

**NEW ALBANY SCHOOLS  
CLASSIFIED EMPLOYEES HANDBOOK**

**2022-2023  
SCHOOL YEAR**



**NEW ALBANY SCHOOLS  
2022-2023  
School Calendar**

August 1,2,3.....	Professional Development
August 4.....	First Day of School
September 2.....	Progress Reports
September 5.....	Labor Day
October 7.....	End 1 <sup>st</sup> Nine Weeks
October 10.....	Columbus Day/Fall Break
October 14.....	Report Cards
November 11.....	Progress Reports
November 21-25.....	Thanksgiving Holidays
December 16.....	End 2 <sup>nd</sup> Nine Weeks/60% Day
December 17-January 2.....	Christmas Holidays
January 3, 4.....	Professional Development
January 5.....	Classes Resume/Students Return
January 6.....	Report Cards
January 16.....	King Holiday (No School)
February 3.....	Progress Report
February 20.....	Presidents' Day (No School)
March 10.....	End 3 <sup>rd</sup> Nine Weeks
March 13-17.....	Spring Break
March 24.....	Report Cards
April 7.....	Good Friday (No School)
April 14.....	Progress Reports
May 19.....	Graduation
May 22.....	Last Day for Students/60% Day
May 23, 24.....	Professional Development

180 Student Days

187 Staff Days

## DIRECTORY OF ADDRESSES AND PHONE NUMBERS

### **New Albany School District**

#### **Central Office**

1112 Wesson Tate Drive

New Albany, MS 38652

Dr. Lance Evans, Superintendent

Mr. John Ferrell, Assistant Superintendent

Ms. Lecia Stubblefield, Director Professional and Support Services/Title IX

Ms. Suzanne Coffey, Director of Accounting Services

Mr. Jake Miller, Director of Technology

Ms. Summer Tyer, Instructional Technology Specialist

Phone (662) 534-1800

Fax (662) 534-3608

[levans@nasd.ms](mailto:levans@nasd.ms)

[jferrell@nasd.ms](mailto:jferrell@nasd.ms)

[scoffey@nasd.ms](mailto:scoffey@nasd.ms)

[lstubblefield@nasd.ms](mailto:lstubblefield@nasd.ms)

[jmiller@nasd.ms](mailto:jmiller@nasd.ms)

[syter@nasd.ms](mailto:syter@nasd.ms)

#### **Special Services**

1112 Wesson Tate Dr.

New Albany, MS 38652

Mike Robertson, Director of Child Nutrition

Ms. Kristen Richey, Director of Special Services/Section 504 Coordinator

Ms. Sabrina Hall, Case Manager

Phone (662) 534-1802

Fax (662) 534-1811

[mrobertson@nasd.ms](mailto:mrobertson@nasd.ms)

[krichey@nasd.ms](mailto:krichey@nasd.ms)

[shall@nasd.ms](mailto:shall@nasd.ms)

#### **New Albany Elementary School**

874 Sam T. Barkley Drive

New Albany, MS 38652

Ms. Gwyn Russell, Principal

Mr. Wesley McCullough, Assistant Principal

Mr. Grant Goolsby, Assistant Principal

Phone (662) 534-1840

Fax (662) 534-1843

[grussell@nasd.ms](mailto:grussell@nasd.ms)

[wmccullough@nasd.ms](mailto:wmccullough@nasd.ms)

[ggoolsby@nasd.ms](mailto:ggoolsby@nasd.ms)

**New Albany Middle School**

400 Apple Street

New Albany, MS 38652

Mr. Paul Henry, Principal

Ms. Anna Sloan, Assistant Principal

Mr. Kendall Murphy, Athletic Director

Phone (662) 534-1820

Fax (662) 534-1819

[pHenry@nasd.ms](mailto:pHenry@nasd.ms)

[asloan@nasd.ms](mailto:asloan@nasd.ms)

[kmurphy@nasd.ms](mailto:kmurphy@nasd.ms)

**New Albany High School**

201 Highway 15 North

New Albany, MS 38652

Mr. Matt Buchanan, Principal

Mr. Luke Tentoni, Assistant Principal

Mr. Cody Stubblefield, Athletic Director

Phone (662) 534-1805

Fax (662) 534-1817

[mabuchanan1@nasd.ms](mailto:mabuchanan1@nasd.ms)

[ltentoni@nasd.ms](mailto:ltentoni@nasd.ms)

[cstubblefield@nasd.ms](mailto:cstubblefield@nasd.ms)

**Career and Technical Center**

Ms. April Hobson, Director

203 Highway 15 North

New Albany MS 38652

(662) 534-1810

Fax (662) 534-1811

[ahobson@nasd.ms](mailto:ahobson@nasd.ms)

**New Albany, South Tippah, Union County (NASTUC) Behavioral Management Center**

915 Denmill Road

New Albany, MS 38652

Dr. Avence Pittman, Jr., Director

Phone (662) 538-4100

Fax (662) 538-4102

[apittman@nasd.ms](mailto:apittman@nasd.ms)

## **EQUAL OPPORTUNITY STATEMENT**

The New Albany School District does not discriminate on the basis of race, sex, color, gender, national origin, disability, religion, or age in the provision of educational programs and services, or employment opportunities and benefits. Mrs. Lecia Stubblefield has been designated to handle inquiries and complaints regarding non-discrimination policies of the District. Title IX Coordinator, Lecia Stubblefield, [lstubblefield@nasd.ms](mailto:lstubblefield@nasd.ms). Section 504 Coordinator, Kristen Richey, [krichey@nasd.ms](mailto:krichey@nasd.ms).

## **ANNUAL REPORT**

The Federal Environmental Protection Agency (EPA) requires that on an annual basis each school district notify parents and employees of the status of any asbestos in the school district. This report will serve as the annual notification by the New Albany School District. The NASD completed the required inspection report. The report met EPA standards. A copy of this report is on file in the Superintendent's Office and is available to the public.

## **TITLE IX**

It is the policy of New Albany Schools that no person in said school district shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under education program or activity sponsored or administered by New Albany Schools. This policy is in compliance with Title IX. The New Albany School Title IX Coordinator is Ms Lecia Stubblefield, District Activities/Athletic Director, Phone – 534-1800.

## **SECTION 504**

Section 504 of the Rehabilitation Act of 1973 provides a legal basis for evaluation and services for students with certain disabilities. A referral for services process has been developed and is implemented locally for students who meet specific criteria. Persons having questions may contact Ms. Kristen Richey, District 504 Coordinator at **534-1810**.

## **LINE OF AUTHORITY**

All staff members are directly responsible to their site administrator. The administrator's instruction should be consistently implemented in a timely fashion. Should a dispute arise, staff should first discuss the issue with the administrator in charge. Should the issue remain unresolved, staff members should appeal to the next level of administration and ultimately to the superintendent and the school board.

## **SCHOOL DAY**

The site administrator sets the normal school day arrival and departure times for school employees at each school site. All classified employees will clock in and out following the District's procedure. Employees will be paid an hourly wage and the paycheck will be only for hours worked during each pay period. Assistant teachers, secretaries, and custodians leaving campus during school hours should obtain permission from the site administrator. Maintenance and cafeteria workers should notify their direct supervisor.

## **FACULTY MEETINGS**

Faculty meetings will be scheduled by the site administrator as needed. Each faculty member is responsible for the information given at faculty meetings. All faculty members shall be in attendance unless prior approval is granted by a school administrator.

## **IDENTIFICATION BADGES**

As a measure of security, one badge is supplied to all faculty and staff in the New Albany Schools. These badges will be worn daily. ID badges provide access to each employee for the locations they need access to. The badges do not necessarily provide employees access to every door in the district. Because these ID badges are essentially keys it is imperative that you take tremendous care of the badge. However, if you do lose a badge, please call Mrs. Melanie Anderson at the Central Office to report the lost badge immediately. If it is a weekend, please email Mr. Jake Miller at [jmiller@nasd.ms](mailto:jmiller@nasd.ms) so they can deactivate your badge immediately. Mrs. Anderson will coordinate with you to get a new badge made but the employee will have to pay a \$5 fee to receive their new badge. Presenting badges at home sporting events enables staff to be admitted free.

## **DIRECT DEPOSIT**

The New Albany School District pays all employees through direct deposit. Each employee will designate an account for deposit with a credit authorization form. The employee is responsible to notify New Albany School District of any changes to the account. The New Albany School District will provide through Active Resources detailing gross amount of salary and all authorized deductions. Credit authorization forms will be kept on file in the payroll office.

## **CELL PHONE**

Cell phone usage by instructional staff is prohibited during instructional time and when students are present. Any exceptions must be cleared with the school administration

## **DRESS CODE**

### **ADMINISTRATORS, TEACHERS, TEACHER ASSISTANTS, OFFICE PERSONNEL**

Professional educators should dress appropriately to promote the educational mission of the school. Additionally, a professional appearance shows respect for our profession. All staff are encouraged to maintain a high standard of personal appearance.

Clothing that is too tight, clingy, see through, low cut (no visible cleavage), too short when sitting, standing, bending or stretching are unbecoming to the educational profession and should not be worn to school. Administrators, teachers, assistants and office personnel should dress professionally each school day.

The following items are considered inappropriate attire for administrators, teachers, assistants and office personnel and **should not be worn to school:**

- No tennis, basketball, running shoes, Croc clogs, flip flops (shower shoes)
- No five pocket jeans (all colors) are allowed.
- No low rise clothing
- No "t" shirts
- No shorts
- No athletic apparel, wind suits, sweat suits, yoga pants, or scrubs (except for nurses and speech therapists)

- No leggings worn as a substitute for pants, a skirt or a dress. These items would need to meet the dress code if they are worn with Leggings. Otherwise, leggings are inappropriate.

## **Minimal dress**

### **Minimal dress**

**Men:** Collared shirt, sweater, pressed khaki style pants, casual shoes

Male administrators are expected to dress business casual each day, except on the designated “spirit” days. When in doubt, it is best to err on the side of dressing too formally, rather than too casually.

**Women:** Casual shoes, conservative blouses or dress tops. Capris are acceptable for teachers, assistants, and office personnel. Dresses or skirts should be within an inch of the knee. Casual capris and flip flops of any kind are inappropriate for female administrators. Dress capris or capris that work in coordination with a suit are acceptable.

There is an understanding that staff may need to change their dress during the day. For instance, coaches may wear athletic apparel during athletic practice, but not during PE class. Elementary school teachers may need to change shoes to supervise recess, or other outside activities.

On designated “spirit” days, often on Fridays, especially in the Fall, all staff should fully adhere to the dress code. Staff may not “pay” to violate the dress code. Occasionally, the principal may designate an activity day. Examples of such days are field days, Relay for Life, etc. On these days the principal may work with the staff to determine the appropriate dress. When needed, exceptions to the dress code must be submitted in writing to the principal for local administrative approval. The approved request will be forwarded to the superintendent.

This dress code is for the 180 student days and other occasions, such as open house, that involve interaction with students and parents.

## **CLASSIFIED PERSONNEL REQUEST FOR TRANSFER (Board Policy GBEB)**

1. Upon inquiry from a classified person regarding a position at another school within the district, the principal shall inform the individual of the district transfer policy and notify the individuals’ principal if the situation could go further.
2. Administrators shall not recruit, contact or interview an individual from another school within the district without permission from the affected principal.
3. It is the preference of the district that coaches perform coaching duties in the same school as they teach.
4. Any classified staff desiring a transfer shall first make a request in writing to the Superintendent, stating the specific reason(s) for the request. The classified staff member shall send copies of the request to his/her principal and to the principal(s) of the requested school(s).
5. The request shall in no way negatively affect the classified staff member seeking transfer.
6. A move must not put undue burden on the school district, and both principals should concur on the change.
7. The principal of the school to which the classified staff member wishes to transfer shall evaluate the potential of said teacher.
8. If both principals desire the transfer, they shall give written notice signed by both (principals) to the Superintendent.
9. All parties concerned will be notified of the action taken.

10. Transfers should be requested and approved prior to **June 15**.
11. The district may transfer personnel whenever necessary to best serve the students in the New Albany School District.

## **POLITICAL ACTIVITY OF STAFF MEMBERS**

The board recognizes the right of its employees and encourages them as citizens to engage in activities which exemplify good citizenship. However, school property and school time shall not be used for political purposes.

### **ABSENCE FROM DUTY**

### **Board Policy GBRI**

#### Sick/Personal Leave Allowance

1. Each certified, classified, and support employee at the beginning of each school year shall be credited with 12 days. Leave may be used for personal illness or illness of immediate family members. Sick leave shall cover illness of the employee and his/her immediate family. Four of the 12 days may be used for personal leave upon advance approval of the employee's immediate supervisor. Any unused portion of the total personal leave allowance up to 5 days shall be carried over to the next school year and credited to such employee if the employee remains employed in the same district (37-7-307). Employees in the district may accumulate up to 5 personal days each school year. Days in excess of 5 will convert to sick days.

Effective for the 2010-2011 and 2011-2012 school years, PERS shall be credited an additional one-half (1/2) day of personal leave for every day the licensed employee is furloughed without pay as provided in Section 37-7-308.

**Personal and vacation leave will be converted to sick leave following conversion tables in code sections 25-3-93 & 25-3-95.**

2. Personal days may not be requested on any state testing days. Personal leave days are not to 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 on a day after a holiday unless they meet the following criteria as directed by law.

a. Personal leave may be taken on the first day of the school term, the last day of the school term, 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 for no-school related business.

d. 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 an immediate family member of the employee dies or funeral services are held. Any personal leave days taken shall be taken as described in Section 37-7-307 of the Mississippi Code. No additional bereavement leave is created by Section 37-7-307.

3. Any unused portion of the total sick/personal leave allowance shall be carried over to the next school year and credited to such employee if the employee remains employed in the same school district. Accumulation of sick/personal leave allowed in the school district shall be unlimited.

4. No deduction from pay of the employee will be made until all sick leave/personal has been used.

5. For licensed employees: When all sick leave/personal has been used, the school district will, for the first 10 days of absence due to illness or physical disability, deduct from the pay of the employee the established amount to be paid to a substitute teacher. After the first 10 days, the regular pay of the employee may be suspended or withheld in its entirety for any period of absence due to illness or physical disability. Anyone who goes over on personal days, but not sick, will be deducted for each personal day over at their daily rate.



6. Each bus driver will be credited with 3 days or 6 trips sick leave per year. One day or 2 trips may be used for personal leave.

#### Professional Leave Allowance

1. Consideration will be given by the school district to allow persons to attend meetings that are required by the State Board of Education or similar organizations.
2. The New Albany School District encourages teachers to advance their professional careers through course work and participation in the National Certification Process for teachers. Teachers who participate in this process will be allowed 2 contractual days to work on this project at the school district's expense. The superintendent and the principal will approve requests for these days. Teachers should not request these days prior to or after school holidays or during the time when state testing occurs. Teachers should be actively involved in the completion of this process when requesting said days.

#### Retirement

1. Upon retirement from the district and the Mississippi Public Employees Retirement System, each licensed and non-licensed employee shall be paid for not more than 30 days of unused accumulated leave earned while employed by the school district. Payment for licensed employees shall be made at the rate equal to the amount that is paid to substitute teachers. Non-licensed employees shall be paid the amount 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 Section 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. Upon full re-employment, retired certified employees will be paid on the current salary scale at certification level and years of experience at retirement. In case of death of an active employee, the above unused accumulated leave payment will apply.

#### Rules and Regulations

1. For sick and personal leave, the school district may require the absent employee to furnish the certificate of a physician or dentist or other medical practitioner as to the illness of the employee where the absence is for 4 consecutive school days, or for 2 consecutive school days immediately preceding or following a non-school day.
2. The school district has the right to provide penalties through the full deduction of salary or entry on the employee's work record for any materially false statement by the employee.
3. The school district encourages each employee to schedule dental and medical treatment, as well as surgery during a time when school is not in session.
4. Immediate family refers to spouse, parent, stepparent, sibling, child, stepchild, grandchild, grandparent, mother or father-in-law. Child means a biological, adopted or foster child, or a child for whom the individual stands or stood in loco parentis.
5. Any school district employee may donate a portion of his or her unused accumulated personal or sick leave to another employee within the district **for the purposes of \*catastrophic injury or illness. For the qualifications of immediate family member, see #4 above.**
6. A physician's statement must be provided to the superintendent before an employee may receive donated leave. **The physician's statement must state the beginning date of the catastrophic injury or illness and the anticipated date that the recipient employee will be able to return to work.** After proper documentation from the physician, the catastrophic medical committee will meet to determine the amount of donated days. The Catastrophic Medical Committee will consist of one representative from the Elementary, Middle and High Schools and one School Nurse. The committee will base their decision regarding donated days on all documentation provided. At least one central office administrator will serve as ex officio.

7. The maximum amount of unused sick/personal leave that an employee may donate to another employee with fewer than 7 days of sick/personal leave remaining, and the maximum amount of unused accumulated sick/personal leave that an employee may donate to any other employee may not exceed 50% of the unused sick/personal leave of the donor.
8. An employee must be exhausted of all of his or her sick leave, personal leave, vacation days and 10 days at the current substitute rate before he or she is eligible to receive any leave donated by another employee.
9. If the total number of donated days is not used, the whole days shall be returned to the donor.
10. Donated leave shall not be used in lieu of disability retirement.

**\* State Law 37-7-307 defines catastrophic injury or illness as 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. Routine pregnancy is not considered as a catastrophic illness or injury. For pregnancy to be considered catastrophic, mother and/or child would be considered high risk.**

#### Jury Duty

This school board shall provide leave with pay for employees who are called for jury duty and/or a witness under subpoena for school related business. The school board cannot recover jury fees from employees who serve on juries.

#### Workers' Compensation Absence

Any employee who has been injured on the job must notify their administrator immediately and an accident report must be completed. If the injury causes the employee to be absent from work and there is proper documentation from a doctor, the employee will be paid their regular wages up to three days, including the day of injury, without the use of the employee's sick leave. Beginning on the fourth day of absence, the employee may use available sick leave to receive payment from the district. For injuries received on the job, Workers' Compensation will begin paying on the sixth day of absence at some level below full pay.

#### **Catastrophic Medical Committee**

The New Albany School District will have a Catastrophic Medical Committee in place. The Committee will review available information provided by the employee and the physician regarding a catastrophic event (life threatening injury or illness). Based on the reviewed information, the Committee will determine in accordance with the interpretation of Mississippi State Law, if the request for donated leave will be accepted. If accepted, the Committee will compute the amount of eligible donated days the employee may receive.

The Catastrophic Medical Committee will consist of one representative from the Elementary, Middle and High Schools and one School Nurse. The committee will base their decision regarding donated days on all documentation provided. At least one central office administrator will serve as ex officio.

Any employee with a catastrophic medical condition must request the documentation from the Business Administrator.

## **VACATIONS**

The school board endorses the concept of earned vacation for personnel on extended employment or contracts. Such vacation for twelve month staff shall be a maximum of two weeks per year. Vacation time should not be utilized during the 187 days teachers work without the written authorization of the Superintendent. Twelve month staff shall accrue 1 vacation day per month beginning with the month of August. Staff with less than 20 years of experience with New Albany School District may accrue up to 10 days of vacation. Any number of days accrued above 10 will

be automatically tallied as sick leave. Staff members who have 20 or more years may accrue 15 days. Any amount over 15 will be tallied as sick leave. In the year of separation the employee's contract will be amended to reflect the amount of applicable vacation time accrued. All vacation days should be approved in writing by the Superintendent prior to being used.

## **RETIREMENT**

Upon retirement, each licensed and non-licensed employee shall be paid for not more than 30 days of unused accumulated leave earned while employed by the school district. Payment for licensed employees shall be made at the rate equal to the amount that is paid to substitute teachers. Non-licensed employees shall be paid the amount equal to the federal minimum wage. In the event of a death of an active employee, the above accumulated leave payment will apply. (NOTE: This will change for employees retiring on or after July 1, 2017)

## **SEXUAL HARASSMENT**

Employees in the New Albany School District are protected from sexual discrimination, including sexual harassment. It is the intent of the Board to maintain an environment free from sexual harassment of any kind. Therefore, unwelcome sexual advances; requests for sexual favors, and other verbal or physical conduct of a sexual nature amounting to or constituting harassment are prohibited.

The complaint procedure shall provide a process for filing, processing, and resolving complaints on such matters. 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.

### **Procedure for Processing a Complaint**

**Step One:** Within five (5) days of the time a complaint becomes known; the employee will present the complaint orally to his immediate supervisor or the district's Title IX Coordinator and complete the "Report of Violation of Title IX" form. It should be noted that the complainant does not have to report the incident to the supervisor before talking with the Title IX Coordinator.

**Step Two:** Within 3-5 days the supervisor or complainant is to present the completed "Report of Violation of Title IX" form to the designated person in the office of personnel services

**Step Three:** Within five (5) days, after review of the written complaint, the Title IX coordinator shall personally question both or all parties involved in the sexual harassment complaint. A written record shall be made of the statements made by all parties involved. If the alleged harasser denies the allegation, the Title IX Coordinator must do additional fact finding before making a determination. This must be done within 5-7 days.

**Step Four:** The complainant may request, in writing, within 5 days, a hearing before an unbiased panel of district employees. If such a request is made, it shall be the responsibility of the district employees. If such a request is made, it shall be responsibility of the district's Title IX Coordinator to convene a panel of three to five district employees.

**Step Five:** A panel of three to five district employees shall review the facts presented and question all parties involved before making a determination. The complainant and alleged harasser will be informed by registered mail of the date and time to appear before the panel. The proceedings of the hearing will be taped and kept on file in the office of personnel services. The panel shall be convened within 5-10 days of the written request. Representation of the complainant or alleged harasser by other individuals will not be permitted. The panel will prepare a written summary of all relevant facts, being careful to state such facts fairly and objectively. The panel will then express its

findings and conclusions. The summary of facts, findings and conclusions will then provide the basis for subsequent review in the event of further appeal by the complainant.

Step Six: Within five days of review of the response of step five, the complainant and/or alleged harasser may appeal the decision by requesting, in writing, a review of the decision by the superintendent of schools. The superintendent will review the written summary of the step five panel and shall, within ten (10) days render his written decision.

Step Seven: Within five (5) days of review of the response of step six, the complainant or alleged harasser may appeal the decision by requesting, in writing, a review of the decision by the board of trustees. The board shall review the written summary of the panel and the written decision of the superintendent within thirty (30) days of the receipt of the step six regularly scheduled board meeting.

## **GRIEVANCE PROCEDURES**

A grievance is a complaint of an individual based upon an alleged violation of his or her rights under state or federal law, board policy, or a breach of professionalism.

### **Procedure for Processing Grievances**

#### **Level One**

1. All grievances must be presented orally to the principal of the person making the complaint within 5 days of the act or omission complained of, and the principal and person making the complaint will attempt to resolve the matter informally.
2. If the person making the complaint is not satisfied with the action or explanation of the principal, the person within 5 days of meeting with the principal may file a written statement with the principal setting forth how the person claims to have been wronged. This statement shall contain the time, place, and nature of the alleged act or omission. The person making the complaint must sign the statement.
3. Failure to submit such a statement shall be deemed as an acceptance of the informal decision rendered by his principal.
4. Within 5 days after receiving the person's signed statement, the principal shall send a copy to the superintendent along with a statement from the principal setting forth his response to the person and/or his decisions. At the same time, the principal shall also provide a copy of his written statement to the person making the complaint.

#### **Level Two**

1. Upon receipt of the information, the superintendent shall notify the person making the complaint in writing within 5 days and shall advise the person of the date, time, and place upon which the matter will be considered by the superintendent. The superintendent shall schedule a hearing on the matter no later than 10 days from the date of the receipt of the information.
2. The person making the complaint shall submit in writing any and all additional information on his behalf to the superintendent not later than 5 days prior to the date upon which the matter is scheduled for hearing by the superintendent.
3. If the person making the complaint does not personally attend the hearing scheduled by the superintendent, his failure to attend shall be deemed as an acceptance of the written decision rendered by his principal at LEVEL ONE.
4. The superintendent shall render a written decision to the person making the complaint within 5 days of the date upon which the matter was heard.

#### **Level Three**

1. If the grievance is not resolved to the satisfaction of the person making the complaint at LEVEL TWO, or if the superintendent does not render a decision within 5 days, the person may file the grievance with the secretary of the school board.
2. If the grievance is not filed with the secretary of the school board within five days of the hearing at LEVEL TWO, the grievance shall be considered resolved.
3. Within 5 days after the receipt of the grievance, the board secretary, in concert with the board chairman and superintendent, shall schedule a hearing before the school board on the grievance.
4. The board shall render its decision within 7 days of the hearing.

## **MISSISSIPPI ADULT TOBACCO USE ON EDUCATIONAL PROPERTY HOUSE BILL NO. 641**

No person shall use any tobacco product on any education property. "Tobacco product" means any substance that contains tobacco including, but not limited to cigarettes, cigars, pipes, snuff, smoking tobacco or smokeless tobacco. "Educational Property" means any public school building or bus, public school campus, grounds, recreational area, athletic field, or other property owned, used or operated by any local school board.

Any adult who violates this section shall be subject to a fine and shall be liable as follows:

- (a) For a first conviction, a warning
- (b) For a second conviction, a fine of seventy five dollars (\$75.00)
- (c) For all subsequent convictions, a fine not to exceed one hundred fifty dollars (\$150.00) shall be imposed.

It is the responsibility of all law enforcement officers and law enforcement agencies of this state to ensure that the provisions of this act are enforced.

### **EXPENSE REIMBURSEMENTS**

Classified employees who have first been properly authorized to travel in the performance of their duties shall be reimbursed their expenses by the school district for travel as below:

1. All official travel must be approved in advance by the superintendent and/or the principal or director of the school site.
2. Each mile traveled in the employee's automobile will be reimbursed at the rate determined by the school district.
3. Upon return the employee shall complete the district travel form to receive reimbursement for all allowed travel expenses.
4. Employees are expected to carpool where two or more employees are traveling to the same destination. One travel expense allowance at the authorized rate per mile shall be allowed for any one trip.
5. When travel occurs by public carrier other than an automobile, the actual fare or other expenses incurred will be reimbursed.
6. Meals, lodging, and other necessary expenses may be reimbursed with limitations placed on meals.
7. Single standard room rate for accommodations, actual registration fees, and incidental expenses such as gratuities and parking will be reimbursed.

### **HOLIDAYS**

The New Albany Schools shall observe the following holidays: Independence Day, Memorial Day, Labor Day, Thanksgiving, Christmas, New Year's, Martin Luther King's Birthday, Good Friday, and Spring Holidays. Full time hourly paid employees (253 days) are paid for the following holidays: Independence Day, Memorial Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King's Birthday, and Good Friday.

## **VISITORS TO SCHOOL**

- \* All visitors should report directly to the office and sign in.
- \*The principal has the right to deny visitation rights to any individual if, in the judgment of the principal, the visit might negatively affect the classroom procedures. The principal also has the right to contact the proper authorities if a problem with a visitor should arise.
- \*Unauthorized personnel 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 school grounds. Such persons will be prosecuted to the full extent of the law.
- \*No solicitation of teachers or pupils regarding personal matters by salesmen or agents is allowed on school premises.
- \*Students are not allowed to have visitors accompany them as visiting guests in the classrooms.

## **Mississippi Educator Code of Ethics and Standards of Conduct**

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:

- Encouraging and supporting colleagues in developing and maintaining high standards
- Respecting fellow educators and participating in the development of a professional teaching environment.
- Engaging in a variety of individual and collaborative learning experiences essential to professional development designed to promote student learning
- Providing professional education services in a nondiscriminatory manner
- Maintaining competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter and pedagogical practices
- 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:

- Harassment of colleagues

- Misuse or mismanagement of tests or test materials
- Inappropriate language on school grounds or any school-related activity
- Physical altercations
- 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:
- Properly representing facts concerning an educational matter in direct or indirect public expression
  - Advocating for fair and equitable opportunities for all children
  - Embodying for students the characteristics of honesty, diplomacy, tact, and fairness.
- 2.2. Unethical conduct includes, but is not limited to, the following:
- Falsifying, misrepresenting, omitting, or erroneously reporting any of the following:
    - employment history, professional qualifications, criminal history, certification/recertification
    - information submitted to local, state, federal, and/or other governmental agencies
    - information regarding the evaluation of students and/or personnel reasons for absences or leave
    - information submitted in the course of an official inquiry or investigation
  - 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.

- 3.1 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:
- 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
  - Nurturing the intellectual, physical, emotional, social and civic potential of all students
  - Providing an environment that does not needlessly expose students to unnecessary embarrassment or disparagement
  - Creating, supporting, and maintaining a challenging learning environment for all students
- 4.2. Unethical conduct includes, but is not limited to the following:
- Committing any act of child abuse
  - Committing any act of cruelty to children or any act of child endangerment
  - Committing or soliciting any unlawful sexual act
  - Engaging in harassing behavior on the basis of race, gender, national origin, religion or disability
  - Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs
  - 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:

- sexual jokes

- sexual remarks
- sexual kidding or teasing
- sexual innuendo
- pressure for dates or sexual favors
- inappropriate touching, fondling, kissing or grabbing
- rape
- threats of physical harm
- sexual assault
- electronic communication such as texting
- invitation to social networking
- remarks about a student's body
- consensual sex

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

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

5.1 Unethical conduct includes but is not limited to the following:

- Revealing confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law
- Harming others by knowingly making false statements about a colleague or the school system
- Interfering with a colleague's exercise of political, professional, or citizenship rights and responsibilities
- Discriminating against or coercing a colleague on the basis of race, religion, national origin, age, sex, disability or family status
- 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:

- 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:

- Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs
- 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.
- 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:

- Maximizing the positive effect of school funds through judicious use of said funds
- Modeling for students and colleagues the responsible use of public property

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



- Knowingly misappropriating, diverting or using funds, personnel, property or equipment committed to his or her charge for personal gain
- Failing to account for funds collected from students, parents or any school-related function
- Submitting fraudulent requests for reimbursement of expenses or for pay
- Co-mingling public or school-related funds with personal funds or checking accounts
- 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:

- Insuring that institutional privileges are not used for personal gain
- 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:

- 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.
- Tutoring students assigned to the educator for remuneration unless approved by the local school board
- 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:

- 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
- Maintaining diligently the security of standardized test supplies and resources

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

- 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.
- 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
- 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.

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

- Abandoning the contract for professional services without prior release from the contract by the school board
- Refusing to perform services required by the contract.

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

In accordance with the policy of the New Albany Board of Education, 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 school district has used the following definitions of terms:

Student: Any person who attends or has attended a program of instruction sponsored by the board of education of this school 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 school 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:
  1. It was made as a personal memory aid;
  2. It is in the sole possession of the individual who made it; or
  3. 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 school 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 school 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.

**ANNUAL NOTIFICATION**

Within the first month of each school year, the school district will publish a notice to parents and eligible students of their rights under the FERPA and this policy. The district will also send home with each

student a bulletin listing these rights and the bulletin will be included with a packet of material provided parents or an eligible student when the student enrolls during the school year.

The notice will include the following:

1. The right of a student's parent or eligible student to inspect and review the student's education records;
2. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or, (3) under certain limited circumstances, as permitted by the FERPA;
3. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent's or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);
4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and
5. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

#### 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.

#### 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 school 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 school 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 school 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 school 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 school 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 school 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.

#### DIRECTORY INFORMATION

The school district proposes to designate the following personally identifiable information contained in a student's education record as "directory information." (*NOTE: A district may designate all, some, or none of this information as directory information.*)

1. The student's name, address, and telephone number;
2. The names of the student's parents;
3. The student's date and place of birth;
4. The student's major field of study and class designation (i.e., first grade, tenth grade, etc.);
5. The student's extracurricular participation;
6. The student's achievement awards or honors;
7. The student's weight and height if a member of an athletic team;
8. The student's photograph;
9. The student's electronic mail address;
10. The student's dates of attendance; and
11. The most recent educational institution the student attended prior to the student enrolling in this school district.

Within the first month of each school year, the school district will publish the above list, or a revised list, of items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent or the eligible student at the time and place of enrollment.

After the parent or eligible student has been notified, he or she will have two weeks to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about the student.

At the end of the two-week period, each student's record will be appropriately marked by the record custodian to indicate the items the district will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

#### USE OF STUDENT EDUCATION RECORDS

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

1. A person duly elected to the school board;
2. A person certified by the state and appointed by the school board to an administrative or supervisory position;
3. A person certified by the state and under contract to the school board as an instructor;
4. A person employed by the school board 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 school board to perform a special task such as a secretary, a clerk, the school 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 school 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 school 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 school superintendent, or a person designated in writing by the superintendent, may permit disclosure:

1. When a student seeks or intends to enroll in another school district or a post-secondary school (the district will not further notify the parent or eligible student prior to such a transfer of records; 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:
  1. Establish the student's eligibility for the aid,
  2. Determine the amount of financial aid,
  3. Establish the conditions for the receipt of the financial aid, or
  4. Enforce the agreement between the provider and the receiver of financial aid;
4. When the school district has entered into a written agreement or contract for an organization to conduct studies on the school 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; 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 school 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 school 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 school 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.

#### RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The school 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 school 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 for

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 school 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 effect 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 school superintendent.

#### Third Level Decision

The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney, or the school 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 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 school 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 school 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 school 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 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:
  1. The school district's decision that the record is correct and will not be changed;
  2. 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
  3. 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 school district's decision and/or the reasons he or she believes the record is incorrect.

The Mississippi Public School Accountability Standard for this policy is standard 14.

#### **WASTE, FRAUD AND ABUSE OF DISTRICT**

To protect against waste, fraud, and abuse of district and federal funds, please report suspected fraud, waste or abuse to the Superintendent, Business Manager, or Federal Programs Director at 662-534-1800 or by emailing [wastefraudabuse@nasd.ms](mailto:wastefraudabuse@nasd.ms).

**PLEASE SIGN, DATE AND RETURN TO PRINCIPAL/DIRECTOR**

I have read and understand the New Albany Schools Classified Employees Handbook.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_