be counted as hours worked since they are frequently interrupted by calls to duty and therefore are compensable. Those employees with bona fide meal periods of 30 minutes or more shall be completely relieved of duty for the purpose of eating a regular meal and shall not be required to perform any work during that meal period.

#### **MINIMUM WAGE**

All employees subject to the FLSA shall be paid not less than the current minimum wage.



### OVERTIME PAY

It is the policy of the District that compensation for overtime work will be paid in the form of compensatory time off. Compensatory time shall be awarded on the basis of 1 ½ hour for each hour of overtime worked. An employee will not be permitted to accumulate more than 240 compensatory time hours (160 regular hours). Employee must take the compensatory time when it is agreeable with his/her supervisor. However, the supervisor's consent shall not be unreasonably withheld.

In the event the District decides to pay for overtime work in the form of monetary remuneration, the employee shall be paid not less than 1 ½ times his/her regular rate of pay for all hours worked over 40 hours in a work week. Overtime pay due an employee shall be computed on the basis of hours worked in each work week.

For employees paid on an hourly rate, the overtime will be based on that hourly rate. For employees paid on a salaried basis, the monthly salary will be reduced to its weekly hourly rate, from which overtime compensation will be calculated. Employees shall be paid for each and every hour worked.

For those employees working 2 or more jobs for the District, overtime pay shall be calculated on the basis of a blended hourly rate on all jobs worked calculated by dividing the total amount of remuneration received in a work week by the total hours worked in that work week. The employee shall be paid one-half of the blended hourly rate times the number of hours worked over 40.

### ADJUSTMENT OF SCHEDULES

Supervisors may adjust schedules within a work week to prevent the necessity of an employee working more than 40 hours in that work week.

### RECORD KEEPING

The Superintendent shall require all records on wages, hours and other items to be maintained in accordance with the FLSA. Wage and Hour posters shall be displayed at each District worksite.

### ENFORCEMENT

District shall, at all times, cooperate with authorized representatives of the Department of Labor who may visit a work site. If an employee believes

he/she has not been paid in accordance with the FLSA, the employee shall notify his/her supervisor and the Superintendent. Employees who believe they have not been paid in accordance with the FLSA may file a complaint with the United States Department of Labor. The District shall not retaliate in any manner whatsoever against an employee for the filing of such complaints.

District employees responsible for supervising employees subject to the FLSA who willfully violate the terms of this policy shall be subject to disciplinary action by the District. Any disciplinary action taken by the District will be in addition to any relief granted an employee by the U. S. Department of Labor or a court of law.

### **SEXUAL HARASSMENT – POLICY GBR**

The policy of the board of education forbids discrimination against any employee or applicant for employment on the basis of sex. The board of education will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers who work subject to the control of school authorities.

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

It is the intent of the school 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.

### **GENERAL PROHIBITIONS**

#### 1. Unwelcome Conduct of a Sexual Nature

a) Conduct of a sexual nature may include verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; and sexually oriented "kidding," "teasing," double- entendres, and jokes.

b) Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that it is unwelcome.

c) An employee who has initially welcomed such by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

## 2. Sexual Harassment

Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute Sexual harassment when certain criteria are met. The criteria are:

a) Submission to the conduct is made either an explicit or implicit condition of employment;

b) Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or

c) The conduct substantially interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

## SPECIFIC PROHIBITIONS

### 1. Administrators and Supervisors

1 It is sexual harassment for an administrator or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

2 Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.

### 2. Non-administrative and Non-Supervisory Employees

It is sexual harassment for a non-administrative and nonsupervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.

## REPORTING, INVESTIGATION, AND SANCTIONS

1. It is the express policy of the Board of Education to encourage victims of a sexual harassment to come forward with such claims. This may be done through the Employee Grievance Resolution Procedure.

a. Employees who feel that administrators or supervisors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon sexual favors, are encouraged to report these conditions to the appropriate administrator. If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of administration or supervision.

b. Employees are also urged to report any unwelcome conduct of a sexual nature by supervisors or fellow employees if such conduct interferes with the individual's work performance or creates a hostile or offensive working environment.

c. Confidentiality will be maintained, and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

2. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The Superintendent has the responsibility of investigating and resolving complaints of sexual harassment.

3. Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to warning, suspension, or termination subject to applicable procedural requirements.

## SEXUAL MISCONDUCT PROHIBITED

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

basis to believe that such accusation is true.

Any superintendent, or his designee, who fails to make a report required by this section shall be subject to the penalties provided in §37-11-35. Any superintendent, principal, teacher, or other school personnel participating in the making of a required report pursuant to this section or participating in any judicial proceeding resulting there from shall be presumed to be acting in good faith.

Any person reporting in good faith shall be immune from any civil liability that might otherwise be incurred or imposed. §97-5-24 If any teacher and any pupil under eighteen (18) years of age of such teacher, not being married to each other, shall have sexual intercourse, each with the other, they shall, for every such offense, be fined in any sum, not more than five hundred dollars (\$500.00) each, and the teacher may be imprisoned not less than three (3) months nor more than six (6) months. §97-29-3 (1980)

### **HARASSMENT PROHIBITED**

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

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

### **ABSENCE FROM DUTY – POLICY GBRI**

#### **1. LICENSED EMPLOYEE**

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

## 2. SICK LEAVE ALLOWANCE

The school board of this district shall establish by rules and regulations a policy of sick leave with pay for licensed employees and teacher assistants employed in the school district, and such policy shall include the following minimum provisions for sick emergency leave with pay:

- a) Each licensed employee and teacher assistant, at the beginning of each school year, shall be credited with a minimum sick leave allowance, with pay, of seven (7) days for absences caused by illness or physical disability for the employee during that school year.
- b) Any unused portion of the total sick leave allowance shall be carried over to the next school year and credited to such licensed employee and teacher assistant if the licensed employee or teacher assistant remains employed in the same school district. In the event any public-school licensed employee or teacher assistant transfer from one public school district in Mississippi to another, any unused portion of the total sick leave allowance credited to such licensed employee or teacher assistant shall be credited to such licensed employee or teacher assistant in the computation of unused leave for retirement purposes under §25-11-109, Mississippi Code of 1972. Accumulation of sick leave allowed in the school district shall be unlimited.
- c) No deduction from the pay of such licensed employee or teacher assistant may be made because of absence of such licensed employee or teacher assistant caused by illness or physical disability of the licensed employee or teacher assistant **until after all sick leave allowance credited to such licensed employee or teacher assistant has been used. . .**
  - a) For the first ten (10) days of absence of the licensed employee because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee, there shall be deducted from the pay of such licensed employee the established substitute amount of licensed employee compensation paid in that local school district, necessitated because of the absence of the licensed employee as a result of illness or physical disability. In lieu of deducting the established substitute

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

### 3. PERSONAL LEAVE ALLOWANCE

Each licensed employee at the beginning of each school year shall be credited with a minimum personal leave allowance, with pay, of two (2) days for absences caused by personal reasons during that school year. Except as otherwise listed below, such personal leave shall not be taken on the first day of the school term, the last day of the school term, on a day before a holiday or a day after a holiday.

Notwithstanding the restrictions listed above on the use of personal leave, a licensed employee may use personal leave as follows:

- a. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day applicable day, if an immediate family member of the employee is being deployed for military service.
- b. Personal leave may be taken on a day previous to a holiday or a day after a holiday if an employee of a school district has either a minimum of ten (10) years' experience as an employee of that school district or a minimum of thirty (30) days of unused accumulated leave that has been earned while employed in that school district.
- c. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, the employee has been summoned to appear for jury duty or as a witness in court.

Personal leave may be used for professional purposes, including absences caused by attendance of such licensed employee at a

seminar, class, training program, professional association or other functions designed for educators. No deduction from the pay of such employee may be made because of absence of such licensed employee caused by personal reasons until after all personal leave allowance credited to such employee has been used. However, the superintendent of a school district, in his discretion, may allow a licensed employee personal leave in addition to any minimum personal leave allowance, under the condition that there shall be deducted from the salary of such licensed employee the actual amount of any compensation paid to any person as a substitute, necessitated because of the absence of the licensed employee. Any unused portion of the total personal leave allowance up to five (5) days shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains employed in the school district.

#### 4. PROFESSIONAL LEAVE ALLOWANCE

Each licensed employee shall be credited with a professional leave allowance, with pay, for each day of absence caused by reason of such employee's statutorily required membership and attendance at a regular or special meeting held within the State of Mississippi of the State Board of Education, the Commission on Teacher and Administrator Education, Certification and Licensure and

Development, the Commission on School Accreditation, the Mississippi Authority for Educational Television and the meetings of the state textbook rating committees or other meetings authorized by local school board policy.

#### 5. RETIREMENT

Upon retirement from employment, each licensed and non-licensed employee shall be paid for not more than thirty (30) days of unused accumulated leave earned while employed by the school district in which the employee is last employed. Such payment for licensed employees shall be made by the school district at a rate equal to the amount paid to substitute teachers and for non-licensed employees, the payment shall be made by the school district at a rate equal to the federal minimum wage. The payment shall be treated in the same manner for retirement purposes as a lump sum payment for personal leave as provided in §25-11-103 (e). Any remaining lawfully credited unused leave, for which payment has not been made, shall be certified



to the Public Employees' Retirement System in the same manner and subject to the same limitations as otherwise provided by law for unused leave. No payment for unused accumulated leave may be made to either a licensed or non-licensed employee at termination or separation from service for any purpose other than for the purpose of retirement.

## 6. RULES AND REGULATIONS

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

1. Requiring the absent employee to furnish the certificate of a physician or dentist or other medical practitioner as to the illness of the absent employee, where the absence is for four (4) or more consecutive school days, or for two (2) consecutive school days immediately preceding or following a non-school day;
2. Providing penalties, by way of full deduction from salary, or entry on the work record of the employee, or other appropriate penalties, for any materially false statement by the employee as to the cause of absence;
3. Forfeiture of accumulated or future sick leave, if the absence of the employee is caused by optional dental or medical treatment or surgery which could, without medical risk, have been provided, furnished or performed at a time when school was not in session;
4. Enlarging, increasing, or providing greater sick or personal leave allowance than the minimum standards established by this section in the discretion of the school board of each school district.

## 7. PAYMENT OF SUBSTITUTE EMPLOYEES

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

employees granted leaves for the purpose of special studies or training.

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

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

#### 9. VACATION AND PERSONAL LEAVE

Vacation leave granted to either licensed or non-licensed employees shall be synonymous with personal leave. Unused vacation or personal leave accumulated by licensed employees in excess of the maximum five (5) days which may be carried over from one (1) year to the next may be converted to sick leave. The annual conversion of unused vacation or personal leave to sick days for licensed or unlicensed employees shall not exceed the allowable number of personal leave days as provided in §25-3-93. The annual total number of converted unused vacation and/or personal days added to the annual unused sick days for any employee shall not exceed the combined allowable number of days per year provided in §25-3-93 and §25- 3-95. Local school board policies that provide for vacation, personal and sick leave for employees shall not exceed the provisions for leave as provided in §25-3-93 and §25-3-95. Any personal or vacation leave previously converted to sick leave under a lawfully adopted policy before May 1, 2004, or such personal or vacation leave accumulated and available for use prior to May 1, 2004, under a lawfully adopted policy but converted to sick leave after May 1, 2004, shall be recognized as accrued leave by the local school district and available for use by the employee. The leave converted under a lawfully adopted policy prior to May 1, 2004, or such personal and vacation leave accumulated and available for use as of May 1, 2004, which was subsequently converted to sick leave may be certified to the Public Employees' Retirement System upon termination of employment and any such leave previously converted and certified to the Public Employees' Retirement System shall be recognized.

### **DONATED LEAVE**

#### 10. DEFINITIONS

a. For the purposes of this subsection, the following words and phrases shall have the meaning ascribed in this paragraph unless the

b. context requires otherwise:

i. “Catastrophic injury or illness” means a life-threatening injury or illness of an employee or a member of an employee’s immediate family that totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illness such as influenza and the measles, and common injuries, are not catastrophic. Chronic illness or injuries, such as cancer or major surgery, that result in intermittent absences from work and that are long-term in nature and require long recuperation periods may be considered catastrophic.

ii. Immediate family means spouse, parent, stepparent, sibling, child, or stepchild.

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

i. The employee donating the leave (the donor employee) shall designate the employee who is to receive the leave (the recipient employee) and the amount of unused accumulated personal leave and sick leave that is to be donated, and shall notify the school district superintendent or his designee of his or her designation.

ii. The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of

the unused accumulated sick leave of the donor employee. After receipt last check from the district no days can be donated. Days will be certified to PERS.

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

## 11. JURY DUTY/OTHER LEAVE

This school board shall provide leave with pay for employees

who serve as witnesses under subpoena and/or on juries. Proof of attendance is required. If court is dismissed prior to noon the employee shall report to work or be charged for ½ personal day. The school board cannot recover jury fees from employees who serve on juries. (Attorney General Opinion, *Middleton*, 1991)

## 12. SCHOOL BUSINESS

Employees who have been approved for professional leave or on school business will not be docked.

## 13. DAY AFTER HOLIDAY AND PAYDAY

Employees who are absent from work the day after a holiday or pay day must provide a doctor's excuse upon their return to work. If an excuse is not produced, a full day's pay will be deducted. The principal may approve upon written requests for up to three (3) days leave, without pay, for bonafide emergency reasons other than those provided for in Section 37-7-307 (2), Mississippi Code of 1972, as amended, if in his/her opinion such can be done without detriment to the school district.

The superintendent shall have the discretion to excuse a person who misses before or after a holiday and pay day. A rationale shall be provided and must not conflict with State Law.

## 14. VACATION (applies to twelve-month employees)

All full-time twelve-month employees will receive two weeks of vacation per fiscal year (July 1 – June 30). Requests for vacation days shall be made in advance and in writing to the superintendent, principal or director. In the event an employee does not use the ten (10) vacation days allotted annually, unused days shall transfer to sick days and accumulate at the end of the year.

**All new employees to the West Bolivar Consolidated School District shall not be credited with any vacation days until July 1<sup>st</sup> following their first year of employment.** After said period of time they will receive the full two weeks as allocated above. Vacation days in excess of 5 days at the end of the fiscal year will be converted to sick leave.

If retiring the employee shall be paid for not more than 30 days of

unused accumulate sick leave while employed with the district at a rate equal to the amount paid to substitute teachers, if certified. If the retiree is non-certified, he/she will be paid at a rate equal to minimum wage.

#### 15. PROFESSIONAL LEAVE TO WORK ON NATIONAL BOARD CERTIFICATION

Two (2) professional days will be allowed to work on the National Board Certification process. The professional days will not count as sick or personal leave nor will they accumulate. Only those persons participating in the National Board Certification process will be eligible for the professional days.

Both the principal and superintendent must approve requests for the professional leave days. Requests must be submitted in writing at least five (5) days before the date(s) requested. Requests will be granted provided a substitute is available for the day(s) requested.

#### 16. MILITARY LEAVE

Mississippi law provides that state employees and those of other political subdivisions are entitled to a leave of absence from their respective duties for a period not to exceed fifteen (15) days without loss of pay, time, annual leave, or efficiency rating when ordered to military duty.

Districts do not have to pay such employees after the fifteen (15) day absence but all other benefits are to remain intact until the employee is relieved from duty. Employees released from military service have 90 days to apply for reemployment and cannot be discharged without cause within one year after reinstatement to their school district positions. The law adds that

reemployment protection is not extended to employees dishonorably discharged from military service. If time of duty is optional, the West Bolivar Consolidated School District expects that the employee choose time that is least disruptive to the district.

## 17. LEAVE DUE TO DECLARED EMERGENCY CLOSURES

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

### **BEREAVEMENT LEAVE – POLICY GBRIAD**

Each employee of West Bolivar Consolidated School District (“WBCSD”) shall be entitled up to three (3) days of paid bereavement leave for the death of an immediate family member\* as follows:

- If the employee will be traveling more than 250 miles from home and the funeral is on a Friday or Saturday, then the employee may take up to three (3) days for bereavement;
- If the employee will be traveling more than 250 miles for a funeral on any other day during the week except Monday or Friday, then the employee may take up to (3) days for bereavement;
- If the employee will be traveling less than 250 miles, then the employee may take up to three (3) days for bereavement.

**\*For the purposes of WBCSD’s bereavement leave policy, the words “immediate family members” includes the following: spouse, child, parents, grandparents, brother, sister.**

### **FAMILY MEDICAL LEAVE ACT (FMLA)**

- Refer to WBCSD Policy – GBRIA

### **DRUG AND WEAPON FREE SCHOOLS AND WORKPLACE – POLICY GBRL**

No employee engaged in work in connection with the West Bolivar Consolidated School District School District shall unlawfully

manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21U.S.C.812)

and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

"Workplace" is defined to mean the site for the performance of work done in connection the West Bolivar Consolidated School District School District. That includes any school building or any school premises; any school-owned vehicle or any other school approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

As a condition of employment in the West Bolivar Consolidated School District School District, each employee shall notify his or her supervisor of his or her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, no later than 5 days after such conviction.

As a condition of employment in the West Bolivar Consolidated School District School District, each employee shall abide by the terms of the school district policy respecting a drug-free workplace.

An employee who violates the terms of this policy may be non-renewed or his or her employment may be suspended or terminated, at the discretion of the board. Sanctions against employees, including nonrenewal, suspension, and termination shall be in accordance with prescribed school district administrative regulations and procedures.

#### DENIAL OF LICENSE

The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license if the applicant is actively addicted to or actively dependent on alcohol or other habit-

forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having a similar effect, at the time of application for a license. §37-3-2 (11)(c)

#### SUSPENSION OF LICENSE

The State Board of Education, acting on the recommendation of the commission, may revoke or suspend any teacher or administrator license for specified periods of time if the teacher or administrator has been



convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. §37-3-2 (12) (d)

Dismissal or suspension of a licensed employee by a local school board pursuant to §37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense. §37-3-2 (13) (a)

### NOTICE TO EMPLOYEES ENGAGED IN WORK ON FEDERAL GRANTS

YOU ARE HEREBY NOTIFIED that it is a violation of the policy of this school district for any employee to unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

"Workplace" is defined as the site for the performance of work done in connection with a federal grant. That includes any place where work on a school district federal grant is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

YOU ARE FURTHER NOTIFIED that it is a condition of your continued employment on any federal grant that you will comply with the above policy of the school district and will notify your supervisor of your conviction of any criminal statute for a violation occurring in the workplace, no later than 5 days after such conviction.

Any employee who violates the terms of the school district's drug-free workplace policy may be non-renewed or his or her employment may be suspended or terminated, at the discretion of the school district.

### EMPLOYEE IDENTIFICATION BADGES (GBT)

All school employees are required to wear official school district employee identification badges when entering any school campus in the

district. Official identification badges will bear the employee's name, department/school and picture. Any individual identified on a school campus in the West Bolivar Consolidated School District not wearing an employee identification badge shall be reported to the school office. The badge is to be worn during working hours in an easily observed location. Stickers or decals are not allowed to be attached to the identification badge.

Badges that are lost or stolen may be replaced for a fee of \$5 within five (5) days of notification to/by supervisor. All employee identification badges are the property of the West Bolivar Consolidated School District and must be returned to the District Personnel Office upon resignation or termination or Building Level Principal at the end of the school year.

## **GENERAL PUBLIC RELATIONS – POLICY SECTION K**

### **VISITORS TO THE SCHOOLS – POLICY KM**

All visitors to schools shall report immediately to the school office, sign in and obtain a visitor's badge so that visitors can be readily identified by school personnel. Exceptions to this requirement are when visitors are attending a general school function such as a pep rally, assembly program, athletic event, etc. Unauthorized persons shall not be permitted in school buildings or on school grounds. School principals are authorized to take appropriate action to prevent such persons from entering buildings or from loitering on grounds. Such persons will be prosecuted to the full extent of the law.

Visitors are not allowed in any area of the building without being accompanied by an authorized employee. Under no circumstances will visitors be allowed in confidential, unauthorized or potentially hazardous areas. The building principal shall have the right to deny visitation rights to any individual if in his/her judgment of the principal the visit might negatively affect the classroom procedures.

### **PROCEDURES FOR SCHOOL VISITATION**

Any person desiring to visit a school must report upon arrival at the school to the principal's office for clearance. The principal shall have the right to deny visitation rights to any individual if in the judgment of the principal

the visit might negatively affect the classroom procedures. This includes but certainly not limited to appropriate dress of the individual.

Members of the supervisory or administrative staff who have invited professional visitors may elect to serve as hosts to the visitors whom they have invited, as well as to other visitors who may have a mutual interest and area of competency.

Parents and other persons who wish to visit the public schools should be routed to the school office, be greeted by the principal and guide services. All visitors are to be made to feel welcome. There shall be no solicitation of teachers or pupils on personal matters on the school premises by salesmen or agents. Out of town visitors who have made arrangements through the superintendent's office will have a member of the superintendent's staff or a principal as host for the visitor or delegation.

#### PUPIL VISITATION

The schools, because of space factors in the classrooms, will not be able to allow school pupils to have pupil visitors accompany them as visiting guests in the school.

#### CLASSROOM VISITATION

As part of the district's safety and security program, only school or district personnel, law enforcement officials, or educational professionals designing an individual educational program shall be allowed to visit classrooms during instructional times.

#### PARENT-TEACHER CONFERENCES

Parent-Teacher conferences should be arranged by appointment through the school's office for the time set aside each day immediately following the close of school or during a teacher's conference period. Teachers are prohibited from interrupting instructional time for parent conferences. The principal or designee must be attendance at all parent-teacher conferences.

### **GENERAL SCHOOL ADMINISTRATION – POLICY SECTION C**

#### **LINE OF COMMUNICATION AND AUTHORITY – POLICY CC**

Each employee of the West Bolivar Consolidated School District except the board attorney shall be responsible to the West Bolivar Consolidated

School Board through the superintendent.

From students, responsibility flows directly through teachers, building principals, superintendent, to the West Bolivar Consolidated School Board of Trustees. Copies of job descriptions are available for review at the district office.

Whenever possible, each member of the staff shall be made responsible to only one immediate superior for any one function. All personnel shall refer matters requiring administrative action to the administrative officer immediately in charge of the area in which the problem arises.

The administrative officer shall refer such matters to the next higher authority when necessary.

### **CHAIN OF COMMAND POLICY**

The Board of Trustees hereby adopts and approves a chain of command policy (Appendix “A”) and progressive disciplinary steps for failure of employees to strictly adhere to the chain of command policy established by the Board.

#### **Procedures**

1. On or before July 1 of each year the superintendent of schools for West Bolivar Consolidated School District (“WBCSD”) shall recommend to the Board a chart containing the chain of command consisting of each position of employment throughout the WBCSD.
2. The Board shall review and approve such chain of command as recommended or as amended by the Board as the chain of command for the WBCSD.
3. Employees with grievances, complaints or concerns about performance, the performance of another employee, or other matters affecting the WBCSD shall report the same to his/her immediate supervisor.
4. The immediate supervisor shall, if required, conduct an investigation of the grievance, complaint or concern within five (5) business days and respond to the same in writing.
5. If the immediate supervisor is unable to respond, then the immediate supervisor shall inform the employee of the same in writing and advise the employee of his/her right to appeal the

complaint, grievance or concern to the next supervisor in the chain of command.

6. The next supervisor shall confer with the employee and conduct an investigation, if required, within five (5) business days from the receipt of the appeal.
7. The appeal process shall continue up the chain, if applicable, until it reaches the office of the superintendent.
8. If the employee is not satisfied with the response by the superintendent, the employee may invoke the grievance policy of the District (Policy GAE and GAER) and file a written grievance with the Board.

*This policy is the sole mechanism to air employment complaints, grievances or concerns arising during employment with WBCSD.*

### **Reporting Grievances, Complaints, or Employment Decisions to Board Members**

It shall be a violation of the Chain of Command policy for any employee to contact a member of the board of trustees and inform the member of a complaint, grievance or concern he/she has pertaining to any employment practice or other matter of the district.

### **Disciplinary Action for Violations**

Violation of the chain of command policy, its investigative or appeal procedures shall be deemed insubordination and may subject the violator to discipline as follows:

- **First Offense:** Written warning and private notes of the same maintained by immediate supervisor;
- **Second Offense:** Written warning placed in the personnel file;
- **Third Offense:** One-day suspension without pay and letter placed in the personnel file;
- **Fourth Offense:** Three (3) day suspension and letter placed in the personnel file; and
- **Fifth Offense:** Termination of employment.

### **Mandatory Chain of Command Training**

As part of its professional development training, the District shall provide one (1) hour of training annually to all its employees on the chain of command policy and District's expectations.

### **CHAIN OF COMMAND**

- 1) School Board
- 2) Superintendent
- 3) Principal

The building principal of each school is the responsible administrator in the building. All personnel, both professional and non-instructional personnel who work in the school are responsible to the Building Principal.

## **STUDENTS – POLICY SECTION J**

### **CORPORAL PUNISHMENT – POLICY JDB**

Reasonable corporal punishment of a student is permitted as a disciplinary measure in order to preserve an effective educational environment which is free from disruption and is conducive to furthering the educational mission of the board. The superintendent shall establish and enforce rules and regulations governing the administration of corporal punishment which are consistent with the following requirements:

1. Corporal punishment shall be administered only after less stringent measures such as counseling, parental conferences and other forms of discipline have failed to produce the desired results, unless the conduct of a student is of such an extreme nature that corporal punishment is the only reasonable form of discipline under the circumstances.
2. Any corporal punishment shall be reasonable and moderate and may not be administered maliciously or for the purpose of revenge. Such factors as the size, age and condition of the student, the type of instrument to be used, and the amount of force to be used and the part of the body to be struck shall be considered before administering any corporal punishment.
3. Corporal punishment may be administered only by a school administrator or his/her designee
4. When corporal punishment is administered, it shall be done in the presence of another certified school employee.

Except in the case of excessive force or cruel and unusual punishment, a teacher, principal or assistant principal shall not be civilly or criminally liable for any action carried out in conformity with state or federal law or rules or regulations of the State Board of Education or the local school board regarding the control, discipline, suspension and expulsion of students. The local school board shall provide any necessary legal defense to a teacher, principal or assistant principal in any action which may be filed against such school personnel.

Corporal punishment administered in a reasonable manner by a teacher, principal or assistant principal acting within the scope of his employment or function and in accordance with any state or federal laws or rules or regulations of the State Board of Education or the local school board does not constitute assault, simple assault, aggravated assault, battery, negligence or child abuse. No teacher, principal or assistant principal so acting shall be named as an individual defendant or be held liable in a suit for civil damages alleged to have been suffered by a student as a result of the administration of corporal punishment, unless the court determines that the teacher, principal or assistant principal acted in bad faith or with malicious purpose or in a manner exhibiting a wanton and willful disregard of human rights or safety.

Corporal punishment means the reasonable use of physical contact by a teacher, principal or assistant principal as may be necessary to maintain discipline, to enforce a school rule, for self-protection or for the protection of other students from disruptive students. Corporal punishment in the form of paddling shall be witnessed at all times by at least one (1) school employee, and all other acts of corporal punishment, as defined herein, shall be witnessed at all times, if possible, by a school employee. §37-11-57 (1997)

### **STUDENT RESTRAINT & SECLUSION – POLICY JCBA**

In accordance with MS Code §37-9-69 and §37-11-57, it is recognized that instructional and other staff may be called upon to intercede in situations wherein students may be displaying physically violent behavior or non-compliant behavior.

District policy positively prohibits the use of excessive force, or cruel and unusual punishment regarding student management. Staff may, however, use restraint techniques to control and restrain a student when they have a

reasonable belief that:

- 1) The student is a danger to himself.
- 2) The student is a danger to others.
- 3) To prevent the destruction of property.
- 4) If the student refuses to move from location to another after being so ordered.

Any use of restraint will be preceded by the following verbal intervention:

- 1) Ask for assistance from other staff.
- 2) Ask the student to comply.
- 3) Advise the student they will be restrained if the behavior does not cease.
- 4) Order the student to desist in the behavior.
- 5) Restrain the student.

This continuum is not meant to prevent immediate restraint if so warranted. Under all circumstances, without exception, the student is to be restrained at the location the behavior occurs. Students will not be sequestered for restraint application. Restraint is to be applied only until compliance is met and the student is no longer a danger or is compliant. Under absolutely no circumstances will restraint techniques be used as a punishment. If the student is non-compliant with verbal intervention, the staff member should, if physically possible, apply any of the restraint techniques that have been taught by the district. Staff is cautioned to use common sense and sound judgment in responding to student altercations. For example, a 5'2" teacher cannot be expected to restrain a 6', 200-pound football player.

Acceptable restraint techniques include but are not limited to:

- 1) Passive Restraint System (MDE System)
- 2) Pressure Point Control Techniques
- 3) Any generally accepted law enforcement restraint techniques
- 4) MANDT System
- 5) Crisis Prevention Institute (CPI)

Site supervisors will ensure that restraint reports are completed and immediately forwarded to the Superintendent and include the following information:

- 1) Previous history of disciplinary action,



- 2) Events precipitating (who, what, when, where, why) the use of restraint to include statement of reasonable belief. Include verbatim statements of student,
- 3) Exact type of restraint methods and hold utilized,
- 4) Level of resistance displayed by student during restraint to include language and behavior,
- 5) Subsequent action after control was achieved.

## 2021-2022 Academic Calendar

July 29-30, 2021	New Teacher/Novice Orientation
August 9, 2021	First Day for Faculty and Staff
August 9 - 11, 2021	Professional Development Faculty and Staff
August 12, 2021	First Day for Students
September 6, 2021	Labor Day Holiday (No School)
September 16, 2021	Progress Reports
October 11-15, 2021	1 <sup>st</sup> Term Assessments (1 <sup>st</sup> Nine Weeks)
October 22, 2021	Report Cards
October 18 – 19, 2021	Fall Break (No School)
November 11, 2021	Progress Reports
November 22 – 26, 2021	Thanksgiving Break (No School)
December 15 – 21, 2021	2 <sup>nd</sup> Term Assessment (2 <sup>nd</sup> Nine Weeks)
December 22, 2021 – January 4, 2022	Winter Break (No School)
January 5, 2022	Faculty/Staff Return & Professional Development
January 6, 2022	Students' Return
January 21, 2022	Report Cards
January 17, 2022	Martin Luther King, Jr. Day (No School)
February 10, 2022	Progress Reports
February 11, 2022	Faculty/Staff                      Professional Development
February 21, 2022	Presidents' Day (No School)
March 7-11, 2022	3 <sup>rd</sup> Term Exam (3 <sup>rd</sup> Nine weeks)
March 25, 2022	Report Cards
April 14, 2022	Progress Reports
April 15 – 18, 2022	Easter Break (No School)
May 23-27, 2022	4 <sup>th</sup> Term Assessments/Final Exams
May 30, 2022	Memorial Day (District Closed)
June 1, 2022	Last Day for Students
June 3, 2022	Faculty/Staff Last Day

## WBCSD Organizational Chart 2021 - 2022



