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**Dierks Public Schools  
Statement of Assurance**

In keeping with guidelines of Title VI, Section 601, Civil Rights Act of 1964, Title IX, Section 901, Education Amendments of 1972 and Section 504 of Rehabilitation Act of 1973, the Dierks Public School assures that no person shall, on the basis of race, color, national origin, sex or handicap be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program.

**Gene Strode, Equity Coordinator  
Dierks School District  
P O Box 124  
Dierks, AR 71833  
(870)286-2191**

<b>BOARD APPROVED COORDINATORS</b>
------------------------------------

504 & Equity	Nancy Alsabrook	286-3234	P O Box 124, Dierks
504 & Equity	Jana Strode	286-2015	P O Box 70, Dierks
ESL	Crystal Neal	286-3234	P O Box 70, Dierks
Crisis Intervention	Crystal Smith	286-3234	P O Box 124, Dierks
Safety	Lindsey Stokes	286-3234	P O Box 124, Dierks
Safety	Greg Janes	286-2191	P O Box 124, Dierks
Equity	Grover Hill	286-2191	P O Box 124, Dierks

Dear Parent/Guardian,

In compliance with Act 104 of the 1993 Special Session, the Dierks School District's Student Discipline Policies and Parent Involvement Plan are available on the district website. If you need a printed copy, one will be provided upon written request through the school office. We ask that you use the handbook as a reference and return this letter with your signature and the requested information to indicate your awareness of where to access the documents. Please complete a separate sheet for each child attending our school, as we are required by law to keep these forms on file.

Please note that in addition to the standard form for corporal punishment, we are required to make you aware of our technology acceptable use policy and an amendment which gives parents the option to request that a student not be identified on the honor roll. These and other items are explained in further detail in the handbook.

Respectfully,  
Grover Hill, Superintendent

\*\*\*\*\*

STUDENT'S NAME \_\_\_\_\_ GRADE \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

TEACHER \_\_\_\_\_

SOCIAL SECURITY NUMBER (optional) \_\_\_\_\_

Act 390, 2005

\_\_\_\_\_ I do wish to have my child identified on the school's honor roll and/or appear in news publications.

\_\_\_\_\_ I do **not** wish to have my child identified on the school's honor roll and/or appear in news publications.

Corporal punishment is discussed in detail in the handbook section titled "Items Related to Disciplinary Action." Please read and choose an option below as to whether your child may receive corporal punishment at school should the need arise. If you choose Option 2, the alternative is generally out-of-school suspension for up to three days. Parents/Guardians who wish to be notified must provide reliable contact information.

\_\_\_\_\_ Option 1...I expect my child to comply with the discipline policy as written - including use of corporal punishment.

\_\_\_\_\_ Option 2...I do **not** grant permission for my child to receive corporal punishment with the understanding that the alternative is to be sent home for up to three days with no opportunity for no grades for makeup work.

I am aware the Dierks School District's Student Discipline Policies and Parent Involvement Plan are available on the district website, and a printed copy may be provided upon request. I have received a copy of the technology acceptable use policy, selected an option for corporal punishment, and given my preference for publication of my child's name and/or picture to appear in news publications and/or hallways.

Parent's name \_\_\_\_\_

Parent's signature \_\_\_\_\_

Student's signature \_\_\_\_\_

Date \_\_\_\_\_

## **HOME LANGUAGE SURVEY**

STUDENT NAME \_\_\_\_\_ CIRCLE ONE: M F

DATE OF BIRTH \_\_\_\_\_ CURRENT AGE \_\_\_\_\_

SCHOOL NAME: DIERKS HIGH SCHOOL GRADE \_\_\_\_\_

Please answer the following:

0. What was the first language learned by the student? \_\_\_\_\_

1. Is a language other than English spoken in your home

Circle one

Yes

No

2. What languages are spoken in your home \_\_\_\_\_

Thank you very much for your cooperation.

**DIERKS HIGH SCHOOL**  
**900 Old Hwy 70 West**  
**Dierks, Arkansas 71833**

**PRINCIPAL'S MESSAGE**

As we begin a new school year, I would like to personally welcome you to Dierks High School. I am looking forward to serving the students, staff, and patrons of this district. As a staff, we are committed to educating all students and will continue to provide the best possible education.

At Dierks High School, we will continue to set high expectations for ourselves as well as our students. As you review the policies and procedures in this handbook, please note the opportunities, expectations, and some changes that will affect your child/children in the upcoming school year. We appreciate your involvement and encourage you to be active in your child's/children's education. If questions or concerns arise, please feel free to contact the school to meet with me and/or teachers. Please understand we have an open door policy and value your involvement.

Again, I am looking forward to continuing working in this district in the 2022-2023 school year at Dierks High School. Let's make it a great year, please contact me if I can be of assistance to you.

Sincerely,

Gene Strode  
High School Principal

## **INTRODUCTION**

### **Preface**

This handbook is established with the aid and cooperation of parents, teachers, and students.

The primary purpose of this handbook is to acquaint students of Dierks Public Schools with rules, regulations and customs so that they may more readily adapt themselves to the principles of our school. We think it will help each student to become a real part of the activities of the school.

We ask that you read this handbook carefully and after reading, keep it for future reference. May you consider this as just another tool that can be used to make your school a better school.

Failure to read and be familiar with this book will not relieve any student of any responsibility for compliance with the rules and regulations stated herein.

### **Pledge of Allegiance**

I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands--one nation under God, indivisible, with liberty and justice for all.

### **School Colors**

Blue and White

### **School Mascot**

Outlaw horse



### **Alma Mater**

Ever will we sing thy praises.

Ever will we think of thee

As a school of pleasant hours

And a school of pleasant memories.

We love you, dear old Dierks High School;

We think you are supreme

Because you're such a grand old school,

We hold with high esteem.

### **School Spirit**

School spirit is hard to define, yet it is a powerful force in any school. It is so important that without it, a school can never be great.

First, it is more than a big noise. It begins in the classroom where we do our best. It is our teams fighting hard to win. It is the courtesy and consideration that we have for each other, the support for fellow students in their respective activities and for others who may be our guests. It is in the halls, in the classes, in the library or wherever one might be.

It is the thrill of victory and the acceptance of honorable defeat. It is that which binds us together and causes us to be proud to be a Dierks High School student.

It is that something that becomes a part of us as a result of its influence. We are good school citizens now and will become good and useful adult citizens.

## **NATIONAL ANTHEM & ALMA MATER POLICY**

All students are required to follow normal protocol for the national anthem and/or the school alma mater (Standing and showing proper respect for song). Any student who does not wish to follow accepted protocol will be sent to the office or a designated classroom at the beginning of the pep rally or assembly and remain there until the end of said assembly. (Board Approved 5/25/06)

## **STATEMENT OF COMMITMENT - DIERKS SCHOOL**

The Philosophy of Dierks School is as follows:

Education, the field of study that deals mainly with methods of teaching and learning in schools, has top priority in our nation, in our state, and in our high school. Dierks High School is committed to the Comprehensive Outcome Evaluation in order that Dierks High School, including management, faculty, and parents, can promote an equitable, quality education for all students by providing superior instruction, example, and encouragement. Quality education will be provided by monitoring and measuring student progress, by providing certified teachers who are continually growing professionally and seeking means to involve not only all students but also the parents in school instruction related activities, by stressing high expectations of students in class work as well as extra-curricular activities, and by providing an atmosphere that is conducive to a well rounded education for all.

## **MISSION STATEMENT - DIERKS HIGH SCHOOL**

The mission of the Dierks High School, including management, faculty, parents, and students, is to promote an equitable, quality education for all students by providing superior instruction, example, and encouragement.

## **2022-2023 Student Council Officers**

**President– Jenna Bray**

**Vice President- Lillian Glass**

**Secretary– Emma Gilbert**

**Treasurer(s)– Arrionna Stout**

**Reporter- Allison King**

## SR. OUTLAWS

### FOOTBALL SCHEDULE - 2022

08/26	FOUKE	HOME	7:00
09/02	Horatio	AWAY	7:00
09/16	CONWAY CHRISTIAN	Away	7:00
09/23	LAFAYETTE CO.	Home	7:00
09/30	MURFREESBORO	AWAY	7:00
10/07	MINERAL SPRINGS	HOME	7:00
10/14	FOREMAN	AWAY	7:00
10/21	POYEN	Away	7:00
10/28	OFF		
11/03	MT. IDA	Home	7:00

- **Football Pre-Season Scrimmage is August 18 at 7:00pm HOME CENTERPOINT(Jr. High will play at 7:00)**

## JR. OUTLAWS

## FOOTBALL SCHEDULE - 2022

08/25	FOUKE	AWAY	7:00
09/01	Horatio	HOME	7:00
09/8	GURDON	AWAY	7:00
09/15	MT. IDA	AWAY	7:00
09/22	LAFAYETTE CO.	AWAY	7:00
9/29	MURFREESBORO	HOME	7:00
10/6	MINERAL SPRINGS	AWAY	7:00
10/13	FOREMAN	HOME	7:00
10/20 (Mon.)	POYEN	HOME	7:00

<b>DHS FACULTY &amp; STAFF 2022-2023</b>	
GROVER HILL	SUPERINTENDENT
GENE STRODE	PRINCIPAL
CRYSTAL SMITH	COUNSELOR
KEVIN ALEXANDER	SS/HEALTH/BOY'S BB/ASST. FB/GOLF/TRACK
NANCY ALSABROOKS	SPED/504 COORDINATOR/ENRICHMENT
AUDREY BAILEY	BIOLOGY/CHEMISTRY
SHANNON BAILEY	AGRICULTURE
TRISTAN SNIDER	SS/HEALTH/ASST. SOFTBALL/ASST. FB
BRAD BRAY	EAST/ASST. SB
ALEX CLARK	MUSIC/BAND
PAUL ERNEST	DRIVERS ED/FB/BSB
GREG FAULKNER	MATHEMATICS
TODD FINLEY	HEALTH/ALE/GIRLS' BB/SB
ADRIANA HOGG	FAMILY & CONSUMER SCIENCE
CASSIE KIRBY	MATHEMATICS
BETSY MACK	BUSINESS EDUCATION
SCOTT FEEMSTER	SOCIAL STUDIES
CRYSTAL NEAL	MATH/ESL/ENRICHMENT
VICKY NEAL	ENGLISH/ENRICHMENT
CAROL NUTTALL	LIBRARIAN/YEARBOOK/MATH
KACI QUINN	SPED/MATH/ENRICHMENT
LEANN REEL	ENGLISH/CAREER DEVELOPMENT
CHELSEA SAYRE	BIOLOGY/PHYSICAL SCIENCE
TERRI SHELTON	ART
KEENAN OWENS	HEALTH/PE/ASST. FB & BSB
JEFF TIPTON	SOCIAL STUDIES
LENA VANCAMP	ENGLISH
JANA STRODE	SPEECH THERAPIST

SUPPORT STAFF	
LINDSEY STOKES	NURSE
GREG NUTTALL, SHANNON BAILEY, JEFF TIPTON, GREG JANES, RODDY SMITH, SCOTT FEEMSTER, MINDY EFIRD	BUS DRIVERS
LEAH PITCHFORD, SHEILA JESTER, MICHELLE WALSTON,	CAFETERIA PERSONNEL
ANNA WILLIS, CRISTY ADAMS, FRANKIE STAMPS	CUSTODIANS
JEREMY PARKER, GREG JANES	MAINTENANCE
KAYLA JONES	DISTRICT TREASURER
KRISTI JANES	SECRETARY TO SUPERINTENDENT
MICHALA YOUNG	CLERICAL
MICHELLE KITCHENS	ADMINISTRATIVE ASSISTANT
MELANIE GADBURY	VIRTUAL ARKANSAS

## **DIERKS HIGH SCHOOL GENERAL INFORMATION, POLICIES, AND PROCEDURES**

### **SCHOOL LUNCH PROGRAM**

Dierks High School operates a hot breakfast/lunch program at minimal cost. Prices may vary from year to year depending on the cost of operation.

Students may pay the lunchroom clerk in the cafeteria. Three classifications of lunches are available: (1) full cost; (2) reduced price; (3) free.

Forms are distributed at the beginning of each school year and are always available in the office explaining the lunch program. Those who feel that they qualify for reduced price or free school lunches may fill out a form and return it to the office. Every effort is made to keep recipients' status confidential.

Students will not run from any school building to the lunchroom, nor will they be allowed to cut in line. Students are to form a single line along the wall of the entrance to the cafeteria. No student will take food or drink from the lunchroom.

Any group or individual using the lunchroom after school hours must obtain permission from the administration. If the kitchen is used a cook must be present and will be paid a fee for assistance

### **INSURANCE PROGRAM**

Insurance provided by the school covers all students at school activities. This is supplemental insurance which pays in addition to family insurance. Additional 24-hour coverage may be purchased for students by their parents.

### **WEATHER CANCELLATION**

**In the event of weather conditions severe enough to warrant closing or canceling school, a call will be initiated through the School Reach system to all parents and the following area radio stations will broadcast the announcement: KDQN 92.1, B99.5 KNAS, and 88.5. If school must be closed after the school day has begun, the announcement will include the time of dismissal. If school is canceled in the early morning before the school day begins, the announcement will be on the air beginning at 6:30 a.m.**

**Snow routes have been developed to reduce the number of missed school days, in which the major roads are safe to travel to transport students. A map of the snow routes are included at the beginning of this policy book.**

### **GUIDANCE COUNSELOR**

A guidance counselor is employed by the school to assist students in obtaining information about college, technical schools, occupations, and solving personal problems. The services of the counselor are available to all parents and students. The counselor's time is limited and in the interest of all students, students should not waste the counselor's time.

The counselor has many college pamphlets, catalogs, directories, yearbooks, in addition to trade and vocational information. There are numerous other materials on occupations and careers available in the counselor's office. Students may make arrangements with the counselor to use this material but only on an appointment basis since the space is limited. Students who do not conduct themselves properly will be asked to leave.

## **LIBRARY**

The reading of books and research and reference materials is a major part of a student's education. The school strives to provide students with appropriate materials for this task. Teachers and students are urged to use the library.

The library is staffed by student aides/librarians and is open throughout the school day. Traffic to the library is regulated by the librarian and passes issued by the librarian. The following should help in using the library properly:

1. A library pass does not include a restroom pass.
2. The library is to be used for research and using other library material; it is not a visiting or loafing place.
3. Move around as little as possible.
4. All books and materials must be checked out at the desk.
5. Encyclopedias, dictionaries, and the like may not be taken from the library.
6. Lost or overdue books must be returned or payment received before grades are issued.
7. Students must abide by any additional rules the librarian may post which will increase efficiency of the library for all students.
8. Students who refuse to use the library properly will have their library privileges suspended.



## **COLLEGE VISITATION POLICY**

Each senior will have one (1) day of leave to visit the college, vocational school or business school or military enlistment center of his/her choice. A second college visitation day may be granted to students that have taken the ACT Test. Each junior will have one (1) college day that can only be taken during the second semester and must have taken the ACT with principal approval. The following procedure must be followed:

1. Make arrangements with the counselor at least two (2) days before the visitation day.
2. Contact each teacher and notify them of visitation plans in time to do daily assignments.
3. Do not miss a major test.
4. Bring a note from parents requesting visitation day prior to the visit.
5. College visitation must be made by the end of the third 9 week grading period.
6. Students must bring a statement from a college official stating that they visited the college.

## **COLLEGE REPRESENTATIVES, RECRUITERS, ETC.**

**College representatives, U. S. Military Service representatives, etc., will be allowed to come to the campus to talk to student groups. No student will be allowed to sign with any organization at school without the guardian being present.**

## **DIERKS HIGH SCHOOL ACADEMIC POLICIES**

### **GRADING SYSTEM**

The grading system in Dierks Public Schools is as follows:

REGULAR SCALE	AP SCALE (Weighted)
A = 90-100 = 4 pts.	A = 90-100 = 5 pts.
B = 80- 89 = 3 pts.	B = 80- 89 = 4 pts.
C = 70- 79 = 2 pts.	C = 70- 79 = 3 pts.
D = 60- 69 = 1 pt.	D = 60- 69 = 2 pt.
F = 59 and Below = 0 pts.	F = 59 and Below = 0 pts.

I = Incomplete (Incompletes automatically convert to an "F" two weeks after the end of the grading period, unless extenuating circumstances exist.)

### **GRADING, TESTING AND RELATED REGULATIONS**

All daily, weekly, etc., tests are to be graded on an individual teacher's basis to establish the raw score in points, such as 87 point score. This score is to be recorded in the daily record book and/or in the computer with a backup disk. A letter grade may also be assigned for the student's benefit, but is not necessarily needed. At the end of each nine (9) weeks, a teacher may average daily grades and unit tests for the nine (9) weeks grade. If a teacher feels a nine (9) weeks test is needed, a total of all daily, weekly and other scores are totaled and averaged.

This and other scores are totaled and averaged. This average counts  $\frac{3}{4}$  on the points score for the nine weeks grade. The nine weeks exam points are added to the average daily score (tripled) for the nine weeks total point score. The final nine weeks letter is then determined by the point score on the letter grade scale. All teachers in all classes will be required to give a semester test at the scheduled test time. The tests may consist of skills proficiency rather than a written exam based upon the curriculum of the course and at the principal's discretion.

To determine a student's semester average, add the two nine weeks grades and divide by two. This average counts  $\frac{3}{4}$  of the score for the semester grade.

The semester exam points (based on a 100 point scale) are added to the nine weeks average and make up 1/4 of the semester grade. The semester grade is then determined by the point score on the letter grade scale.

Grades assigned to students for performance in a course shall reflect only the extent to which a student has achieved the expressed academic objectives of the course. Grades that reflect other educational objectives such as the student learning expectations contained in the curriculum frameworks may also be figured in. It is the objective of Dierks High School that a student's grades reflect only the achievement of educational objectives.

Students transferring to Dierks High School with grades given in Advanced Placement courses shall have the same notation placed on their transcript at Dierks High School. AP courses shall be recognized as AP courses. (Additional quality points may not be awarded unless the course is currently a weighted course at Dierks High School).

### **SPECIAL EDUCATION SECONDARY**

1. Students enrolled in special education classes receive full credit for the courses.
2. Special education students enrolled in regular classes will not be failed if they have completed assigned work on their performance level. Remedial grades will be given in these classes and the student receives full credit and full value of quality points assigned to the grade that is earned.

### **REMEDIATION**

Remedial instruction provided during high school years (grades 7-12) may not be in lieu of courses required for graduation, or core subjects for junior high students. Any student who does not score at the proficient level on the criterion-referenced assessments in reading, writing, and mathematics shall continue to be provided with remedial or supplemental instruction until expectations are met or the student is not subject to compulsory school attendance.

### **WEIGHTED COURSES**

The following courses will be graded on a 5.0 scale: AP classes (Advanced Placement), IB (International Bacc.), and ADE approved honors classes will be graded on a weighted 5.0 scale. Students must take the AP exam to obtain weighted credit and teachers must be properly trained.

## **HOMEWORK POLICY**

The Dierks School District maintains that homework can be an important activity to help students learn. Homework is flexible and is the individual responsibility of each teacher in the Dierks School System. Purposeful homework varies from day to day with each pupil, depending upon his capacity, potential and need. Whenever homework exists in the system, it shall supplement, complement, and reinforce classroom teaching and learning. Homework shall never be used as a disciplinary or as a punitive measure.

Homework should be included as an integral part of the instructional program and a means by which students are provided extended time to master learning concepts and objectives. Homework should be a positive experience and provide students the opportunity to: (1) reinforce skill development, (2) manage learning time away from the school setting, (3) communication to parents learning activities provided during the school day, and (4) involve other adults in helping them to learn.

**In the Dierks School District, all homework assignments will be the following:**

1. Directly related to the curriculum and the current learning objectives,
2. Explains thoroughly in terms of content, process and expectations,
3. Reasonable and will not preclude pupils from assuming other homework and community responsibilities, and
4. Designed to encourage and support efforts to develop the skills to learn independently.

Parental support and encouragement to complete each assignment is essential to the student's progress in academic work.

### **SEMESTER TEST EXEMPTIONS**

- A. Students in grades 7-12 with no unexcused absences:
  1. "A" average in that class with 3 or less excused absences.
  2. "B" average in that class with no more than 2 excused absences.
  3. "C" average in that class with no more than 1 excused absence.
- B. Students with in-school suspension or out-of-school suspension will not be exempt from semester tests.
- C. Students in special ed/resource room classes may be exempted by the special ed teacher.

- D. Students who have not received detention for the semester will have 1 absence removed from their total absences for semester test exemptions.

### **SENIOR RINGS**

Juniors who have completed fifteen (15) credits at the end of the first semester or eighteen (18) credits by the end of the second semester are eligible to order senior rings.

### **LOCKERS**

Lockers and locks are provided for the storage of school supplies and other personal property. Students are assessed a nominal rental fee each year.

Lockers are school property and are subject to search by school officials when reasonable cause exists.

### **LOST AND FOUND**

Articles lost and found should be turned in at the office. The school cannot be responsible for articles which are carelessly left lying about the rooms and hallways. Students are encouraged to place all books, etc., in their lockers. Articles of clothing or other materials left over the summer in lockers will be discarded.

### **MAILING LIST**

No mailing list or other list of children is to be given to individuals, organizations, or commercial concerns. Any exceptions to this rule must be made with the approval of the superintendent of schools.

### **OFFICE WORKERS**

Students are selected each year to work in the principal's and the counselor's offices. These selections are based on dependability, grades, and good attendance. No credit is given but good experience is gained in meeting people, office skills and assuming responsibility.

### **SCHOOL TRIPS**

Students participating in school sponsored trips must have a permission slip signed by a parent/guardian prior to the trip. Students must use school approved transportation to travel both to and from the events.

Field trips related to academic work will be allowed during the school day. Students making school sponsored trips should make every effort to dress and act as nice as possible. They are representative of the school and many times the school is judged by their actions.

1. Must be approved by the principal.
2. Must have signed permission slips if traveling by bus or school vehicle.
3. Whenever possible, bus transportation should be provided.

Trips taken by classes or organizations which are not classified as an educational field trip must meet the following requirements:

1. No overnight class trips.
2. Must be planned through the sponsor and approved by the principal.
4. All expenses of the trip will be paid by the class, students, or organization.
5. Additional parental chaperones shall be required as necessary.

### **SOLICITATION OF FUNDS**

Act 980 of 1993 prohibits solicitation of donations or attempts to sell any items or service on or within ten feet of the highway if there is not a sidewalk along the highway. If there is a sidewalk within ten feet of the highway, no sales or donations can be solicited on or between the highway and the sidewalk. Violation of this Act is a Class C misdemeanor.

The Arkansas Department of Education interprets this law to apply to schools and school districts and cautions school personnel to avoid these areas when setting up sales and solicitations, even within city limits.

School officials and teachers are not permitted to solicit contributions for the school without special permission from the Board of Education.

No collection or solicitation of money for non-school purposes of any kind is permitted in any of the Dierks Public Schools.

The sale of articles by any person connected with the school for the purpose of raising funds for school activities must have permission of the principal.

## **ANNOUNCEMENTS**

Information is dispersed to students and faculty through a bulletin sent to each classroom usually during the last half of second period. The announcements will include a list of high school absentees.

## **ADVERTISING**

No advertising of any nature shall be permitted in Dierks Public Schools. This provision, however, shall not prevent the acceptance of book covers containing legitimate advertisements, calendar, or other fees, useful supplies, or the showing of approved motion pictures.

There shall be no soliciting or advertising by teachers or students except for the purpose of securing funds for school yearbook, birthday calendar, or programs for the athletic contests.

## **BEFORE SCHOOL AND AT NOON**

Students are strongly discouraged from arriving at school before 7:30 a.m. Doors will be opened at 7:40 a.m. by the duty teacher. Students will be permitted to enter by permission of the duty teacher to study. Any other teacher that allows students to enter, will supervise them until the duty teacher arrives or the children's homeroom teacher arrives. In extremely bad weather, students are allowed in the study hall.

## **JOB SHADOWING**

**Students at Dierks High School will have the opportunity to participate in a Job Shadow program. A Job Shadow allows students to observe, first-hand, what a job/career is like in the workplace by visiting an actual work site. The student will gain a better understanding of the identified career and may begin to make connections between their talents, skills, and interests and the career. Overall, the job shadow experience will help students make viable educational and career choices. Sophomores can participate in one Job Shadow day during the Spring semester. Juniors and Seniors can participate in one Job Shadow day each semester. Failure to turn in Job Shadow paperwork in 5 calendar days will result in an unexcused absence.**

### **Work release Program**

The counselor is in charge of the work release program. Students will not be allowed to participate in the work release program if the student reaches the 8 absences which goes along with the Activities participation of this hand book.

## **BOOKS AND MATERIALS**

Pencils, paper, workbooks or any material not furnished as free basic textbooks are the responsibility of the student. Teachers will sometimes require such books or materials in addition to textbooks.

Students are required to bring pencils, per, or any working materials to class that the teacher may request. Failure to do so will naturally result in loss of classroom activity for the student and disciplinary action.

## **STUDENT EXCHANGE**

A student exchange is located in the principal's office and is operated by the office. It is open before school, at lunch, and after school. An attempt is made to stock basic supplies needed by the students at the lowest possible cost.

## **STUDENT TELEPHONE**

The school phones are not to be used by the students for outgoing and incoming calls except in the case of emergency. Students must have permission from the teacher or principal to use the telephone

## **TESTING PROGRAM**

State Required Testing:

- \* ACT Aspire
- \* CTE End of Course Testing

Upon completion of the End of Course exam, the test results of each student are posted in his/her transcript.

## **OPTIONAL DISTRICT TESTING**

ASVAB, PSAT, ACT, Explore, and PLAN. The PSAT is given to Sophomores but may be requested by Juniors who wish to be considered for the National Merit Scholarship.

## **School Enrollment to Obtain Driver's License**

Dierks Public Schools will comply with Act 831 of 1991 which requires every application for an instruction permit or an operator's or chauffeur's license by a **person less than** eighteen (18) years old on October 1, of any year to be accompanied by proof of enrollment and regular attendance in school



## **CHEERLEADERS**

Dierks cheerleaders have continually received recognition for outstanding cheerleader merit in both camps and public performance. The purpose for this organization is to promote school spirit and sportsmanship, to provide entertainment and support of athletic events, to provide extracurricular activities for the students, and to provide opportunities to be creative, show leadership abilities and to work diligently for the sake of Dierks High School.

Tryouts will be held during the spring. The judges for the competition will be in no way affiliated with the Dierks School District. Ten cheerleaders and a mascot will be chosen for the senior squad and ten cheerleaders will be chosen for the Junior squad. Students competing for senior cheerleader will be from grades 10, 11 and 12. Junior cheerleaders will be selected from students in grades 7, 8 and 9. Tryouts are closed to the public.

### **CHEERLEADER SELECTION PROCEDURES**

1. Tryouts will consist of 1 group cheer, 1 individual cheer, 3 jumps, 1 routine, entrance/exit cheering and chants.
2. There will be three (3) judges, preferably from schools or colleges having Universal Cheerleader Association membership. An effort will be made to secure cheerleader sponsors from neighboring schools or colleges to serve as judges.
3. The score sheets for each cheerleader candidate will be collected from the judges, stapled together, and tabulated by at least two separate tabulators.
4. The names of the cheerleaders will be announced by the principal at the end of the tryouts.
5. During competition, no help or coaching from past years cheerleaders should be given to the participants.
6. Cheerleaders/Parents may come by the Principal's office and review their judge's score sheets. The files will be retained for 30 days.
7. The decision of the judges will be final.

## **ASSEMBLIES**

The student council, principal and faculty are responsible for planning programs and other auditorium activities.

This is a valuable part of the instruction program and teachers should make use of it. As many students as possible should have the opportunity to perform before a group.

Not only is active participation in auditorium activities an important part of the instructional program, but also the teacher of proper conduct, listening habits and attitudes.

## **PEE WEES**

1. Pee Wee coaches will work with the athletic director and principal in the use of school facilities during practice and games.
2. Interruptions caused by announcements: visitors to school and internal sources will limit interruptions and announcements to absolute necessities.
3. Announcements must be cleared by the principal.
4. Announcements will be made the last five (5) minutes of the day over the intercom.

## **PROM RULES**

1. **The prom/banquet will be held in April or May. (School board may change the date.)**
2. **Dierks School may have a full banquet and prom. Only Juniors, Seniors, their spouses and their guests (between the ages of 9<sup>th</sup> grade and 21) of the Junior/Senior Class will be allowed to attend the banquet. Guests will be faculty, administrators, board members, speakers and their spouses.**
3. **Location - The location will be left up to the Junior advisors but they must use facilities owned or approved by the Dierks School Board.**
4. **Photographs - Professional - A time and place will be set for the professional photographer. Parents - a time and place will be set for the parents to take pictures. All pictures taken will be the decision of the junior advisors and the principal.**

5. **Dress - Dress is to be semi-formal or formal. Boys - Tux, dress jacket, slacks and tie. Girls - Formals, dress-up dresses, party dresses, or formal pants suits. We will not allow dress changes to informal attire. Dresses should meet the following guidelines: (1) slits in dresses should not be higher than 4" above the bend of the knee, (2) no see-through with or without mesh or netting material is allowed, (3) no cutouts in the body of the dress are allowed, (4) belly buttons and stomachs must be covered, and (5) dress should not be cut below a moderate level.**
6. **Due to the amount of time and money spent in preparation of the prom, all attendees must remain at the location of the prom until 9:00 P.M.**
7. **Clean up will be the responsibility of the Junior class and must be done in a timely manner.**
8. **All students and their dates will follow all policies as written in the Dierks Board Policy Manual**
9. **All dues/fees must be paid in full during the student's Junior year before the student may attend the Prom. Prom materials are ordered and must be paid for early to assure delivery prior to the Prom date. Required fees will be determined by the sponsors/principal. (See Class Dues)**

### **CLASS DUES**

All students will begin paying class dues in the seventh grade at a set rate of \$10 a semester. Any student moving into the district would be required to pay dues up to date. At the beginning of the 11<sup>th</sup> grade, students will be notified of what their obligation is toward Prom attendance. Any student moving out of the district prior to the end of the first grading period (9 weeks) of his/her junior year would be refunded all money paid. Dues are collected in grades 7-11 to help with the costs of class expenses (graduation, senior sidewalk, prom, etc.) as well as the prom that the Juniors provide for the Seniors. Any guest at the Prom that is a student of Dierks High School or homeschool from Dierks must have all dues current. Students attending Alternative School or home school and have attended Dierks High School (grades 7-12) may invite their spouse as a guest for \$25. All students attending the Prom must have class dues paid. All students attending the Prom must have their class dues paid in full by the end of the first grading period (9 weeks) of their Junior year. (reason - Prom materials are ordered early to secure delivery prior to the Prom date) (Board approved 05/25/06) This would also include ASMS students (effective 1998).

## 4.1—RESIDENCE REQUIREMENTS

### Definitions:

“In loco parentis” means relating to the responsibility to undertake the care and control of another person in the absence of:

1. Supervision by the person's parent or legal guardian; and
2. Formal legal approval.

“Reside” means to be physically present and to maintain a permanent place of abode for an average of no fewer than four (4) calendar days and nights per week for a primary purpose other than school attendance.

“Resident” means a student whose parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis reside in the school district.

“Residential address” means the physical location where the student’s parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis reside. A student may use the residential address of a parent, legal guardian, person having lawful control of the student, or person standing in loco parentis only if the student resides at the same residential address and if the guardianship or other legal authority is not granted solely for educational needs or school attendance purposes.

The schools of the District shall be open and free through the completion of the secondary program to all persons between the ages of five (5) and twenty one (21) years whose parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis reside within the District<sup>1</sup> and to all persons between those ages who have been legally transferred to the District for educational purposes.

Any person eighteen (18) years of age or older may establish a residence separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis for school attendance purposes.

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District's schools separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis, the student is required to reside in the District for a primary purpose other than that of school attendance. However, a student previously enrolled in the district who is placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty may continue to attend district schools.<sup>2</sup> A foster child who was previously enrolled in a District school and who has had a change in placement to a residence outside the District, may continue to remain enrolled in his/her current school unless the presiding court rules otherwise.<sup>3</sup>

Under instances prescribed in A.C.A. § 6-18-203, a child or ward of an employee of the district or of the education coop to which the district belongs may enroll in the district even though the employee and his/her child or ward reside outside the district.<sup>4</sup>

Children whose parent or legal guardian relocates within the state due to a mobilization, deployment, or available military housing while on active duty in or serving in the reserve component of a branch of the United States Armed Forces or National Guard may continue attending school in the school district the children were attending prior to the relocation or attend school in the school district where the children have relocated. A child may complete all remaining school years at the enrolled school district regardless of mobilization, deployment, or military status of the parent or guardian.

## 4.2—ENTRANCE REQUIREMENTS

To enroll in a school in the District, the child must be a resident of the District as defined in District policy **(4.1—RESIDENCE REQUIREMENTS)**, meet the criteria outlined in policy **4.40—HOMELESS STUDENTS** or in policy

**4.52—STUDENTS WHO ARE FOSTER CHILDREN**, be accepted as a transfer student under the provisions of policy 4.4, or participate under a school choice option and submit the required paperwork as required by the choice option under Policy 4.5.

Students may enter kindergarten if they will attain the age of five (5) on or before August 1 of the year in which they are seeking initial enrollment. Any student who has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60) days, will become five (5) years old during the year in which he/she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon written request to the District. Any student who was enrolled in a state-accredited or state-approved kindergarten program in another state or in a kindergarten program equivalent in another country, becomes a resident of this state as a direct result of active military orders or a court-ordered change of custody, will become five (5) years of age during the year in which he or she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon a written request to the District. Any child who will be six (6) years of age on or before October 1 of the school year of enrollment and who has not completed a state-accredited kindergarten program shall be evaluated by the district and may be placed in the first grade if the results of the evaluation justify placement in the first grade and the child's parent or legal guardian agrees with placement in the first grade; otherwise the child shall be placed in kindergarten.

Any child may enter first grade in a District school if the child will attain the age of six (6) years during the school year in which the child is seeking enrollment and the child has successfully completed a kindergarten program in a public school in Arkansas.

Any child who has been enrolled in the first grade in a state-accredited or state-approved elementary school in another state for a period of at least sixty (60) days, who will become age six (6) years during the school year in which he/she is enrolled in grade one (1), and who meets the basic residency requirements for school attendance may be enrolled in the first grade.

Students who move into the District from an accredited school shall be assigned to the same grade as they were attending in their previous school (mid-year transfers) or as they would have been assigned in their previous school. Private school students shall be evaluated by the District to determine their appropriate grade placement. Home school students enrolling or re-enrolling as a public school student shall be placed in accordance with policy 4.6—HOME SCHOOLING.

The district shall make no attempt to ascertain the immigration status, legal or illegal, of any student or his/her parent or legal guardian presenting for enrollment.<sup>1</sup>

Prior to the child's admission to a District school:<sup>2</sup>

1. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the Division of Elementary and Secondary education.
2. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall provide the district with one (1) of the following documents indicating the child's age:
  - a. A birth certificate;
  - b. A statement by the local registrar or a county recorder certifying the child's date of birth;
  - c. An attested baptismal certificate;
  - d. A passport;
  - e. An affidavit of the date and place of birth by the child's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis;
  - f. United States military identification; or
  - g. Previous school records.
3. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall indicate on school registration forms whether the child has been expelled from school in any other school district or is

a party to an expulsion proceeding. Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.<sup>3</sup>

4. In accordance with Policy 4.57—IMMUNIZATIONS, the child shall be age appropriately immunized or have an exemption issued by the Arkansas Department of Health.

### **Uniformed Services Member's Children**

For the purposes of this policy:

“Activated reserve components” means members of the reserve component of the uniformed services who have received a notice of intent to deploy or mobilize under Title 10 of the United States Code, Title 32 of the United States Code, or state mobilization to active duty.

““Active duty”<sup>4</sup> means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. §§ 1209, 1210 and 1211.

“Deployment” means a period of time extending from six (6) months before a member of the uniformed services' departure from their home station on military orders through six (6) months after return to his or her home station.

"Dual status military technician" means a federal civilian employee who is:

- a. Employed under 5 U.S.C. § 3101 or 32 U.S.C. § 709(b);
- b. Required as a condition of his or her employment to maintain membership in the Selected Reserve; and
- c. Assigned to a civilian position as a technician in the organizing, administering, instructing, or training of the Selected Reserve or in the maintenance and repair of supplies or equipment issued to the Selected Reserve of the United States Armed Forces.

“Eligible child” means the children of:

- \* Active duty members of the uniformed services;
- \* Members of the active and activated reserve components of the uniformed Services;
- \* Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement;



- \* Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after Death.
- \* Dual status military technicians; and
- \* Traditional members of the National Guard and reserve components of the armed forces who are relocating to the state for employment or to serve as a member of an Arkansas-based reserve component unit.

"Traditional member of the National Guard or federal reserves" means an active member of the Selected Reserve subject to mobilization and deployment for which he or she attends monthly and annual training periods.

"Transition" means the:

- \* Formal and physical process of transitioning from public school to public school; or
- \* Period of time in which a student moves from a sending district to a receiving district.

"Uniformed services"<sup>4</sup> means the United States Army, United States Navy, United States Space Force, United States Marine Corps, United States Coast Guard, the National Oceanic and Atmospheric Administration Commissioned Officer Corps, the United States Commissioned Corps of the Public Health Services, and the state and federal reserve components of each of these bodies.

"Veteran" means an individual who served in the uniformed services and who was discharged or released from the uniformed services under conditions other than dishonorable.

The superintendent shall designate an individual as the District's military education coordinator, who shall serve as the primary point of contact for an eligible child and for the eligible child's parent, legal guardian, person having lawful control of the eligible child, or person standing in loco parentis. The individual the superintendent designates as the District's military education coordinator shall have specialized knowledge regarding the educational needs of children of military families and the obstacles that children of military families face in obtaining an education.<sup>5</sup>

An eligible child as defined in this policy shall:

1. Be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. Be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school
3. Enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;
4. Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to the extent that space is available. This does not prohibit the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs;
5. Be provided services comparable to those the student with disabilities received in his/her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
6. Make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
7. Be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
8. Be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

Following the receipt of advanced notice of the enrollment of an eligible student from a military family, the District shall treat the notice as a provisional enrollment and provide the student with materials regarding:

- a. Academic courses;
- b. Electives;
- c. Sports; and
- d. Other relevant information regarding the public school.

In the event that official copies of an eligible child's education records are not available at the time the eligible child is transferring, then the District shall:

- \* Pre-register and place an eligible child based on the eligible child's unofficial education records pending receipt of the eligible child's official records; and
- \* Request the eligible child's official education records from the sending district.

To facilitate a smooth transition between the student's previous coursework and the curriculum best suited to ensure educational success in the student's new school, the District may enroll an inbound transitioning eligible student in digital coursework, if available, at the request of the military family.

## **4.2—ENTRANCE REQUIREMENTS~DHS**

### **ENROLLMENT**

For enrollment in Dierks High School, a student must meet resident requirements. The student must also provide proof of age, a social security number (or a district assigned 9-digit number) and provide current enrollment status with the school previously attended. Documents required for enrollment can consist of one or more of the following: birth certificate, registrar statement, baptismal certificate, passport, affidavit, military ID, or previous school records. If a student attempts enrollment at Dierks High School and has been expelled from his/her previous school for any reason, he/she will not be allowed to attend Dierks High School until that expulsion time expires. A hearing may be allowed for students attempting to enroll that have been expelled from their previous school for weapon possession. Current immunization records must also be provided.

Any student transferring to Dierks High School from a school accredited by the Department of Education shall be placed in the same grade the student would have been in had the student remained at the former school.

Any student transferring to Dierks High School from home school or a school that is not accredited by the Department of Education shall be evaluated by the staff of Dierks High School to determine that student's proper placement. This evaluation may include, but is not limited to educational testing.

#### **4.3—COMPULSORY ATTENDANCE REQUIREMENTS**

Every parent, legal guardian, person having lawful control of the child, or person standing in loco parentis of any child age five (5) through seventeen (17) years on or before August 1 of that year who resides, as defined by policy (4.1—RESIDENCE REQUIREMENTS), within the District shall enroll the child and ensure the attendance of child at a District school with the following exceptions:

1. The child is enrolled in private or parochial school.
2. The child is being home-schooled and the conditions of policy (4.6—HOMESCHOOLING) have been met.
3. The child will not be age six (6) on or before August 1 of that particular school year and the parent, legal guardian, person having lawful control of the child, or person standing in loco parentis of the child elects not to have him/her attend kindergarten. A kindergarten waiver form prescribed by regulation of the Division of Elementary and Secondary Education must be signed and on file with the District administrative office.
4. The child has received a high school diploma or its equivalent as determined by the State Board of Education.
5. The child is age sixteen (16) or above and is enrolled in a post-secondary vocational-technical institution, a community college, or a two-year or four-year institution of higher education.
6. The child is age sixteen (16) or seventeen (17) and has met the requirements to enroll in an adult education program as defined by A.C.A. § 6-18-201 (b).

#### **4.3—COMPULSORY ATTENDANCE REQUIREMENTS~DHS**

##### **Compulsory Attendance Requirements**

The school district will provide the opportunity for each child ages five (5) on or before August 1, to enroll in an accredited school. Each student is required to be enrolled in kindergarten at age five (5) by a parent or guardian. Any six (6) year old child who has not completed a kindergarten program prior to public school enrollment, shall be evaluated by the school district to determine whether placement for the child shall be in kindergarten or the first grade. A birth certificate or other documents listed below shall be required verifying that a child is five (5) years of age on or before August 1 of the year the child enters kindergarten. Act 462 has changed the dates of enrollment for the upcoming school year. For the school year 2012-2013 any student may enter kindergarten if he or she will attain the age of five years on or before August 1. Materials that may be used to register students

include: birth certificate, registrar statement, baptismal certificate, passport, affidavit, military ID, or previous school records.

Immunization records - rules and regulations of the Arkansas State Board of Health - requires the school personnel to refuse admittance to children who do not have adequate immunization records.

All children between the ages of five (5) and through seventeen (17), both inclusive, shall attend school (Act 60 of 1983).

Exceptions-children mentally or physically handicapped (ages 5- 21 inclusive) who require separate schooling or other removal of handicapped children from the regular educational environment shall occur only when, and to the extent that, the nature of the severity of the handicap is such that education in regular classes, even with the use of supplementary aids and services, cannot be accomplished satisfactorily. (Act 102, 1973, as amended in 1975).

#### **4.4—STUDENT TRANSFERS**

The Dierks District shall review and accept or reject requests for transfers, both into and out of the district, on a case by case basis at the July and December regularly scheduled board meetings.<sup>1</sup>

The District may reject a non-resident's application for admission if its acceptance would necessitate the addition of staff or classrooms, exceed the capacity of a program, class, grade level, or school building, or cause the District to provide educational services not currently provided in the affected school.<sup>2</sup> The District shall reject applications that would cause it to be out of compliance with applicable laws and regulations regarding desegregation.

Any student transferring from a school accredited by the Division of Elementary and Secondary Education (DESE) to a school in this district shall be placed into the same grade the student would have been in had the student remained at the former school. Any grades, course credits, and/or promotions received by a student while enrolled in the Division of Youth Services system of education shall be considered transferable in the same manner as those grades, course credits, and promotions from other accredited Arkansas public educational entities.

Any student transferring from a school that is not accredited by the DESE to a District school shall be evaluated by District staff to determine the student's appropriate grade placement. A student transferring from homeschool will be placed in accordance with Policy 4.6—HOMESCHOOLING.

Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.<sup>3</sup>

Except as otherwise required or permitted by law,<sup>4</sup> the responsibility for transportation of any nonresident student admitted to a school in this District shall be borne by the student or the student's parents. The District and the resident district may enter into a written agreement with the student or student's parents to provide transportation to or from the District, or both. Notes:<sup>1</sup> You may choose not to adopt this additional language and accept transfers on a continuing basis. Consult A.C.A. § 6-18-317 for restrictions on transfers where either the resident or the receiving district is under a desegregation related court order. <sup>2</sup> Your application of "capacity" should be consistent in order to avoid potential exposure to liability for unlawful discrimination against individuals with disabilities. For example, you should not choose to accept a student who requires no special services, but would require you to add an additional elementary teacher, but refuse to accept a student with a disability because it would require you to add an additional special education teacher. You may refuse to accept the transfer of a student with a disability whose acceptance would necessitate the hiring of an aide, interpreter, or other additional staff member.

<sup>3</sup> A.C.A. § 6-18-510 requires that districts adopt this policy language, or similar, **AND** provide a hearing before the board for the student seeking to enroll in the district while currently serving an expulsion from another district in order for the district to exclude the student until the expiration of the student's expulsion. Districts who do not include this policy language, or similar, **AND** provide the hearing before the board may **NOT** prohibit the enrollment of a student who is currently serving an expulsion from another district.

<sup>4</sup> A.C.A. § 9-28-113(b)(4) encourages districts to arrange for transportation for foster children who have had a change in placement to a new school, but have been kept in their previous school by a DHS or court ruling. The statute's language would permit the change in placement to be in a different district and the policy language would allow the district to arrange for the transportation at district expense.

#### 4.4 SCHOOL TRANSFERS~DHS

The Dierks School District will not grant transfers in or out of the district after September 15 of the fall semester and January 15 of the spring semester..

## **4.5—SCHOOL CHOICE**

### **Standard School Choice**

#### **Exemption**

The District is under an enforceable desegregation court order/court-approved desegregation plan<sup>1</sup> that explicitly limits the transfer of students between school districts and has submitted the appropriate documentation to the Division of Elementary and Secondary Education (DESE).<sup>2</sup> As a result of the desegregation order/desegregation plan<sup>1</sup>, the District is exempt from the provisions of the Public School Choice Act of 2015 (Standard School Choice) and the Arkansas Opportunity Public School Choice Act (Opportunity School Choice). The District shall notify the superintendents of each of its geographically contiguous school districts of its exemption.<sup>3</sup> The exemption prohibits the District from accepting any school choice applications from students wishing to transfer into or out of the District through standard School Choice or Opportunity School Choice.<sup>4</sup>

#### **Definition**

"Sibling" means each of two (2) or more children having a parent in common by blood, adoption, marriage, or foster care.

### **Transfers into the District**

#### **Capacity Determination and Public Pronouncement**

The Board of Directors will annually adopt a resolution containing the capacity standards for the District. The resolution will contain the acceptance determination criteria identified by academic program, class, grade level, and individual school. The school is not obligated to add any teachers, other staff, or classrooms to accommodate choice applications. The District may only deny a Standard School Choice application if the District has a lack of capacity by the District having reached ninety percent (90%) of the maximum student population in a program, class, grade level, or school building authorized by the Standards or other State/Federal law.<sup>5</sup>

The District shall advertise in appropriate broadcast media and either print media or on the Internet to inform students and parents in adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline; the requirements and procedures for participation in the program; and include contact information for the primary point of contact at the District for school choice questions. Such pronouncements shall be made in the spring, but in no case later than March 1.<sup>6</sup>

### **Application Process**

The student's parent shall submit a school choice application on a form approved by DESE to this District and the student's resident district. Except for students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, the transfer application must be postmarked, emailed, or hand delivered on or before May 1 of the year preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications the District receives as both the resident and nonresident district as they are received in the District's central office. Except for applications from students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, applications postmarked, emailed, or hand delivered on or after May 2 will not be accepted. Statutorily, preference is required to be given to siblings of students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards

approved by the Board of Directors may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the application's date and time stamp.

Students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base may submit an application and transfer at any time if the student's application:

1. Is filed with the nonresident school district within fifteen (15) days of the parent's or guardian's arrival on the military base;
2. Includes the parent's or guardian's military transfer orders; and
3. Includes the parent's or guardian's proof of residency on the military base.

The approval of any application for a choice transfer into the District is potentially limited by the applicant's resident district's statutory limitation of losing no more than three percent (3%) of its past year's student enrollment due to Standard School Choice. As such, any District approval of a choice application prior to July 1 is provisional pending a determination that the resident district's three percent (3%) cap has not been reached. The superintendent shall contact a student's resident district to determine if the resident district's three percent (3%) cap has been met.



No earlier than January 1 of each year, the Superintendent will consider all properly submitted applications for School Choice. By July 1, the Superintendent shall notify the parent and the student's resident district, in writing, of the decision to accept or reject the application.

### **Accepted Applications**

Applications which fit within the District's stated capacity standards shall be provisionally accepted, in writing, with the notification letter stating a reasonable timeline by which the student shall enroll in the District by taking the steps detailed in the letter, including submission of all required documents. If the student fails to enroll within the stated timeline, or if all necessary steps to complete the enrollment are not taken, or examination of the documentation indicates the applicant does not meet the District's stated capacity standards, the acceptance shall be null and void.<sup>7</sup>

A student, whose application has been accepted and who has enrolled in the District, is eligible to continue enrollment until completing his/her secondary education. Continued enrollment is conditioned upon the student meeting applicable statutory and District policy requirements. Any student who has been accepted under choice and who fails to initially enroll under the timelines and provisions provided in this policy; chooses to return to his/her resident district; or enrolls in a home school or private school voids the

transfer and must reapply if, in the future, the student seeks another school choice transfer. A subsequent transfer application will be subject to the capacity standards applicable to the year in which the application is considered by the District.

A present or future sibling of a student who continues enrollment in this District may enroll in the District by submitting a Standard School Choice application. Applications of siblings of presently enrolled choice students are subject to the provisions of this policy including the capacity standards applicable to the year in which the sibling's application is considered by the District. A sibling who enrolls in the District through Standard School Choice is eligible to remain in the District until completing his/her secondary education.

Students whose applications have been accepted and who have enrolled in the district shall not be discriminated against on the basis of gender, national origin, race, ethnicity, religion, or disability.

### **Rejected Applications**

The District may reject an application for a transfer into the District under Standard School Choice due to a lack of capacity. However, the decision to accept or reject an application may not be based on the student's previous academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings other than a current expulsion.<sup>8</sup>

An application may be provisionally rejected if it is for an opening that was included in the District's capacity resolution, but was provisionally filled by an earlier applicant. If the provisionally approved applicant subsequently does not enroll in the District, the provisionally rejected applicant could be provisionally approved and would have to meet the acceptance requirements to be eligible to enroll in the District.

An application may be provisionally rejected if the student's application was beyond the student's resident district's three percent (3%) cap. The student's resident district is responsible for notifying this District that it is no longer at its three percent (3%) cap. If a student's application was provisionally rejected due to the student's resident district having reached its three percent (3%) cap and the student's resident district notifies this District that it has dropped below its three percent (3%) cap prior to July 1, then the provisional rejection may be changed to a provisional acceptance and the student would have to meet the acceptance requirements to be eligible to enroll in the District.

Rejection of applications shall be in writing and shall state the reason(s) for the rejection. Unless the student's application was rejected due to the application not being timely received by both the resident and nonresident districts, a student whose

application was rejected may request a hearing before the State Board of Education to reconsider the application. The request for a hearing must be submitted, in writing to the State Board within ten (10) days of receiving the rejection letter from the District.

Any applications that are denied due to the student's resident district reaching the three percent (3%) limitation cap shall be given priority for a choice transfer the following year in the order that the District received the original applications.

### **Transfers Out of the District**

All Standard School Choice applications shall be granted unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) of more than three percent (3%) of the average daily membership on October 1 of the immediately preceding year. By December 15 of each year, DESE shall determine and notify the District of the net number of allowable choice transfers. Students are not counted for the purpose of determining the three percent (3%) cap if the student transfers:

- \* Through Opportunity School Choice due to the school receiving a rating of "F" or a district classified as in need of Level 5 Intensive Support under A.C.A. § 6-18-227;
- \* Due to the district's identification of Facilities Distress under A.C.A. § 6-21-812; or
- \* Through the Foster Child School Choice under A.C.A. § 6-18-233.

If, prior to July 1, the District receives sufficient copies of requests from other districts for its students to transfer to other districts to trigger the three percent (3%) cap, it shall notify each district the District received Standard School Choice applications from that it has tentatively reached the limitation cap. The District will use confirmations of approved choice applications from receiving districts to make a final determination of which applications it received that exceeded the limitation cap and notify each district that was the recipient of an application to that effect.<sup>9</sup> The District shall immediately notify all receiving districts if it should drop back below its three percent (3%) cap prior to July 1.

When the last successful application requesting to transfer out of the District before the District's three percent (3%) cap was triggered belonged to an individual who was a member of a group of siblings who applied to transfer out of the District,, the District shall allow all members of the individual's sibling group to transfer out of the District even though these applications are beyond the District's transfer cap.

### **Facilities Distress School Choice Applications**

There are a few exceptions from the provisions of the rest of this policy that govern choice transfers triggered by facilities distress. Any student attending a school district that has been identified as being in facilities distress may transfer under the provisions of this policy, but with the following four (4) differences:

- \* The receiving district cannot be in facilities distress;
- \* The transfer is only available for the duration of the time the student's resident district remains in facilities distress;
- \* The student is not required to meet the May 1 application deadline; and
- \* The student's resident district is responsible for the cost of transporting the student to this District's school.

### **Opportunity School Choice**

#### **Transfers Into or Within the District<sup>10</sup>**

For the purposes of this section of the policy, a "lack of capacity"<sup>11</sup> is defined as when the receiving school has reached the maximum student-to-teacher ratio allowed under federal or state law, the DESE Rules for the Standards for Accreditation, or other applicable rules. There is a lack of capacity if, as of the date of the application for Opportunity School Choice, ninety-five percent (95%) or more of the seats at the grade level at the nonresident school are filled.

Unless there is a lack of capacity<sup>11</sup> at the District's school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student may transfer from the student's assigned school to another school in the District<sup>10</sup> or from the student's resident district into the District if:

- \* Either:
- \* The student's resident district has been classified by the state board as in need of Level 5 — intensive support; or
- \* The student's assigned school has a rating of "F"; and
- \* The student's parent, guardian, or the student if the student is over eighteen (18) years of age has submitted an application of the student's request to transfer by no earlier than January 1 and no later than May 1 of the school year before the school year the student intends to transfer to both the sending and receiving school districts.:

A student is not required to meet the May 1 application deadline if the student has a parent or guardian who is an active-duty member of the military and who has been

transferred to and resides on a military base. The student may transfer at any time if the student's application:

- a. Is filed with the nonresident school district within fifteen (15) days of the parent's or guardian's arrival on the military base;
- b. Includes the parent's or guardian's military transfer orders; and
- c. Includes the parent's or guardian's proof of residency on the military base.

Except for those students who are applying to transfer within the time permitted due to the student's parent or guardians' military service or seeking to transfer within the District, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, and the student's resident district whether the Opportunity School Choice application has been accepted or rejected by no later than July 1 of the school year the student is seeking to enroll. If the student is seeking a transfer due to the student's parent or guardian's military service or seeking a transfer within the District, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, whether the

Opportunity School Choice application has been accepted or rejected within fifteen (15) days from receipt of the student's application. The notification shall be sent via First-Class Mail to the address on the application.

If the application is accepted, the notification letter shall state the deadline by which the student must enroll in the receiving school or the transfer will be null and void.

If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection.<sup>12</sup> A parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District's decision to deny the

application to the State Board of Education. The appeal must be in writing to the State Board of Education via hand delivery or certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District.

A student's transfer under Opportunity School choice is effective at the beginning of the next school year and the student's enrollment is irrevocable for the duration of the school year and is renewable until the student completes high school or is beyond the legal age of enrollment. This provision for continuing eligibility under Opportunity School Choice does not negate the student's right to apply for transfer to a district other than the student's assigned school or resident district under the Standard School Choice provisions of this policy.

The District may, but is not obligated to provide transportation to and from the transferring district.<sup>13</sup>

#### **Transfers out of, or within, the District<sup>10</sup>**

If a District school receives a rating of "F" or the District has been classified by the State Board as in need of Level 5 Intensive Support, the District shall timely notify parents, guardians, or students, if over eighteen (18) years of age, as soon as practicable after the school or district designation is made of all options available under Opportunity School Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to submit an application to enroll the student in:

1. A school district that has not been classified by the State Board as in need of Level 5 Intensive Support; or
2. If there is more than one school within the District covering the grade level of the student seeking to transfer that does not have a rating of “F”, a public school within the District that is nearest to the student’s legal residence that does not have a rating of “F”; or
3. If there is not more than one school within the District covering the grade level of the student seeking to transfer that does not have a rating of “F”, a public school that does not have a rating of “F” within a School district that has not been classified by the State Board as in need of Level 5 Intensive Support.

Additionally, the District shall request public service announcements to be made over the broadcast media and in the print media at such times and in such a manner as to inform parents or guardians of students in adjoining districts of the availability of the program, the application deadline, and the requirements and procedure for nonresident students to participate in the program.<sup>14</sup>

### **Unsafe School Choice Program**

Any student that becomes the victim of a violent criminal offense while in or on the grounds of a District school or who is attending a school classified by DESE as a persistently dangerous public school shall be allowed to attend a safe public school within the District.

## **4.6—HOMESCHOOLING**

### **Enrollment in Home School**

Parents or legal guardians desiring to provide a home school for their children shall give written notice to the Superintendent of their intent to homeschool. The notice shall be given:

1. At the beginning of each school year, but no later than August 15;
2. Five (5) school days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive absences) and at the beginning of each school year thereafter; or
3. Within thirty (30) calendar days of the parent or legal guardian establishing residency within the district during the school year.

Written notice of the parent or legal guardian's intent to homeschool shall be delivered to the Superintendent through any of the following methods:

- \* Electronically, including without limitation by
  - § Use of the Division of Elementary and Secondary Education's (DESE) online system;
  - § Email; or
  - § Facsimile;
- \* By mail; or
- \* In person.

The notice shall include:

- a. The name, sex, date of birth, grade level, and the name and address of the school last attended, if any;
- b. The mailing address and telephone number of the home school;
- c. The name of the parent or legal guardian providing the home school;

- D. Indicate if the home-schooled student intends to participate in extracurricular activities during the school year;
- e. A statement of whether the home-schooled student plans to seek a high school equivalency diploma during the current school year;
- f. A statement that the parent or legal guardian agrees that the parent or legal guardian is responsible for the education of their children during the time the parents or legal guardians choose to homeschool; and
- g. A statement that the parent or legal guardian
- h. A signature of the parent or legal guardian, which must be notarized if the home-schooled student plans to seek a driver's license during the school year.

To aid the District in providing a free and appropriate public education to students in need of special education services, the parents or legal guardians home-schooling their children shall provide information that might indicate the need for special education services.

A student who has been temporarily issued items, resources, supplies, materials, or other property belonging to the District is eligible for enrollment in a home school during the school year after:

- \* The items, resources, supplies, materials, or other property belonging to the District have been returned to the District;
- \* The items, resources, supplies, materials, or other property belonging to the District have been paid for; or
- \* The semester has ended.

The superintendent or the board of directors may waive the required five (5) school day waiting period for a student's enrollment in home school during a semester if the superintendent or the board of directors is satisfied with the return of temporarily issued items, resources, supplies, materials, or other District property .

### **Enrollment or Re-Enrollment in Public School**

A home-schooled student who wishes to enroll or re-enroll in a District school shall submit:

- \* A transcript listing all courses taken and semester grades from the home school;
- \* Score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and
- \* A portfolio of indicators of the home-schooled student's academic progress, including without limitation:
  - \* Curricula used in the home school;



- \* Tests taken and lessons completed by the home-schooled student; and
- \* Other indicators of the home-schooled student's academic progress.

If a home-schooled student is unable to provide a nationally recognized norm-referenced score, the District may either assess the student using a nationally recognized norm-referenced assessment or waive the requirement for a nationally recognized norm-referenced assessment score.

A home-schooled student who enrolls or re-enrolls in the District will be placed at a grade level and academic course level equivalent to or higher than the home-schooled student's grade level and academic course level in the home school:

1. As indicated by the documentation submitted by the home-schooled student;
2. By mutual agreement between the public school and the home-schooled students parent or legal guardian; or
3. If the home-schooled student fails to provide the documentation required by this policy, with the exception of the nationally recognized norm-referenced assessment score, the District may have sole authority to determine the home-schooled student's grade placement and course credits. The District will determine the home-schooled student's grade placement and course credits in the same manner the District uses when determining grade placement and course credits for students enrolling or re-enrolling in the District who attended another public or private school.

The District shall afford a home-schooled student who enrolls or re-enrolls in a public school the same rights and privileges enjoyed by the District's other students. The District shall not deny a home-schooled student who enrolls or re-enrolls in the District any of the following on the basis of the student having attended a homeschool:

- a. Award of course credits earned in the home school;
- b. Placement in the proper grade level and promotion to the next grade level;
- c. Participation in any academic or extracurricular activity;
- d. Membership in school-sponsored clubs, associations, or organizations;
- e. A diploma or graduation, so long as the student has enrolled or re-enrolled in the District to attend classes for at least the nine (9) months immediately prior to graduation; or
- f. Scholarships.

## 4.6—HOMESCHOOLING~DHS

### **HOMESCHOOLING/STUDENTS TRANSFERRING IN FROM A NON-ACCREDITED SCHOOL**

Students who enter Dierks Public Schools from non-accredited schools or have been schooled at home will be given a test such as Star Math and Star Reading assessments to establish grade level. These students will not be eligible to be ranked because of unavailable grades. Therefore, these students will be ineligible to qualify for honor graduate status if they transfer in after their 8<sup>th</sup> grade year. A student requesting course credit for a specific course offered in grades 9-12 will be tested for that specific course. (For example: A student requesting credit in algebra one will be given a test covering the course objectives for algebra one.) A score of 70% or higher will be required to receive “credit” for the course.

Act 400 of 1997 requires parents to register as home-schoolers only once a year with the superintendent of their resident district, and they may withdraw a student from school mid year or anytime during the year and register to provide a home school then.

Home-schoolers will be tested on the same schedule as public school students and the test will be administered by education service cooperatives; financial responsibility for the testing will be assumed by the Department of Education.

Students who re-enroll in local school districts must attend classes for at least nine months to be eligible to receive a diploma.

## 4.7—ABSENCES

If any student’s Individual Education Program (IEP) or 504 Plan conflicts with this policy, the requirements of the student’s IEP or 504 Plan take precedence.

Education is more than the grades students receive in their courses. Important as that is, students’ regular attendance at school, whether in person or digitally, is essential to their social and cultural development and helps prepare them to accept responsibilities they will face as an adult. Interactions with other students and participation in the instruction within the classroom enrich the learning environment and promote a continuity of instruction which results in higher student achievement.

Absences for students enrolled in synchronous digital courses shall be determined in the same manner as for District students attending courses in person<sup>1</sup>

## **Excused Absences**

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons.

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.<sup>2</sup>
2. Death or serious illness in their immediate family;<sup>3</sup>
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, FHA, or 4-H sanctioned activity;
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.<sup>4</sup>

Students who serve as pages for a member of the General Assembly shall be considered on instructional assignment and shall not be considered absent from school for the day the student is serving as a page.<sup>5</sup>

### **In order for the absence to be considered excused, the student must:**

- a. Bring a written statement to the principal or designee upon the student's return to school from the student's parent or legal guardian stating the reason for the student's absence; or

b. If the student is attending the District's courses digitally, upload a written statement from the student's parent or legal guardian stating the reason for the student's absence through the District's digital course management platform for review by the principal or designee. A written statement presented or uploaded for an absence having occurred more than five (5) school days prior to its presentation or upload will not be accepted.

### **Unexcused Absences**

Absences that are not defined above; do not have an accompanying note from the parent, legal guardian; person having lawful control of the student, or person standing in loco parentis; or have an accompanying note that is not presented or uploaded within

the timeline required by this policy, shall be considered as unexcused absences. Students with (6)<sup>6</sup> unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has (*insert number equal to 1/2 above number<sup>6</sup>*) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified<sup>7</sup>. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student exceeds (*same number as in the first paragraph of this section <sup>6</sup>*) unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law.

It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Therefore, at any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, legal guardian, person with lawful control of the student, or person standing in loco parentis may petition the school or district's administration for special arrangements to address the student's unexcused absences. If formal arrangements are granted, they shall be formalized into a written agreement which will include the conditions of the agreement and the consequences for failing to

fulfill the agreement's requirements. The agreement shall be signed by the student; the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis, and the school or district administrator or designee.<sup>8</sup> Students who attend in-school suspension shall not be counted absent for those days.<sup>9</sup> Days missed due to out-of-school suspension or expulsion shall be unexcused absences.<sup>9</sup>

The District shall notify the Department of Finance and Administration whenever a student fourteen (14) years of age or older is no longer in school. The Department of Finance and Administration is required to suspend the former student's operator's license unless he/she meets certain requirements specified in the statute.

## **4.7—ABSENCES~DHS**

### **High School Attendance**

If any student's Individual Education Program (IEP) or 504 Plan conflicts with this policy, the requirements of the student's IEP or 504 Plan take precedence.

Education is more than the grades students receive in their courses. Important as that is, students' regular attendance at school is essential to their social and cultural development and helps prepare them to accept responsibilities they will face as an adult. Interactions with other students and participation in the instruction within the classroom enrich the learning environment and promote a continuity of instruction which results in higher student achievement.

### **Excused Absences**

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings a written statement within 5 school days to the principal or designee upon his/her return to school from the parent or legal guardian stating such reason.

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.

The absences below will be categorized as "excused other" and will not be counted in determining semester test exemptions or extracurricular activity participation. Proper documentation for these absences must be submitted to the principal's office within five (5) school days as well.

2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal; or
7. Participation in a school sanctioned activity;
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).

Students who serve as pages for a member of the General Assembly shall be considered on instructional assignment and shall not be considered absent from school for the day the student is serving as a page.

It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Excessive absences may, however, be the basis for the denial of course credit, promotion, or graduation.

### **Unexcused Absences**

Absences not defined above or not having an accompanying note from the parent or legal guardian shall be considered as unexcused absences. No more than 6 of the allowed absences per semester can be unexcused. Students with 6 unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has 3 unexcused absences, his/her parents, guardians, or persons in loco parentis shall be notified. Notification shall be by telephone by the end of the

school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student exceeds 6 unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, guardian, or persons in loco parentis shall be subject to a civil penalty as prescribed by law.

At any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, guardian, or person in loco parentis may petition the school or district's administration for special arrangements to address the student's unexcused absences. If formal arrangements are granted, they shall be formalized into a written agreement which will include the conditions of the agreement and the consequences for failing to fulfill the agreement's requirements. The agreement shall be signed by the student, the student's parent, guardian, or person in loco parentis, and the school or district administrator or designee.

Students who attend in-school suspension shall not be counted absent for those days.

Days missed due to out-of-school suspension or expulsion shall be unexcused absences but will not count in the total for loss of credit. These days will be excluded from makeup work privileges.

The District shall notify the Department of Finance and Administration whenever a student fourteen (14) years of age or older is no longer in school. The Department of Finance and Administration is required to suspend the former student's operator's license unless he/she meets certain requirements specified in the statute.

Applicants for an instruction permit or for a driver's license by persons less than eighteen (18) years old on October 1 of any year are required to provide proof of a high school diploma or enrollment and regular attendance in an adult education program or a public, private, or parochial school prior to receiving an instruction permit. To be issued a driver's license, a student enrolled in school shall present proof of a "C" average for the previous semester or similar equivalent grading period for which grades are reported as part of the student's permanent record.

## **ABSENCES AND EXTRA CURRICULAR ACTIVITIES**

Students must be present one half day on the day of an activity or you will not be able to participate in the activity and in attendance (not tardy) the following day if the next day is the regular scheduled school day. Students that are absent or late two times will be

subject to discipline actions, which may include disqualification from participation in the next activity. The principal may grant an exception for some types of absences that may be beyond the control of the student.

Students must meet with teachers the day before they leave for a school sponsored activity to get assignments, which will be due the day following the event, or as required by the teacher.

Teachers and coaches must give other teachers and coaches at least two (2) days' notice when their students will be gone on a school trip or event. They must include a list of the names of all students who will be going on the trip and the dates the students will be gone. This information will be submitted for inclusion in the bulletin two (2) school days prior to the event. This will give teachers time to make copies of the work the students will need to take with them.

Students cannot participate in any extracurricular activity once they have exceeded their 8<sup>th</sup> absence in any one class period. There also must be no violation of a contractual agreement between administrator, student, and parent/guardian/or person in loco parentis.

#### **4.8—MAKE-UP WORK**

Students who miss school due to an absence shall be allowed to make up the work they missed during their absence under the following rules.<sup>1</sup>

1. Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.<sup>2</sup>
2. Teachers are responsible for providing the missed assignments when asked by a returning student.<sup>2</sup>
3. Students are required to ask for their assignments on their first day back at school or their first class day after their return.<sup>2</sup>
4. Make-up tests are to be rescheduled at the discretion of the teacher, but must be aligned with the schedule of the missed work to be made up.
5. Students shall have one class day to make up their work for each class day they are absent.<sup>3</sup>
6. Make-up work which is not turned in within the make-up schedule for that assignment shall receive a zero.<sup>4</sup>



7. Students are responsible for turning in their make-up work without the teacher having to ask for it.<sup>2</sup>
8. Students who are absent on the day their make-up work is due must turn in their work the day they return to school whether or not the class for which the work is due meets the day of their return.
9. As required/permitted by the student's Individual Education Program or 504 Plan.

Work may not be made up for credit for absences in excess of the number of allowable absences in a semester **unless** the absences are part of a signed agreement as permitted by policy 4.7—ABSENCES.

## **4.8—MAKE-UP WORK~DHS**

### **MAKE-UP WORK**

Students who miss school due to an absence shall be allowed to make up the work they missed during their absence under the following rules:

1. Students are responsible for asking the teachers of the classes they missed what assignments they need to make-up.
2. Teachers are responsible for providing the missed assignments when asked by a returning student.
3. Students are required to ask for their assignments on their first day back at school or their first class day after their return.
4. Make-up tests are to be rescheduled at the discretion of the teacher, but must be aligned with the schedule of the missed work to be made up.
5. Students shall have one class day to make up their work for each class day they are absent.
6. Make-up work which is not turned in within the make-up schedule for that assignment shall receive a zero.
7. Students are responsible for turning in their make-up work without the teacher having to ask for it.

8. Students who are absent on the day of a scheduled test, scheduled assignment or make-up work is due, must make up the test, and must turn in their work the day they return to school whether or not the class for which the work is due meets the day of their return.

Work may not be made up for credit for unexcused absences. Out-of-school suspensions are unexcused absences.

## 4.9—TARDIES

Promptness is an important character trait that District staff are encouraged to model and help develop in our schools' students. At the same time, promptness is the responsibility of each student. Students who are late to class show a disregard for both the teacher and their classmates which compromises potential student achievement.

## 4.9—TARDIES~DHS

### Tardiness Policy

Almost all tardiness is unnecessary. However, we would prefer to have a pupil tardy rather than absent. A student coming in late in the morning or afternoon must report to the office for an admit slip. If a student is absent more than 10 minutes from a class, they will be considered absent for the entire period.

Students who are tardy to first period will go to the office for an admit slip. They will be assigned a day of detention from the office. Those students who are not in their rooms when the tardy bell rings for all other periods will be turned into the office by the teacher as tardy and assigned to detention by the teacher. If a student is absent more than 10 minutes from class, he/she will be considered absent for the entire period. Tardies will be maintained in the office on a semester basis. **The teacher** will assign the detention to the students for tardies for all periods except for first period.

## 4.10—CLOSED CAMPUS

All schools in the District shall operate closed campuses. Students are required to stay on campus from their arrival until dismissal at the end of the regular school day unless given permission to leave the campus by a school official. Students must sign out in the office upon their departure.

## 4.10—CLOSED CAMPUS~DHS

### CLOSED CAMPUS

Students in the Dierks School District shall not leave school premises while school is in session, unless granted permission by the principal, or the superintendent when the principal is not available. Parents must follow the proper checkout procedure.

In case it is necessary to dismiss pupils early, teachers should notify the students at least a day ahead, if possible. Primary pupils should take a note to their parent. Students can be dismissed early only by the superintendent or principal. Teachers should not send the child off the school ground on errands.

**In order for a student to check out during their lunch period, their parent or guardian must come to the office to sign them out. Student's are not allowed to check out 10 minutes prior to their lunch period, unless the student will not be returning to school for the remainder of the day.** Any student who checks out for the lunch period without a parent's consent will be considered truant. If the student that checks out is tardy for fifth period, he/she will be assigned 1 day of ISS on the first offense. The second offense will be assigned 2 days of ISS.

## 4.11—EQUAL EDUCATIONAL OPPORTUNITY

No student in the Dierks School District shall, on the grounds of race, color, religion, national origin, sex, sexual orientation, gender identity, age, or disability be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District. The District has a limited open forum granting equal access to the Boy Scouts of America and other youth groups.<sup>1</sup>

Inquiries on non-discrimination may be directed to \_\_\_\_\_<sup>2</sup>, who may be reached at \_\_\_\_\_<sup>3</sup>. Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, telephone number, or email address provided above. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.

For further information on notice of non-discrimination or to file a complaint, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

## **4.11—EQUAL EDUCATIONAL OPPORTUNITY~DHS**

### **TITLE IX**

In June 1972, Congress passed Title IX of the Education Amendments, a law which affects virtually every educational institution in the country. The law prohibits discrimination by sex in educational programs that receive federal funds.

The law states in that "no person in the United States shall on the basis of sex be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal assistance...

Male and female students must be eligible for benefits, services and financial aid without discrimination on the basis of sex.

There should be a person designated as the grievance officer for Title IX. For Dierks Public Schools, the grievance officer is Jody Cowart, Superintendent..

## **4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS**

Non Curriculum-related secondary school student organizations wishing to conduct meetings on school premises during non instructional time shall not be denied equal access on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Such meetings must meet the following criteria.

1. The meeting is to be voluntary and student initiated;
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
3. The meeting must occur during non instructional time;
4. Employees or agents of the school are present at religious meetings only in a non participatory capacity;
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
6. Non School persons may not direct, conduct, control, or regularly attend activities of student groups.

All meetings held on school premises must be scheduled and approved by the principal. The school, its agents, and employees retain the authority to maintain order and discipline, to protect the wellbeing of students and faculty, and to assure that attendance of students at meetings is voluntary.

Fraternities, sororities, and secret societies are forbidden in the District's schools. Membership to student organizations shall not be by a vote of the organization's members, nor be restricted by the student's race, religion, sex, national origin, or other arbitrary criteria. Hazing, as defined by law, is forbidden in connection with initiation into, or affiliation with, any student organization, extracurricular activity or sport program.

## **4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS~DHS**

### **DIERKS HIGH SCHOOL STUDENT ORGANIZATIONS**

There are presently no state or federal laws which prohibit student organizations at the elementary or secondary level. Students have the right to join an existing club and should not be restricted for membership on the basis of race, sex, national origin or other arbitrary criteria.

Students may, however, be restricted to membership on the basis of their sex, but only if the organization is entitled to Title IX exemption under the Bayh Amendment. This Amendment gives exemption to organizations that are: (1) voluntary youth service organizations, (2) tax exempt under Section 501(a) of the 1954 Internal Revenue Code (religious and charitable organizations), (3) single sex by tradition, or (4) principally composed of members under the age of 19. School fraternities and secret societies are banned in Arkansas Public School - Act 171, 1929.

The student activity program is determined by the needs and interest of the students. Clubs may be formed by students with a common, worthwhile interest, provided the following regulations are met:

1. The club must be approved by the school principal and the Student Council.
2. No club can be organized which seeks to take members on the decision of its membership rather than upon the free choice of any pupil in the school who is qualified by the rules of the school to fill the special aims of the organization.
3. A member of the faculty of the school to be approved by the principal must be designated as sponsor of the club.
4. Regular meetings of the club shall be held at the school building. Meeting elsewhere must be approved by the principal.

5. The current membership list of the club must be furnished promptly to the principal, and the principal shall be notified promptly of all changes in membership.
6. Only bona fide pupils enrolled in the school shall become members of the club; graduation and withdrawal from school will terminate membership therein.
7. All club activities shall be suspended during the summer vacation period when school is not in session.
8. The club shall refrain from rushing, pledging, possessing passwords, or secret forms and rituals.

Activities and club meetings will be listed on the weekly calendar and will be mentioned during the morning announcements. All activities and meetings must be approved by the principal and placed on the Dierks High School activity calendar located in the principal's office at the high school.

Club meetings are scheduled on a rotating basis. The school will operate a special activities schedule on Wednesday of each week. Meetings are held as scheduled by the principal. Fundraising projects must be approved and scheduled through the principal; fundraisers will be limited to one per year for each organization. (Exemption: The Sophomore/Junior class may have additional fundraisers as needed to fund the Junior/Senior Banquet.

## **OFFICERS**

The term "office" is interpreted to mean any position of honor to which a student is elected by members of the student body. A student is limited to holding one major office and two minor offices. "Main office" is defined as president. "Minor office" is defined as any other elected position.

## **QUALIFICATIONS FOR HOLDING OFFICE**

It is in the best interest of Dierks High School to have as office holders, only those students who are of satisfactory scholarship ability and strong moral character. Any person nominated for any office of a club or organization, must possess the following qualifications: (a) He/she will be carrying at least four (4) solid units of work, with a "C" average for the preceding semester and the current semester and shall not have failed any subjects. (b) His/her conduct as approved by the office, must be satisfactory of the preceding semester and the current semester. The school administration may remove any officer from his/her elected position for disciplinary reasons.

## **ELECTIONS**

### **Elections shall be scheduled as follows:**

Student Council Officers - Not later than four (4) weeks prior to the end of the spring semester.

Junior and Senior Class - Not later than two (2) weeks prior to the end of the spring semester.

All other Class Officers - Not later than four (4) weeks after the beginning of the fall semester.

Elections are to be held by secret ballot. All membership dues must be paid to be eligible for voting.

## **FUTURE BUSINESS LEADERS OF AMERICA**

Future Business Leaders of America (FBLA) is a national organization for all students in high school who are enrolled in business programs. The FBLA plan of organization includes local chapters, state chapters and the FBLA National Organization.

The activities of the Future Business Leaders of America provide opportunities for business students to prepare for business and office occupations. Members of FBLA learn how to engage in individual and group business enterprises; how to hold office and direct the affairs of the group; how to work with representatives of other youth organizations; and how to compete honorably with their colleagues on the local, state and national levels.

One of the major objectives of FBLA is to develop self-confidence and strong, aggressive business leaders so that these future businessmen and women may participate more effectively in business and community life.

## **FCCLA**

The Family Career and Community Leaders of America is the National Organization of pupils homemaking in grades 9-12. The overall goal of the organization is to help individuals improve personal, family and community living, now and in the future. Any student enrolled in Dierks High School is taking or has taken a homemaking course, may become a member.

## **NATIONAL HONOR SOCIETY**

Sponsored by the National Association of Secondary School Principals, The Dierks Senior Chapter of the National Honor Society endeavors to create enthusiasm for scholarships, and to stimulate the development of character, service and leadership.

Sophomores, juniors and seniors with a 3.50 cumulative grade point average are encouraged to apply for membership. Applicants must rate satisfactorily according to the Society's four cardinal principles: scholarship, character, leadership and service can become members.

## **STUDENT COUNCIL**

The Student Council is the governing body of the student government. Operating within its constitution, it serves as a forum for the free expression of student opinion and as a channel of cooperation between faculty and students. Other functions are: to unify the school and its various organizations; to assist in the development of the school; to promote self-discipline; to encourage thoughtful observation of school regulations on the part of the student body; to initiate regulations on the part of the student body; to initiate and carry out all projects which will benefit the school as a whole; and to encourage inter school relations.

## **FUTURE FARMERS OF AMERICA**

The Future Farmers of America is the National Organization of pupils studying agriculture in grades 9-12. The overall objectives of the organization is to develop competent and aggressive agriculture leadership; to create and nurture a love of agricultural life; to strengthen the confidence of students of vocational agriculture in themselves and their work. Any student enrolled in Dierks High School who is currently taking an agricultural course or who has taken all courses offered by agriculture, may become a member.

## **JUNIOR SCIENCE CLUB**

The Junior Science Club is open to all students enrolled in Dierks Public School in Grades 7 and 8 who have an interest in science, and have a "C" average in science. The club embraces all facets of science, chemistry, biology, physics, archaeology, astronomy, photography and geology.



## **JUNIOR MATH CLUB**

The promotion of scholarship and the enjoyment and understanding of mathematics among junior high school students is the overall purpose of the Junior Math Club. The math club is open to any student enrolled in the 7th and 8th grades in Dierks Public School who has a "C" average in math.

## **ART CLUB**

The objectives of the Dierks High School Art Club are to promote art beyond the classroom; to promote fellowship among art students; and to help students become familiar with different areas of Art. The activities scheduled will include art shows, field trips to area art museums, and provide a connection between the school and the community in the art related matters. Any student enrolled in Dierks High School who is taking or who has taken an art class, may become a member.

## **TRI- MUSIC HONOR SOCIETY**

Tri-M Music Honor Society is a program of the Music Educators National Conference. The purpose of Tri-M is to foster a greater and continued interest in solo and ensemble, band, orchestral and choral performance; to encourage better and more discriminating habits in listening to and in the performance of musical literature; to provide wider and more frequent opportunities for personal musical expression in the school and community; to increase and advance the spirit of good music and musical knowledge and further the reputation of our school as a music center. Tri-M Music Honor Society is open to any Dierks High School band member grades 10-12.

## **DIERKS HIGH SCHOOL ACTIVITIES ATHLETICS**

Dierks High School sponsors five major sports. They are football, basketball, track, softball and baseball. The purpose is to promote and develop sportsmanship, leadership, and character through the competitive sports program which in turn develops the skill and ability of the student who possesses potential qualities in the various sports. Any student in Dierks High School may become a member of an athletic team if he/she so desires.

Dierks has a tradition of winning in athletics. We do feel that it is an honor to wear the blue and white to represent the "Outlaws".

To be eligible, a student must meet all the requirements established by the Arkansas Activities Association.

Any student wanting to participate in the Dierks High School Athletic Program should contact a member of the coaching staff, the guidance counselor or the principal.

Before any student may participate in the Dierks High Sports, he/she must have a physical examination. It is the responsibility of the student to see that this is done.

See section labeled Athletic Policies following the Student Handbook Section of this publication for more in depth explanations.

### **INSTRUMENTAL MUSIC**

The Dierks High Band holds a prominent place in the curriculum of our school. There is a great deal of pride in both the Marching Band and the Concert Band. Many former band members have gone to be important members of our college and professional bands. There are several students who have represented our band in the Arkansas All-State Band.

The purposes of the band are many, but generally and briefly they are:

1. To provide the students a basic knowledge and appreciation of music; therefore, providing a medium through which they may learn self-expression.
2. To help educate the student physically, mentally, emotionally and socially.
3. Any student in Dierks High School may become a member of the band if he/she desires.
4. Out-of-town ball games are always a part of the activities of the band along with other special trips.

The Dierks Band is a member of the Arkansas School Band and Orchestra Association and participates annually in the organization's district and state festivals.

### **AWARDS GIVEN BY SCHOOL**

The student has the option of one jacket with a letter to be purchased by the school to be presented at the appropriate banquet at the end of 2 consecutive years of participation. The student must have participated in the activity for 2 full consecutive years, (Grades 9-12). (FFA, FACS, FBLA, Band, Athletics, Academics, Cheerleaders, Quiz Bowl)

To qualify for an academic jacket, a student must maintain a 3.50 cumulative GPA for two consecutive years based on a 4.00 scale for the required curriculum of academics from the state department of education.

If a student does not have two full years it is the responsibility of the parent to buy the jacket. Parents or Booster Clubs may purchase jackets at any time. The estimated cost of the jackets is \$36.00. (45 x \$80) The cost of one letter will be added to this estimate. The school will purchase one jacket throughout the student's High School Career. Any additional items (letters, patches, blankets, etc.) Will be the responsibility of the parents.

The school will provide certificates for grades K-12. The estimated cost is \$500.

Individual plaques and trophies will not be purchased with school funds.

The school will be responsible for:

- 1. One jacket
- Certificates

#### **4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION**

Except when a court order regarding a student has been presented to the district to the contrary, all students' education records are available for inspection and copying by the parent of his/her student who is under the age of eighteen (18). At the age of eighteen (18), the right to inspect and copy a student's records transfers to the student. A student's parent or the student, if over the age of 18, requesting to review the student's education records will be allowed to do so within no more than forty five (45) days<sup>1</sup> of the request. The district forwards education records, including disciplinary records, to schools that have requested them and in which the student seeks or intends to enroll, or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

The district shall receive written permission before releasing education records to any agency or individual not authorized by law to receive and/or view the education records without prior parental permission. The District shall maintain a record of requests by such agencies or individuals for access to, and each disclosure of, personally identifiable information (PII) from the education records of each student. Disclosure of education records is authorized by law to school officials with legitimate educational interests. A personal record kept by a school staff member is **not** considered an education record if it meets the following tests:

- \* it is in the sole possession of the individual who made it;
- \* it is used only as a personal memory aid; and
- \* information contained in it has never been revealed or made available to any other person, except the maker's temporary substitute.

For the purposes of this policy a school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

For the purposes of this policy a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility, contracted duty, or duty of elected office

In addition to releasing PII to school officials without permission, the District may disclose PII from the education records of students in foster care placement to the student's caseworker or to the caseworker's representative without getting prior consent of the parent (or the student if the student is over eighteen (18)). For the District to release the student's PII without getting permission:

- \* The student must be in foster care;
- \* The individual to whom the PII will be released must have legal access to the student's case plan; and
- \* The Arkansas Department of Human Services, or a sub-agency of the Department, must be legally responsible for the care and protection of the student.

The District discloses PII from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The superintendent or designee shall determine who will have access to and the responsibility for disclosing information in emergency situations.

When deciding whether to release PII in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.<sup>2</sup>

For purposes of this policy, the Dierks School District does not distinguish between a custodial and noncustodial parent, or a non-parent such as a person acting in loco parentis or a foster parent with respect to gaining access to a student's records. Unless a court order restricting such access has been presented to the district to the contrary, the fact of a person's status as parent or guardian, alone, enables that parent or guardian to review and copy his child's records.

If there exists a court order which directs that a parent not have access to a student or his/her records, the parent, guardian, person acting in loco parentis, or an agent of the Department of Human Services must present a file-marked copy of such order to the building principal and the superintendent. The school will make good-faith efforts to act in accordance with such court order, but the failure to do so does not impose legal liability upon the school. The actual responsibility for enforcement of such court orders rests with the parents or guardians, their attorneys and the court which issued the order.

A parent or guardian does not have the right to remove any material from a student's records, but such parent or guardian may challenge the accuracy of a record. The right to challenge the accuracy of a record does not include the right to dispute a grade, disciplinary rulings, disability placements, or other such determinations, which must be done only through the appropriate teacher and/or administrator, the decision of whom is final. A challenge to the accuracy of material contained in a student's file must be initiated with the building principal, with an appeal available to the Superintendent or his/her designee. The challenge shall clearly identify the part of the student's record the parent wants changed and specify why he/she believes it is inaccurate or misleading. If the school determines not to amend the record as requested, the school will notify the requesting parent or student of the decision and inform them of their right to a hearing regarding the request for amending the record. The parent or eligible student will be provided information regarding the hearing procedure when notified of the right to a hearing.<sup>3</sup>

Unless the parent or guardian of a student (or student, if above the age of eighteen (18)) objects, "directory information" about a student may be made available to the public, military recruiters, post-secondary educational institutions, prospective employers of those students, as well as school publications such as annual yearbooks and graduation announcements.<sup>4</sup> "Directory information" includes, but is not limited to, a student's name, address, telephone number, electronic mail address, photograph, date and place of birth, dates of attendance,<sup>5</sup> his/her placement on the honor roll (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification

number (PIN), password or other factor known or possessed only by the authorized user.

A student's name and photograph will only be displayed on the district or school's web page(s) after receiving the written permission from the student's parent or student if over the age of 18.

The form for objecting to making directory information available is located in the back of the student handbook and must be completed and signed by the parent or age-eligible student and filed with the building principal's office no later than ten (10) school days after the beginning of each school year or the date the student is enrolled for school. Failure to file an objection by that time is considered a specific grant of permission. The district is required to continue to honor any signed-opt out form for any student no longer in attendance at the district.

The right to opt out of the disclosure of directory information under Family Educational Rights and Privacy Act (FERPA) does not prevent the District from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled.<sup>6</sup>

Parents and students over the age of 18 who believe the district has failed to comply with the requirements for the lawful release of student records may file a complaint with the U.S. Department of Education (DOE) at

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

#### **4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION~DHS**

##### **STUDENT RECORDS - NOTICE OF PRIVACY RIGHTS**

Student records are records which are directly related to a student and are maintained by the school. This data may be recorded in any medium, but limited to handwriting, print, tapes, film, name, address, telephone number, date of birth, ability data, achievement data, health information, attendance information and "directory information".

Student records do not include records of instructional, supervisory and educational personnel which are accessible to only the maker of these records and his/her substitute.

The term "parent" includes a parent, a guardian, or an individual acting as a parent of a student in the absence of a parent.

The intent of this policy is to establish procedures for granting requests of eligible persons to have access to records, the proper use of this data, and facilitate their transmittal within a time period of not more than forty-five (45) days.

The student's parent or an eligible student (18 years of age or older) may obtain a copy of this policy in the office of the Superintendent of Schools at Missouri Avenue, Dierks, Arkansas.

The district will limit the disclosure of information contained in a student's educational records except: (a) by the prior written consent of the student's parent or the student's parent or the eligible student, (b) as directory information, or (c) under certain limited circumstances, as permitted by law.

### **RESPONSIBILITY FOR RECORDS**

The building principal for each school shall have the responsibility for the proper maintenance and use of student records as described in the policy and the laws of the State of Arkansas and U.S. Department of Education regulations.

Any person not presently in attendance at this school and wishing to review student records, should make their request in writing to the principal of the building last attended.

### **ACCESS TO STUDENT RECORDS**

The parent, as previously defined, will have access to these records, upon written request to the principal maintaining these records within the school system. Those eligible persons will, upon written request, have the opportunity to receive an interpretation of those records, have the right to question the data, and if a difference of opinion is noted they shall be permitted to file a letter in said record stating his/her position. If further challenge is made to the record, the normal appeal procedures established by the school policy will be followed.

School personnel having access to those data are defined as any person or persons under contract to the district and directly involved in working toward either the affective or cognitive goals of the district "and has an approved need to know".

Eligible persons have the right to obtain copies of student records where failure to provide the copies would effectively prevent them from exercising the right to inspect and review the educational records.

Either parent will have the access to student records unless the district has been provided evidence that there is a court order restricting parental access, Each request for disclosure of personally identifiable information shall contain as minimum the following: (a) The date to be released; (b) The purpose for the disclosure, (C) To whom the disclosure is to be made; (d) The date of the disclosure, and (e) The signature of the parent or eligible student. Upon request by the authorizing person, the school shall provide a copy of the record which is disclosed to the parent of the student or the eligible student if so requested by the student's parents. This request will be filed and become a part of the student's rec

### **RELEASE OF STUDENT DIRECTORY INFORMATION**

Prior consent for the release of personally identifiable information is not required for the following:

1. To the parent of a student who is not an eligible student or the student if he/she is eligible.
2. To other school personnel as described in the above-statement of this policy.
3. To officials of another school system in which the student intends to enroll upon the request from the said school. Upon request, a copy of those records will be made available to the eligible party and the procedures for a hearing will be explained if needed.
4. Personally identifiable information may be released under certain conditions to the following:
  - a. The comptroller General of the United States,
  - b. The Secretary,
  - c. The Commission, the Director of the National Institute of Education or the Assistant Secretary for Education, and/or
  - d. State Education authorities.
5. For financial aid, this information may be released for the purpose of determining eligibility for, the amount of, the conditions for, and the enforcement of terms or conditions of a financial agreement.
6. To state and local officials or authorities to whom information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974.
7. To organizations conducting studies for this district for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction.
8. To accrediting agencies.
9. To parents of dependent student(s), as defined in Section 152 of the Internal Revenue Code of 1954.



10. To comply with a judicial order of lawfully issued subpoena; provided the person(s) responsible for the release of information makes a reasonable effort to notify the parent of the student or the eligible student of the order or subpoena in advance of compliance.

### **PROCESS FOR MODIFICATION OF STUDENT RECORDS**

Should the parents or guardian, upon review of their child's school records, find what they believe to be inappropriate, misleading or inaccurate information contained therein, the following course of action may be taken:

1. The parent may ask for a conference with the building principal in charge.
2. The parent should be able to furnish documented evidence that the records are in error.
3. Communication and interaction by those parties involved, inclusive but not limited, to the teaching staff should take place.
4. Upon presentation and study of all facts and evidence by both parents and staff, a recommendation for change, deletions or additions will be drafted and presented to the superintendent of schools.

### **STUDENT LISTS**

Dierks High School may on occasion release a list of junior and senior students and their addresses to the different military branches to allow them to contact students concerning scholarships and other options of providing a means for the student to attend college or gain skills.

Dierks High School will also publish honor roll information in the area newspapers to recognize student performance.

If you do not wish for Dierks High School to release your student's names and addresses (jrs and srs only) to the military and/or you do not want your student's name published in an honor roll, send a note to the principal's office indicating your request and we will honor it.

Any parent or student who does not want to have the student identified as an honor student, valedictorian, or salutatorian of his/her graduating class shall submit a written request to the principal of the school requesting that the student not be identified. (Act 390 of the Regular Session, 2

#### **4.14—STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE**

The Superintendent and the student media advisors(s)<sup>1</sup> shall jointly develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and the time(s), place(s), and manner(s) of the dissemination of student media, which shall include timelines for the review of materials.

##### **Definitions**

“School-sponsored media” means all student media that are:

- \* Supported financially by the school;
- \* Supported by the use of school facilities; or
- \* Produced in conjunction with a class.

“Student journalist” means a student who gathers, writes, edits, photographs, records, video tapes, or prepares information for dissemination in student media.

“Student media” means any means of communication that are:<sup>2</sup>

- \* Prepared, substantially written, published, or broadcasted by a student;
- \* Distributed or generally made available, either free of charge or for a fee, to members of the student body; and
- \* Prepared under the direction of a student media advisor.

“Student media” does not include media that is intended for distribution or transmission solely in the classroom in which it is produced.

“Student media advisor” means an individual who is employed, appointed, or designated by the District to supervise or provide instruction with respect to student media

### **Student Media**

While the District recognizes a student’s right of expression under the First Amendment of the Constitution of the United States, school-sponsored media does not provide an open public forum for public expression. Student media, as well as the content of student expression in school-sponsored activities, shall be subject to the editorial review of the District’s administration, whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations:

1. Advertising may be accepted for media that does not condone or promote products that are inappropriate for the age and maturity of the audience or that endorses such things as tobacco, alcohol, or drugs.
2. Media may be regulated to prohibit communications determined by the appropriate teacher, student media advisor, and/or administrator to be ungrammatical; poorly written; inadequately researched; biased or prejudiced; vulgar or profane; or unsuitable for immature audiences.
3. Media may be regulated to prohibit the dissemination of material that may reasonably be perceived to advocate drug or alcohol use; irresponsible sex; conduct that is otherwise inconsistent with the shared values of a civilized social order; or to associate the school with any position other than neutrality on matters of political controversy.
4. Prohibited media includes those that:
  - a. Are obscene as to minors;
  - b. Are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, and made with knowledge of their falsity or a reckless disregard of the truth;
  - c. Constitute an unwarranted invasion of privacy as defined by state law;
  - d. Suggest or urge the commission of unlawful acts on the school premises;
  - e. Suggest or urge the violation of lawful school regulations;
  - f. Scurrilously Attacks ethnic, religious, or racial groups; or

- g. Harass, threaten, or intimidate a student.

### **Student Media on School Web Pages**

Student media displayed on school web pages shall follow the same guidelines as listed above and shall also:

1. Not contain any non-educational advertisements;
2. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using a student's photograph when associated with the student's name unless written permission has been received from the student's parent or student if over the age of eighteen (18);
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

### **Student Distribution of Non-school Literature, Publications, and Materials**

A student or group of students who distribute ten (10) or fewer copies of the same non-school-sponsored literature, publications, or materials, shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10)

copies of non-school-sponsored materials<sup>3</sup> shall have school authorities<sup>4</sup> review their non-school-sponsored materials at least three (3) school days<sup>4</sup> in advance of their desired time of dissemination. School authorities shall review the non-school-sponsored materials, prior to their distribution and will bar from distribution those non-school-sponsored materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Material may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution.<sup>6</sup> Concerns related to any denial of distribution by the principal shall be heard by the superintendent, whose decision shall be final.

The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of non-school-sponsored materials. The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of non-school-sponsored materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur<sup>7</sup>; and
5. Not inhibit a person's right to accept or reject any literature distributed in accordance with the regulations.<sup>8</sup>
6. Students shall be responsible for the removal of excess literature that is left at the distribution point for more than \_\_\_\_ days.<sup>9</sup>

## **4.15—CONTACT WITH STUDENTS WHILE AT SCHOOL**

### **CONTACT BY PARENTS**

Parents wishing to speak to their children during the school day shall register first with the office.

### **CONTACT BY NON-CUSTODIAL PARENTS**

If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or the principal's designee establishing the parent's custody of the student. It shall be the responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents. Non-custodial parents who file with the principal a date-stamped copy of current court orders granting unsupervised visitation may eat lunch, volunteer in their child's classroom, or otherwise have contact with their child during school hours and the prior approval of the school's principal. Such contact is subject to the limitations outlined in Policy 4.16, Policy 6.5, and any other policies that may apply.

Arkansas law provides that, in order to avoid continuing child custody controversies from involving school personnel and to avoid disruptions to the educational atmosphere in the District's schools, the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school's property on normal school days during normal hours of school operation. The custodial or non-custodial parent may send to/drop off the student at school to be sent to/picked up by the other parent on predetermined days in accordance with any court order provided by the custodial parent or by a signed agreement between both the custodial and non-custodial parents that was witnessed by the student's building principal.<sup>1</sup> Unless a valid no-contact order has been filed with the student's principal or the principal's designee, district employees shall not become involved in disputes concerning whether or not that parent was supposed to pick up the student on any given day.

### **CONTACT BY LAW ENFORCEMENT, SOCIAL SERVICES, OR BY COURT ORDER**

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Division of Arkansas State Police may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Except as provided below, other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen (18) years of age), or in response to a subpoena or arrest warrant.

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, or other person having lawful control of the student, or person standing in loco parentis. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, legal guardian, person having lawful control of the student, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of a court with jurisdiction over a child with a court order signed by a judge. Upon release of the

student, the principal or designee shall give the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis notice that the student has been taken into custody by law enforcement personnel or a state's social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and an after-hours telephone number.

#### **Contact by Professional Licensure Standards Board Investigators**

Investigators for the Professional Licensure Standards Board may meet with students during the school day to carry out the investigation of an ethics complaint.

### **4.16—STUDENT VISITORS**

The board strongly believes that the purpose of school is for learning. Social visitors, generally, disrupt the classroom and interfere with learning that should be taking place. Therefore, visiting with students at school is strongly discouraged, unless approved by the principal and scheduled in advance. This includes visits made by former students, friends, and/or relatives of teachers or students. Any visitation to the classroom shall be allowed only with the permission of the school principal and all visitors must first register at the office.

## 4.16—STUDENT VISITORS~DHS

### VISITORS ON CAMPUS

Parents, guardians and authorized adult visitors are welcome to visit the campus at any time. Non-adult visitors are not allowed.

All visitors should stop by the principal's office when visiting the school campus.

Unauthorized visitors will be asked to leave the campus. If said person or persons continue on campus or insist on coming back onto campus after they have been asked to leave, the person's name will be given to some type of law enforcement officer.

**NOTE: Act 75-HB 78 passed by the Arkansas State Legislature, 1971, makes loitering on or near school grounds during school hours, or loitering at sponsored activities such as ball games, or dances, without lawful purpose a misdemeanor, subject to a fine of \$50.00 to \$250.00; defines loitering as used in ACT to mean lingering on or within 100 feet of public school grounds unless on own property or on way to destination or transacting lawful business near school or at school.**

Parents or visitors will not be allowed in the classroom unless they receive permission from the principal's office. Each teacher may reserve the right to refuse admittance to any visitor who interferes with normal class instruction.

Insurance salesmen may contact teachers only after school or during a teacher's conference time. A designated place will be available for these meetings.

Class time lost due to ordering/sales of class rings, invitations, caps and gowns, and pictures will be kept to an absolute minimum. Whenever possible, these will be scheduled at some time other than regular school hours.

## 4.17—STUDENT DISCIPLINE

The Dierks Board of Education has a responsibility to protect the health, safety, and welfare of the District's students and employees. To help maintain a safe environment conducive to high student achievement, the Board establishes policies necessary to regulate student behavior to promote an orderly school environment that is respectful of the rights of others and ensures the uniform enforcement of student discipline. Students are responsible for their conduct that occurs:

- \* At any time on the school grounds;
- \* Off school grounds at a school sponsored function, activity, or event; and
- \* Going to and from school or a school activity.

The District's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to: a felony or an act that would be

considered a felony if committed by an adult; an assault or battery; drug law violations; or sexual misconduct of a serious nature. Any disciplinary action pursued by the District shall be in accordance with the student's appropriate due process rights.<sup>1</sup>

The District shall incorporate the District's implementation of positive behavioral supports in accordance with Policy 4.60 in the application of student discipline.

The District's personnel policy committees shall annually review the District's student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Dierks School Board. The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies.

The District's student discipline policies shall be distributed to each student during the first week of school each year and to new students upon their enrollment. Each student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall sign and return to the school an acknowledgement form documenting that they have received the policies.

The District shall develop and provide programs, measures, or alternative means and methods for continued student engagement and educational access during periods of suspension or expulsion.

The superintendent is authorized to modify the penalties set forth in the District's student discipline policies on a case-by-case basis.

It is required by law that the principal or the person in charge report to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the Superintendent, that person shall also inform the Superintendent of the incident. Additionally, the principal shall inform any school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The Superintendent or designee shall inform the Board of Directors of any such report made to law enforcement.



The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation: the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

#### **4.18—PROHIBITED CONDUCT**

Students and staff require a safe and orderly learning environment that is conducive to high student achievement. Certain student behaviors are unacceptable in such an environment and are hereby prohibited by the Board. Prohibited behaviors include, but shall not be limited to the following:

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior that interferes with orderly school operations;
3. Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or stealing school property;
7. Possession of any paging device, beeper, or similar electronic communication devices on the school campus during normal school hours unless specifically exempted by the administration for health or other compelling reasons;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
10. Inappropriate public displays of affection;
11. Cheating, copying, or claiming another person's work to be his/her own;
12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, sexual orientation, gender identity, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;

20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, “throwing signs” or other gestures associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying;
23. Operating a vehicle on school grounds while using a wireless communication device; and
24. Theft of another individual’s personal property.

The Board directs each school in the District to develop implementation regulations for prohibited student conduct consistent with applicable Board policy, State and Federal laws, and judicial decisions.

#### **4.18—PROHIBITED CONDUCT~DHS**

### **DIERKS PUBLIC SCHOOL DISTRICT CONDUCT AND DISCIPLINE**

#### **INTRODUCTION:**

This portion of your handbook has been prepared for the purpose of outlining to you the expectations of Dierks School District in regard to student conduct.

The District recognized that students are guaranteed full rights of citizenship by the United States Constitution and these rights may not be denied except in accordance with due process of law. The District further recognized that with these rights there are responsibilities which are designed to help all participants acquire the full benefits of the educational program regardless of race, sex, creed or national origin.

It is impossible to list in this handbook all of the rules and guidelines for students and staff use. Therefore, the contents of this handbook should not be construed to limit or deny your rights and responsibilities on your own campus as a member of the student body or as a citizen, neither should be construed limiting or denying the school administration right and responsibility to develop such necessary rules and regulations that are not inconsistent with federal and state laws and Board of Education policies and regulations.

Each student will receive a copy of the policy handbook and will be required to sign a statement of receipt.

## **WHO IS RESPONSIBLE FOR STUDENT CONDUCT**

Freedom is a constitutional right but it does not mean the absence of reasonable rules and regulations which serve to guide the actions of individuals. Along with freedom comes the responsibility to act in such a manner as to insure that all participants may enjoy the same freedom. To obtain the greatest benefit to the students, teachers, administrators, parents, Board of Education and the entire community, it is essential that all work together to insure that all persons are treated equally and with dignity in respect to their rights and responsibilities.

### **Students**

Students have the responsibility to pursue their education in the Dierks School District in a manner that shows respect for other students, faculty members, parents and other citizens. Students should be aware that they have a responsibility to cooperate with and assist the school staff in the orderly and efficient conduct of the schools by abiding by rules and regulations established by the Board of Education and implemented by teachers and school administrators. Each student is responsible for his/her own conduct at all times.

### **Parents Or Guardians**

Parents and guardians are responsible for exercising the required controls so that their children's behavior at school will be conducive to their own progress and not disruptive to the school's educational program. They are responsible for alerting school personnel when they have reason to believe that their children are experiencing difficulties at school or at home, and that by actively soliciting the help of the school, behavior standards may be maintained.

### **Teachers**

All teachers are responsible for the supervision of the behavior of all students in the school. This includes not only the students who are regularly assigned to the teacher, but all other students with whom the teacher comes in contact. Each teacher is expected to maintain the kind of atmosphere and decorum which will promote the learning process and to utilize sound techniques which seem appropriate. Those techniques include conferences with students and parents, referrals to counselors or referral to other supportive service personnel of the District. The teacher is authorized to administer corporal punishment according to guidelines established by District policy. When the teacher is unable to assist the student to maintain proper controls of his/her behavior, the student is to be referred to the principal. After the second out of class referral a parent conference must be scheduled before the student can return to class.

## **Principal**

The principal of the school is expected to disseminate to all students at the beginning of the year, and to each new student upon registration, the rules and regulations currently in effect. The principal is expected to inform the parents or guardian of any student whose behavior is in serious conflict with established laws, rules and procedures.

## **Superintendent**

The superintendent is responsible for exercising leadership in establishing all necessary procedures, rules and regulations to make effective the Board of Education policies relating to standards of student behavior.

## **Board Of Education**

The Board of Education of the Dierks School System, acting through the superintendent, holds all school employees responsible for the supervision of the behavior of the students while legally under the supervision of the school. The Board expects all employees to be concerned with student behavior and when and where unacceptable behavior occurs, to take appropriate action.

### **Category 1 Infractions**

Based on severity and reoccurrence, any of the following consequences may be applied at the discretion of the building principal for the following offenses: Lunch detention, corporal punishment, student/parent conference, 1-10 days in-school suspension or out-of-school suspension, recommendation for expulsion, and/or other appropriate options as assigned by the principal.

### **Disregard of Directions or Commands**

A student shall comply with reasonable directions or commands of teachers, student teachers, substitute teachers, teachers' aides, principals, drivers or other authorized school personnel. This includes non-certified staff and volunteers.

Any student who is antagonistic, insubordinate, disrespectful, disobedient or uses foul language (cursing) directed at or to any school personnel, is subject to immediate disciplinary action.

## **Disruption and Interference with School**

### **NO STUDENT SHALL DO THE FOLLOWING:**

1. Block the doorway or corridor.
2. Prevent students from attending class or school activities.
3. Block normal pedestrian or vehicular traffic.
4. Use violence, force, noise, coercion, threat intimidation, hazing, harassment, fear, passive resistance or any other conduct intentionally to cause disruption or a fight.
5. Refuse to identify himself/herself on request.
6. Intentionally make noises or act in a manner so as to interfere with the teacher's ability to conduct the class or any other school activity.
7. Leave school or cut classes without direct permission from the principal or teacher.
8. Encourage other students to violate any rule or school board policy.
9. Bring pagers, cell phones, laser pointers or any other device that would interfere with the educational process inside the school building during regular school hours or disrupt school activities, such as laser pointers being used for the purpose of distracting or disrupting the activity.

### **Disruption on Buses**

Students shall not cause disruption on the bus or in any way distract the driver's attention from the road.

### **Tardiness**

Almost all tardiness is unnecessary. However, we would prefer to have a pupil tardy rather than absent. A student coming in late in the morning or afternoon must report to the office for an admit slip.

If a student is absent more than 10 minutes from a class, they will be considered absent for the entire period.

### **Public Display of Affection**

Public display of affection is not appropriate behavior at school. Failure to comply with reasonable expectations of the school staff will lead to disciplinary action.

#### **Category 2 Infractions**

- 1<sup>st</sup> Offense: 1 day ISS
- 2<sup>nd</sup> Offense: 3 days ISS
- 3<sup>rd</sup> Offense: 1 day OSS/\*5 day ISS
- 4<sup>th</sup> Offense: 3 days OSS/\*7 day ISS

### **Academic Dishonesty**

Students may not copy classwork, homework, or tests of other students. Students may not allow another student to copy their classwork, homework, or tests. Students may receive a zero on any work involving academic dishonesty. Students may not share passwords or other student accounts with any other student. This will result in a zero for the assignment and the student will take a semester exam.

### **Immorality and Pornography**

Student should abstain from rude gestures, indecent and immoral acts, and pornography.

### **Gambling**

A student shall not participate in any activity which may be termed gambling or wagering where the stakes are money or any other object or objects of value.

### **Truancy or Skipping Class (\*Category 2)**

After arrival on campus, a student absent from his/her assigned learning station without permission from school authorities shall be considered as truant. A student shall not be absent from school without parent and/or school authorities prior knowledge and consent. Leaving campus without following the proper procedures of checking out will be considered truant.

### **Profanity**

Students shall not use foul language (cursing).

#### **Category 3 Infractions**

- 1<sup>st</sup> Offense: 1-3 days OSS
- 2<sup>nd</sup> Offense: 3 days OSS
- 3<sup>rd</sup> Offense: 5 days OSS
- 4<sup>th</sup> Offense: 10 days OSS

### **Tobacco Use**

The possession or use of tobacco in any form in the building, school buses, or on the school grounds is prohibited. "An act to protect the rights of non-smokers by prohibiting smoking in public schools; to provide a criminal penalty for violation thereof; and for other purposes." (Act 854, 1987; House Bill 1337) **This will also include the possession or use of e-cigarettes and any other vaping devices.**

### **Fireworks**

Fireworks (matches, lighters, firecrackers and fireworks in general) represent a hazard to the health and welfare of the student body. Anyone caught with fireworks of any kind on campus will face disciplinary action. Possession of firecrackers or fireworks in general on campus or using or trying to use fireworks or firecrackers on campus is prohibited.

### **Damages or Destruction of School Property**

A student shall not cause or attempt to cause damage to school property or steal or attempt to steal school property.

The school district will attempt to recover damages from the student destroying school property and the police may be summoned. Expulsion may be recommended in some cases depending on the extent of the damages.

### **Theft and Extortion**

A student shall not cause or attempt to steal the property of another student or any other person, nor shall a student obtain or attempt to obtain something (of value) from another person by either physical force or threat. The school

reserves the right to bring criminal charges against the student in addition to other discipline.

### **Fighting**

Students will not engage in mutual physical altercations in which the participants cause bodily injury to any person. All participants will be disciplined according to their degree of involvement.

### **Forgery of Passes and/or Falsification of Information**

Any forgery or misuse of hall passes, absentee slips, report cards, etc., will result in disciplinary action

#### **Category 4 Infractions**

**Expulsion may be recommended**

### **Physical Abuse or Assault of School Staff**

(ACA 6-17-106) It is unlawful during regular school hours and in a place where a public school employee is required to be in the course of his or her duties for any person to address a public school employee using language which in its common acceptance is calculated to: a) cause a breach of the peace; b) materially and substantially interfere with the operation of the school; or c) arouse the person to whom it is addressed to anger to the extent likely to cause imminent retaliation.

- (a) Any person who shall abuse or insult a public school teacher while the teacher is performing normal and regular or assigned school responsibilities shall be guilty of a misdemeanor and upon conviction be liable for a fine of not less than one hundred dollars (\$100) nor more than one thousand five hundred dollars (\$1,500).
- (b) Each school district shall report to the Department of Education any prosecutions within the school districts under this section.

Notify both parents and legal authorities, students will be dismissed pending investigation on due process hearing, if the student is found guilty of assault or attempted assault, expulsion will be recommended.

### **Physical Abuse or Assault by a Student on Another Student**

A student shall not threaten or attempt to cause injury or physical harm to another student nor shall a student strike another student.

### **Possession of Any Firearm or Other Weapon Prohibited on School Property- Act 104 of 1983 Social Session**

A student shall not possess, handle or transmit a knife, razor, ice pick, explosive, pistol, shotgun, pellet gun or any other object that can be considered a weapon or a dangerous instrument.

Immediate suspension at the discretion of the administration and police will be summoned



### **Using, Offering for Sale or Selling Beer, Alcoholic Beverages or Other Illicit Drugs by Students or Adults at School Activities**

1. No student or adult shall possess, use, transmit, or be under the influence of any controlled substance or dangerous drugs as defined by the law, nor alcoholic beverage or other intoxicant while attending any school sponsored activity as defined in Act 590 of 1971 of the State of Arkansas as amended.
2. Controlled substances may be possessed and used by a student who has a prescription for the substance provided the substance remains in the container in which it was obtained from the pharmacist.
3. No student shall possess drug paraphernalia while attending any school sponsored activity.

Any student engaging in any of the activities with any of the prohibited substances listed above shall be subject to the following penalties:

The student may be suspended off campus up to (10) school days; police may be called and may be recommended for expulsion. Proof of professional help is required; and parental conference is required prior to readmission; community school service may be required; all-day detention may be used.

Any student suspended for the first violation, may be required to seek professional counseling prior to readmission to school. The student will receive full counseling services at his/her own expense. Upon readmission, continued enrollment shall be contingent upon completion of the alcohol/drug counseling program. Failure to complete the alcohol/drug counseling may be grounds for expulsion.

### **Selling or transfer of any prescription medication, diet pill or over-the-counter medication.**

Students shall not sell or transfer (give) any prescription medication, diet pill, or over-the-counter medication to any other student.

## **Sexual Harassment**

Sexual harassment will not be tolerated at Dierks High School. The definition of sexual harassment means unwelcome sexual advances, requests for sexual favors, and verbal, written or physical contact of a sexual nature. The legal definition of sexual harassment is broad and in addition to the above definition, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating may also constitute sexual harassment, but the following are some examples of conduct, which if unwelcome, may constitute sexual harassment:

Unwelcome sexual advances—whether physical or not

Sexual epithets, jokes, written or oral references to sexual conduct gossip regarding one's sex life, comments about someone else's body, etc.

Displaying sexually suggestive objects, pictures or cartoons

Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments

Inquiries into one's sexual experience

Discussion of one's sexual activities

Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperation in an investigation of a sexual harassment complaint will not be allowed and will also subject the guilty party to disciplinary action.

## **SCHOOL DISTRICT–ANTI-BULLYING POLICY**

Bullying is intentional, repeated hurtful behaviors committed by one or more children against another. These behaviors are not provoked by the victims, but result from a real or perceived imbalance of power between the bully and the victim. Bullying will not be tolerated on school property, at school sponsored activities, at the bus stop, on the school bus, in school vehicles and at school sanctioned events. Any student who engages in bullying will be subject to disciplinary action as listed below. This rule is in compliance with Act 681 of 2003.

Any school employee who witnesses or has reliable information that a pupil has been a victim of bullying shall report the incident to the principal of the school.

## **Electronic Bullying**

Electronic act means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone or other wireless communications device, computer or pager that results in the substantial disruption of the orderly operation of the school or educational environment.

Electronic acts of bullying are prohibited whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose.

The person or persons reporting behavior they consider to be bullying shall not be subject to retaliation or reprisal in any form.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred.

### **Other Rules/Policies**

#### **Violation of the Technology Acceptable Use Policy**

Any student that violates the Dierks School District's Technology Acceptable Use Policy will be subject to the appropriate disciplinary action as listed below. The Technology Acceptable Use Policy is listed on subsequent pages of the student handbook.

**CONSEQUENCES** - Loss of computer privileges for a period of time determined by the teacher, loss of computer privileges for a longer period of time determined by the suspension, 1-10 days of Out of School suspension, parent conference, loss of computer privileges for the remainder of the school term, loss of computer privileges for one year, expulsion.

#### **Entering the School Building**

Students are strongly discouraged from arriving before 7:30 a.m. Doors will be opened at 7:30 a.m., by the duty teacher. Students will be permitted to enter by permission of the duty teacher to study. Any other teacher that allows students to enter, will supervise them until the duty teacher arrives or the children's homeroom teacher arrives. In extremely bad weather, students are allowed in the study hall or hall.

## **Student Automobile Use**

The following rules will apply to any student who drives a motor vehicle to school:

1. Cars, motorcycles, scooters or bicycles are to be parked in designated student parking areas upon arrival in the morning. The parking lot in front of the school is for school personnel and visitors only.
2. Students are not allowed to sit in parked vehicles at any time during the school day.
3. Drivers will observe the 15 MPH speed limit in the immediate area of the campus, both elementary and high school.
4. Students are not to block the driveway to the agriculture building.
5. Only legal, licensed, insured drivers will be allowed to drive on the school campus. Students will provide a copy of their driver's license and proof of insurance at the beginning of each school year.
6. All vehicles must give right-of-way to buses at all times.

**CONSEQUENCES:** Suspension of driving privileges for ten (10) days to one semester, corporal punishment, 1-10 days in-school suspension, 1-10 days out-of-school suspension, conferencing, permanent expulsion, parent conference, detention.

## **Discipline for the Handicapped**

Dierks Public School students who are receiving special education services are subject to the following disciplinary guidelines:

1. Handicapped students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge their right to free and appropriate public education.
2. The Individualized Education Plan (IEP) team for a handicapped student will consider whether particular discipline procedures should be adopted for that student and be included in the IEP. Classroom teachers should be informed if a special plan is adopted.

3. Handicapped students may be excluded from school only in emergencies and only for the duration of emergency. In no case, will a handicapped student be excluded for more than ten (10) days in a school year for normal discipline problems.
4. After an emergency suspension is imposed on a handicapped student, an immediate meeting of the student's IEP team will be held to determine the cause and effect of the suspension with a view toward assessing the effectiveness and appropriateness of the student's placement and toward minimizing the harm resulting from the exclusion.
5. After the initial 10 days, the suspended student will be offered an alternate educational program for the duration of any other suspension.
6. Mrs. Jana Strode will be the grievance officer with the duty of enforcing Act 504 for elementary school and Mrs. Nancy Alsabrook for high school.

### **Behavior not covered above**

The school district reserves the right to punish behavior which is not conducive to good order and discipline in the schools, even though such behavior is not specified in the preceding written rules. The type punishment will be at the discretion of the teacher or principal.

Any behavior not covered above, but punishable by law, will be dealt with to the fullest extent of the law.

### **Persistent Disregard for School Rules**

A student who persists in acts of misconduct after reasonable efforts have been made by the school to secure the student's adherence to the established rules shall be recommended for expulsion. Efforts toward behavior modification will be made prior to recommendation for expulsion except when very serious offenses have been committed.

### **DUE PROCESS**

Every student is entitled to due process in every instance of disciplinary action for which he/she may be subjected to penalties of suspension. (Arkansas State Ann. 80-1516).

The due process rights of students and parents are as follows:

1. Prior to any suspension, the school principal or his/her designee, shall advise the pupil in question of the particular misconduct of which he/she is accused, as well as the basis for such accusation.
2. The pupil shall be given an opportunity at that time to explain his/her version of the facts to the school principal or his/her designee.

3. Written notice of suspension and the reason(s) for the suspension shall be given to the parent(s) of the pupil.
4. Any parent(s), tutor or legal guardian of a pupil suspended, shall have the right to appeal to the Superintendent of the Schools.

**Due Process** is afforded to students in disciplinary cases of some magnitude such as:

1. Suspension
2. Expulsion
3. Statements removed from student's records, and
4. Clearing one's reputation.

### **RULES FOR IN-SCHOOL SUSPENSION**

1. Schedule of the all-day detention must include the entire school day - 7:45 - 4:02 to count as a day. No cell phones will be permitted in ISS.
2. Must not be tardy. Additional time will be added for the time that the student misses.
3. Students are required to bring all their textbooks to the detention room and have adequate pen/pencil and paper for each day. Students will do a paper packet for work in each class. Turn your packet into the office secretary.
4. Isolation from the rest of the student body.
5. No food, candy, drink, gum or tobacco will be allowed in the room. Students will turn in cell phones, Apple watches, and any other electronic devices to the ISS teacher upon entering the ISS room. These items will be returned to the student at the end of the day.
6. NO talking at any time to other students. If you are caught watching videos or playing games you will get another day of ISS.
7. Must complete assignments given by all teachers. If all assignments are not completed at the end of the student's assigned ISS time, the student will return to ISS the following day until all assignments are completed.
8. Must cooperate with the teacher at all times.

9. May not sit and do nothing.
10. Students will not get out of their desks unless given permission by the teacher.
11. Students will not leave the room unless given permission by the teacher.
12. Students will not mark on the desks or walls and will help maintain the room in a clean and orderly fashion.
13. Students will not be allowed to attend pep-rallies or assemblies while assigned to ISS.
14. Misbehavior in the detention room will be cause for the teacher to send the student to the principal.
15. Additional days may be added by the principal for infractions of ISS.
16. Students will have one restroom break in the morning ( between 9:30 and 10 a.m.) and one in the afternoon (between 1:30 and 2pm). Students will not talk to each other or other individuals during the breaks. All students will go to the restroom and water area whether or not they wish to use the facilities.
17. Each may buy or bring his or her lunch. All ISS students will eat at the same time.
18. All students from the 7<sup>th</sup> through 12<sup>th</sup> grade may be assigned to In-school suspension. Attendance in ISS will be mandatory and no student will be readmitted to his/her regular classes until they have attended ISS for the minimum number of days specified by the principal.
19. Students assigned to ISS will be given the opportunity to complete assignments and tests while there for full credit. Regular teachers will not be expected to assign make up work, give make up tests or help the students catch up.
20. When assigned to ISS, students will not be permitted to participate in nor attend assemblies, athletic contests, band activities or any other school activity that takes place during their time of in school suspension. The ISS time will be over at 4:02 of the last assigned day. This does not include after school practices.
21. Students that elect not to go to ISS will not be allowed to return to regular classes until they have attended ISS and have fulfilled its requirements. They may be assigned out of school suspension for an equal number of days.

22. Procedures for assignment to ISS will be those that exist for suspension. Due process will be given and parents will be notified with the reasons for the referral to ISS made clear. Disruptive behavior in ISS may result in expulsion.
23. Repeated assignments to ISS or failure on the part of the student to modify his/her behavior will be subject to recommendation for expulsion.

### **AFTER SCHOOL DETENTION**

After school detention will be utilized for repetitive offenses in which the student has been assigned noon detention but continues to be non-compliant. The after school detention will be held immediately after school from 3:15- 4:15 on Wednesday afternoons by a Dierks High School staff member.

After the fifth detention assignment, a student will be given a day of after school detention and on every third offense thereafter. If a student does not attend the assignment, an additional day will be added and if those 2 days are not served a day of ISS will be assigned.

### **DETENTION**

Detention will be assigned by the teacher for minor infractions such as, but not limited to: gum chewing, talking in class, being tardy to class, not coming to class with needed materials, etc. Students arriving late at school in the morning will need to come to the office for an admit slip. They will be assigned detention for being tardy.

Noon detention will be in place for students in grades 7-12. This will take place in room A3 (junior high and senior high) promptly at the start of each lunch period. It will last for the first 15 minutes of the lunch period. The students will then be taken by the instructor to the lunchroom for their lunch in the last 15 minutes of the lunch period when other students have their lobby and outside break. The students will not be allowed to talk while in the lunchroom and must eat on the regular line and can not buy extra lunch items from Ala Cart. A special table will be set aside for the detention students. Assignments will be provided by the detention teachers if the students do not have material to work on.

Upon referral by the principal, the student's CAPS mentor shall hold an intervention conference to help the student succeed and have positive behavior.

The student must be on time. There will be **no excuses**. If the student is late, he/she will be assigned one more day of detention. If a student does not show up for detention, they will be assigned two (2) more days of detention. If the student does not show up for the second day of detention, he/she will be assigned 1 day of ISS and still must serve the days of detention. If the student does not show up for the third day of detention, he/she will be assigned 1 day of OSS and still must serve the detention days. ISS/OSS will affect the semester test exemption and extracurricular activities and practices.



1. Students are assigned one day of detention.
2. Student serves his one day **or**
  - a. student is late for detention-assigned another day
  - b. student does not show up for detention-2 more days of detention
3. If a student does not show up for detention on the second day, he/she will be assigned 1 day of ISS and the student must still serve the detention days.
4. If a student does not show up for detention on the third day, he/she will be assigned 1 day of OSS and the student must still serve the detention days.

If a student is assigned detention and serves his detention as outlined above, his/her semester test status will not be affected. If he/she is assigned ISS or OSS due to detention, they will be required to take all semester tests.

Teachers must be consistent with detention assignment. A teacher may issue from 1 to 5 days per class period depending upon the severity of the infraction. For a more serious or recurrent infraction, a teacher may refer the student to the principal's office for more severe consequences.

### **STUDENT CONDUCT NOT PERMITTED**

Teachers are charged with the responsibility of supervising students and providing an orderly environment of learning. Teachers are responsible for student discipline in all sections of the school. The greatest number of problems confronted by a teacher are from those students whose behavior is mischievous, disconcerting, or disturbing and/or time consuming. The consequences for infractions which fall into this category will range from a warning for a first offense to teacher discipline for second and third offenses and finally a trip to the principal's office.

However, students sometimes engage in more serious behavior problems. The following activities are considered major infractions of proper conduct and will subject the student to disciplinary action including, but not limited to, suspension or expulsion from school and/or notification of law enforcement officials. The violation of a rule will occur whether the conduct takes place on the school ground at anytime, off the school grounds at a school supervised activity, function, or event, or enroute to and from school.

Below each rule is a standardized list of disciplinary actions to be taken. The administration may exercise more extreme action in severe situations or in situation where a student has been involved in other rule infractions. The concept of equity, as defined by the Arkansas Department of Education, recognizes that some students must receive differential treatment in order to achieve fairness within the educational system.

The underlying goal for a school district's disciplinary policies and procedures is to change inappropriate behavior into appropriate behavior and to assist the student in becoming responsible for, and able to control his/her own behavior. This may be accomplished through counseling and/or disciplinary measures.

Consequences will be chosen according to the severity of the infraction from consequences listed. The disciplinary action may include one or more of the consequences, not necessarily in the order listed. Consequences from least to greatest severity are as follows: Warning, Teacher Discipline, Detention, Parent Conferencing, Corporal Punishment, One to ten days ISS, One to ten days OSS, and Permanent Expulsion.

#### **Disregard of Directions or Commands**

A student shall comply with reasonable directions or commands of teachers, student teachers, substitute teachers, teachers' aides, principals, drivers or other authorized school personnel. This includes non-certified staff and volunteers.

Any student who is antagonistic, insubordinate, disrespectful, disobedient or uses foul language (cursing) directed at or to any school personnel, is subject to immediate disciplinary action.

### **4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY**

The District's Student Code of conduct applies to students while traveling to and from school or to and from a school activity to the same extent as if the students were on school grounds. Appropriate disciplinary actions may be taken against commuting students who violate the District's Student Code of Conduct.

The preceding paragraph also applies to student conduct while on school buses. Students shall be instructed in safe riding practices.<sup>1</sup> The driver of a school bus shall not operate the school bus until every passenger is seated. In addition to other disciplinary measures provided for violations of the District's Student Code of Conduct, the student's bus transportation privileges may be suspended or terminated for violations of the Student Code of Conduct related to bus behavior.

Students are eligible to receive district bus transportation if they meet the following requirements.<sup>2</sup> The transportation to and from school of students who have lost their bus transportation privileges is the responsibility of the student's parent or guardian.

## **4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY~DHS**

### **BUS RIDERS**

Students who ride buses are subject to all school policies while on the bus. Drivers are in complete charge. All passengers must remain seated while the bus is in motion. Bus rules and regulations will be posted on each bus and are given to parents at the beginning of the school year. Unauthorized persons are prohibited from entering a bus at any time.

### **BUS OPERATING PROCEDURES**

All students who use school buses, either regularly or occasionally, should be familiar with the following rules:

1. Be at the bus stop at the scheduled time. Stand back about ten feet from the bus stop and wait until the door is opened before moving closer to the bus; do not attempt to hitchhike to or from school.
2. While entering or leaving the bus, be orderly and quick.
3. While riding the bus, you are under the supervision of the driver and must obey the driver at all times.
4. Students are expected to conduct themselves in a manner such that they will not distract the attention of their driver or disturb other riders. This means to keep your hands to yourself, attend to your own business, let other students alone, and be reasonably quiet.
5. No food or drink, except lunches, will be brought aboard buses.
6. No knives or sharp objects of any kind are allowed, nor firearms, pets, or other living animals.
7. Do not tamper with the safety devices such as door latches, fire extinguishers, etc. Keep your seat while the bus is in motion, heads and bodies inside the bus. Act 1744--requires students to be seated while the bus is in motion.
8. Do not deface the bus or damage the seats. Do not throw food, paper, or other objects on the floor of the bus. Keep the aisle free of books, lunches, coats, etc. Do not put feet in the aisle.

9. If you must cross the road to enter the bus, try to be on the right side of the road waiting for the bus. If you should arrive at the stop just as the bus approaches, wait until the bus has come to a complete stop and the driver has signaled for you to cross in front of the bus (unless he directs you differently).
10. If you must cross the road after leaving the bus, go to a point on the shoulder of the road ten feet in front of the bus. Cross the road only after the driver or student patrol has signaled you to do so.
11. No balloons or glass containers will be allowed on buses.
12. No tobacco or electronic vape devices allowed on the buses.

#### **4.20—DISRUPTION OF SCHOOL**

No student shall by the use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct, intentionally cause the disruption of any lawful mission, process, or function of the school, or engage in any such conduct for the purpose of causing disruption or obstruction of any lawful mission, process, or function. Nor shall any student encourage any other student to engage in such activities.

Disorderly activities by any student or group of students that adversely affect the school's orderly educational environment shall not be tolerated at any time on school grounds. Teachers may remove from class and send to the principal or principal's designee office a student whose behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the students, the class, or with the ability of the student's classmates to learn. Students who refuse to leave the classroom voluntarily will be escorted from the classroom by the school administration.

#### **4.20—DISRUPTION OF SCHOOL~DHS**

##### **Disruption and Interference with School**

##### **NO STUDENT SHALL DO THE FOLLOWING:**

1. Block the doorway or corridor.
2. Prevent students from attending class or school activities.
3. Block normal pedestrian or vehicular traffic.

4. Use violence, force, noise, coercion, threat intimidation, hazing, harassment, fear, passive resistance or any other conduct intentionally to cause disruption or a fight.
5. Refuse to identify himself/herself on request.
6. Intentionally make noises or act in a manner so as to interfere with the teacher's ability to conduct the class or any other school activity.
7. Leave school or cut classes without direct permission from the principal or teacher.
8. Encourage other students to violate any rule or school board policy.
9. Use of pagers, cell phones, smart watches laser pointers or any other device that would interfere with the educational process inside the school building during regular school hours or disrupt school activities, such as laser pointers being used for the purpose of distracting or disrupting the activity

#### **4.21—STUDENT ASSAULT OR BATTERY**

A student shall not threaten, physically abuse, attempt to physically abuse, or behave in such a way as to be perceived to threaten bodily harm to any other person (student, school employee, or school visitor). Any gestures; vulgar, abusive, or insulting language; taunting, threatening, harassing, or intimidating remarks by a student toward another person that threatens their well-being is strictly forbidden. This includes, but is not limited to, fighting, racial, ethnic, religious, or sexual slurs.

Furthermore, it is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common acceptance, is calculated to:

- a Cause a breach of the peace;
- B. Materially and substantially interfere with the operation of the school; or
- c. Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation.

Students guilty of such an offense may be subject to legal proceedings in addition to any student disciplinary measures.

## 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

### Definitions

“Firearm” means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

“Possession” means having a weapon on the student’s body or in an area under the student’s control.

“Weapon” means any:

- \* Firearm;
- \* Knife;
- \* Razor;
- \* Ice pick;
- \* Dirk;
- \* Box cutter;
- \* Nunchucks;
- \* Pepper spray, mace, or other noxious spray;
- \* Explosive;
- \* Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or
- \* Any other instrument or substance capable of causing bodily harm.

No student, except for Military personnel (such as ROTC cadets) acting in the course of their official duties or as otherwise expressly permitted by this policy, shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon before or after school while:

- \* In a school building;
- \* On or about school property;
- \* At any school sponsored activity or event;
- \* On route to or from school or any school sponsored activity; or
- \* Off the school grounds at any school bus stop.

If a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be considered to be in possession of a weapon unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student’s parent/legal guardian shall pick up

the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of one (1) year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.<sup>1</sup>

Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property.<sup>2</sup> Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The mandatory expulsion requirement for possession of a firearm does not apply to a firearm brought to school for the purpose of participating in activities approved and authorized by the district that include the use of firearms. Such activities may include ROTC programs; hunting safety or military education; or before or after-school hunting or rifle clubs. Firearms brought to school for such purposes shall be brought to the school employee designated to receive such firearms. The designated employee shall store the firearms in a secure location until they are removed for use in the approved activity.

The district shall report any student who brings a firearm to school to the criminal justice system or juvenile delinquency system by notifying local law enforcement.

#### **4.23—TOBACCO, ELECTRONIC NICOTINE DELIVERY SYSTEMS, AND RELATED PRODUCTS**

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any real property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures. If a student is caught in the bathroom when a vape detector goes off the parent will be notified of the incident.

With the exception of recognized tobacco cessation products, this policy's prohibition includes any tobacco or nicotine delivery system or product. Specifically, the prohibition includes any product that is manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under any other name or descriptor.

#### **4.24—DRUGS AND ALCOHOL**

An orderly and safe school environment that is conducive to promoting student achievement requires a student population free from the deleterious effects of alcohol and drugs. Their use is illegal, disruptive to the educational environment, and diminishes the capacity of students to learn and function properly in our schools.

Therefore, no student in the Dierks School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy. This policy applies to any student who: is on or about school property; is in attendance at school or any school sponsored activity; has left the school campus for any reason and returns to the campus; or is on route to or from school or any school sponsored activity.

Prohibited substances shall include, but are not limited to: alcohol, or any alcoholic beverage; inhalants or any ingestible matter that alter a student's ability to act, think, or respond; LSD, or any other hallucinogen; marijuana; cocaine, heroin, or any other narcotic drug; PCP; amphetamines; steroids; "designer drugs"; look-alike drugs; or any controlled substance.

The sale, distribution, or attempted sale or distribution of over-the-counter (OTC) medications, dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, or prescription drugs is prohibited. The possession or use of OTC medications, dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, or prescription drugs is prohibited except as permitted under Policy 4.35—STUDENT MEDICATIONS.



## **4.24—DRUGS AND ALCOHOL~DHS**

### **Using, Offering for Sale or Selling Beer, Alcoholic Beverages or Other Illicit Drugs by Students or Adults at School Activities**

1. No student or adult shall possess, use, transmit, or be under the influence of any controlled substance or dangerous drugs as defined by the law, nor alcoholic beverage or other intoxicant while attending any school sponsored activity as defined in Act 590 of 1971 of the State of Arkansas as amended.
2. Controlled substances may be possessed and used by a student who has a prescription for the substance provided the substance remains in the container in which it was obtained from the pharmacist. Any student engaging in any of the activities with any of the prohibited substances listed above shall be subject to the following penalties:

The student may be suspended off campus up to (10) school days; police may be called and may be recommended for expulsion. Proof of professional help is required; and parental conference is required prior to readmission; community school service may be required; all-day detention may be used.

Any student suspended for the first violation, may be required to seek professional counseling prior to readmission to school. The student will receive full counseling services at his/her own expense. Upon readmission, continued enrollment shall be contingent upon completion of the alcohol/drug counseling program. Failure to complete the alcohol/drug counseling may be grounds for expulsion.

### **Selling or transfer of any prescription medication, diet pill or over-the-counter medication.**

Students shall not sell or transfer (give) any prescription medication, diet pill, or over-the-counter medication to any other student.

## **4.25—STUDENT DRESS AND GROOMING**

The Dierks Board of Education recognizes that dress can be a matter of personal taste and preference. At the same time, the District has a responsibility to promote an environment conducive to student learning. This requires limitations to student dress and grooming that could be disruptive to the educational process because they are immodest, disruptive, unsanitary, unsafe, could cause property damage, or are offensive to common standards of decency.

Students are prohibited from wearing, while on the school grounds during the school day and at school-sponsored events, clothing that exposes underwear, buttocks, or the breast of a female. This prohibition does not apply, however, to a costume or uniform worn by a student while participating in a school-sponsored activity or event.

The Superintendent shall establish student dress codes for the District's schools, to be included in the student handbook, and are consistent with the above criteria.

## **4.25—STUDENT DRESS AND GROOMING~DHS**

### **STUDENT DRESS**

Student dress and grooming shall be left primarily to the discretion of the student and his/her parents. The school officials, however, shall have the authority to require a student who is improperly dressed to change into more appropriate clothing. Improper dress shall be defined as any clothing which might interfere with the daily school routine as determined by school administration. Shorts are discouraged; however, shorts and skirts are acceptable as long as the hem is no shorter than four (4) inches from the bend of the knee. No pajamas, house shoes or other sleeping attire shall be worn to school. The only exception will be during Principal-Approved Activities. Fringed cut-off shorts are not acceptable. Inappropriate clothing will include the following:

1. Clothing that depicts or refers to alcoholic beverages, drugs, nudity, or contains obscene slogans or other slogans or other emblems - or writing that may reasonably be expected to cause disruption of or interference with normal school operations.
2. Shirts or blouses are to be closed (buttoned) to show modesty and appropriateness. Undershirts, tank tops, see-through shirts or blouses, or clothing with spaghetti straps are not acceptable for school wear unless worn under other clothing. Tights or leggings must be worn with a shirt, shorts, or skirt with a hem no shorter than four (4) inches from the bend of the knee.

Shoes must be worn at all times, and should be chosen for safety, health reasons, and for quietness, no shoes with rollers or wheels are allowed.

Bicycle shorts or sliders are not allowed unless they are worn under shorts as long as the length of the shorts follow the district policy. Hats, headbands, or other headwear will not be worn indoors at any time, including Spirit Week. This applies to both male and females.

In accordance to Act 835 of the 2011 Arkansas Legislative Session, students may not wear clothing that exposes underwear, buttocks, or the breast of the female. This includes jeans with holes in them above the appropriate 4 inch length for shorts. This policy is effective for school and for school-sponsored events.

### **Boys**

Must not wear shirts that do not completely cover the back and stomach. Sleeveless shirts are prohibited unless a sleeved shirt is worn underneath. Pants should be worn at the waist line. No underwear should show. Shorts shall be 4" above the bend of the knee and worn appropriately..

### **Girls**

Must not wear dresses or blouses that do not cover the back and stomach. Must not wear dresses or blouses that are cut in front or at arm holes below a moderate level.

Must not wear skirts or dresses that are inappropriate in length as defined by school administration. [Skirts may not be shorter than four (4) inches from the bend of the knee]. Shorts shall be 4" above the bend of the knee and worn appropriately.

**PENALTY:** Students will be asked to correct the item in question. If the item is not corrected, the student and the parent will be counseled and a one (1) to three (3) days ISS may be imposed.

## **4.26—GANGS AND GANG ACTIVITY**

The Board is committed to ensuring a safe school environment conducive to promoting a learning environment where students and staff can excel. An orderly environment cannot exist where unlawful acts occur causing fear, intimidation, or physical harm to students or school staff. Gangs and their activities create such an atmosphere and shall not be allowed on school grounds or at school functions.

The following actions are prohibited by students on school property or at school functions:

1. Wearing or possessing any clothing, bandanas, jewelry, symbol, or other sign associated with membership in, or representative of, any gang;
2. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or handshakes representative of membership in any gang;
3. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang; and/or
4. Extorting payment from any individual in return for protection from harm from any gang.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion.

Students arrested for gang related activities occurring off school grounds shall be subject to the same disciplinary actions as if they had occurred on school grounds.

#### **4.27—STUDENT SEXUAL HARASSMENT**

The Dierks School District is committed to providing an academic environment that treats all students with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

The District believes the best policy to create an educational environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to students, parents/legal guardians/other responsible adults, and employees on sexual harassment. The informational materials and training on sexual harassment shall be age appropriate and, when necessary, provided in a language other than English or in an accessible format. The informational materials and training shall include, but are not limited to:

- \* The nature of sexual harassment;
- \* The District's written procedures governing the formal complaint grievance process;<sup>1</sup>
- \* The process for submitting a formal complaint of sexual harassment;
- \* That the district does not tolerate sexual harassment;
- \* That students can report inappropriate behavior of a sexual nature without fear of adverse consequences;
- \* The supports that are available to individuals suffering sexual harassment; and
- \* The potential discipline for perpetrating sexual harassment.

## Definitions

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Education program or activity” includes locations, events, or circumstances where the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting an investigation of the allegation of sexual harassment.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**“Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:**

1. A District employee:
  - a. Conditions the provision of an aid, benefit, or service of the District on an individual’s participation in sexual conduct;<sup>2</sup> or
  - b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;<sup>2</sup>
2. The conduct is:
  - a. Unwelcome; and
  - b. Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or
3. Constitutes:
  - a. Sexual assault;
  - b. Dating violence
  - c. Domestic violence; or
  - d. Stalking.

“Supportive measures” means individualized services that are offered to the complainant or made available to the respondent designed to restore or preserve equal access to the District’s education program or activity without unreasonably burdening the other party. The supportive measures must be non-disciplinary and non-punitive in nature; offered before or after the filing of a formal complaint or where no formal complaint has been filed; and offered to either party as appropriate, as reasonably available, and without fee or charge. Examples of supportive measures include, but are not limited to: measures designed to protect the safety of all parties or the District’s educational environment, or deter sexual harassment; counseling; extensions of deadlines or other course-related

adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or class locations; leaves of absence; and increased security and monitoring of certain areas of the campus.

Within the educational environment, sexual harassment is prohibited between any of the following: students; employees and students; and non-employees and students.

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

- \* Making sexual propositions or pressuring for sexual activities;
- \* Unwelcome touching;
- \* Writing graffiti of a sexual nature;
- \* Displaying or distributing sexually explicit drawings, pictures, or written materials;
- \* Performing sexual gestures or touching oneself sexually in front of others;
- \* Telling sexual or crude jokes;
- \* Spreading rumors related to a person’s alleged sexual activities;
- \* Discussions of sexual experiences;
- \* Rating other students or employees as to sexual activity or performance;
- \* Circulating or showing emails or Web sites of a sexual nature;

- \* Intimidation by words, actions, insults, or name calling; and
- \* Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the individual self-identifies as homosexual or transgender.

Students who believe they have been subjected to sexual harassment, or the parent/legal guardian/other responsible adult of a student who believes their student has been subjected to sexual harassment, are encouraged to bring their concerns to any District staff member, including a counselor, teacher, Title IX coordinator, or

administrator. If the District staff member who received a report of alleged sexual harassment is not the Title IX Coordinator, then the District staff person shall inform the Title IX Coordinator of the alleged sexual harassment. As soon as reasonably possible after receiving a report of alleged sexual harassment from another District staff member or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

- § Discuss the availability of supportive measures;
- § Consider the complainant's wishes with respect to supportive measures;
- § Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- § explain to the complainant the process for filing a formal complaint.

### **Supportive Measures**

The District shall offer supportive measures to the complainant and make supportive measures available to the respondent that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party before or after the filing of a formal complaint or where no formal complaint has been filed. The District shall provide the individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary and non-punitive to the respondent. A complainant who initially declined the District's offer of supportive measures may request supportive measures at a later time and the District shall provide individualized supportive measures based on the circumstances when the subsequent request is received.

## Formal Complaint

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email. Upon receipt of a formal complaint, a District shall simultaneously provide the following written notice to the parties who are known:

- \* Notice of the District's grievance process and a copy of the procedures governing the grievance process;
- \* Notice of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

Sufficient details include

The identities of the parties involved in the incident, if known.

The conduct allegedly constituting sexual harassment; and

The date and location of the alleged incident, if known;

- \* A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- \* That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- \* That the parties may inspect and review evidence relevant to the complaint of sexual harassment; and
- \* That the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.



The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular “party”, “complainant”, or “respondent” include the plural, as applicable.

When investigating a formal complaint and throughout the grievance process, a District shall:

- \* Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties;
- \* Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege or access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party unless the District obtains the parent, legal guardian, or other responsible adult of that party’s voluntary, written consent or that party’s voluntary, written consent if the party is over the age of eighteen (18) to do so for the grievance process.
- \* Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- \* Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- \* Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not

required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;

- \* Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- \* Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation ; this includes evidence:
  - § Whether obtained from a party or other source,;
  - § The District does not intend to rely upon in reaching a determination regarding responsibility; and
  - § That is either Inculpatory or exculpatory; and
- \* Create an investigative report that fairly summarizes relevant evidence.

At least ten (10)<sup>3</sup> days prior to completion of the investigative report, the District shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties shall have at least ten (10)<sup>3</sup> days to submit a written response to the evidence. The investigator will consider the

written responses prior to completion of the investigative report. All evidence subject to inspection and review shall be available for the parties' inspection and review at any meeting to give each party equal opportunity to refer to such evidence during the meeting.

After the investigative report is sent to the parties, the decision-maker shall:

- \* Provide each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness;

- \* Provide each party with the answers;
- \* Allow for additional, limited follow-up questions from each party; and
- \* Provide an explanation to the party proposing the questions any decision to exclude a question as not relevant. Specifically, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

No earlier than (10) days following the completion of the investigation period, the decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility. The written determination shall include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including:
  - a. Any notifications to the parties;
  - b. Interviews with parties and witnesses;
  - c. site visits;
  - d. Methods used to gather other evidence,; and
  - E. Hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
  - a. A determination regarding responsibility;
  - b. Any disciplinary sanctions imposed on the respondent; and
  - c. Whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and

6. The procedures and permissible bases for the complainant and respondent to appeal.

The written determination shall be provided to the parties simultaneously. The determination regarding responsibility shall become final on the earlier of:

- \* If an appeal is not filed, the day after the period for an appeal to be filed expires; or
- \* If an appeal is filed, the date the written determination of the result of the appeal is provided to the parties.

The District shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved; did not occur in the District's education program or activity; or did not occur against a person in the United States, then the District shall dismiss the complaint as not meeting the definition of sexual harassment under this policy. A dismissal for these reasons does not preclude action under another provision of the District's code of conduct.

The District may dismiss the formal complaint or any allegations therein, if at any time during the grievance process:

- \* The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- \* The respondent is no longer enrolled at the District; or
- \* Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon the dismissal of a formal complaint for any reason, the District shall promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The District may hire an individual or individuals to conduct the investigation or to act as the determination-maker when necessary.

## **Appeals**

Either party may appeal a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

- a. The existence of a procedural irregularity that affected the outcome of the matter;
- b. Discovery of new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- d. An appeal of the disciplinary sanctions from the initial determination.<sup>4</sup>

### **For all appeals, the District shall:**

- 1. Notify the other party in writing when an appeal is filed;
- 2. Simultaneously Provide all parties a written copy of the District's procedures governing the appeal process;
- 3. Implement appeal procedures equally for both parties;
- 4. Ensure that the decision-maker<sup>5</sup> for the appeal is not the same person as the decision-maker that reached the original determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
- 5. Provide all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 6. Issue a written decision describing the result of the appeal and the rationale for the result; and
- 7. Provide the written decision simultaneously to both parties.

## **Confidentiality**

Reports of sexual harassment, both informal reports and formal complaints, will be treated in a confidential manner to the extent possible. Limited disclosure may be provided to:

- § individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
- § Submit a report to the child maltreatment hotline;
- § Submit a report to the Professional Licensure Standards Board for reports alleging sexual harassment by an employee towards a student; or
- § The extent necessary to provide either party due process during the grievance process.

Except as listed above, the District shall keep confidential the identity of:

- \* Any individual who has made a report or complaint of sex discrimination;
- \* Any individual who has made a report or filed a formal complaint of sexual harassment;
- \* Any complainant;
- \* Any individual who has been reported to be the perpetrator of sex discrimination;
- \* Any respondent; and
- \* Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

### **Emergency removal<sup>6</sup>**

The District may remove a respondent from the District's education program or activity on an emergency basis only after the completion of an individualized safety and risk analysis that determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. A removed student will be provided with notice and an opportunity to challenge the removal decision immediately following the removal.

### **Retaliation Prohibited**

Students, or the parents/legal guardians/ other responsible adult of a student, who submit a report or file a formal complaint of sexual harassment,; testified; assisted; or participate or refused to participate in any manner in an investigation, proceeding, or hearing on sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats; intimidation; coercion; discrimination; or charges for code of conduct violations that do not involve sex discrimination or sexual harassment, arise out of the same facts or circumstances as a report or formal complaint of sex discrimination, and are made for the purpose of interfering with any right or privilege under this policy. The District shall take steps to prevent retaliation and shall take immediate action if any form of retaliation occurs regardless of whether the retaliatory acts are by District officials, students, or third parties.

### **Disciplinary Sanctions**

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following the completion of the District's grievance process, any student who is found by the evidence to more likely than not<sup>7</sup> have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion. No disciplinary sanction or other action that is not a supportive measure may be taken against a respondent until the conclusion of the grievance process.

Students who knowingly fabricate allegations of sexual harassment or purposely provide inaccurate facts shall be subject to disciplinary action up to and including expulsion. A determination that the allegations do not rise to the level of sexual harassment alone is not sufficient to conclude that any party made a false allegation or materially false statement in bad faith.

## **Records**

The District shall maintain the following records for a minimum of seven (7) years:

- \* Each sexual harassment investigation including:
- \* Any determination regarding responsibility;
- \* any disciplinary sanctions imposed on the respondent;
- \* Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
- \* Any appeal and the result therefrom;
- \* All materials used to train Title IX Coordinators, investigators, and decision-makers;
- \* Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, which must include
- \* The basis for the District's conclusion that its response was not deliberately indifferent; and
- \* Document:
  - § If supportive measures were provided to the complainant, the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or
  - § If no supportive measures were provided to a complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances



## **4.27—STUDENT SEXUAL HARASSMENT~DHS**

### **Sexual Harassment**

Sexual harassment will not be tolerated at Dierks High School. The definition of sexual harassment means unwelcome sexual advances, requests for sexual favors, and verbal, written or physical contact of a sexual nature. The legal definition of sexual harassment is broad and in addition to the above definition, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating may also constitute sexual harassment, but the following are some examples of conduct, which if unwelcome, may constitute sexual harassment:

Unwelcome sexual advances—whether physical or not

Sexual epithets, jokes, written or oral references to sexual conduct gossip regarding one's sex life, comments about someone else's body, etc.

Displaying sexually suggestive objects, pictures or cartoons

Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments

Inquiries into one's sexual experience

Discussion of one's sexual activities

Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperation in an investigation of a sexual harassment complaint will not be allowed and will also subject the guilty party to disciplinary action.

## **4.28—LASER POINTERS**

Students shall not possess any hand held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; on route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event. School personnel shall seize any laser pointer from the student possessing it and the student may reclaim it at the close of the school year, or when the student is no longer enrolled in the District.

## 4.29—INTERNET SAFETY and ELECTRONIC DEVICE USE POLICY

### Definition

For the purposes of this policy, “electronic device” means anything that can be used to transmit or capture images, sound, or data.

The District makes electronic device(s) and/or electronic device Internet access available to students, to permit students to perform research and to allow students to learn how to use electronic device technology. Use of district electronic devices are for educational and/or instructional purposes only. Student use of electronic device(s) shall only be as directed or assigned by staff or

teachers; students are advised that they enjoy no expectation of privacy in any aspect of their electronic device use, including email, and that monitoring of student electronic device use is continuous.

No student will be granted Internet access until and unless an Internet and electronic device -use agreement, signed by both the student and the parent or legal guardian (if the student is under the age of eighteen [18]) is on file. The current version of the Internet and Electronic Device use agreement is incorporated by reference into board policy and is considered part of the student handbook.

### Technology Protection Measures

The District is dedicated to protecting students from materials on the Internet or world wide web that are inappropriate, obscene, or otherwise harmful to minors<sup>1</sup>; therefore, it is the policy of the District to protect each electronic device with Internet filtering software<sup>2</sup> that is designed to prevent students from accessing such materials. For purposes of this policy, “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:

- (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- (b) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

### **Internet Use and Safety**

The District is dedicated to ensuring that students are capable of using the Internet in a safe and responsible manner. The District uses technology protection measures to aid in student safety and shall also educate students on appropriate online behavior and Internet use<sup>3</sup> including, but not limited to:

- \* Interacting with other individuals on social networking websites and in chat rooms;
- \* Cyberbullying awareness; and
- \* Cyberbullying response.

### **Misuse of Internet**

The opportunity to use the District's technology to access the Internet is a privilege and not a right. Students who misuse electronic devices or Internet access in any way will face disciplinary action, as specified in the student handbook<sup>4</sup> and/or Internet safety and electronic device use agreement. Misuse of the Internet includes:

- \* The disabling or bypassing of security procedures, compromising, attempting to compromise, or defeating the district's technology network security or Internet filtering software;
- \* The altering of data without authorization;
- \* Disclosing, using, or disseminating passwords, whether the passwords are the student's own or those of another student/faculty/community member, to other students;
- \* Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, addresses, and phone numbers.
- \* Using electronic devices for any illegal activity, including electronic device hacking and copyright or intellectual property law violations;
- \* Using electronic devices to access or create sexually explicit or pornographic text or graphics;
- \* Using electronic devices to violate any other policy or is contrary to the Internet safety and electronic device use agreement.

## **4.29—INTERNET SAFETY and ELECTRONIC DEVICE USE POLICY~DHS**

### **Technology Acceptable Use Policy**

The Dierks School District believes that technology is a tool for lifelong learning, and that access to Local Area Network (LAN) and Wide Area Network (WAN) is one of the resources that promote educational and organizational excellence. We believe the responsible use of network resources will propel today's schools into the information age allowing students and staff to significantly expand their knowledge by accessing and using information resources, and by analyzing, collaborating and publishing information.

Students and staff should use network resources in a responsible, efficient, ethical and legal manner in accordance with the mission of Dierks School District. The use of technology is a privilege, not a right, which may be revoked at any time for inappropriate behavior. Users assume responsibility for understanding the policy and guidelines as a condition of using available technology. Staff members are accountable to teach and use technology responsibly. Use of technology resources that are inconsistent with this policy may result in loss of access as well as other disciplinary or legal action. This will be at the discretion of the faculty and the administration of the Dierks School District.

### **Network Access**

The following individuals are authorized to use the Dierks Public School Network (including, but not limited to e-mail and internet):

0. Dierks School employees are issued an individual network account.
1. High School students at Dierks High School (grades 7-12) may be issued an account with email and internet privileges upon return of a contract signed by parent and student. This will depend upon the class and instructor.
2. Seventh and eighth grade students are issued network accounts without internet and email access.
3. Elementary students have access to the school network only under their teacher's direct supervision using a classroom account. Individual elementary students will be issued an account upon the discretion of the teachers and the administration.
4. Others may be issued Guest Accounts based on their need for doing network business. (Examples of such accounts would be adult education classes and college students needing to do research.)

### **Acceptable Internet Use Guidelines**

Staff members are expected to teach responsible use to students when students are accessing the Internet and to provide guidance and supervision of students using the Internet in the following ways:

Teachers and other supervising adults will discuss the appropriate use of technology resources with their students, monitor their use, and intervene if the resource is not being used appropriately.

Computers that allow access to the Internet should only be placed in areas where adults are present.

Content filtering is provided by the state to help limit access to inappropriate material. Even with filtering, it is possible that students may find materials on the Internet that parents consider objectionable. Although students may be supervised when they use the Internet, this does not guarantee that students will not access inappropriate materials. District guidelines for accessing the Internet prohibit access to materials that is inappropriate access of materials to a teacher, other staff persons or their parents. Parents are encouraged to discuss responsible use of the Internet with their children and how this responsibility includes using the Internet at school, as well as from home.

### **Unacceptable Use**

The following uses of technology are unacceptable and may result in suspension or revocation of network privileges. Unacceptable use is defined to include, but not be limited to, the following:

- \* Violation of School Board Policy, District Administrative Rules, or any provision in the Student Handbook.
- \* Transmission of any material in violation of any local, state, or federal law. This includes, but is not limited to: copyrighted materials, threatening or obscene material, or materials protected by trade secret.
- \* The use of profanity, obscenity or other language that may be offensive to another user.
- \* Any form of vandalism, including but not limited to, damaging computers, computer systems, or networks, and/or disrupting the operation of the network.
- \* Copying and/or downloading commercial software or other material (e.g. music) in violation of federal copyright laws.

- \* Use of the network for financial gain, commercial activity, or illegal activity, e.g. hacking.
- \* Use of the network for political activity.
- \* Use of the network to access pornographic or obscene material.
- \* Creating and/or placing a computer virus on the network.
- \* Accessing another person's individual account without prior consent or accessing a restricted account without prior consent of the responsible administrator or teacher. The person whose name an account is issued is Responsible at all times for its proper use. Passwords should never be shared with another person and should be changed frequently.

Students who use a school issued computer for non-school purposes except as permitted by the district's Internet/computer use policy, shall be subject to discipline, up to and including suspension or expulsion.

### **Privacy**

Staff and student users of Dierks must be aware that information accessed, created, sent, received or stored on the network is not private. It is subject to review by network system administrators. System administrators may investigate complaints regarding email that may contain inappropriate or illegal material.

### **Web Content**

The content on the Dierks School District website shall be consistent with its purpose of supporting and enhancing learning and teaching that prepares students for success. Dierks' website includes information about the district and functions as a communication tool.

Staff members who publish pages on Dierks School District's website should use criteria appropriate to selecting material that enriches the learning environment. In addition to applying the principles used to establish a rich educational environment, web page content should be designed to reflect the following criteria.

- \* Authority
- \* Accuracy
- \* Objectively
- \* Currency
- \* Coverage

### **Internet Privacy Protections and Considerations for Students**

The school district has an obligation to protect student safety and to balance this with the need for open communications when using the Internet. There are documented instances of students being inappropriately identified via the Internet and thereby becoming subjected to unhealthy situations or unwelcome communications.

The purpose of these guidelines is:

- 1.To inform school staff of the possible dangers of allowing students to publish identifying information on the Internet.
- 2.To recognize that there are potential advantages of allowing students to publish identifying information on the Internet.
- 3.To provide to schools a recommended set of guidelines governing how student identifying should be allowed in publishing on the internet.

It is clear that there are significant risks, as well as significant advantages, involved with allowing students to be identified on the Internet. Therefore, students should not be easily identifiable from materials they might publish on the Internet.

### **Guidelines**

- \* Only first names shall be used in published student work.  
Pictures that are a part of student publishing should not include identifying information.  
Under no circumstances should a student's home address or phone number be included.
- \* If replies to published student work are appropriate, the sponsoring teacher's address should be the email address displayed, not the student's. In special circumstances with parent-signed release, identifying information can be added.

**Guidelines:** To make this determination the submitting high school students and the supervising staff member must carefully weigh the potential for risk against the perceived advantage of posting this identifying information. Students are required to seek guidance and approval from school staff and are encouraged to involve parents in instances where there is uncertainty before posting identifying information.

## **Copyright and Plagiarism**

Adherence to federal copyright law is required in both the print and the electronic environments. All users of the Dierks network are expected to adhere to the provision of Public Law 94-553 and subsequent federal legislation and guidelines related to the duplication and/or use of copyrighted materials. District guidelines permit copying specifically allowed by copyright law, fair use guidelines, license agreements or proprietor's permission. The following are not permitted:

- \* Using network resources to commit plagiarism, using another student's account is considered cheating and will result in punishment.
- \* Unauthorized use, copying, or forwarding of copyrighted material.
- \* Unauthorized installing, use, storage, or distribution of copyrighted software.

### **CIPA GUIDELINES**

Per CIPA compliance the following are part of the Technology Acceptable Use Policy:

Filtering is incorporated with the service provided by Internet Service Provider, locally for all Internet-enabled computers on a networked basis, and individually on each Internet-enabled computer with the filtering product M-86.

Filtering will be provided for all Internet-enabled computers used by students, patrons, and staff.

Filtering will be disabled only for bona fide research or other lawful purposes.

Online activities of minors will be monitored for appropriate use.

Safe and secure use by minors of direct electronic communications (including e-mail, chat rooms, and instant messaging) will be monitored by staff and checked by filtering products.

Unauthorized online access, including "hacking" and other unlawful activities, is prohibited.

Unauthorized disclosure, use, and dissemination of personal identification information regarding minors is prohibited.

Educating minors about appropriate behavior, including interacting with other individuals on social networking websites and its chat rooms and cyberbullying awareness and response will be taught and enforced.



## Violation of the Technology Acceptable Use Policy

Any student that violates the Dierks School District's Technology Acceptable Use Policy will be subject to the appropriate disciplinary action as listed below. The Technology Acceptable Use Policy is listed on subsequent pages of the student handbook.

**CONSEQUENCES** - Loss of computer privileges for a period of time determined by the teacher, loss of computer privileges for a longer period of time determined by the suspension, 1-10 days of Out of School suspension, parent conference, loss of computer privileges for the remainder of the school term, loss of computer privileges for one year, expulsion.

### 4.30—SUSPENSION FROM SCHOOL

Students who are not present at school cannot benefit from the educational opportunities the school environment affords. Administrators, therefore, shall strive to find ways to keep students in school as participants in the educational process. There are instances, however, when the needs of the other students or the interests of the orderly learning environment require the removal of a student from school. The Board authorizes school principals or their designees to suspend students for disciplinary reasons for a period of time not to exceed ten (10) school days,<sup>1</sup> including the day upon which the suspension is imposed. The suspension may be in school or out of school. Students are responsible for their conduct that occurs:

- \* At any time on the school grounds;
- \* Off school grounds at a school-sponsored function, activity, or event; and
- \* Going to and from school or a school activity.

A student may be suspended for behavior including, but not limited to, that:

1. Is in violation of school policies, rules, or regulations;
2. Substantially interferes with the safe and orderly educational environment;
3. School administrators believe will result in the substantial interference with the safe and orderly educational environment; and/or
4. Is insubordinate, incorrigible, violent, or involves moral turpitude.

**Out-of-school suspension (OSS)** shall not be used to discipline a student in kindergarten through fifth (5<sup>th</sup>) grade unless the student's behavior:

- a. Poses a physical risk to himself or herself or to others;
- B. Causes a serious disruption that cannot be addressed through other means; or
- c. Is the act of bringing a firearm on school campus.

OSS shall not be used to discipline a student for skipping class, excessive absences, or other forms of truancy.

The school principal or designee shall proceed as follows in deciding whether or not to suspend a student:

1. The student shall be given written notice or advised orally of the charges against him/her;
2. If the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts; and
3. If the principal finds the student guilty of misconduct, he/she may be suspended.

When possible, notice of the suspension, its duration, and any stipulations for the student's re-admittance to class will be given to the parent(s), legal guardian(s), person(s) with lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (18) or older prior to the suspension. Such notice shall be handed to the parent(s), legal guardian(s), person(s) having lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (18) or older or mailed to the last address reflected in the records of the school district. Generally, notice and hearing should precede the student's removal from school, but if prior notice and hearing are not feasible, as where the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school, the necessary notice and hearing should follow as soon as practicable

It is the responsibility of a student's parents, legal guardians, person having lawful control of the student, or person standing in loco parentis to provide current contact information to the district, which the school shall use to immediately notify the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:<sup>2</sup>

- \* A primary call number;  
The contact may be by voice, voice mail, or text message.
- \* An email address;
- \* A regular first class letter to the last known mailing address.

The district shall keep a log of contacts attempted and made to the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis.

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student's period of OSS.

During the period of their suspension, students serving OSS are not permitted on campus except to attend a student/parent/administrator conference or when necessary as part of the District's engagement or access to education program.<sup>3</sup>

During the period of their suspension, students serving in-school suspension shall not attend or participate in any school-sponsored activities during the imposed suspension.<sup>3</sup> Suspensions initiated by the principal or his/her designee may be appealed to the Superintendent, but not to the Board. Suspensions initiated by the Superintendent may be appealed to the Board.

#### **4.30—SUSPENSION FROM SCHOOL~DHS**

### **SUSPENSION AND EXPULSION**

#### **SUSPENSION PROCEDURE:**

0. A teacher may temporarily dismiss for disciplinary reasons any student from class.
1. The teacher shall, when feasible, accompany the student to the office of the principal or designee and shall, as soon as practical, file with the principal a written statement about the student's dismissal from class.
2. The principal or designee shall determine whether to reinstate the student in class, reassign his/her or take other disciplinary action.
3. The principal or any school or designee is authorized to suspend students from school for disciplinary reasons up to ten school days, including the day upon which the suspension was initially imposed.
4. Prior to such suspension, the principal or designee, shall inform the student either orally or in writing about the infraction.
5. If the student denies the charges, the principal shall explain to him/her the evidence that forms the basis of the charges and shall permit the student to present his/her side of the story.
6. When the principal considers that a suspension is proper, he/she shall send the student home with a suspension notice.
7. Additionally, the parent will be mailed a copy of the suspension notice which shall include the reasons for the suspension, its duration, the manner in which the student may be readmitted to school, which shall include a student/parent/principal or designee conference, and the procedure for review of the suspension.
8. When a student has been notified that he/she is suspended from school, he/she shall remain away from school premises until the principal or designee reinstates him/her, except that a suspended student may return to the school premises when accompanied by his/her parent or guardian for a student/parent/principal or designee conference. This includes all extra-curricular activities.
9. The suspended student or his/her parent or guardian may request a hearing before the superintendent.

10. The superintendent of schools or designee shall have the authority to revoke, terminate, or otherwise modify the suspension.
11. Notwithstanding the policy concerning suspension and expulsion, students may be suspended indefinitely without notice, hearing and other rights provided herein having been first given if the process has otherwise been substantially disrupted. This would apply only in rare instances such as riots or where emergency circumstances make it unreasonable for the administration and board to consider the case within the usual time. In all such cases, notices, hearings and other rights shall be provided in accordance with the normal provisions at the earliest practical date after order is restored.

#### **4.31—EXPULSION**

The Board of Education may expel a student for a period longer than ten (10) school days for violation of the District's written discipline policies. The Superintendent may make a recommendation of expulsion to the Board of Education for student conduct:

- \* Deemed to be of such gravity that suspension would be inappropriate;
- \* Where the student's continued attendance at school would disrupt the orderly learning environment; or
- \* Would pose an unreasonable danger to the welfare of other students or staff.

Expulsion shall not be used to discipline a student in kindergarten through fifth (5<sup>th</sup>) grade unless the student's behavior:

- a. Poses a physical risk to himself or herself or to others;
- b. Causes a serious disruption that cannot be addressed through other means; or
- c. Is the act of bringing a firearm on school campus.

The Superintendent or his/her designee shall give written notice to the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis (mailed to the address reflected on the District's records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider and dispose of the recommendation.

The hearing shall be conducted not later than ten (10) school days<sup>1</sup> following the date of the notice, except that representatives of the Board and student may agree in writing to a date not conforming to this limitation.

The President of the Board, Board attorney, or other designated Board member shall preside at the hearing. The student may choose to be represented by legal counsel. Both the district administration and School Board also may be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent, legal guardian, person having lawful control of the student, person standing in loco parentis, or student if age eighteen (18) or older, requests that the hearing be conducted in executive session. Any action taken by the Board shall be in open session.

During the hearing, the Superintendent, or designee, or representative will present evidence, including the calling of witnesses, who gave rise to the recommendation of expulsion. The student, or his/her representative, may then present evidence including statements from persons with personal knowledge of the events or circumstances relevant to the charges against the student. Formal cross-examination will not be permitted; however, any member of the Board, the Superintendent, or designee, the student, or his/her representative may question anyone making a statement and/or the student. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal

guardians, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property.<sup>2</sup> The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The Superintendent and the Board of Education shall complete the expulsion process of any student that was initiated because the student possessed a firearm or other prohibited weapon on school property regardless of the enrollment status of the student. The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student's period of expulsion. The District's program shall include offering an expelled student an opportunity for enrollment in digital learning courses or other alternative educational courses that result in the receipt of academic credit that is at least equal to credit the expelled student may have received from the District if the student had not been expelled.

## **4.31—EXPULSION~DHS**

### **EXPULSION PROCEDURE TO BE USED:**

0. The principal or designee may recommend that a student be expelled from school. A written recommendation to the superintendent shall include a statement of the charge against the student.
1. If the superintendent concurs with the recommendation, he/she shall schedule a hearing before the school board.
2. The school board may expel a student for more than 10 days, the remainder of the semester, for the remainder of the school year, or permanently for conduct it deems to be of such seriousness as to make a suspension inappropriate where it finds that the student's continued attendance at school would be unacceptable disruptive to the educational program or would be attended with unreasonable danger to the other students and faculty members.
3. Permanent expulsion is appropriate only for those instances in which serious bodily harm occurred or reasonably could have been expected to occur to another person.
4. The superintendent or designee shall give written notice mailed within ten calendar days from the alleged incident, which caused the expulsion recommendation, to the student if he/she is an adult. Such a hearing will be conducted not earlier than three calendar days or more than seven calendar days following the date of the notice except that the superintendent and the student and the student's parent may agree in writing.
5. The notice also will state charges against the student in clear and concise terms, the names of witnesses who will appear against the student and a brief statement concerning the nature of their testimony.
6. In every case of a hearing held by a school board regarding the expulsion of a student, the president of the board shall preside at the hearing. The student shall be entitled to representation by a lawyer or lay counsel.

### **HEARING FORMAT:**

1. After the meeting is called to order, the purpose of the hearing is to be stated.
2. The student is to be asked if he/she is to represent themselves, if they are an adult, if his/her parent is to represent them if they are a minor, or if they have other representation.

3. It is then to be determined, by the student if he/she is an adult or by the parent if the student is a minor, if the hearing is to be "open" or "closed". "Open" means that anyone, including the press, may be present. "Closed" means that only those directly involved in the hearing may be present. If the hearing is "closed" then everyone is to be removed from the room except: the student; the student's parents; the student's representative, if they have any; the superintendent; the principal, if involved; the board's attorney, if they have one; and the board.
4. The superintendent will then state the recommendation.
5. The superintendent or other person (such as the principal or teacher) will then set out the facts surrounding the reason for the recommendation.
6. The Board President will then inform the student that the student or his representative may then question the person making the statement. Only questions and not statements are to be permitted. Only one individual may question any given witness. Questioning of a witness from more than one individual will not be permitted. However, different individuals may question different witnesses.
7. When the administration's presentation in support of the recommendation of expulsion is completed, the student (or parent or representative) will then be permitted to go forward with their witnesses, one at a time. When the original questioning of the witness is concluded, the school board members, the principal or the superintendent may ask questions.
8. After the witness in support of the student has been concluded, the student (or their parent or representative), may make a closing statement, as may either the principal or superintendent.
9. If the hearing was an "open" hearing, the board must remain in open session to discuss the recommendation before voting. If the hearing was a "closed" hearing, the board should excuse themselves to executive session to discuss the recommendations before voting. Irregardless of whether the session was "open" or "closed" the board must vote in open session.
10. The board may accept, reject, or modify the recommendation of expulsion. Any modification may not exceed the recommendation of the administration.
11. The board shall briefly state its findings in writing within ten days after the hearing.
12. The board shall make a record of the evidence taken at the proceedings by use of a court reporter.
13. If the student wishes, the record will be transcribed and a copy furnished to the student. Copies of all statements used, as evidence will be included with the record.
14. The president of the board or the presiding officer has the authority to limit unproductively long or irrelevant questioning by non-board members.

## **4.32—SEARCH, SEIZURE, AND INTERROGATIONS**

The District respects the rights of its students against arbitrary intrusion of their person and property. At the same time, it is the responsibility of school officials to protect the health, safety, and welfare of all students enrolled in the District in order to promote an environment conducive to student learning. The Superintendent, principals, and their designees have the right to inspect and search school property and equipment. They may also search students and their personal property in which the student has a reasonable expectation of privacy, when there is reasonable and individualized suspicion to believe such student or property contains illegal items or other items in violation of Board policy or dangerous to the school community.<sup>1</sup> School authorities may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.

School property shall include, but not be limited to, lockers, desks, and parking lots, as well as personal effects left there by students. When possible, prior notice will be given and the student will be allowed to be present along with an adult witness; however, searches may be done at any time with or without notice or the student's consent. A personal search must not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

The Superintendent, principals, and their designees may request the assistance of law enforcement officials to help conduct searches. Such searches may include the use of specially trained dogs.

A school official of the same sex shall conduct personal searches with an adult witness of the same sex present.

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Division of Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen [18] years of age), or in response to a subpoena or arrest warrant.



If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to

contact the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, person having lawful control of the student, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of a court with jurisdiction over a child with a court order signed by a judge. Upon release of the student, the principal or designee shall give the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis notice that the student has been taken into custody by law enforcement personnel or a state's social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and an after-hours telephone number.

Using a metal detector or "wandering" a student constitutes a search. Extraordinary circumstances must exist for a large group of students to be justifiably subjected to a personal or electronic search, such as a credible belief that any one of a number of students might possess something very dangerous (e.g. a gun or a knife). Searching all

students to ensure that non-lethal contraband, such as an electronic device, is not possessed would certainly not pass legal muster; this is true regardless of whether or not testing is occurring. Failure to meet these constitutional requirements could lead to serious legal liability on the part of the district.

## **4.32—SEARCH, SEIZURE, AND INTERROGATIONS~DHS**

### **SEARCH AND SEIZURE**

Students have the right to be protected from unreasonable search and seizure by either state, federal or school officials.

School administrators have the responsibility to make a determination of the point at which the student's right to protection against unreasonable search and seizure is in conflict with the administrator's official duty to maintain a safe, orderly and efficient school. Search and seizure by the administrator and/or his designee may occur when suspicion exists.

Search and seizure by law enforcement officials shall occur when a warrant exists. School administrators have the responsibility to make students aware of search and seizure procedures involving school property and/or person.

Notification required in the above section is not required if school personnel make a report or file a complaint based on suspected child maltreatment as required under Arkansas Code 122-12-507 or if a law enforcement officer, Department of Arkansas State Police Crimes Against Children Division investigator or Department of Human Services investigator or personnel member interviews a student during the course of an investigation of suspected child maltreatment. (Act 1415 of the Regular Session, 2005)

### **LOCKER, PERSONAL, AND AUTOMOBILE SEARCHES**

School districts must create a climate in the school which assures the safety and welfare of all students. School authorities may search a student's locker, automobile, or make a personal search and seize any illegal or contraband materials.

A search should be limited to a situation in which the administration has reasonable belief that the student is concealing the evidence of an illegal act, contraband, or has violated a school rule. Dangerous items (such as firearms, weapons, knives), controlled substances as defined by Act 590 of 1971, as amended, and other items which may be used to disrupt substantially the educational process will be removed from the student's possession and will be reported and transmitted to the proper authorities.

## **Locker**

Lockers belong to the school district; therefore, the locker and a student's property in the locker are subject to periodic administrative searches, and without the consent of the student if necessary. Searches should be made under the following conditions:

1. Students should be informed of the conditions governing the use of school lockers when locker assignments are made.
2. Searches should be made by only the building principal or an official duly authorized for that purpose by the building principal with a witness present. The search of a particular locker should be made only upon a reasonable assumption that the student is secreting evidence of an illegal act or contraband materials.
3. Blanket searches of every locker should not be permitted except in unusual circumstances, such as a bomb threat.
4. If practical, the student should be given the opportunity to be present when a search of personal possessions of his/her locker is conducted, and if there is no reason to believe that his/her presence would be a threat to the safety of the student or others.

## **Personal**

Personal searches should be made under the following conditions:

1. An adult witness will be present when a personal search is conducted.
2. Students should be asked for their consent prior to a personal search. A search warrant should be obtained if a student objects to a personal search, unless there is reasonable cause to believe that a dangerous weapon such as a gun or knife is being concealed.
3. A pat down search of a student's person should be done by a school official of the same sex and with an adult witness present.

## **Automobile**

Warrantless searches of student automobiles are generally valid upon a showing of probable cause.

#### **4.33—STUDENTS' VEHICLES**

A student who has presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive his/her vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. Parking on school property is a privilege which may be denied to a student for any disciplinary violation, at the discretion of the student's building principal.

Students are not permitted to loiter in parking areas and are not to return to their vehicles during the school day for any reason unless given permission to do so by school personnel. If caught it will result in 1 day off ISS.

It is understood that there is no expectation of privacy in vehicles in parking areas. Drivers of vehicles parked on a school campus will be held accountable for illegal substances or any other item prohibited by District policy found in their vehicle. The act of a student parking a vehicle on campus is a grant of permission for school or law enforcement authorities to search that vehicle.

#### **4.33—STUDENTS' VEHICLES~DHS**

##### **VEHICLES**

Only legal, licensed insured drivers will be allowed to drive on the school campus. Proof of license and insurance are to be kept on file in the principal's office. Any student driving on campus without a valid license or insurance will lose his/her driving privileges until a legal license and proper insurance is obtained. Parents will be notified and the authorities will be informed. Proof of license and insurance must be turned in at the beginning of the school year. Students receiving their license during the school year must notify the principal's office immediately upon gaining their license and they must supply the appropriate insurance papers to the principal's office.

The following rules will apply to any student who drives a motor vehicle to school:

1. Cars, motorcycles, scooters, or bicycles are to be parked in designated student parking areas upon arrival in the morning.
2. Students are not allowed to sit in parked vehicles at any time during the school day. If caught you will have 1 day of ISS.
3. Drivers will observe the 15 MPH speed limit in the immediate area of the campus, both elementary and high school.
4. Students are not to block the driveway to the agri building.

A student's privileges to operate a motor vehicle in the school area may be terminated for any driving, operating or using that vehicle in an improper manner. Repeated violations may result in the vehicle being towed away at the owner's expense.

Traffic regulations for the street to the high school set the speed limit at 25 MPH and 10 MPH in the parking area.

Do not cruise around in or on a motor vehicle in the vicinity of school during noon hour. This driving creates an extremely dangerous condition, and we feel that student's lives and property must be protected. Students should only be leaving if they check out or arriving if they are just getting to school.

Students will observe proper laws and procedures when arriving on campus as buses are being loaded and unloaded. No driver shall pass a school bus with its lights on while it is loading or unloading students. Anyone that does will be turned over to the police for a ticket. It is very important that safety procedures are followed around school buses.

In accordance to Act 37 of the 2011 State Legislature, no one shall use a handheld wireless telephone while operating a motor vehicle when passing a school building or school zone during school hours when children are present and outside the building, except for an emergency purpose.

### **Student Automobile Use**

The following rules will apply to any student who drives a motor vehicle to school:

1. Cars, motorcycles, scooters or bicycles are to be parked in designated student parking areas upon arrival in the morning.
2. Students are not allowed to sit in parked vehicles at any time during the school day. Once on campus you cannot go to your car without permission from the principal.
3. Drivers will observe the 15 MPH speed limit in the immediate area of the campus, both elementary and high school.
4. Students are not to block the driveway to the agriculture building.
5. Only legal, licensed, insured drivers will be allowed to drive on the school campus. Students will provide a copy of their driver's license and proof of insurance at the beginning of each school year.
6. All vehicles must give right-of-way to buses at all times.

**CONSEQUENCES:** Suspension of driving privileges for ten (10) days to one semester, corporal punishment, 1-10 days in-school suspension, 1-10 days out-of-school suspension, conferencing, permanent expulsion, parent conference, detention.

#### **4.34—COMMUNICABLE DISEASES AND PARASITES**

Students with communicable diseases or with human host parasites that are transmittable in a school environment shall demonstrate respect for other students by not attending school while they are capable of transmitting their condition to others. Students whom the school nurse determines are unwell or unfit for school attendance or who are believed to have a communicable disease or condition will be required to be

picked up by their parent or guardian. Specific examples include, but are not limited to: Varicella (chicken pox), measles, scabies, conjunctivitis (Pink Eye), impetigo/MRSA (Methicillin-resistant *Staphylococcus aureus*), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis A, B, or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally).<sup>1</sup> A student who has been sent home by the school nurse will be subsequently readmitted, at the discretion of the school nurse, when the student is no longer a transmission risk. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.

To help control the possible spread of communicable diseases, school personnel shall follow the District's exposure control plan when dealing with any bloodborne, foodborne, and airborne pathogens exposures. Standard precautions shall be followed relating to the handling, disposal, and cleanup of blood and other potentially infectious materials such as all body fluids, secretions and excretions (except sweat).

In accordance with 4.57—IMMUNIZATIONS, the District shall maintain a copy of each student's immunization record and a list of individuals with exemptions from immunization which shall be education records as defined in policy 4.13. That policy provides that an education record may be disclosed to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

A student enrolled in the District who has an immunization exemption may be removed from school at the discretion of the Arkansas Department of Health during an outbreak of the disease for which the student is not vaccinated. The student may not return to school until the outbreak has been resolved and the student's return to school is approved by the Arkansas Department of Health.

The parents or legal guardians of students found to have live human host parasites that are transmittable in a school environment will be asked to pick their child up at the end of the school day. The parents or legal guardians will be given information concerning the eradication and control of human host parasites. A student may be readmitted after the school nurse or designee has determined the student no longer has live human host parasites that are transmittable in a school environment.

Each school may conduct screenings of students for human host parasites that are transmittable in a school environment as needed. The screenings shall be conducted in a manner that respects the privacy and confidentiality of each student.

#### **4.34—COMMUNICABLE DISEASES AND PARASITES~DHS**

##### **AIDS**

Because of the changing nature of the problem of AIDS, the Dierks Public School District chooses not to adopt a policy but rather to establish and rely on the following administrative guidelines:

All cases are decided on individual basis. The name of the child is not to be revealed except to those involved in the decision as to whether or not school attendance is appropriate.

Upon notification that a student with AIDS is enrolled or about to enroll, the Board of Education is notified and the Arkansas Department of Education AIDS Advisory Committee is notified. A panel is convened to examine the information about the case. The panel consists of the superintendent, principal of the student's school, the student's teacher, the school nurse, the student's parents and physician, and personnel from the County Health Department and AIDS Advisory Committee.

School district personnel rely on medical personnel to determine whether the student's presence in school is likely to pose a threat to other students. Medical personnel rely mainly upon the guidelines of the Centers for Disease Control. If it is determined the student is not a likely threat to other students, he/she is allowed to attend. School district personnel will request the assistance of the Arkansas Department of Health, the Arkansas Department of Education AIDS Advisory Committee and other groups of individuals knowledgeable in the handling of such cases.

Staff development and student awareness of AIDS will be provided as the need arises. The content of such programs, if needed, will be tailored to the various audiences and will be based on the latest information.

Due to public concern regarding AIDS, should a case be reported and/or made public, the superintendent is the only member of the district staff authorized to discuss particular case(s) with the media.

#### **4.35—STUDENT MEDICATIONS**

Prior to the administration of any medication, including any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, to any student under the age of eighteen (18), written parental consent is required. The consent form shall include authorization to administer the medication and relieve the

Board and its employees of civil liability for damages or injuries resulting from the administration of medication to students in accordance with this policy. All signed medication consent forms are to be maintained by the school nurse.

Unless authorized to self-administer or otherwise authorized by this policy, students are not allowed to carry any medications, including over-the-counter (OTC) medications or any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration while at school. The parent or legal guardian shall bring the student's medication to the school nurse. The student may bring the medication if accompanied by a written authorization from the parent or legal guardian. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, the quantity of the medication(s). If the medications are brought by a student, the school nurse shall ask another school employee to verify, in the presence of the student, the quantity of the medication(s). Each person present shall sign a form verifying the quantity of the medication(s).

Medications, including those for self-administration, must be in the original container and be properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings. Schedule II medications that are permitted by this policy to be brought to school shall be stored in a double locked cabinet.

Students with an individualized health plan (IHP) may be given OTC medications to the extent giving such medications are included in the student's IHP.

The district's supervising registered nurse is responsible for creating procedures for the administration of medications on and off campus.



The school shall not keep outdated medications or any medications past the end of the school year. Parents shall be notified ten (10) days in advance of the school's intention to dispose of any medication. Medications not picked up by the parents or legal guardians within the ten (10) day period shall be disposed of by the school nurse in accordance with current law and rules.<sup>1</sup>

## **Schedule II Medications<sup>2</sup>**

**Option 1:** The only Schedule II medications that shall be allowed to be brought to the school are methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse).

For the student's safety, no student will be allowed to attend school if the student is currently taking any other Schedule II medication than permitted by this policy.<sup>3</sup> Students who are taking Schedule II medications which are not allowed to be brought to school shall be eligible for homebound instruction if provided for in their IEP or 504 plans.<sup>4</sup>

**Option 2:** Students taking Schedule II medications methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse) shall be allowed to attend school.

Students taking Schedule II medications not included in the previous sentence<sup>3</sup> shall be allowed to bring them to school under the provisions of this policy and shall be permitted to attend and participate in classes **only** to the extent the student's doctor has specifically authorized such attendance and participation.<sup>5</sup> A doctor's prescription for a student's Schedule II medication is **not** an authorization. Attendance authorization shall specifically state the degree and potential danger of physical exertion the student is permitted to undertake in the student's classes and extracurricular activities. Without a doctor's written authorization, a student taking Schedule II medications, other than those specifically authorized in this policy, shall **not** be eligible to attend classes, but shall be eligible for homebound instruction if provided for in their IEP or 504 plans.<sup>4</sup>

## **Self-Administration of Medication**

Students who have written permission from their parent or guardian and a licensed health care practitioner on file with the District may:

- 1) Self-administer either a rescue inhaler or auto-injectable epinephrine;
- 2) Perform his/her own blood glucose checks;
- 3) Administer insulin through the insulin delivery system the student uses;

- 4) Treat the student's own hypoglycemia and hyperglycemia; or
- 5) Possess on his or her person:
  - a) A rescue inhaler or auto-injectable epinephrine; or
  - b) the necessary supplies and equipment to perform his/her own diabetes monitoring and treatment functions. student may be authorized to self-administer a stress dose medication to treat the student's adrenal insufficiency with:
    1. The written authorization of the student's parent, legal guardian, or person standing in loco parentis; and
    2. A written order from the student's treating physician stating that the student:
      - a. Is capable of completing the proper method of self-administration of the stress dose medication,; and
      - b. Has been instructed on the details of the student's medical condition and the events that may lead to an adrenal crisis.

The parent, legal guardian, or person standing in loco parentis of a student who is authorized to self-administer a stress dose medication shall sign an IHP developed by the school nurse for the school where the student is enrolled. The IHP shall include a requirement for the notification of appropriate staff following the self-administration of a stress dose medication, which shall include the school nurse, teacher of the classroom where the stress dose medication was administered, and a school administrator.

Students who have a current consent form on file shall be allowed to carry and self-administer such medication while:

- \* In school;
- \* At an on-site school sponsored activity;
- \* While traveling to or from school; or
- \* At an off-site school sponsored activity.

A student is prohibited from sharing, transferring, or in any way diverting his/her medications to any other person. The fact that a student with a completed consent form on file is allowed to carry a rescue inhaler, auto-injectable epinephrine, diabetes

medication, stress dose medication, or combination does not require the student to have such on the student's person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler, auto-injectable epinephrine, diabetes medication, stress dose medication, or any combination on the student's person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

Students may possess and use a topical sunscreen that is approved by the United States Food and Drug Administration for OTC use to avoid overexposure to the sun without written authorization from a parent, legal guardian, or healthcare professional while the student is on school property or at a school-related event or activity.

The parent or guardian of a student may provide written documentation authorizing specifically named District employee(s), in addition to the school nurse, to assist a student in the application of sunscreen. The District employee(s) named in the parent or legal guardian's written authorization shall not be required to assist the student in the application of sunscreen.

### **Emergency Administration of Glucagon and Insulin**

Students may be administered Glucagon, insulin, or both in emergency situations by the school nurse or, in the absence of the school nurse, a trained volunteer school employee designated as a care provider, provided the student has:

1. An IHP that provides for the administration of Glucagon, insulin, or both in emergency situations; and
2. A current, valid consent form on file from their parent or guardian.

When the nurse is unavailable, the trained volunteer school employee who is responsible for a student shall be released from other duties during:

- A. The time scheduled for a dose of insulin in the student's IHP; and
- B. Glucagon or non-scheduled insulin administration once other staff have relieved him/her from other duties until a parent, guardian, other responsible adult, or medical personnel has arrived.

A student shall have access to a private area to perform diabetes monitoring and treatment functions as outlined in the student's IHP.

### **Emergency Administration of Epinephrine**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician may administer an epinephrine auto-injector in emergency situations to students who have an IHP that provides for the administration of an epinephrine auto-injector in emergency situations. The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer auto-injector epinephrine to administer auto-injector epinephrine to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

Students with an order from a licensed health care provider to self-administer auto-injectable epinephrine and who have written permission from their parent or guardian shall provide the school nurse an epinephrine auto-injector.

This epinephrine will be used in the event the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes the student is having a life-threatening anaphylactic reaction and the student is either not self-carrying his/her /epinephrine auto-injector or the nurse is unable to locate it.

The school nurse for each District school shall keep epinephrine auto-injectors on hand that are suitable for the students the school serves. The school nurse or other school employee designated by the school nurse as a care provider who has been trained<sup>6</sup> and certified by a licensed physician may administer auto-injector epinephrine to those students who the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes is having a life-threatening anaphylactic reaction.

### **Emergency Administration of Albuterol**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol in emergency situations to students who have an IHP that provides for the administration of albuterol in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer albuterol to administer albuterol to the student when the employee believes the student is in perceived respiratory distress.

The school nurse for each District school shall keep albuterol on hand. The school nurse or other school employee designated by the school nurse as a care provider who has been trained<sup>6</sup> and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol to those students who the school nurse, or other school employee certified to administer albuterol, in good faith professionally believes is in perceived respiratory distress.

### **Emergency Administration of Anti-opioid**

The school nurse for each District school shall keep anti-opioid injectors on hand. The school nurse, other school employee, volunteer, or student may administer anti-opioid in accordance with the District's procedures to a student who the school nurse, or other observer, in good faith believes is having an opioid overdose.

### **Emergency Administration of Emergency Adrenal Insufficiency Medication**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician may administer an injectable emergency dose medication in emergency situations to students who have an IHP that provides for the administration of an injectable emergency dose medication in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer an injectable emergency dose medication to administer an injectable emergency dose medication to the student when the employee believes the student is having an adrenal crisis due to adrenal insufficiency.

Students who have met the requirements to be authorized to self-administer a stress dose medication under this policy shall provide the school nurse an emergency injectable dose of the student's medication. This emergency injectable dose will be used in the event the school nurse, or other school employee certified to administer an injectable emergency dose medication, in good faith professionally believes the student is having an adrenal crisis due to adrenal insufficiency.

## **4.35—STUDENT MEDICATIONS~DHS**

### **FIRST AID**

It is the policy of the board that no drug or medication preparation, except for medicines or medications approved for first aid by the Arkansas school first aid guidelines, will be administered to a student by school personnel unless the student required the medication to attend school and unless a current valid doctor's prescription and instructions, as well as a written request form from the child's parents are received by the school. The Medication Administration Release Form may be obtained in the office of the principal.

### **HEALTH SERVICES**

Rules and regulations of the Arkansas State Board of Health require the school personnel to refuse admittance of children with communicable diseases. Communicable diseases common to children are chicken pox, colds, diphtheria, measles, meningitis, mumps, poliomyelitis, scarlet fever, smallpox, typhoid fever, whooping cough, skin disease, lice, pinkeye, trench mouth, ring worms and contagious conjunctivitis. Teachers should always be alert to symptoms of illness, and children with evidence of communicable diseases should be sent to the principal's office. If the child is to be sent home the parents should be notified of the child's condition and the reason for sending the child home. All pupils who have been absent with a communicable disease must present a written release from the doctor. Oral medications for pupils given by the staff is prohibited by the law. The administration of first aid, however, is permitted and expected. Although schools are not liable for injuries incurred on the school premises when proper supervision is provided, the teacher and other staff members are obligated to see that an injured child receives proper attention. When an injury or illness of serious nature occurs, the parent or guardian should be notified immediately. When the parent or guardian cannot be located, the school may refer the child to the physician authorized by the parent. The Dierks Public School does not assume liability for doctor's fees or accident or injuries occurring at school. No student will be allowed to clean up any bodily fluids. The parent/guardian of a student who needs to carry an asthma inhaler or auto-injectable epinephrine, or both shall provide the school with written authorization for the student to carry an asthma inhaler or auto-injectable epinephrine, or both, on his or her person for use while in school, at an on-site school sponsored activity, or at an off-site school sponsored activity as stated in Arkansas code 6-18-707. (Act 169

#### 4.35F6—STRESS AND EMERGENCY DOSE MEDICATION ADMINISTRATION CONSENT FORM

Student's Name (Please Print)\_\_\_\_\_

This form is good for the school year \_\_\_\_\_. This consent form must be updated anytime the student's medication order changes and renewed each year and/or anytime a student changes schools.

The school has developed an individual health plan (IHP) acknowledging that my child has been diagnosed as suffering from adrenal insufficiency. The IHP authorizes the school nurse to administer a stress or emergency dose medication to my child in an emergency situation.

Date of physician's order \_\_\_\_\_

Circumstances under which the stress or emergency dose medication may be administered\_\_\_\_\_.

Other instructions\_\_\_\_\_

In the absence of the nurse, trained volunteer district personnel may administer a stress dose or emergency dose medication to my child in an emergency situation. I hereby authorize the school nurse to administer a stress or emergency dose medication to my child, or, in the absence of the nurse, trained volunteer district personnel designated as care providers, to administer the stress or emergency dose medication to my child in an emergency situation. I will supply the stress or emergency dose medication to the school nurse in the original container properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage,

frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings.

I acknowledge that the District, its Board of Directors, its employees, or an agent of the District, including a healthcare professional who trained volunteer school personnel designated as care providers shall not be liable for any damages resulting from his/her actions or inactions in the administration of the stress or emergency dose medication in accordance with this consent form and the IHP.

Parent or legal guardian signature \_\_\_\_\_ Date \_\_\_\_\_

#### 4.35F7—STRESS DOSE MEDICATION SELF-ADMINISTRATION CONSENT FORM

Student's Name (Please Print) \_\_\_\_\_

This form is good for the school year \_\_\_\_\_. This consent form must be updated anytime the student's medication order changes and renewed each year and/or anytime a student changes schools.

The following must be provided for the student to be eligible to self-administer a stress dose medication. Eligibility is **only** valid for this school for the current academic year.

- \* a written statement from a licensed health-care provider who has prescriptive privileges that he/she has prescribed the stress dose medication for the student and that the student needs to carry the medication on his/her person due to a medical condition;
- \* the specific medications prescribed for the student;
- \* an individualized health care plan developed by the prescribing health-care provider containing the treatment plan for managing adrenal insufficiency of the student and for medication use by the student during school hours; and
- \* A statement from the prescribing health-care provider that the student:
- \* Possesses the skill and responsibility necessary to use and administer the stress dose medication; and
- \* Has been instructed on the details of his or her medical condition and the events that may lead to an adrenal crisis.

If the school nurse is available, the student shall demonstrate his/her skill level in administering the stress dose medication to the nurse. Stress dose medication for a student's self-administration shall be supplied by the student's parent or guardian and be in the original container properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings. Students who self-carry stress dose medication shall also provide the school nurse with a dose of the stress dose medication to be used in emergency situations. I understand this form authorizes my student to possess and use the medication included on this form while on school grounds and at school sponsored events but that distribution of the medication included on this form to other students may lead to disciplinary action against my student.



My signature below is an acknowledgment that I understand that the District, its Board of Directors, and its employees shall be immune from civil liability for injury resulting from the self-administration of medications by the student named above.

Parent Or Legal guardian signature \_\_\_\_\_ Date \_\_\_\_\_

#### **4.36—STUDENT ILLNESS/ACCIDENT**

If a student becomes too ill to remain in class and/or could be contagious to other students, the principal or designee will attempt to notify the student's parent or legal guardian. The student will remain in the school's health room or a place where he/she can be supervised until the end of the school day or until the parent/legal guardian can check the student out of school.<sup>1</sup>

If a student becomes seriously ill or is injured while at school and the parent/legal guardian cannot be contacted, the failure to make such contact shall not unreasonably delay the school's expeditious transport of the student to an appropriate medical care facility. The school assumes no responsibility for treatment of the student. When available, current, and applicable, the student's emergency contact numbers and medical information will be utilized. Parents are strongly encouraged to keep this information up to date.

#### **4.37—EMERGENCY DRILLS**

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted no fewer than three (3) times per year.<sup>1</sup> Students who ride school buses,<sup>2</sup> shall also participate in emergency evacuation drills at least twice each school year. The District shall annually conduct a lockdown drill and at all schools in the District in collaboration with local law enforcement and emergency management personnel. The lockdown drill training will include use of the District's emergency communication method with law enforcement.<sup>3,4</sup>

Students will be included in the drills to the extent that is developmentally appropriate for the age of both the students and grade configuration of the school.<sup>5</sup>

Drills may be conducted during the instructional day or during non-instructional time periods. Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of violence, terrorist attack, natural disaster, other emergency, or the District's emergency communication with law enforcement method<sup>3</sup>. Students shall be included in the drills to the extent practicable.<sup>5</sup>

## **4.37—EMERGENCY DRILLS~DHS**

### **EMERGENCY DRILLS**

In accordance with Arkansas law, a fire drill is held at least once a month. The buildings should be evacuated as quickly and orderly as possible. The fire alarm is three (3) short rings of the bell. Sounding the fire alarm, or in case of power failure, sounding a hand held air horn. The tornado alarm is one continuous ringing of the bell.

## **4.38—PERMANENT RECORDS**

Permanent school records, as required by the Division of Elementary and Secondary Education (DESE), shall be maintained for each student enrolled in the District until the student receives a high school diploma or its equivalent or is beyond the age of compulsory school attendance<sup>1</sup>. A copy of the student's permanent record shall be provided to the receiving school district within ten (10) school days after the date a request from the receiving school district is received<sup>2</sup>.

## **4.39—CORPORAL PUNISHMENT**

### **Option 1**

The Dierks School Board authorizes the use of corporal punishment to be administered in accordance with this policy by the Superintendent or the superintendent's designated staff members who are required to have a state-issued license as a condition of their employment.<sup>1</sup>

Prior to the administration of corporal punishment, the student receiving the corporal punishment shall be given an explanation of the reasons for the punishment and be given an opportunity to refute the charges.

All corporal punishment shall be administered privately, i.e. out of the sight and hearing of other students, shall not be excessive, or administered with malice, and shall be administered in the presence of another school administrator or designee who shall be a licensed staff member employed by the District.

Corporal punishment shall not be used as a form of discipline for a student who is intellectually disabled, non-ambulatory, non-verbal, or autistic.<sup>2</sup>

## **Option 2**

The Dierks School Board prohibits the use of corporal punishment by any employee of the District against any student.

Notes: <sup>1</sup> If you have individuals employed under a waiver from licensure, add “or who are an administrator or teacher employed under a waiver from licensure”.

<sup>2</sup> The immunity from civil liability that exists for performing corporal punishment does not apply if the student who receives corporal punishment is intellectually disabled, non-ambulatory, non-verbal, or autistic.

## **4.39—CORPORAL PUNISHMENT~DHS**

### **CORPORAL PUNISHMENT**

Act 904 of 1977 authorized any teacher or principal to use corporal punishment in a reasonable manner against any pupil for good cause in order to maintain discipline and order within the public school.

In 1988, the U.S. Supreme Court held that spanking children as a means of maintaining school discipline did not constitute cruel and unusual punishment in violation of the Eighth Amendment to the U.S. Constitution.

Reasonable discipline may include the administration of corporal punishment to a student in the exercise of a sound discretion by a certified employee, provided that corporal punishment shall not be excessive or unduly severe.

1. It may be used only after other alternatives, including but not limited, to counseling, have failed or in unusual circumstances.
2. It will be administered in the presence of at least one certified employee in addition to the person dispensing it.
3. It will not be administered in the presence of other students, with malice or anger or in excess.
4. Before corporal punishment is administered, the student should be advised of the rule and infraction for which the student is being punished in the presence of the witness. If the student claims innocence, the certified employee will permit the student to state his/her position.

5. Refusal to take corporal punishment may result in suspension or other disciplinary measures.

#### **4.40—HOMELESS STUDENTS**

The Dierks School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational agency (LEA) liaison for homeless children and youth whose responsibilities shall include, but are not limited to:

- \* Receive appropriate time and training in order to carry out the duties required by law and this policy;
- \* Coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- \* Ensure that school personnel receive Professional development and other support regarding their duties and responsibilities for homeless youths;
- \* Ensure that unaccompanied homeless youths:
- \* Are enrolled in school;
- \* Have opportunities to meet the same challenging State academic standards as other children and youths; and
- \* Are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid;
- \* Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.

To the extent possible, the LEA liaison and the building principal shall work together to ensure no homeless child or youth is harmed due to conflicts with District policies solely because of the homeless child or youth's living situation; this is especially true for District policies governing fees, fines, and absences.<sup>1</sup>

Notwithstanding Policy 4.1, homeless students living in the district are entitled to enroll in the district's school that non-homeless students who live in the same attendance area are eligible to attend. If there is a question concerning the enrollment of a homeless child due to a conflict with Policy 4.1 or 4.2, the child shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute, including all appeals. It is the responsibility of the District's LEA liaison for homeless children and youth to carry out the dispute resolution process.

For the purposes of this policy “school of origin” means:

- \* The school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool; and
- \* The designated receiving school at the next grade level for all feeder schools when the child completes the final grade provided by the school of origin.

The District shall do one of the following according to what is in the best interests of a homeless child:

- \* Continue the child's or youth's education in the school of origin for the duration of homelessness;
- \* In any case in which a family becomes homeless between academic years or during an academic year; and
- \* For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
- \* Enroll the child or youth in any public school that non homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

In determining the best interest of the child or youth, the District shall:

- \* Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- \* Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth.

If the District determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, the District shall provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal. For an unaccompanied youth, the District shall ensure that the LEA liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

The homeless child or youth must be immediately enrolled in the selected school regardless of whether application or enrollment deadlines were missed during the period of homelessness.

The District shall be responsible for providing transportation for a homeless child, at the request of the parent or guardian (or in the case of an unaccompanied youth, the LEA Liaison), to and from the child's school of origin.<sup>2</sup>

For the purposes of this policy, students shall be considered homeless if they lack a fixed, regular, and adequate nighttime residence and: Are:

- \* Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - \* Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
  - \* Living in emergency or transitional shelters;
  - \* Abandoned in hospitals.
- Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- \* Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  - \* Are migratory children who are living in circumstances described in clauses (a) through (c).

In accordance with Federal law, information on a homeless child or youth's living situation is part of the student's education record and shall not be considered, or added, to the list of directory information in Policy 4.13.<sup>3</sup>

#### **4.41—PHYSICAL EXAMINATIONS OR SCREENINGS**

The district conducts routine health screenings such as hearing, vision, and scoliosis due to the importance these health factors play in the ability of a student to succeed in school. The intent of the exams or screenings is to detect defects in hearing, vision, or other elements of health that would adversely affect the student's ability to achieve to his/her full potential.

The rights provided to parents under this policy transfer to the student when he/she turns eighteen (18) years old.

Except in instances where a student is suspected of having a contagious or infectious disease, parents shall have the right to opt their student out of the exams or screenings by using form 4.41F or by providing certification from a physician that he/she has recently examined the student.

## **4.41—PHYSICAL EXAMINATIONS OR SCREENINGS~DHS**

### **DAILY LISTENING CHECK FOR EAR-LEVEL HEARING AID POLICY**

The person responsible for implementing the policy for the Daily Listening Check for Ear-Level Hearing Aid will be the building principal. The hearing aid will be checked at the beginning of each school day.

## **4.42—STUDENT HANDBOOK**

It shall be the policy of the Dierks school district that the most recently adopted version of the Student Handbook be incorporated by reference into the policies of this district. In the event that there is a conflict between the student handbook and a general board policy or policies, the more recently adopted language will be considered binding and controlling on the matter provided the parent(s) of the student, or the student if 18 years of age or older have acknowledged receipt of the controlling language.

Principals shall review all changes to student policies and ensure that such changes are provided to students and parents, either in the Handbook or, if changes are made after the handbook is printed, as an addendum to the handbook.

Principals and counselors shall also review Policies 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS and the current DESE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, the Principal and/or Counselor shall notify the Superintendent and Curriculum Coordinator immediately, so that corrections may be made and notice of the requirements given to students and parents.

## **4.43—BULLYING**

“Attribute” means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation;

“Bullying” means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that may address

an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated and that causes or creates actual or reasonably foreseeable:

- \* Physical harm to a public school employee or student or damage to the public school employee's or student's property;
- \* Substantial interference with a student's education or with a public school employee's role in education;
- \* A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
- \* Substantial disruption of the orderly operation of the school or educational environment;

Examples of "Bullying" include, but are not limited to, a pattern of behavior involving one or more of the following:

1. Cyberbullying;
2. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes,
3. Pointed questions intended to embarrass or humiliate,
4. Mocking, taunting or belittling,
5. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
6. Demeaning humor relating to a student's actual or perceived attributes,
7. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
8. Blocking access to school property or facilities,
9. Deliberate physical contact or injury to person or property,
10. Stealing or hiding books or belongings,
11. Threats of harm to student(s), possessions, or others,
12. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
13. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether the student self-identifies as homosexual or transgender (Examples: "Slut", "You are so gay.", "Fag", "Queer").

"Cyberbullying" means any form of communication by electronic act that is sent with the purpose to:

- \* Harass, intimidate, humiliate, ridicule, defame, or threaten a student, school employee, or person with whom the other student or school employee is associated; or
- \* Incite violence towards a student, school employee, or person with whom the other student or school employee is associated.

Cyberbullying of School Employees includes, but is not limited to:

- a. Building a fake profile or website of the employee;



- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
  - c. Posting an original or edited image of the school employee on the Internet;
  - d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee;
  - e. Making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
  - f. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;
  - g. Signing up a school employee for a pornographic Internet site; or
  - h. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.
- Cyberbullying is prohibited whether or not the cyberbullying originated on school property or with school equipment, if the cyberbullying results in the substantial disruption of the orderly operation of the school or educational environment or is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose.

“Harassment” means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other's performance in the school environment; and

“Substantial disruption” means without limitation that any one or more of the following occur as a result of the bullying:

- \* Necessary cessation of instruction or educational activities;
- \* Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
- \* Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
- \* Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

Respect for the dignity of others is a cornerstone of civil society. Bullying creates an atmosphere of fear and intimidation, robs a person of his/her dignity, detracts from the safe environment necessary to promote student learning, and will not be tolerated by the Board of Directors. Students who bully another person shall be held accountable for their actions whether they occur on school equipment or property; off school property at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops.

Students are encouraged to report behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, to their teacher or the building principal. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the building principal, or designee, as soon as possible. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the building principal, or designee.

The person or persons reporting behavior they consider to be bullying shall not be subject to retaliation or reprisal in any form.

A building principal, or designee, who receives a credible report or complaint of bullying shall:

1. As soon as reasonably practicable, but by no later than the end of the school day following the receipt of the credible report of bullying:
  - a. Report to a parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student that their student is the victim in a credible report of bullying; and
  - b. Prepare a written report of the alleged incident of bullying;
2. Promptly investigate the credible report or complaint of bullying, which shall be completed by no later than the fifth (5<sup>th</sup>) school day following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student who was the alleged victim in a credible report of bullying whether the investigation found the credible report or complaint of bullying to be true and the availability of counseling and other intervention services.
4. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of the student, or person acting in loco parentis of the student who is alleged to have been the perpetrator of the incident of bullying:
  - a. That a credible report or complaint of bullying against their student exists;
  - b. Whether the investigation found the credible report or complaint of bullying to be true;
  - c. Whether action was taken against their student upon the conclusion of the investigation of the alleged incident of bullying; and
  - d. Information regarding the reporting of another alleged incident of bullying, including potential consequences of continued incidents of bullying;
5. Make a written record of the investigation, which shall include:

- a. A detailed description of the alleged incident of bullying, including without limitation a detailed summary of the statements from all material witnesses to the alleged incident of bullying;
- b. Any action taken as a result of the investigation; and
6. Discuss, as appropriate, the availability of counseling and other intervention services with students involved in the incident of bullying.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred.<sup>1</sup> In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus.<sup>2</sup> Parents, legal guardians, person having lawful control of a student, persons standing in loco parentis, students, school volunteers, and employees shall be given copies of the notice annually.<sup>3</sup>

The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation, the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

Copies of this policy shall be available upon request.<sup>4</sup>

#### **4.43—BULLYING~DHS**

##### **SCHOOL DISTRICT—ANTI-BULLYING POLICY**

Bullying is intentional, repeated hurtful behaviors committed by one or more children against another. These behaviors are not provoked by the victims, but result from a real or perceived imbalance of power between the bully and the victim. Bullying will not be tolerated on school property, at school sponsored activities, at the bus stop, on the school bus, in school vehicles and at school sanctioned events. Any student who engages in bullying will be subject to disciplinary action as listed below. This rule is in compliance with Act 681 of 2003.

Any school employee who witnesses or has reliable information that a pupil has been a victim of bullying shall report the incident to the principal of the school.

## **Electronic Bullying**

Electronic act means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone or other wireless communications device, computer or pager that results in the substantial disruption of the orderly operation of the school or educational environment.

Electronic acts of bullying are prohibited whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose.

The person or persons reporting behavior they consider to be bullying shall not be subject to retaliation or reprisal in any form.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred.

## **4.44—NATIONAL ANTHEM**

Each school in the District shall broadcast The Star-Spangled Banner at:

- \* The commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the broadcast of The Star-Spangled Banner may be performed at only one (1) of the events; and
- \* At least one (1) time each week during school hours. The broadcast of The Star-Spangled Banner shall be selected from any recording that adheres to the Division of Elementary and Secondary Education (DESE) Rules, or, when appropriate, performed from original sheet music that adheres to DESE rules by:
  - \* A school-sanctioned band program;
  - \* A school-sanctioned chorale program, vocal group, or vocalist; or
  - \* The attendees of a school-sanctioned event led by a vocalist selected by the principal of the school hosting the school-sanctioned events.

Students shall not be compelled to participate in the performance of The Star-Spangled Banner, but students who choose not to participate in the performance of The Star-Spangled Banner shall not disrupt those students choosing to participate in the performance of The Star-Spangled Banner. Students choosing not to participate in the performance of The Star-Spangled Banner who do not disrupt the participation of performance of The Star-Spangled Banner shall not be subject to any comments, retaliation, or disciplinary action

#### **4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2023, 2024, AND 2025**

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are eighteen (18) years of age or older, sign a *Smart Core Waiver Form* to not participate. While Smart Core is the default option, a *Smart Core Information Sheet* and a *Smart Core Waiver Form*<sup>1</sup> will be sent home with students prior to their enrolling in seventh (7<sup>th</sup>) grade, or when a seventh (7<sup>th</sup>) through twelfth (12<sup>th</sup>) grade student enrolls in the district for the first time and there is not a signed waiver form in the student's permanent record. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the Alternate Pathway to Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the deadline for them to sign and return the waiver form. While there are similarities between the two curriculums, following the Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Core curriculum may subsequently change to the Smart Core curriculum providing they would be able to complete the required course of study by the end of their senior year.<sup>2</sup> Students wishing to change their choice of curriculums must consult with their counselor to determine the feasibility of changing paths.

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process<sup>3</sup> to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

Sufficient information relating to Smart Core and the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding of each. This may be accomplished through any or all of the following means:<sup>4</sup>

- \* Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;
- \* Discussion of the Smart Core curriculum and graduation requirements at the school's annual public meeting, PTA meetings, or a meeting held specifically for the purpose of informing the public on this matter;
- \* Discussions held by the school's counselors with students and their parents; and/or
- \* Distribution of a newsletter(s) to parents or guardians of the district's students.

Administrators, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.<sup>5</sup>

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

## **GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional \_\_\_\_ units to graduate for a total of \_\_\_\_ units. The additional required units may be taken from any electives offered by the district.<sup>6</sup> There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

All students must receive a passing score on the Arkansas Civics Exam in order to graduate.

Students shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation and the use of automated external defibrillators in order to graduate.

## Digital Learning Courses

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format.<sup>7</sup> In addition to the other graduation requirements contained in this policy, students are required to take at least one (1) digital learning course for credit while in high school

## Personal and Family Finance

All students shall receive credit in a course covering the Personal and Family Finance Standards in order to graduate.

SMART CORE: Sixteen (16) units

English: four (4) units – 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>

Oral Communications: one-half ( $\frac{1}{2}$ ) unit

**Mathematics:** four (4) units (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.)

- 1) Algebra I or Algebra A & B\* which may be taken in grades 7-8 or 8-9;
- 2) Geometry or Geometry A & B\* which may be taken in grades 8-9 or 9-10;

\* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four-unit requirement for the purpose of meeting the graduation requirement, but only serve as one unit each toward fulfilling the Smart Core requirement.

- 3) Algebra II; and
- 4) The fourth unit may be either:
  - \* A math unit approved by DESE beyond Algebra II; or
  - \* A computer science flex credit may be taken in the place of a fourth math credit.

**Natural Science:** three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - \* An additional science credit approved by DESE; or
  - \* A computer science flex credit may be taken in the place of a third science credit

**Social Studies:** three (3) units

- \* Civics - one-half ( $\frac{1}{2}$ ) unit
- \* World History - one unit
- \* American History - one unit
- \* Other social studies – one-half ( $\frac{1}{2}$ ) Unit

**Physical Education:** one-half ( $\frac{1}{2}$ ) unit

Note: While one-half ( $\frac{1}{2}$ ) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

**Health and Safety:** one-half ( $\frac{1}{2}$ ) unit

**Economics** – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>8</sup>

**Fine Arts:** one-half ( $\frac{1}{2}$ ) unit

**CAREER FOCUS:** - Six (6) units



All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements. A student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.<sup>9</sup>

**CORE:** Sixteen (16) units

English: four (4) units – 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>

Oral Communications: one-half ( $\frac{1}{2}$ ) unit

**Mathematics:** four (4) units

- \* Algebra or its equivalent\* - 1 unit
- \* Geometry or its equivalent\* - 1 unit
- \* All math units must build on the base of algebra and geometry knowledge and skills.
- \* (Comparable concurrent credit college courses may be substituted where applicable)
- \* A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry

\* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.

**Science:** three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and

c. A third unit that is either:

- \* An additional science credit approved by DESE; or
- \* A computer science flex credit may be taken in the place of a third science credit.

**Social Studies:** three (3) units

- \* Civics one-half ( $\frac{1}{2}$ ) unit
- \* World history, one (1) unit
- \* American History, one (1) unit
- \* Other social studies – one-half ( $\frac{1}{2}$ ) unit

**Physical Education:** one-half ( $\frac{1}{2}$ ) unit

Note: While one-half ( $\frac{1}{2}$ ) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half ( $\frac{1}{2}$ ) unit

**Economics** – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>8</sup>

**Fine Arts:** one-half ( $\frac{1}{2}$ ) unit

**CAREER FOCUS:** - Six (6) units

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

**a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit**

## **4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS ~DHS**

### **GRADUATION REQUIREMENTS**

Graduation from senior high school will require 24 units of academic credit (of which 4 may be P.E./Athletics) and 72 quality points. The graduation requirements include the following:

#### **1. REQUIRED COURSES FOR GRADUATION**

4 units	English
4 units	Math Core Requirements are Algebra I, Geometry, Financial Algebra, Algebra II, Trigonometry or Algebra III
3 units	Science Core Requirements are Biology, Physical Science, Chemistry, Physics, Environmental Science, or Computer & Mathematics
1/2 unit	Civics
1/2 unit	Economics
1 unit	World History
1 unit	American History
1 unit	Computer Science
1 unit	Computerized Business Applications
1/2 unit	Fine Arts
1/2 unit	Health
1/2 unit	Physical Education

½ unit	Oral Communication
½ unit	College & Career Readiness
½ unit	Speech
1 ½ unit	Financial Planning & Wealth Management ( one and a half credit-covering Econ)
18 ½ units	(Electives of 5 ½ units will remain)

Students attending Dierks High School that complete the required 24 credits will be allowed to graduate at the end of the school year in which they attain the 24 credits if the student desires to graduate early. The early graduation is in accordance with Act 275 passed in 1997 by the State Legislature. It is understood that this Act only applies to graduation and does not affect Prom attendance, Sr. rings, etc. Act 275 passed in 1997 by the state legislature allows students to graduate early if they complete the required courses. Students of Dierks High School that complete the required 24 credits (both state and district requirements), will be allowed to graduate at the end of the school year in which they complete the required credits. Due to scheduling problems, no student will be allowed to enter senior level classes before their senior year. (This may not apply to students that transfer to Dierks High School from other schools. They

may have already taken some of our required senior classes elsewhere.) Therefore, to graduate early, there are certain classes students will be required to take outside the regular school day. These are English IV, , and Personal Finance/Investments and Securities and a 4<sup>th</sup> Math. These classes may be taken at any college and the student must request credit for these college classes via the concurrent credit system. Classes that may be substituted are Composition I and Composition II for English IV. Success Strategies may be substituted for Intro to Finance only if a student is attempting to graduate early.

2. The Dierks School District will attach seals to the transcripts and diplomas of students who complete the core curriculum with a 2.75 GPA. (Act 977 of 1977)

3. **ELECTIVES**

All students must take 8 subjects each semester. No high school diploma will be awarded to any student having an insufficient number of quality points based on the following:

- A four points (five points for weighted courses)
- B three points (four points for weighted courses)
- C two points (three points for weighted courses)
- D one point (two points for weighted courses)

F        no points (no points for weighted courses)

When two or more students have the same number of quality points their rank in the graduating ranking shall be the same.

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The Valedictorian and Salutatorian are determined at the end of the eighth semester of work by the total number of quality points obtained. (Grade point is not a consideration). No student shall be eligible for Valedictorian or Salutatorian who has not attended Dierks High School the last three (3) consecutive semesters before graduation.

Participation in graduation exercises will be limited to those students who are receiving diplomas.

The Valedictorian and Salutatorian and Honor Students will be determined after eight (8) semesters. Beginning with the Class of 2005, all students who have a 3.50 cumulative grade point average at the end of the eighth semester of work will be recognized as Honor Students at graduation. This shall be based on a 4.00 grade point. (No weighted quality points will be added to help a student achieve a 3.50)

cumulative grade point average means for all work from the ninth grade through the second semester of the 12th grade. (See Concurrent Credit Policy) Also, for a student to be recognized as valedictorian, salutatorian, or honor graduate, he/she will have completed the Smart Core curriculum and the graduation requirements for Dierks High School. Beginning with the graduating class of 2020, these honors must be earned by taking at least two (2) advanced placement courses as well.

For the purpose of arranging the **Honor students only** to march in at graduation, they shall be arranged according to quality points obtained at the end of the eighth semester of work. Quality points for weighted classes will count for graduation walking arrangements. The remainder of the class will march in, in alphabetical order. For the purpose of walking, students wishing to graduate early will walk at the end of this year's class or the end of the honor graduates, whichever applies to that student.

### **SCHEDULE CHANGES FOR 9-12**

Schedules may only be changed during the first week of each semester through the counselor's office, only if the student and parent meet with the counselor and shows due cause. After the first week has expired, any subject dropped must be approved by the principal. Unusual cases involving dropping a course, will require permission from the principal's office.

For students to change their schedule in the fall or at midterm, will require that: (a) They pick up a drop-add form from the counselor; (b) The have the form signed by both the

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losing teacher, the gaining teacher, and the counselor; and (c) The counselor will decide if the schedule is to be changed.

4. **Act 1326-Graduation--Math and Science School Seniors**

Students who attended school at the Dierks School District prior to acceptance to the Arkansas School for Mathematics and Sciences may elect to participate in graduation activities.

Students attending the Math and Science School will be sent a questionnaire at the beginning of their fourth year of high school in which they are to indicate which activities they plan to attend. The questionnaire will be sent to the last address of record in school district records. Failure to return the questionnaire by October 1 will constitute a waiver of the election to participate. Students who will graduate early and who intend to participate in any activities must notify the senior high principal, in writing by October 1 that they will graduate early and plan to participate in graduation activities.

Math and Science students will be responsible for the costs of these activities to the same extent as Dierks students, and agree by participating to abide by the Student Handbook of the Dierks School District at these functions. Math and Science students may be barred from attending one or more future events upon recommendation of senior high school principal, subject to appeal to the superintendent, whose decision shall be final.

Math and Science students who participate in the graduation ceremony are not eligible to be recognized as valedictorian or salutatorian, but upon presentation of an official transcript from the Math and Science School, at least, 7 school days before graduation, will be recognized as honor graduates. Math and Science students who choose to participate in graduation ceremonies will not receive diplomas issued by the Dierks School District, but will instead be presented with certificates of recognition.

5. **Participation in Graduation**

Students fulfilling all graduation requirements will receive a diploma from Dierks High School.

Students not fulfilling all requirements for graduation may be permitted to participate in graduation only under the following conditions:

A student may fail up to two required courses during the spring semester of the graduation year, but this student must have made-up all required courses for graduation, that has been failed during the 9th, 10th, 11th, and the 1st semester of the 12th grades, by the end of the fall semester of the graduation year. Also, this student must have at least 23 credits completed by the end of the spring semester of the graduation year. The student will receive a certificate of attendance until all graduation requirements have been successfully completed.

6. Rules Regarding the Graduation Ceremony Students will be required to sign a behavioral contract prior to graduation ensuring proper behavior. All diplomas will be withheld until the week after graduation (an empty folder will be presented during the ceremony). Appropriate attire (dress pants or skirt with dress shoes-no flip flops, tennis shoes or jeans/shorts )will be strictly enforced. If students are not dressed appropriately they will be denied the right to walk and will be escorted from the building. If students misbehave during the ceremony they will be escorted out of the gym: Their diploma will be withheld until they serve in school suspension through the end of the last regular day of school.

## **GENERAL REQUIREMENTS FOR PROMOTION**

### **MINIMUM CORE COURSES FOR SMART CORE**

Beginning with the 2003-04 school year, to qualify for valedictorian, salutation, honor graduate, or membership in the National Honor Society, students must successfully complete the Smart Core curriculum. These requirements are in addition to those established.

#### **Junior High School (Grades 7-8)**

All Junior High pupils must pass four (4) subjects, excluding P.E., or repeat the entire grade.

#### **High School Students (Grades 9-12)**

High School students do not have to repeat all classes failed, but must repeat any state-required subject and satisfy all graduation requirements in order to graduate.

In order to be considered a member of a particular class, a student must have earned a specified number of credits.

The number of credits will be used to determine a student's eligibility to participate in class activities such as the Jr./Sr. Prom, the ordering of caps and gowns, etc.

To be classified as a students must have earned:

Sophomore	3 credits
Junior	10 credits
Senior	17 credits

Twenty-four (24) units of academic credit are required for graduation. Students will be classified at the beginning of the school year and will keep their classification the entire school year.

### **POLICY CONCERNING SMART CORE AND CORE**

BEGINNING WITH THE 2004-2005 SEVENTH GRADE CLASS, ALL STUDENTS WILL BE ENCOURAGED TO PARTICIPATE IN THE SMART CORE OF CLASSES UNLESS A SIGNED WAIVER FROM THE PARENT IS RETURNED TO SCHOOL. ALL STUDENTS WILL BE REQUIRED TO PARTICIPATE IN THE SMART CORE UNLESS

A WAIVER IS SIGNED AND RETURNED, THEN, THE STUDENTS WILL BE ALLOWED TO PARTICIPATE IN THE CORE. LIKEWISE, THE STUDENTS MUST PASS THE CLASSES PRESCRIBED OR GRADUATION COULD BE IN JEOPARDY. IF AT ALL POSSIBLE, THE STUDENTS WILL BE ALLOWED TO RETURN TO THE SMART CORE IF THE COURSE OF STUDY CAN BE COMPLETED BEFORE THE END OF THE SENIOR YEAR.

#### **SMART CORE (22 UNITS)**

##### **English—4 units (years)**

- \* English 9<sup>th</sup> Grade
- \* English 10<sup>th</sup> Grade
- \* English 11<sup>th</sup> Grade
- \* English 12<sup>th</sup> Grade

##### **Oral Communications—1/2 unit (½ year)**

##### **Mathematics—4 units (years); one unit must be taken in 11<sup>th</sup> or 12<sup>th</sup> grade**

- \* Algebra I
- \* Geometry
- \* Algebra II
- \* Choice of: Algebra III, Pre-Calculus, Computer Science & Mathematics an AP
- \* mathematics
- \* (Comparable concurrent credit college courses may be substituted where applicable.)

##### **Natural Science—3 units (years) with lab experience chosen from the list below(or 2 units with lab experience and Computer Science)**

- \* Biology 1 unit
- Two units from the following three options
- \* Physical Science
- \* Chemistry
- \* Physics



**Social Studies–3 units (years)**

- \* Civics or Civics ½ unit
- \* Economics ½ unit
- \* World History
- \* U.S. History

**Physical Education–1/2 unit (½ year)**

**Health and Safety–1/2 unit (½ year)**

**Fine Arts–1/2 unit (½ year)**

**Career Focus–6 units**

**CORE (22 UNITS)**

**English–4 units (years)**

- \* English 9<sup>th</sup> Grade
- \* English 10<sup>th</sup> Grade
- \* English 11<sup>th</sup> Grade
- \* English 12<sup>th</sup> Grade

**Oral Communications–1/2 unit**

**Mathematics–4 units (years)**

- \* Algebra or its equivalent\* 1 unit
- \* Geometry or its equivalent\* 1 unit
- \* All math units must build on the base of algebra and geometry knowledge and skills
- \* Comparable concurrent credit college courses may be substituted where applicable

\*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two (2) units of the 4 (4) unit requirement.

**Science–3 units (years)or 2 units with lab experience and 1 unit of Computer Science.**

- \* At least one (1) unit of Biology
- \* At least one (1) unit of Physical Science, Chemistry, and/or Physics

**Social Studies–3 units (years)**

- \* Civics or government, ½ unit
- \* Economics ½ unit
- \* World History, 1 unit
- \* U.S. History 1 unit

**Physical Education–1/2 unit (½ year)**

**Health and Safety–1/2 unit (½ year)**

**Fine Arts–1/2 unit (½ year)**

**Career Focus–6 units**

#### 4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2026 AND THEREAFTER

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are eighteen (18) years of age or older, sign a *Smart Core Waiver Form* to not participate. While Smart Core is the default option, a *Smart Core Information Sheet* and a *Smart Core Waiver Form*<sup>1</sup> will be sent home with students prior to their enrolling in seventh (7<sup>th</sup>) grade, or when a seventh (7<sup>th</sup>) through twelfth (12<sup>th</sup>) grade student enrolls in the district for the first time and there is not a signed waiver form in the student's permanent record. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the Alternate Pathway to Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the deadline for them to sign and return the waiver form. While there are similarities between the two curriculums, following the Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Core curriculum may subsequently change to the Smart Core curriculum **providing** they would be able to complete the required course of study by the end of their senior year.<sup>2</sup> Students wishing to change their choice of curriculums must consult with their counselor to determine the feasibility of changing paths. This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process<sup>3</sup> to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel. Sufficient information relating to Smart Core and the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding of each. This may be accomplished through any or all of the following means:<sup>4</sup>

- \* Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;
- \* Discussion of the Smart Core curriculum and graduation requirements at the school's annual public meeting, PTA meetings, or a meeting held specifically for the purpose of informing the public on this matter;

- \* Discussions held by the school's counselors with students and their parents;  
and/or
- \* Distribution of a newsletter(s) to parents or guardians of the district's students.

Administrators, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.<sup>5</sup>

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational

Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

## **GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional \_\_\_\_ units to graduate for a total of \_\_\_\_ units. The additional required units may be taken from any electives offered by the district.<sup>6</sup> There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

All students must receive a passing score on the Arkansas Civics Exam in order to graduate. Students shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation and the use of automated external defibrillators in order to graduate.

### **Digital Learning Courses**

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format.<sup>7</sup> In addition to the other graduation requirements contained in this policy, students are required to take at least one (1) digital learning course for credit while in high school.

## Personal and Family Finance

All students shall receive credit in a course covering the Personal and Family Finance Standards in order to graduate.

## Computer Science

All students shall earn one (1) unit of credit in a computer science course in order to graduate.

### **SMART CORE: Sixteen (16) units**

English: four (4) units – 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>

Oral Communications: one-half ( $\frac{1}{2}$ ) unit

Mathematics: four (4) units (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.)

- 1) Algebra I or Algebra A & B \* which may be taken in grades 7-8 or 8-9;
- 2) Geometry or Geometry A & B \* which may be taken in grades 8-9 or 9-10;

\* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four-unit requirement for the purpose of meeting the **graduation** requirement, but only serve as one unit each toward fulfilling the **Smart Core** requirement.

- 3) Algebra II; and
- 4) The fourth unit may be either:
  - \* A math unit approved by DESE beyond Algebra II; or
  - \* A computer science flex credit may be taken in the place of a fourth math credit.

**Natural Science:** three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - \* An additional science credit approved by DESE; or
  - \* A computer science flex credit may be taken in the place of a third science credit.

**Social Studies:** three (3) units

- \* Civics - one-half ( $\frac{1}{2}$ ) unit
- \* World History - one unit
- \* American History - one unit
- \* Other social studies – one-half ( $\frac{1}{2}$ ) Unit

Physical Education: one-half ( $\frac{1}{2}$ ) unit

**Note:** While one-half ( $\frac{1}{2}$ ) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half ( $\frac{1}{2}$ ) unit

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>8</sup>

Fine Arts: one-half ( $\frac{1}{2}$ ) unit

**CAREER FOCUS: - Six (6) units**

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.<sup>9</sup>

**CORE: Sixteen (16) units**

English: four (4) units – 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>

Oral Communications: one-half ( $\frac{1}{2}$ ) unit

Mathematics: four (4) units

- \* Algebra or its equivalent\* - 1 unit
- \* Geometry or its equivalent\* - 1 unit
- \* All math units must build on the base of algebra and geometry knowledge and skills.
- \* (Comparable concurrent credit college courses may be substituted where applicable)
- \* A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry
- \* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.

Science: three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - \* An additional science credit approved by DESE; or
  - \* A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- \* Civics one-half ( $\frac{1}{2}$ ) unit
- \* World history, one (1) unit
- \* American History, one (1) unit
- \* Other social studies – one-half ( $\frac{1}{2}$ ) unit

Physical Education: one-half ( $\frac{1}{2}$ ) unit

**Note:** While one-half ( $\frac{1}{2}$ ) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half ( $\frac{1}{2}$ ) unit

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.

Fine Arts: one-half ( $\frac{1}{2}$ ) unit

### **CAREER FOCUS: - Six (6) units**

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.<sup>9</sup>

**Notes:**1. The Smart Core Information Sheet and the Smart Core Waiver Form are available on the ADE website at <https://dese.ade.arkansas.gov/Offices/learning-services/curriculum-support/arkansas-graduation-requirements> under the “Related Links” heading.

<sup>2</sup> The DESE’s Guidelines stipulate completion by the end of the senior year. We believe this is not in agreement with A.C.A. § 6-18-202(b)(1), which requires public schools to

be open through the completion of the secondary program to students between the ages of five (5) and twenty-one (21). Therefore, we suggest that students be allowed to switch from Core to Smart Core if they could successfully complete its requirements by the time they attained their twenty first (21st) birthday. Acceptance of a diploma negates a student’s right to switch programs.

<sup>3</sup> We recommend including the review of this policy in the school district support plan process so that the resources intended to be provided from the district level are in alignment with your graduation requirements (including any changes to the state level graduation requirements).

<sup>4</sup> Schools are required to retain documentation procedures and methods used.

<sup>5</sup> The Guidelines require the policy to include the training “procedure.” If you prefer a different procedure than inclusion in your district’s annual professional development process, change this sentence accordingly.



<sup>6</sup> This sentence is necessary if your district requires more than twenty-two (22) units to graduate; without the sentence and you substitute a number greater than twenty-two (22), it appears that the DESE requires more than twenty-two (22) units to graduate. If you have specific requirements for the additional units, change the sentence's wording to reflect those requirements.

<sup>7</sup> For a detailed explanation/discussion of district options for digital learning courses see policy 5.11—DIGITAL LEARNING COURSES.

<sup>8</sup> The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

<sup>9</sup> In order for students to receive the community service learning (CLS) credit, the district must have completed and submitted a CLS plan to DESE. In addition, a partner site application must be approved by both the district's board of directors and by the State Board if an organization the District has partnered with, rather than a District employee, is responsible for certifying a student's hours of service. Districts who do not intend to submit a CLS plan should not include this language.

#### **4.46—PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE**

##### **The Pledge of Allegiance shall be recited:**

1. During the first class period of each school day;
2. At the commencement of each school-sanctioned after-school assembly; and
3. At the commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the Pledge may be recited at only one (1) of the school-sanctioned sporting events.

Students choosing to participate in the recitation of the Pledge shall do so by facing the flag with their right hands over their hearts, or in an appropriate salute if in uniform, while reciting the Pledge. Students choosing not to participate shall stand or sit quietly while the other students recite the Pledge.

Students shall not be compelled to recite the Pledge, but students who choose not to recite the Pledge shall not disrupt those students choosing to recite the Pledge. Students choosing not to recite the Pledge who do not disrupt those students who choose to recite the Pledge shall not be subject to any comments, retaliation, or disciplinary action.

Following the recitation of the Pledge, there shall be an observance of one (1) minute of silence. During the one (1) minute of silence, each student may reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Students who do not disrupt the one (1) minute of silence shall not be subject to any comments, retaliation, or disciplinary action.

#### **4.47— POSSESSION AND USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES**

Students are responsible for conducting themselves in a manner that respects the rights of others. Possession and use of any electronic device, whether district or student owned, that interferes with a positive, orderly classroom environment does not respect the rights of others and is expressly forbidden.

To protect the security of statewide assessments, no electronic device, as defined in this policy, shall be accessible by a student at any time during assessment administration unless specifically permitted by a student's individualized education program (IEP) or individual health plan;<sup>1</sup> this means that when a student is taking an AESAA assessment, the student shall not have his/her electronic device in his/her possession. Any student violating this provision shall be subject to this policy's disciplinary provisions.

As used in this policy, “electronic devices” means anything that can be used to transmit or capture images, sound, or data.

Misuse of electronic devices includes, but is not limited to:

1. Using electronic devices during class time in any manner other than specifically permitted by the classroom instructor;
2. Permitting any audible sound to come from the device when not being used for reason #1 above;
3. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores;
4. Using the device to record audio or video or to take photographs in areas where a general expectation of personal privacy exists, including but not limited to locker rooms and bathrooms;
5. Creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.

Use of an electronic device is permitted to the extent it is approved in a student's IEP or it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Before and after normal school hours, possession of electronic devices is permitted on the school campus. The use of such devices at school sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending.

A parent shall obtain approval from the student's building principal before operating a student-tracking safety device at school or at a school-sponsored event if the device has recording or listen-in capability. The District requires the device's recording and listen-in technology to be disabled while the device is on the campus or at the school-sponsored event because of student privacy concerns. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other students. The student's parent shall agree in writing to the requirement for the device's recording and listening-in technology to be disabled and that the District may prohibit future use of the device on campus or at a school-sponsored activity if it is determined that the device's recording or listening-in capabilities were used in violation of this policy before the student safety tracking device may be on campus or at a school-sponsored event.

The student and/or the student's parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the school's administration office by the student's parents or guardians.<sup>2</sup> Students have no right of privacy as to the content contained on any electronic devices that have been confiscated.<sup>3</sup> A search of a confiscated device shall meet the reasonable individualized suspicion requirements of Policy 4.32—SEARCH, SEIZURE, AND INTERROGATIONS.

Students who use school issued cell phones and/or computers for non-school purposes, except as permitted by the district's Internet/computer use policy, shall be subject to discipline, up to and including suspension or expulsion. Students are forbidden from using school issued cell phones

while driving any vehicle at any time. Violation may result in disciplinary action up to and including expulsion.<sup>4</sup>

No student shall use any wireless communication device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle that is in motion and on school property.

Violation may result in disciplinary action up to and including suspension.<sup>5</sup>

#### **4.47— POSSESSION AND USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES~DHS**

##### **POSSESSION AND USE OF CELL PHONES, AND OTHER ELECTRONIC DEVICES**

Students are responsible for conducting themselves in a manner that respects the rights of others. Possession and use of any electronic device, smart watch whether district or student owned, that interferes with a positive, orderly classroom environment that does not respect the rights of others is expressly forbidden.

To protect the security of statewide assessments, no electronic device, as defined in this policy, shall be accessible by a student at any time during assessment administration unless specifically permitted by a student's individualized education program (IEP) or individual health plan;<sup>1</sup> this means that when a student is taking an AESAA assessment, the student shall not have his/her electronic device including a smart watch in his/her possession. Any student violating this provision shall be subject to this policy's disciplinary provisions. The prohibition in this policy does not extend to the electronic device the District provides the student for the student's use during assessment administration to the extent the student is using the District provided device to complete the assessment.

As used in this policy, "electronic devices" means anything that can be used to transmit or capture images, messages, sound, or data.

Misuse of electronic devices includes, but is not limited to:

1. Permitting any audible sound, visible flash, or light to come from the device when not being used.
2. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores;
3. Using the device to take photographs in locker rooms or bathrooms;

4. Creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.
5. Air pods or smart watches cannot be worn in class due to security violation procedures and testing protocols.

Use of an electronic device is permitted to the extent it is approved in a student's individualized education plan (IEP) or it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Before and after normal school hours, possession of electronic devices is permitted on the school campus. The use of such devices at school sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending. Students may use their cell phone at times and places listed below (#2).. The following rules for cell phone and smart watches use at school shall apply:

1. Cell phones and smart watches are to be placed in the designated area set by the teacher and turned off in classrooms.
2. Cell phones and smart watches may be used between classes and at lunch in designated areas only (cafeteria, lobby, courtyard area).
3. The camera and video features may not be used on campus.
4. During state testing, phones and smart watches must be turned in to the teacher.
5. Cell phone and smart watches privileges may be revoked for violations.

The student and /or the student's parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the school's administration office by the student's parents or guardians. Students have no right of privacy as to the content contained on any electronic devices that have been confiscated.

### **Consequences**

1<sup>st</sup> offense: 1 day ISS, parent must pick up phone from the principal's office.

2<sup>nd</sup> offense: 2 days ISS, parent must pick up phone from principal's office.

3<sup>rd</sup> offense: 3 days ISS, parent must pick up phone from principal's office,  
and students lose cell phone privileges for 30 days.

#### **4.48—VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING**

The Board of Directors has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding district facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras, automatic identification technology, data compilation devices, and technology capable of tracking the physical location of district equipment, students, and/or personnel.

The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as rest rooms or dressing areas where an expectation of bodily privacy is reasonable and customary.

Signs shall be posted on campus buildings and in district vehicles to notify students, staff, and visitors that video cameras may be in use. Parents and students shall also be notified through the student handbook that cameras may be in use in school buildings, on school grounds and in school vehicles. Students will be held responsible for any violations of school discipline rules caught by the cameras and other technologies authorized in this policy.

The district shall retain copies of video recordings until they are erased<sup>1</sup> which may be accomplished by either deletion or copying over with a new recording. Other than video recordings being retained under the provisions of this policy's following paragraph, the district's video recordings may be erased any time greater than 30 days after they were created.

Videos, automatic identification, or data compilations containing evidence of a violation of student conduct rules and/or state or federal law shall be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or student handbook;<sup>2</sup> any release or viewing of such records shall be in accordance with current law.

Students who vandalize, damage, disable, or render inoperable (temporarily or permanently) surveillance cameras and equipment, automatic identification, or data compilation devices shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

#### 4.49—SPECIAL EDUCATION

In accordance with the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and Arkansas Statutes, the district shall provide a free appropriate public education and necessary related services to all children with disabilities who reside within:

- \* Within the district boundaries; or
- \* Outside of the District boundaries but are enrolled in the District.

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the state and federal statutes governing special education. Implementation of an Individualized Education Program (IEP) in accordance with the IDEA satisfies the district's obligation to provide a free and appropriate education under Section 504.

The Board directs the superintendent to ensure procedures are in place for the implementation of special education services and that programs are developed to conform to the requirements of state and federal legislation. The superintendent is responsible for appointing a district coordinator for overseeing district fulfillment of its responsibilities regarding students with disabilities.<sup>1</sup> Among the coordinator's responsibilities shall be ensuring district enforcement of the due process rights of students with disabilities and their parents.

#### 4.49—SPECIAL EDUCATION~DHS

**RESOURCE ROOM** - Students receive individualized instruction plans in reading and math content areas, emphasizing basic review and practical compensatory skills, tutoring in any academic or vocational class.

In order for a student to be enrolled in Special Education, the following procedures are required:

1. Referral process - students may be referred by parent, teacher, principal or counselor.
2. Referral conference



3. Evaluation - comprehensive psychological test
4. Evaluation conference
5. Additional evaluations if necessary
6. Evaluation and placement conference
7. End of the conference.

## 4.50 SCHOOL MEAL MODIFICATIONS

The district only provides modified meal components on menus to accommodate students with a disability. A parent/guardian wishing to request such a dietary accommodations for their student with a disability must submit a Certification of Disability for Special Dietary Needs Form completed by a State licensed health care professional which includes:

- \* Physicians, including those licensed by:
  - \* The Arkansas State Medical Board;
  - \* The Arkansas State Board of Chiropractic Examiners (Chiropractors);
  - \* The Arkansas Board of Podiatric Medicine (Podiatrists);
  - \* Nurse Practitioners (APRNs in family or pediatric practice with prescriptive authority);
  - \* Physician Assistants (PAs who work in collaborative practice with a physician); and
  - \* Dentists.

### **The medical statement should include:**

1. A description of the student's disability that is sufficient to understand how the disability restricts the student's diet;
2. An explanation of what must be done to accommodate the disability, which may include:
  - a. Food(s) to avoid or restrict;
  - b. Food(s) to substitute;
  - c. Caloric modifications; or
  - d. The substitution of a liquid nutritive formula.

If the information provided in the medical statement is unclear, or lacks sufficient detail, the district's Director of Child Nutrition<sup>1</sup> shall request additional information so that a proper and safe meal can be provided.

When choosing an appropriate approach to accommodate a student's disability, the District will consider the expense and efficiency of the requested accommodations. The District will offer a

reasonable modification that effectively accommodates the child's disability and provides equal opportunity to participate in or benefit from the program, which may include a generic version of a product.

Parents may file a grievance regarding the request for accommodations with the District's 504 Coordinator<sup>3</sup>, who will schedule a hearing on the grievance to be held as soon as possible. The 504 coordinator shall provide a copy of the procedures governing the hearing, including that the parent has the right to be accompanied by counsel, and the appeal process upon request.

The district will not prepare meals outside the normal menu to accommodate a family's religious or personal health beliefs.

## **4.50—SCHOOL MEAL MODIFICATIONS~DHS**

### **SCHOOL LUNCH PROGRAM**

Dierks High School operates a hot breakfast/lunch program at minimal cost. Prices may vary from year to year depending on the cost of operation.

Students may pay in the office or pay the lunchroom clerk in the cafeteria. Three classifications of lunches are available: (1) full cost; (2) reduced price; (3) free.

Forms are distributed at the beginning of each school year and are always available in the office explaining the lunch program. Those who feel that they qualify for reduced price or free school lunches may fill out a form and return it to the office. Every effort is made to keep recipients' status confidential.

Students will not run from any school building to the lunchroom, nor will they be allowed to cut in line. Students are to form a single line along the wall of the entrance to the cafeteria. No student will take food or drink from the lunchroom.

Any group or individual using the lunchroom after school hours must obtain permission from the administration. If the kitchen is used a cook must be present and will be paid a Fee.

## **4.51— FOOD SERVICE PREPAYMENT~DHS**

### **CHARGES**

Lunch charges will be limited to any amount equal to two (2) days of meals. When the amount reaches this level, no more meals may be charged until payment is received.

All charges, fees, or fines must be paid at the end of each grading period before report cards are issued. Charging privileges will be suspended a few days before the end of each 9-weeks period while accounts are paid up.

## **4.52—STUDENTS WHO ARE FOSTER CHILDREN**

The District will afford the same services and educational opportunities to foster children that are afforded other children and youth. The District shall work with the Department of Human Services (“DHS”), the Division of Elementary and Secondary Education (DESE), and individuals involved with each foster child to ensure that the foster child is able to maintain his/her continuity of educational services to the fullest extent that is practical and reasonable.

The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational liaison for foster children and youth whose responsibilities shall include ensuring the timely school enrollment of each foster child and assisting foster children who transfer between schools by expediting the transfer of relevant educational records.<sup>1</sup>

The District, working with other individuals and agencies shall, unless the presiding court rules otherwise or DHS grants a request to transfer under Foster Child School Choice, ensure that the foster child remains in his/her school of origin, even if a change in the foster child’s placement results in a residency that is outside the district. In such a situation, the District will work with DHS to arrange for transportation to and from school for the foster child to the extent it is reasonable and practical.<sup>2</sup>

Upon notification to the District’s foster care liaison by a foster child’s caseworker that a foster child’s school enrollment is being changed to one of the District’s schools, the

school receiving the child must immediately enroll him/her. Immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.<sup>3</sup>

A foster child's grades shall not be lowered due to absence from school that is caused by a change in the child's school enrollment, the child's attendance at dependency-neglect court proceedings, or other court-ordered counseling or treatment.

Any course work completed by the foster child prior to a school enrollment change shall be accepted as academic credit so long as the child has satisfactorily completed the appropriate academic placement assessment.<sup>4</sup>

If a foster child was enrolled in a District school immediately prior to completing his/her graduation requirements while detained in a juvenile detention facility or while committed to the Division of Youth Services of DHS, the District shall issue the child a diploma.

### **Foster Child School Choice**

If DHS approves a request from a foster parent, or the foster child if the foster child is eighteen (18) years of age, to transfer to another school in the District or into the district as being in the best interest of the foster child, the District shall allow the foster child to transfer to another school in the District or into the District if the foster parent, or the foster child if the foster child is eighteen (18) years of age, submits a request to transfer on a form approved by DESE that is postmarked by no later than May 1 of the year the student seeks to begin the fall semester at another school in the District or in the District.

By July 1 of the school year in which the student seeks to transfer under this section, the superintendent shall notify the foster parent, or the foster child if the foster child is eighteen (18) years of age, in writing whether the application has been accepted or rejected. If the application is accepted, the superintendent shall state in the notification letter a reasonable deadline for the foster child to enroll in the new school or the District and that failure to enroll by the date shall void the school choice acceptance. If the application is rejected, the superintendent shall state in the notification letter the reason for the rejection and that the foster parent, or the foster child if the foster child is eighteen (18) years of age, may submit a written appeal of the rejection to the State board within ten (10) days of receiving the notification letter.

The District shall only reject a Foster Child School Choice application if:<sup>5</sup>

1. The public school or District has reached the maximum student-to-teacher ratio allowed under federal law; state law; the standards for accreditation; or other applicable

- State rule or Federal regulation; or
2. Approving the transfer would conflict with a provision of an enforceable desegregation court order or a public school district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment.

A foster child whose application is rejected by the District may submit a written request within ten (10) days following the receipt of the rejection letter from the superintendent to the State Board of Education for the State Board to reconsider the transfer.

A Foster Child School Choice transfer shall remain in effect until the foster child:

- \* Graduates from high school; or
- \* Transfers to another school or school district under:
- \* The Foster Child School Choice Act;
- \* Opportunity Public School Choice Act;
- \* The Public School Choice Act of 2015; or
- \* Any other law that allows a transfer.

The District shall accept credits toward graduation that were awarded by another public school district.

When a foster child transfers from the foster child's school of origin to another school in the District or into the District, the foster child or the foster parent is responsible for the foster child's transportation to and from the school the foster child transferred to. The District and the foster parent, or the foster child if the foster child is eighteen (18) years of age, may enter into a written agreement for the District to provide the transportation to and from the school the foster child transferred to.

#### **4.53— PLACEMENT OF MULTIPLE BIRTH SIBLINGS**

The parent, guardian or other person having charge or custody of multiple birth siblings in grades pre-K through 6 may request that the multiple birth siblings are placed in either the same or separate classrooms. The request shall be in writing not later than the 14<sup>th</sup> calendar day prior to the first day of classes at the beginning of the academic year. The school shall honor the request unless it would require the school to add an additional class to the sibling's grade level. If one parent of multiple birth siblings requests a placement that differs from that of the other parent of the same multiple birth siblings, the school shall determine the appropriate placement of the siblings.

The school may change the classroom placement of one or more of the multiple birth siblings if:

There have been a minimum of 30 instructional days since the start of the school year; and

- \* After consulting with each classroom teacher in which the siblings were placed, the school determines the parent's classroom placement request is:
  - Detrimental to the educational achievement of one or more of the siblings;
  - Disruptive to the siblings' assigned classroom learning environment; or
  - Disruptive to the school's educational or disciplinary environment.

If a parent believes the school has not followed the requirements of this policy, the parent may appeal the multiple birth siblings' classroom placement to the Superintendent. The Superintendent's decision regarding the appeal shall be final.

#### **4.54 - STUDENT ACCELERATION**

The Board believes that acceleration is an effective and research-based intervention for the academic growth of students who are ready for an advanced or faster-paced curriculum. Acceleration can allow a student to move through the traditional educational setting more rapidly, based on assessed readiness, capability, and motivation. At the same time, the Board understands that acceleration is not a replacement for gifted education services or programs.

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 time span. Either form of acceleration can be triggered by either a parent/guardian, student, or community member's request or by the referral of school personnel. In either case, the process of determining the appropriateness of the request shall be under the direction of the district/school<sup>1</sup> Gifted and Talented Program Coordinator. The district/school<sup>1</sup> Gifted and Talented Program Coordinator shall convene the Acceleration Placement Committee<sup>2</sup> and communicate with the individuals necessary for the Acceleration Placement Committee to make an informed decision, which shall include the student's parents or guardians.<sup>3</sup>

While the needs of the student should dictate when acceleration decisions are considered, the Board believes the optimal time for referrals is in the spring which gives adequate time for working through the determination process and for preparing those concerned for a smooth transition to the acceleration beginning in the following school-year. The District's Gifted and Talented (GT) Program Coordinator<sup>1</sup> will create a written format to govern the referral and determination process which shall be made available to any parent or staff member upon request.

The parents/guardians of any student whose request for acceleration has been denied may appeal the decision, in writing to the District's GT Coordinator<sup>1</sup>. The District's GT Coordinator<sup>1</sup> and the Acceleration Placement Committee will again thoroughly review the case study that was completed on the student.

Upon completion of the review, the Committee will either request additional new testing be conducted to help the Committee make its determination or it will uphold the initial decision. The Committee's decision may not be further appealed.

#### **4.54 - STUDENT ACCELERATION~DHS**

##### **ACCELERATION OF A STUDENT**

The following are the criteria a student must meet to be eligible for acceleration to a higher grade:

1. Request by parent
2. 99% on an Achievement Test
3. 130+ on an Intelligence Test
4. Psychological Test
5. Recommended by a panel of teachers
6. High School students must meet all graduation requirements

#### **4.55—STUDENT PROMOTION AND RETENTION**

A disservice is done to students through social promotion and is prohibited by state law. The District shall, at a minimum, evaluate each student annually in an effort to help each student who is not performing at grade level. Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall be kept informed concerning the progress of their student(s). Notice of a student's possible retention or required retaking of a course shall be included with the student's grades sent home to each parent/guardian or the student if 18 or older. Parent-teacher conferences are encouraged and may be held as necessary in an effort to improve a student's academic success.

At least once each semester, the Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis, and teacher(s) of a student in

kindergarten through eighth (8<sup>th</sup>) grade shall be notified in writing of the student's independent grade-level-equivalency in reading.

Any grades, course credits, and/or promotions received by a student while enrolled in the Division of Youth Services system of education shall be considered transferable in the same manner as those grades, course credits, and promotions from other accredited Arkansas public educational entities.

Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria.<sup>1</sup> If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference shall be held before a final decision is made that includes the following individuals:

- a. The building principal or designee;
- b. The student's teacher(s);
- c. School counselor;
- d. A 504/special education representative (if applicable); and
- e. The student's parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis.

The conference shall be held at a time and place that best accommodates those participating in the conference. The school shall document participation or non-participation in required conferences. If the conference attendees fail to agree concerning the student's placement or receipt of course credit, the final decision shall rest with the principal or the principal's designee.

Each student<sup>2</sup> shall have a student success plan (SSP) developed by school personnel in collaboration with the student's parents and the student that is reviewed and updated annually. A student's SSP shall use multiple academic measures to personalize learning in order for students to achieve their grade-level expectations and individual growth.

The SSP will identify if the student is in need of additional support or acceleration. Academic measures to be used in creating and updating a student's SSP shall include, but are not limited to:

- \* Statewide student assessment results;
- \* Subject grades;
- \* Student work samples; and
- \* Local assessment scores.

By the end of grade eight (8), the student's SSP shall:<sup>3</sup>

- \* Guide the student along pathways to graduation;
- \* Address accelerated learning opportunities;
- \* Address academic deficits and interventions; and
- \* Include college and career planning components.

Based on a student's score on the college and career assessment:

§ The student's SSP will be updated in order to assist the student with college and career readiness skills, course selection in high school, and improved academic achievement; and



§ Provide a basis for counseling concerning postsecondary preparatory programs.

An SSP shall be created:

1. By no later than the end of the school year for a student in grade eight (8) or below<sup>2</sup> who enrolls in the District during the school year; or
2. As soon as reasonably possible for a student in grade nine (9) or above who enrolls in the District at the beginning or during the school year.

A student's individualized education program (IEP) may act in the place of the student's SSP if the IEP addresses academic deficits and interventions for the student's failure to meet standards-based academic goals at an expected rate or level and includes a transition plan that addresses college and career planning components. Promotion or retention of students with an IEP shall be based on their successful attainment of the goals set forth in their IEP.

Students who either refuse to sit for a Statewide assessment or attempt to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are originally administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity, including school dances, prom, homecoming, senior events, and may be prevented from walking or participating in graduation exercises. The student shall remain ineligible to participate until the student takes the same or a following Statewide assessment, as applicable. The Superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.<sup>4</sup> Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

<sup>5</sup>

## **4.55—STUDENT PROMOTION AND RETENTION~DHS**

### **CORRESPONDENCE WORK**

The Dierks High School does not encourage correspondence work toward graduation, but in some instances feels that it is necessary to permit a student to use this means to achieve a diploma. Listed below are guidelines that may be used in determining whether a student is eligible to take correspondence work:

No one will be allowed to take correspondence toward a degree if he/she can attend regular classes.

Students who drop regular class work at the school's request, will be permitted to take four units of correspondence work.

Students who fail will be permitted to make up this deficiency while attending a regular term. A student will not be allowed to take over two units of correspondence work.

If a physical disability keeps a child from attending school, he may take an unlimited amount of correspondence.

Any course of correspondence must be approved by the school administration and all such work must be from an accredited institution.

Students doing correspondence work toward a degree from Dierks High School, must meet all the graduation requirements of regular students.

Students will not be permitted to take correspondence courses for the purpose of making quality points to overtake other students in quality points. Quality points will only be counted for correspondence courses if needed to meet the minimum required for graduation.

Students, who complete their school work by correspondence after their scheduled class graduates, will receive a diploma but will not be permitted to take part in graduation exercises. Students must be in attendance in order to take place in graduation ceremonies.

## **4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS**

### **Definitions**

“Academic Courses” are those courses for which class time is scheduled, which can be credited to meet the minimum requirements for graduation, which is taught by a teacher required to have State licensure in the course or is otherwise qualified under Arkansas statute, and has a course content guide which has been approved by the Division of Elementary and Secondary Education (DESE). Any of the courses for which concurrent high school credit is earned may be from an institution of higher education recognized by DESE. If a student passes an academic course offered on a block schedule, the course can be counted twice toward meeting the requirement for students to pass four (4) academic courses per semester as required by this policy.

**“Extracurricular activities”** are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

**“Field Trips”** are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

**“Interscholastic Activities”** means athletic or non-athletic/academic activities where students compete on a school vs. school basis.<sup>1</sup>

**“Supplemental Improvement Program (SIP)”** is an additional instructional opportunity for identified students outside of their regular classroom and meets the criteria outlined in the current Arkansas Activities Association (AAA) Handbook.

### **Extracurricular Eligibility**

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted)<sup>2</sup>. Additionally, a student’s participation in, and the District’s operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.<sup>3</sup> Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.<sup>4</sup>

A student who enrolls in the district and meets the definition of “**eligible child**” in Policy 4.2—ENTRANCE REQUIREMENTS shall be eligible to try out for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

### **Interscholastic Activities**

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.<sup>5</sup>

### **ACADEMIC REQUIREMENTS: Junior High**

A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the first semester. The second semester eighth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The first semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The second semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed (4) academic courses the previous semester which count toward his/her high school graduation requirements.

Ninth-grade students must meet the requirements of the senior high scholarship rule by the end of the second semester in the ninth grade in order to be eligible to participate in the fall semester of their tenth-grade year.

### **ACADEMIC REQUIREMENTS: Senior High**

In order to remain eligible for competitive interscholastic activity, a student must have passed (4) academic courses the previous semester and either:

1. Have earned a minimum Grade Point Average (GPA) of 2.0 from all academic courses the previous semester; or
2. If the student has passed four (4) academic courses the previous semester but does not have a 2.0 GPA the student must be enrolled and successfully participating in an SIP to maintain their competitive interscholastic extracurricular eligibility.

## **STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM**

In order to be considered eligible to participate in competitive interscholastic activities, students with disabilities must pass at least four (4) courses per semester as required by their individual education program (IEP).

## **ARKANSAS ACTIVITIES ASSOCIATION**

In addition to the foregoing rules, the district shall abide by the rules of AAA governing interscholastic activities. AAA provides catastrophic insurance coverage for students participating in AAA governed extracurricular activities who are enrolled in school. As a matter of District policy, no student may participate in a AAA governed extracurricular activity unless he or she is enrolled in a district school, to ensure all students are eligible for AAA catastrophic insurance.<sup>6</sup>

### **Intrascholastic Activities**

#### **AAA Governed Activities**

Students participating in intrascholastic extracurricular activities that would be governed by AAA if they were to occur between students of different schools shall meet all interscholastic activity eligibility requirements to be eligible to participate in the comparable intrascholastic activity. The District will abide by the AAA Handbook for such activities to ensure District students are not disqualified from participating in interscholastic activities.<sup>7</sup>

#### **Non-AAA Governed Activities**

Unless made ineligible by District policies, all students shall be eligible to participate in non-AAA governed intrascholastic extracurricular activities. Intrascholastic activities designed for a particular grade(s) or course(s) shall require the student to be enrolled in the grade(s) or course(s)

#### **4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS**

Home-schooled student means a student legally enrolled in an Arkansas home school and who meets or has met the criteria for being a home-schooled student, as established by A.C.A. § 6-15-503.

Interscholastic activity means an activity between schools subject to rules of the Arkansas Activities Association that is outside the regular curriculum of the school district, such as an athletic activity, fine arts program, or a special interest group or club.

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.<sup>1</sup>

Home-schooled students whose parents or guardians are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone<sup>2</sup> as permitted by this policy.

Home-schooled students whose parent or legal guardian are not residents of the school district will be permitted to pursue participation in an interscholastic activity in the District if the superintendent of the student's resident district and the superintendent of the District both agree in writing to allow the student to participate in interscholastic activities at the District.

Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in an interscholastic activities without discrimination. The District shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the home-schooled student is unable to meet because of his or her enrollment in a home school.

No student shall be required to pay for individual or group instruction in order to participate in an interscholastic activity.

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. Additionally, the student shall demonstrate

academic eligibility by obtaining a minimum test score of the 30<sup>th</sup> percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one course<sup>3</sup> in the District's school where the student is intending to participate in an interscholastic activity.

The student shall regularly attend the class in which the student is registered beginning no later than the eleventh (11<sup>th</sup>) day of the semester in which the student's interscholastic activity participation is desired. The student must attend the practices for the interscholastic activity to the same extent as is required of traditional students.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

A home-schooled student who has met the try out criteria; and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:

- \* standards of behavior and codes of conduct;
- \* attend the practices for the interscholastic activity to the same extent as is required of traditional students;
- \* required drug testing;<sup>4</sup>
- \* permission slips, waivers, physical exams; and
- \* participation or activity fees.

A home-schooled student who is not a resident of the District may begin participating in interscholastic activities:

- a. Immediately upon being approved for participation for all interscholastic activities other than athletic activities; and
- b. One (1) calendar year after being approved to participate in interscholastic activities that are athletic activities unless the approval is prior to July 1 of the school year the student would have been enrolled in seventh (7<sup>th</sup>) grade if the student were enrolled in public school.



A home-schooled student who is not a resident of the District and is prohibited under this policy from participating in an interscholastic activity that is an athletic activity for one (1) calendar year may immediately participate in rehearsals, tryouts, practices, auditions, classes, or other endeavors associated with the interscholastic activity. Students who participate in extracurricular or athletic activities under this policy will be transported to and from the interscholastic activities on the same basis as other students are transported.

A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five days after the student withdraws from the member school.

## **4.57—IMMUNIZATIONS**

### **Definitions**

**“In process”** means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional dose(s).

**“Serologic testing”** refers to a medical procedure used to determine an individual’s immunity to Hepatitis B, Measles, Mumps, Rubella and Varicella.

### **General Requirements**

Unless otherwise provided by law or this policy, no student shall be admitted to attend classes in the District who has not been age appropriately immunized against<sup>1</sup>:

- \* Poliomyelitis;
- \* Diphtheria;
- \* Tetanus;
- \* Pertussis;
- \* Red (rubeola) measles;
- \* Rubella;
- \* Mumps;+
- \* Hepatitis A;
- \* Hepatitis B;
- \* Meningococcal disease;
- \* Varicella (chickenpox); and
- \* Any other immunization required by the Arkansas Department of Health (ADH).

The District administration has the responsibility to evaluate the immunization status of District students. The District shall maintain a list of all students who are not fully age appropriately immunized or who have an exemption provided by ADH to the immunization requirements based on medical, religious, or philosophical grounds.

Students who are not fully age appropriately immunized when seeking admittance shall be referred to a medical authority for consultation.

The only types of proof of immunization the District will accept are immunization records provided by a:

- A. Licensed physician;
- B. Health department;
- C. Military service; or
- D. Official record from another educational institution in Arkansas; or
- E. An immunization record printed off of the statewide immunization registry with the Official Seal of the State of Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating “up-to-date”, “complete”, “adequate”, and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted as a history of varicella disease must be documented by a licensed physician, advanced practice nurse, doctor of osteopathy, or physician assistant. Valid proof of immunization and of immunity based on serological testing shall be entered into the student’s record.

In order to continue attending classes in the District, the student must have submitted:

- 1) Proof of immunization showing the student to be fully age appropriately vaccinated;
- 2) Written documentation by a public health nurse or private physician of proof the student is in process of being age appropriately immunized, which includes a schedule of the student’s next immunization;
- 3) A copy of a letter from ADH indicating immunity based on serologic testing; and/or
- 4) A copy of the letter from ADH exempting the student from the immunization requirements for the current school year, or a copy of the application for an exemption for the current school year if the exemption letter has not yet arrived.

Students whose immunization records or serology results are lost or unavailable are required to receive all age appropriate vaccinations or submit number 4 above.

### **Temporary Admittance**

While students who are not fully age appropriately immunized or have not yet submitted an immunization waiver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1<sup>st</sup> of the

current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1<sup>st</sup> is later in the current school year than the thirty (30) days following the student's

admittance). No student shall be withdrawn and readmitted in order to extend the thirty (30) day period. Students may be allowed to continue attending beyond the thirty (30) day period if the student submits a copy of either number 2 or number 4 above.

Students who are in process shall be required to adhere to the submitted schedule. Failure of the student to submit written documentation from a public health nurse or private physician demonstrating the student received the vaccinations set forth in the schedule may lead to the revocation of the student's temporary admittance; such students shall be excluded from school until the documentation is provided.

The District will not accept copies of applications requesting an exemption for the current school year that are older than two (2) weeks based on the date on the application. Students who submit a copy of an application to receive an exemption from the immunization requirements for the current year to gain temporary admittance have thirty (30) days from the admission date to submit either a letter from ADH granting the exemption or documentation demonstrating the student is in process and a copy of the immunization schedule. Failure to submit the necessary documentation by the close of the thirty (30) days will result in the student being excluded until the documentation is submitted.

### **Exclusion From School**

In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak. Students may be excluded for no fewer than twenty-one (21) days or even longer depending on the

outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

Students who are excluded from school are not eligible to receive homebound instruction unless the excluded student had a pre-existing IEP or 504 Plan and the IEP/504 team determines homebound instruction to be in the best interest of the student. To the extent possible, the student's teacher(s) shall place in the principal's office a copy of the student's assignments:

- \* for the remainder of the week by the end of the initial school day of the student's exclusion; and
- \* by the end of each school's calendar week for the upcoming week until the student returns to school.<sup>2</sup>

It is the responsibility of the student or the student's parent/legal guardian to make sure that the student's assignments are collected.

Students excluded from school shall have five (5) school days from the day the student returns to school to submit any homework and to make up any examinations. State mandated assessments are not included in "examinations" and the District has no control over administering state mandated make-up assessments outside of the state's schedule. Students shall receive a grade of zero for any assignment or examination not completed or submitted on time.<sup>3</sup>

Annually by December 1, the District shall create, maintain, and post to the District's website a report that includes the following for each disease requiring an immunization under this policy:

The number of students in the District that were granted an exemption by the Department of Health from an immunization;

The percentage of students in the District that were granted an exemption by the Department of Health from an immunization;

- \* The number of students within the District who have failed to provide to the public school proof of the vaccinations required and have not obtained an exemption from ADH;
- \* The percentage of students within the District who have failed to provide to the public school proof of the vaccinations required and have not obtained an exemption from ADH; and

The percentage of a population that must receive an immunization for herd immunity to exist.

## **4.59—ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOL STUDENTS**

The District allows private school and home school students whose parents, legal guardians, or other responsible adult with whom the student resides are residents of the District to attend academic courses offered in grades 7-12<sup>1</sup>. The District will place a list of courses that a private school or home school student may request to attend on its website by:<sup>2</sup>

1. June 1 for courses to be offered during the Fall semester; and
  2. November 1 for courses to be offered during the Spring semester.
- A private school or home school student who desires to attend one or more of the available academic courses shall submit a written request to attend the academic course(s) to the superintendent, or designee, no later than:<sup>2</sup>
- a. August 1 for Fall semester courses; or
  - b. December 1 for Spring semester courses.

The District may reject a private school or home school student's request for attendance if the District's acceptance would:<sup>3</sup>

- \* Require the addition of staff or classrooms;
- \* Exceed the capacity of a program, class, grade level, or school building;
- \* Cause the District to provide educational services the District does not currently provide; or
- \* Cause the District to be out of compliance with applicable laws and regulations regarding desegregation.

Requests to attend an academic course will be granted in the order the requests are received. Upon the receipt of a private or home school student's request to attend academic course(s), the District will date and time stamp the request for attendance. If a private school or home school student is denied attendance based on a lack of capacity and an opening in the requested course occurs prior to the start of the course, the District will use the date and time stamp on the request for attendance to determine the private school or home school student who will be notified of an opening in the requested course.

As part of the request to attend academic courses in the District, a private school or home school student shall:

- \* Indicate the course(s) the private school or home school student is interested in attending;
- \* If the course(s) the private school or home school student is interested in attending is being offered by the District in both a physical and a digital format, whether the private school or home school student intends to attend the physical course or the digital course;

- \* Agree to follow the District's discipline policies; and
- \* Submit immunization documentation required by Policy 4.57—IMMUNIZATIONS. In addition to the documentation methods provided in Policy 4.57, a homeschool student may submit a letter to the superintendent, or designee, stating an objection to immunizations and listing the immunizations the student has received, if any.

A private school or home school student who fails to attend an academic course by the eleventh (11) day of class shall be dropped from the course.

The responsibility for transportation of any private school or home school student attending academic courses in the District shall be borne by the student or the student's parents.

## **4.60—STUDENT BEHAVIORAL INTERVENTION AND RESTRAINT**

### **Definitions**

**"Aversive behavioral intervention"** means a physical or sensory intervention program that is intended to modify behavior through the use of a substance or stimulus that the intervention implementer knows will cause physical trauma, emotional trauma, or both, to a student, even when the substance or stimulus appears to be pleasant or neutral to others. Examples of aversive behavioral interventions include, but are not limited to:

- \* Hitting;
- \* Pinching;
- \* Slapping;
- \* Using a water spray;
- \* Using noxious fumes;
- \* Requiring extreme physical exercise;
- \* Using loud auditory stimulus;
- \* Withholding meals; and
- \* Denying reasonable access to toileting facilities.

**"Behavioral intervention"** means the implementation of a service, support, or strategy to teach and increase appropriate behavior or substantially decrease or eliminate behavior that is dangerous, inappropriate, or otherwise impedes the learning of a student.

**"Behavior Intervention Plan"** (BIP) means a written plan that:

- \* Is developed by a problem-solving and intervention team and delineates emotional, social, or behavioral goals for a student and the steps that the school, student, parent of the student, and others will take to positively support the progress of the student towards the student's emotional, social, or behavioral goals;
- \* Is comprised of practical and specific strategies to increase or reduce a defined behavior or one (1) or more patterns of behavior exhibited by a student; and
- \* Includes the following at a minimum:
  - \* A definition or description of the desired target behavior or outcome in specific measurable terms;
  - \* A plan for preventing and eliminating inappropriate student behavior by changing a condition that is triggering, motivating, underlying, or supporting that behavior as determined through a FBA;
  - \* A plan for teaching a student to demonstrate appropriate social, emotional, or behavioral self-management, or a new method to address or meet the student's needs;
  - \* A description of how a specific incentive or consequence will be used as needed to decrease or eliminate inappropriate student behavior and increase appropriate behavior;

- \* A plan for managing a crisis situation;
- \* A system to collect, analyze, and evaluate data about the student;
- \* The school personnel, resources, and training needed before implementation of the BIP; and
- \* The timeline for implementing different facets of an intervention, including without limitation when the intervention will be formally reviewed.

"Chemical restraint" means the use of a drug or medication to control the behavior of a student or restrict the free movement of the student; however,

chemical restraint does not include the use of medication that is prescribed by a licensed physician, or other qualified health professional acting within the scope of the individual's professional authority under state law, for the standard treatment of a medical or psychiatric condition of a student and is administered as prescribed by the licensed physician or other qualified health professional acting within the scope of the individual's professional authority under state law.

**"Crisis"** means a situation in which a student engages in a behavior that threatens the health and safety of the student or others and includes without limitation a situation in which the student becomes aggressive or violent at school and is unable to regain self-control without posing a danger of injury to himself or herself or others.

**"Crisis intervention"** means the implementation of a service, support, or strategy to immediately stabilize a crisis and prevent the crisis from reoccurring after the crisis ends.

"Dangerous behavior" means the behavior of a student that presents an imminent danger of serious physical harm to the student or others; however, dangerous behavior does not include the following:

- \* Disrespect;
- \* Noncompliance;
- \* Insubordination; or
- \* Destruction of property that does not create an imminent danger.



**"De-escalation"** means the use of a behavior management technique that helps a student increase the student's control over the student's emotions and behavior and results in a reduction of a present or potential level of danger that in turn reduces the level of imminent danger of serious physical harm to the student or others.

"Emergency" means a serious and unexpected situation that requires immediate action and which may be dangerous

"Functional Behavior Assessment" (FBA) means a problem analysis step that:

- \* Occurs within the context of data-based problem-solving and involves:
- \* The review of existing records and other sources of information;
- \* Diagnostic or historical interviews;
- \* Structured academic or behavioral observations; and
- \* Authentic, criterion-referenced, or norm-referenced tests; and\* Is performed with the goal of determining why a specific problem or situation is occurring in order to directly link a strategic intervention to an assessment and solve or resolve the specific problem or situation.

**"Imminent danger"** means an existing dangerous situation that could reasonably be expected to immediately cause death or serious physical harm.

**"Mechanical restraint"** means the use of a device or equipment to restrict the free movement of a student; however, mechanical restraint does not include a device that is used by trained school personnel or a student for a specific and approved therapeutic purpose or safety purpose for which the device was designed or prescribed or a vehicle safety restraint that is appropriately used in the manner for which it was designed during the transport of a student in a moving vehicle.

**"Physical escort"** means a temporary touching or holding of the hand, wrist, arm, shoulder, or back of a student for the purpose of redirecting or inducing the student to move to a safe location.

**"Physical restraint"** means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arm, leg, or head freely; however, physical restraint does not include a physical escort.

**"Positive behavioral support"** means the application of behavior analysis that:

- \* Is used to achieve socially important behavior change;  
Occurs at the:
  - \* Prevention level for all students in a school;
  - \* Strategic intervention level for a student who is not responding, from a social-emotional and behavioral perspective, to the prevention level; and
  - \* Intensive service or crisis-management level for a student who needs multifaceted or comprehensive behavioral or mental health services; and
- \* Involves a planned and collaborative school-wide approach that is implemented with a goal:
  - \* Of establishing a positive and supportive school environment that:
    - § Teaches and reinforces prosocial behavior in a student;
    - § Holds a student positively accountable for meeting an established behavioral expectation; and
    - § Maintains a level of consistency throughout the implementation process; and
  - \* That is accomplished by using positive behavioral programs, strategies, or approaches.

**"Prone restraint"** means restraining a student in a face-down position on the floor or another surface and applying physical pressure to the body of the student to keep the student in the prone position.

**"Serious physical harm"** means bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

**"Supine restraint"** means the restraint of a student in a face-up position on the student's back on the floor or another surface and with physical pressure applied to the body of the student to keep the student in the supine position.

## **Positive Behavioral Supports**

The District shall implement positive behavioral supports to be used at the:

1. Prevention level for each student in a school;
2. Strategic intervention level for a student who is not responding, from a social, emotional, or behavioral perspective, to the prevention level; and
3. Intensive service or crisis-management level for a student who needs multifaceted or comprehensive behavioral or mental health services.

The District's positive behavioral support shall include:

- a. The teaching and reinforcing of interpersonal, social, problem solving, conflict resolution, and coping skills to a student;
- b. Holding a student positively accountable for meeting an established behavioral expectation;
- c. Maintaining a high level of consistency through the implementation of the positive behavioral support process; and
- d. The following interrelated activities:

Providing a school-wide approach to the discipline and safety of each student rather than an approach to only the behavior problem of a single student;

Focusing on preventing the development and occurrence of problem behavior; Regularly reviewing behavior data to adapt the District's procedures to meet the needs of every student; and

Providing a multitiered approach to academic and behavioral services and support to meet the academic and behavioral achievement needs of each student. The following principles shall form the basis of the District's positive behavioral support system and conflict resolution or de-escalation approach:

1. A student has the right to be treated with dignity;
2. A student should receive necessary academic, social, emotional, and behavioral support that is provided in a safe and least-restrictive environment possible;
3. Positive and appropriate academic, social, emotional, or behavioral intervention, as well as mental health support, should be provided routinely to each student who needs the intervention or support;
4. Behavioral intervention should emphasize prevention as part of the District's system of positive behavioral support; and
5. Each student who exhibits an ongoing behavior that interferes with the student's learning or the learning of others, and who is nonresponsive to effectively implemented classroom or administrative intervention, should receive additional intensive behavioral intervention that is based on a FBA and data-based problem solving.

### **Problem Solving and Intervention Team**

A problem-solving and intervention team shall be established for each student who exhibits social, emotional, or behavioral difficulty that may escalate, if not addressed, to potentially dangerous behavior. The problem-solving and intervention team shall include at least one (1) member who is an academic and behavioral assessment and intervention professional.

A student's problem-solving and intervention team shall:

- a. Work with the teachers of a student to complete a FBA of the student and an assessment of any problematic situations involving the student;
- b. Consider the need for a BIP with the goal of preventing or resolving the social, emotional, or behavioral difficulty of the student and developing a response that will de-escalate and stabilize a potential emergency situation that approaches the danger level; and
- C. Regularly review the data on incidents involving the use of physical restraint on the student and adjust, as necessary, the procedures concerning the use of physical restraint on the student.

Special education procedures shall be followed if a student is suspected of having a disability that relates to behavioral concerns.

### **Physical Restraint**

Except in the case of a clearly unavoidable emergency situation in which a trained member of school personnel is not immediately available due to the unforeseeable nature of the emergency situation, the physical restraint of a student shall only be used by a member of school personnel who is appropriately trained to administer physical restraint.

When using physical restraint on a student, school personnel shall:

- \* Use the least restrictive technique necessary to end imminent danger or serious physical harm to a student and others;
- \* Use the safest method available and appropriate to the situation;
- \* Consider the health and safety of a student, including without limitation whether the student has an existing medical condition that makes the use of physical restraint inadvisable;
- \* Not restrict the ability of a student to communicate unless the use of a less restrictive technique will not prevent imminent danger of serious physical harm to the student or others;
- \* Use only the amount of force that is reasonably necessary to protect a student or others from imminent danger of serious physical harm to the student or others;
- \* Not verbally abuse, ridicule, humiliate, taunt, or engage in any other similar action towards the student; and
- \* continuously and visually observe and monitor the student while the student is under physical restraint.

Physical restraint of a student shall only be used for a limited period of time and shall not be used:

- \* When imminent danger or serious physical harm to the student or others dissipates;
- \* If a medical condition occurs that puts the student at risk of harm;
- \* Unless the behavior of the student poses an imminent danger of serious physical harm to the student or others;
- \* After the threat of imminent danger of serious physical harm to the student or others dissipates; or
- \* In the following manner:
  - § To punish or discipline the student;
  - § To coerce the student;
  - § To force the student to comply;
  - § To retaliate against the student;
  - § To replace the use of an appropriate educational or behavioral support;
  - § As a routine safety measure;
  - § As a planned behavioral intervention in response to behavior of the student that does not pose an imminent danger of serious physical harm to the student or others;
  - § As a convenience for school personnel; or
  - § To prevent property damage unless the act of damaging property committed by the student poses an imminent danger or serious physical harm to the student and others.

Even in an emergency, supine restraint shall not be used on a student except by a staff person who has been certified by a crisis intervention training program and the certified staff person determines that supine restraint is required to provide safety for the student and others: At no time shall school personnel use the following on a student:

- \* Mechanical restraint;
- \* Chemical restraint;
- \* Aversive behavioral interventions that compromise health and safety;
- \* Physical restraint that is life-threatening or medically contraindicated; or
- \* Prone restraint or other restraint that restricts the breathing of a student.

Following the first incident of physical restraint used on a student, an FBA shall be conducted unless a previous FBA was conducted for the same behavior that was at issue when the physical restraint was used.

The use of physical restraint on a student as a planned behavioral intervention shall not be included in a student's IEP, 504 Plan, BIP, individual safety plan, or other individual planning document but may be considered as a crisis intervention if appropriate for the student. A student's IEP team or 504 Plan team shall consider whether an FBA should be performed; if a BIP should be developed for the student or if a student's existing BIP should be revised; and if additional behavioral goals and interventions should be included in the student's existing IEP or 504 Plan.

Parents may submit complaints regarding an incident involving the use of physical restraint on their student. A complaint shall be referred for review to the appropriate school personnel:

- § The student's problem-solving and intervention team;
- § The student's IEP team; or
- § The student's 504 Plan team.

A complaint by a parent shall be handled by the appropriate District staff in the same manner as a debrief following the use of physical restraint on a student.<sup>1</sup>



Use of a physical restraint technique that is abusive shall be reported to the Child Abuse Hotline and law enforcement.

### **Reports and Debriefing**

After the occurrence of an incident involving physical restraint of a student, the building principal, or the principal's designee, shall be notified of the incident as soon as possible but by no later than the end of the school day when the incident occurred.

The student's parent shall be notified of the incident of the use of physical restraint via verbal or electronic communication as soon as possible but by no later than the end of the school day when the incident occurred. In the event the student's parent is unable to be notified via verbal or electronic communication within twenty-four (24) hours after the incident occurred, then the parent shall be mailed written notification of the incident within forty-eight (48) hours after the incident occurred.

School personnel involved in the incident shall document the incident in a written report, which is to be completed within twenty-four (24) hours after the incident occurred. The written report of the incident shall:

1. Include all information contained in the Division of Elementary and Secondary Education (DESE) Physical Restraint or Seclusion Incident Record and Debriefing Report;
2. Be maintained in the student's education record; and
3. Be provided to the student's parent within one (1) school day of the completion of the report.

A debriefing meeting shall be held within two (2) school days after the incident occurred. The following school personnel shall be present at the debriefing meeting:<sup>2</sup>

- a. A member of school personnel who was present during the incident;
- b. A member of school personnel who was in the proximity of the student on whom physical restraint was used immediately before and during the time of the incident;
- c. A school administrator; and
- d. Any other member of school personnel determined to be appropriate by the District.

The purpose of the debriefing meeting shall be to:

- \* Determine whether the procedures used during the incident were necessary;
- \* Evaluate the use of any behavioral supports and de-escalation techniques by school personnel before and during the incident;
- \* Evaluate the school district's positive behavioral supports system and prevention techniques in order to minimize future use of physical restraint; and
- \* If a trained member of school personnel was not immediately available due to the unforeseeable nature of the emergency situation when the incident Occurred:

- \* Reevaluate the training needs of school personnel;
- \* Reevaluate the physical restraint policy and practices; and
- \* Develop a plan to prevent a future incident.

At a debriefing meeting, school personnel shall:

1. Consider relevant information in the student's education record, including without limitation:

- a. The concerns of the student's parent;
- b. The student's social and medical history;
- c. The student's FBA, if one exists; and
- d. The student's BIP, if one exists;
2. Consider relevant information from the teachers, parents, and other District professionals;
3. Discuss whether positive behavior supports were appropriately implemented;
4. Discuss the duration and frequency of the use of physical restraint on the student;
5. Discuss appropriate action that may be taken to prevent and reduce the need for physical restraint;
6. Consider whether additional intervention and support is necessary for the student;
7. Consider whether additional intervention and support is necessary for school personnel; and
8. Consider how and when to debrief a person who was not present at the debriefing meeting, including without limitation:
  - a. The student;
  - b. The student's parent; and
  - c. Other school personnel or students who witnessed the incident.

DESE's Physical Restraint or Seclusion Incident Record and Debriefing Report, or an alternative report that includes the same information, shall be completed during the debriefing meeting. A copy of the report shall be:

- \* Submitted to the building principal;<sup>3</sup>
- \* Mailed to the student's parent within two (2) days of the date on which the debriefing meeting was held; and
- \* Maintained as part of the student's education record along with other documents consulted during the debriefing meeting.

