

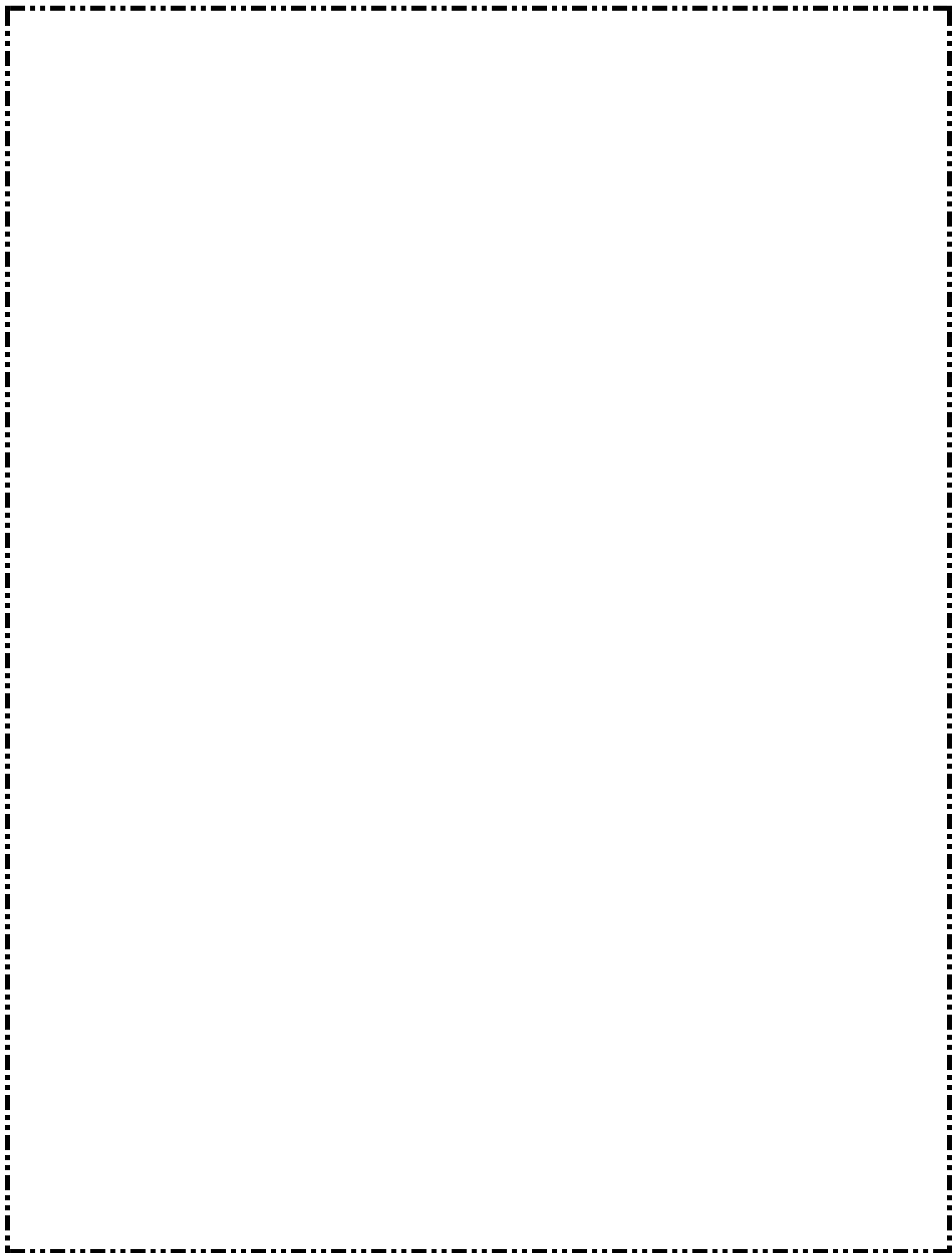
MARVELL-ELAINE SCHOOL DISTRICT



MARVELL-ELAINE HIGH SCHOOL STUDENT HANDBOOK 2021-2022

Ronald S. Laurent, Principal

Henry Anderson- Superintendent



WARNING:

NO KNIVES

NO WEAPONS

NO HANDGUNS

NO SMOKING

THIS CAMPUS BUILDING HAS VIDEO SURVEILLANCE CAMERAS THAT ARE IN USE.

KNIVES, WEAPONS AND HANDGUNS ARE NOT PERMITTED ON SCHOOL PROPERTY OR ON SCHOOL BUSES.

If you should unintentionally take a knife (or other weapon) to school, turn it in to school officials voluntarily and immediately without fear of penalty.



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MARVELL-ELAINE HIGH SCHOOL

ACKNOWLEDGEMENT/RECEIPT OF SMART CORE CURRICULUM POLICY

Student Name

Date

The statement below must be signed and returned. We have read and been provided a copy of the Marvell-Elaine High School Smart Core Curriculum Policy. In the event that we are not entirely certain of some aspect of the school policy, we will contact the principal for clarification.

Student's Signature

Parent/Guardian's Signature

Date

OBJECTION TO PUBLICATION OF PHOTOGRAPHS

SIGN ONLY IF YOU DO NOT WANT YOUR CHILD PHOTOGRAPHED.

If you object to the publication of your child's photograph for health, safety, or educational reasons, please file the form below with the principal's office.

I understand that this form must be filed with the office of the building principal within ten (10) school days from the beginning of the current school year or the date the student is enrolled for school in order for the District to be bound by this objection. Failure to file this form within that time is a specific grant of permission to publish such information.

I object and wish to deny publication of my child's photo by Marvell-Elaine School District.

Name of student (Printed)

Signature of parent (or student, if 18 or older)

Date form was filed (To be filled in by office personnel)

BOARD OF DIRECTORS

Mr. Clyde Williams, President

Mr. Larry Prowell, Vice President

Mrs. Pam Holder, Secretary

Mr. Mark English

Mr. Justin Cox Mr. Lucian Webster

Mr. Henry Anderson, Superintendent

Mr. Ronald S. Laurent, 6-12 Principal/School Improvement Specialist

**Marvell-Elaine School
District P O Box 1870/Hwy 49 West
Marvell, AR 72366
Telephone (870) 829.1351**

<http://marvellschools.org>



**"Never doubt that a small group of thoughtfully committed people can change the world. Indeed, it is one thing that has."
-Margaret Mead**

ALMA MATER

**WE LOVE THEE OUR ALMA MATER, GUIDANCE OF THE RIGHT
TRUE AND LOYAL SACRED HONOR LEAD US TO THE LIGHT
FORWARD EVER BE OUR WATCHWORD CONQUER AND PREVAIL
HAIL TO THEE OUR ALMA MATER MARVELL ELAINE ALL HAIL**

FOREWORD

The Marvell-Elaine School District works hard to provide a safe and orderly environment that supports all aspects of learning through communication and high expectation of appropriate behavior. The essential component of effective, positive discipline is that it preserves the time needed for meaningful instruction necessary for student achievement.

The 2020-2021 Parent/Student Handbook for Student Conduct and Discipline is designed for students, parents, principal, and teachers. Its main purpose is to set forth clearly the standards and limits for behavior established by state law and the Board of Education. It also describes the various administrative actions taken when standards of behavior are violated. The Handbook is reviewed and revised annually as needed by parents, students and District personnel.

We sincerely hope that all who use this Handbook do so realizing the importance of the student's responsibility for his own acceptable behavior and the protection of the student's personal rights to due process and fair treatment.

Mr. Henry Anderson
Superintendent

BOARD OF EDUCATION DISCLAIMER STATEMENT

Use of the masculine pronoun throughout the policies adopted by this Board is for the sole purpose of ease in sentence construction and should not be construed as Board intention to discriminate against females in either its written materials or its practices. The feminine pronoun will be used only in those policies where the masculine form would be totally inappropriate. (Adopted June 2005)

FOR YOUR INFORMATION

Arkansas State Laws referenced in this Handbook are available for review at the superintendent's office.

DISTRICT MISSION STATEMENT

It is the mission of Marvell-Elaine Public Schools to equitably educate all students, to inspire all students to believe that learning is a lifelong process, and to foster good citizenship by providing each student with opportunities to develop skills for: (1) obtaining and utilizing information; (2) coping with the dynamics of society; (3) thinking, reasoning and problem solving; and (4) developing creativity and positive human relationships in an environment conducive to learning.

MARVELL-ELAINE HIGH SCHOOL MISSION STATEMENT

The Mission of Marvell-Elaine High School is to prepare students for college and careers by providing a high quality education that serves as a bridge from their current reality to their desired future by providing a challenging yet, nurturing environment.

A MESSAGE TO STUDENTS AND THEIR PARENTS:

The Board of Education believes that students and their parents have a right to know the rules of conduct that the students are expected to follow. The purpose of this Handbook is to let students and their parents know what the district-wide rules are and the disciplinary measures that will be taken when rules are not obeyed. As you peruse, this handbook please be aware of rule changes and new rules.

Each student is responsible for his own conduct at all times. Parents are responsible for teaching their children rules of acceptable conduct and for assisting the schools in maintaining a safe and orderly environment.

Just as parents cannot provide a rule for every situation that may arise within the family, it's impossible to list in this Handbook a rule for every situation that may arise at school or on the bus. Students and parents may expect school personnel to develop rules to meet individual school, classroom and bus needs. Those rules must be consistent with federal and state laws and Board of Education policies and regulations. Schools have a responsibility to inform students and parents of the school and bus rules, and again, students have a responsibility to know and follow them.

Mr. Henry Anderson
Superintendent

PRINCIPAL'S MESSAGE

I am excited to be a part of the new team that is charting a path to excellence at Marvell-Elaine School District. I am thankful to return as the new building leader. My goal is to make Marvell-Elaine High School an "ACHIEVING SCHOOL" and our district the shining example of what can be done when students are supported and nurtured by teachers, teachers are supported and nurtured by administration, and administration is supported and nurtured by a community.

Our theme for this year is **#EXCELLENCE WITHOUT EXCUSES** with the theme song "LEAN ON ME." I am truly excited and the future is extremely promising for our district. **Mustang Proud!!**

Ronald S. Laurent
Ronald S. Laurent
Principal

WHO IS RESPONSIBLE FOR STUDENT CONDUCT?

Freedom is a constitutional right, but 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 ensure that all participants may enjoy the same freedom. To obtain the greatest possible benefit to the students, teachers, administrators, support staff, bus drivers, parents, Board of Education and the entire community, it is essential that all work together to ensure 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 Marvell-Elaine 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 in the orderly and efficient conduct of the schools by abiding by rules and regulations established by the Board of Education and the school of attendance, and implemented by teachers and school administrators. Each student is responsible for his own conduct at all times.

Parents or Guardians

Parents should carefully read the pages of this handbook and assume a leading role in advising their children of appropriate and inappropriate behavior at school. Parents should stress the importance of a good education and conduct necessary to achieve it. Without the support of the parents/guardians, this attempt to promote good citizenship and success in life may not succeed and the student will be the one to suffer the consequences of struggling through life without the benefit of an education.

Arkansas Law 6-17-106 states that it is unlawful for any person to use profane, violent, vulgar, abusive or insulting language toward any public school employee during the course of his duties. Said person shall be guilty of a misdemeanor and upon conviction be liable for a fine of not less than \$100 nor more than \$1,500.

No unauthorized person (non-student) shall purposely enter or remain unlawfully in a school or vehicle on the school premises.

VIDEO SURVEILLANCE

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 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 5 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; 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.

VOLUNTEER POLICY

Enlisting the support of volunteers is a way in which the District can expand the scope of resources and knowledge available to enrich the students' educational experiences, while strengthening the relationship between the school and the community. Volunteers can also perform non-instructional tasks that allow licensed personnel more time to devote to instruction.

The Superintendent shall be responsible for establishing and maintaining a program to coordinate the services volunteers are willing and

able to contribute with the needs of District personnel. The program shall establish guidelines to ensure volunteers are aware of pertinent District policies and rules. Volunteers who violate school policies/rules, or knowingly allow students to violate school rules, maybe asked to leave the school campus. The guidelines should also include provision for evaluation of the volunteer program and a method for soliciting suggestions from both the volunteers and staff for its improvement.

All volunteers who intend to act as head coaches or assistant coaches must:

1. Be at least twenty-two (22) years of age; and
2. Meet the requirements adopted by the Arkansas Activities Association (AAA) to volunteer for any athletics program for grades seven (7) through twelve (12).

A member of the board of directors of the District or the spouse of a member of the board of directors of the District may not be a registered volunteer for the District unless a majority of the disinterested members of the Board of Directors approves a resolution for the board member or board member's spouse to be a registered volunteer. The resolution approving the board member or board member's spouse to be a registered volunteer shall be effective for only one (1) school year.

A volunteer may act as a head coach in all varsity junior and senior high sports administered by the AAA except in the following sports:

- Football;
- Basketball; and
- Track and field.

Background Checks for Volunteers

For the purposes of this policy, "clear background check" means that:

- o A background check was performed on the potential school volunteer in accordance with A.C.A. §§ 12-12-1601 et seq.;
- o The potential school volunteer has not committed any of the crimes or offenses contained in A.C.A. §§ 6-17-410, 6-17-411 or 6-17-414 according to both the National and Arkansas background checks;
- o The potential school volunteer's name was not found on the Child Abuse Central Registry; and
- o The Arkansas Educator Licensure System does not indicate the potential volunteer to:
 - Have a currently suspended or revoked educator's license; or
 - Be the recipient of a current Level 3 or Level 4 public notification of ethics violation.

A person wishing to volunteer in a capacity that requires a background check may not perform volunteer services requiring a background check until a clear background check is received by the District. Once received, a clear background check is good for 5 years¹; a background check renewal must be applied for and a clear background check received prior to the time of renewal or an interruption of permitted volunteer service could occur. A clear background check will be accepted of any individual wishing to volunteer provided it was conducted within the timeframe provided for in this policy.

Option A: The Application for an initial background check may be made through the District administrative office. The District may charge the potential volunteer the same fee charged by the State of Arkansas for performing the check. For a volunteer who has passed his/her previous background check, the District will incur the fee charged by the State of Arkansas for performing a renewal background check.²

Option B: The Application for an initial background check may be made through the District administrative office. The District will incur the fee charged by the State of Arkansas for performing the initial check and any renewal checks.²

A person who failed a previous background check may petition the Board for a waiver from this policy's requirement. The petition shall be accompanied by a signed authorization for disclosure of his or her entire criminal and child abuse registry history. In deciding whether to grant a waiver, the board may take into consideration: the circumstance or circumstances surrounding the act or omission that lead to the conviction, Child Abuse Registry true finding, or the receipt of the Level 3 or Level 4 Public Notification of Ethics Violation; the age of the person at the time of the act or omission; the length of time that has passed without reoffending; and other relevant circumstances. If the Superintendent recommends a waiver be granted, the Board may adopt a resolution by majority vote providing an exception to this policy's requirement for a time period not to exceed five (5) years. The board must consider this matter in open session, and may not confer or deliberate in closed or executive session.

The board shall not have the authority to waive the application of this policy to any potential volunteer who is a Registered Sex Offender or whose educator license has been revoked or is currently suspended.

Clear background checks for school volunteers are required for those individuals who are required to be or who seek to become Registered Volunteers, as defined in A.C.A.

§ 6-22-102 et seq.³ In addition to volunteers wishing to participate in the registered volunteers program, clear background checks are

required for:⁴ Option 1: School volunteers who wish to accompany students on overnight school trips.³

Option 2: School volunteers who wish to volunteer to work one-on-one or in small groups of five (5) or fewer students, such as a tutor or

a mentor.³ Option 3: School volunteers who will volunteer for more than 5 hours in a school year.^{3,5}

Option 4: School volunteers who will volunteer for the regular classrooms, Save the Children, and Gear Up volunteer programs.^{3,6}

Option 5: Clear background checks for school volunteers are required prior to any volunteer service to the school district, school, teacher, or classroom, and all clear check volunteers will be issued special volunteer identification to wear prominently when performing their volunteer duties; no person may serve as a volunteer without wearing the provided identification.³

No information relating to the application for or receipt of a criminal background check, including that a background check has or has not been applied for, shall be subject to disclosure under the Arkansas Freedom of Information Act, as provided by A.C.A. §§ 12-12-1601 et seq. Requests for background checks and reports on background checks obtained under this policy shall be retained by the district for a minimum of three (3) years.

The District shall maintain the following information on volunteers:

- a. The total number, location, and duties of all volunteers;
- b. The total number of annual hours of service provided by volunteers; and
- c. Any reimbursements made to volunteers for expenses, transportation, or other costs incurred in connection with volunteer services.

Volunteers will be made aware that the Arkansas Department of Human Services (DHS) considers volunteers for school districts to be mandated reporters of child maltreatment and will receive training on the responsibilities of a mandated reporter.⁷

Notes: A model resolution to permit a board member or a board member's spouse to act as a registered volunteer may be found on our Policy Resources Page at <http://arsba.org/policy-resources>.

With the exception of volunteers in the registered volunteers program, background checks for public school volunteers are **not** required by law, but a mechanism exists to provide schools with the results of background checks if the school chooses by policy to require background checks for all or some categories of school volunteers. There are two options offered for payment of the background checks and several options offered concerning the trigger for requiring a background check. In each instance, choose the one that most closely aligns with the concerns of the Board and district administration. The potential adverse effects on volunteerism of requiring the background checks can be minimized by either (or both) adopting Option 2 for the payment of the background check, or only requiring background checks of those volunteers who will exercise direct, unsupervised access to students or who will be granted supervisory responsibility over students.

¹ There is no statutory provision for the length of time the check is good for. Arkansas teachers are required to get a new background check each time their license is renewed, which is five (5) years, and all classified employees are required to get a background check at least once every five (5) years. Districts are free to choose a shorter or longer period of time.

² Choose the option that your district prefers.

³ Select the option, or combination of options, that is the best fit for your school district. Balance your desire to take steps to protect students against the potentially negative effect requiring unnecessary background checks will have on parental involvement. In addition, consider the financial burden of the cost of the background check, which A.C.A. §§ 12-12-1609 sets at a maximum of twenty dollars (\$20) for a state background check and includes an additional charge for a Federal background check in an amount set by the FBI. If the parent pays, it could deter them from participating in their child's education as a school volunteer.

⁴ If Option 5 is selected, delete this paragraph.

⁵ Select a number of hours, such as thirty (30), which would work for your district.

⁶ Use this option to list specific volunteer programs/services that require individuals to pass a background check.

⁷ This paragraph was included because it was brought to our attention that, while volunteers are not specifically listed in A.C.A. § 12-18-402 as a mandated reporter, the policy handbook for the DHS considers volunteers to be included in the "school officials" section of mandated reporters. We are assuming that the same is true for volunteers concerning the requirements for mandated reporters under A.C.A. § 6-18-110.

SCHOOL VISITORS

Parents, grandparents, legal guardians, business, and community members are welcome and encouraged to visit District schools. To minimize the potential for disruption of the learning environment, visitors, for a purpose other than to attend an activity open to the general public, are required to first report to the school's main office. No one shall be exempt from this requirement. Visitors who are Level 3 or Level 4 sex offenders may only enter a school campus under the provisions listed in Megan's Law.

Parents and legal guardians are encouraged to participate in regularly scheduled visitation events such as school open houses and parent/teacher conferences. Additional conferences are best when scheduled in advance. Conferences shall be scheduled at a time and place to accommodate those participating in the conference. **Visits to individual classrooms during class time are permitted on a limited basis with the principal's prior approval and the teacher's knowledge.**

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

The District has the right to ask disruptive visitors to leave its school campuses. Principals are authorized to seek the assistance of law enforcement officers in removing any disruptive visitors who refuse to leave voluntarily.

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.

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.¹ 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 by court order, or person acting in loco parentis identified on student enrollment forms. 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.

Note: ¹ This sentence is based on language in A.C.A. § 9-13-104 (b) and is **NOT** required. School administration should ALWAYS decline any involvement in the fight between parents over whose day it is to pick up the student. The school's interest is that A PARENT or an individual authorized by a PARENT checks the child out or picks the child up, not that the "right" parent checks the child out on the "right" day.

TEACHERS RESPONSIBILITY

All teachers are responsible for the supervision of the behavior of all the 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. These techniques include conferences with students and parents, referral to counselors at the school or referral to other supportive service personnel of the district (nurse, parent coordinator, educational examiner, and psychologist). When the teacher is unable to assist the student to maintain proper control of his behavior, the student is to be referred to the appropriate administrator in the school.

SCHOOL ADMINISTRATORS RESPONSIBILITY

An administrator of each school will disseminate and explain to all students at the beginning of the school year, and will disseminate to each new student upon registration, the rules and regulations currently in effect for that school. In developing rules and regulations, the administrator is expected to involve representatives of the teaching staff, the student body and the patrons of the school. The administrator of each school is responsible for conducting continued in-service education for all personnel on a regular basis to interpret and implement established policies. Each principal, or the principal's designee, is authorized to assign students to detention, in-school suspension, Saturday School, and to suspend or recommend the expulsion of students; the principal is expected to inform the parents or guardians of any student whose behavior is in serious conflict with established laws, rules and procedures.

SUPERINTENDENT RESPONSIBILITY

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 RESPONSIBILITY

Board of Education of the Marvell-Elaine School District, acting through the Superintendent, holds all school employees responsible for the supervision of the behavior of 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.

EQUAL EDUCATIONAL OPPORTUNITY

No student in the Marvell-Elaine 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.

Inquiries on non-discrimination may be directed to Mr. Henry Anderson, who may be reached at (870) 829-2101.

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

NONDISCRIMINATION POLICY

It is the policy of the Marvell-Elaine School District to provide equal opportunities without regard to age, race, creed, color, sex, religion, national origin, handicap, or veterans in its educational programs and activities, educational services, financial aid and employment. Inquiries concerning application of this policy may be referred to:

**Coordinator for Equity
P O Box 1870
Marvell, AR 72366
Telephone Number: 870.829.3171**

In keeping with the requirement of federal law, state law and applicable court order, the District will strive to remove any vestige of discrimination in the employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student discipline, and, in location and use of facilities.

Any student, or parent, who feels aggrieved under the above policy, may secure information concerning filing grievance procedures from the principal of a District school or from the office of the Assistant Superintendent/Coordinator for Equity.

STUDENT PROCEDURE FOR FILING SEXUAL HARASSMENT COMPLAINTS

It is the policy of the district that none of its students will be subjected to sexual harassment by any school employee, including teachers and administrators, any volunteer, visitor, or other student.

Sexual harassment is any unwelcome sexual advance, request for sexual favors and other verbal or physical conduct of a sexual nature.

Any student who has a complaint of sexual harassment at school should bring the problem to the attention of a school employee/principal. If the complaint involves the principal, the complaint may be made to the Coordinator for Equity by calling 870.829.3171.

The complaint will be investigated and the complainant will be advised of what action, if any, has been taken to resolve the complaint.

If the student is not satisfied with the principal's resolution of the complaint, he may appeal to the Assistant Superintendent for Equity. The appeal must be made in writing within ten (10) working days from the decision of the principal.

If the student is not satisfied with the Coordinator for Equity resolution of the complaint or if the complaint was originally made to the Coordinator for Equity, he may appeal to the Superintendent. The appeal must be made in writing within ten (10) working days from the decision of the Coordinator for Equity.

INFORMATION ON RIGHTS AND RESPONSIBILITIES

The Marvell-Elaine School District recognizes that all students have certain rights and responsibilities, and that these rights and responsibilities should be exercised within the framework of upholding the individual dignity of both students and other members of the educational community.

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 District¹ 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.² 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.³

Children whose parent or legal guardian relocates within the state due to 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.

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.⁴

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.

Notes: ¹Residency requirements of homeless students are governed by policy 4.40 –HOMELESS STUDENTS. Residency requirements governing foster children are governed by policy 4.52-STUDENTS WHO ARE FOSTER CHILDREN.

²The Interstate Compact on Educational Opportunity for Military Children is the source for this sentence. It is codified at A.C.A. § 6-4-302 and 6-18-107.

³This is a provision of A.C.A. § 9-28-113 (a) and (b).

⁴Rather than duplicate the law on the attendance of children of employees who reside outside of the district into the policy which would make for a long policy affecting a relatively small number of students, we suggest you consult A.C.A. § 6-18-203 and have a copy handy for affected employees or potential employees.

ENTRANCE REQUIREMENTS

To enroll in a school in the District, the child must be a resident of the District as defined in District policy (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.¹

Prior to the child's admission to a District school:²

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.³
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" 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 and 1210.

"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.

"Active Duty"⁴ members of the uniformed services" includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;

"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; and
- 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.

"Uniformed services"⁴ means the United States Army, United States Navy, United States Air 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.⁵

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.

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:

- o 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
- o Request the eligible child's official education records from the sending district.

Notes: ¹ The US Supreme Court has held that public schools may not use immigration status as a criterion for admitting and educating students.

² A.C.A. § 9-28-113 requires schools to "immediately" enroll foster children whether or not they produce "required clothing or required records" noted in #2 and #4. ASBA does not believe this means schools are required to admit students currently under expulsion from their previous school. See policies 4.4 and 4.5.

³ 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.

⁴ A.C.A. § 6-4-302 and 6-18-107 define both "uniformed services" and "active duty." Consult the ~~statute~~ statutes to determine if the student wishing to enroll in your district qualifies under the act's definitions.

⁵ While A.C.A. 6-4-309 only makes this a requirement for districts with at least twenty (20) children of military families enrolled or an average daily membership of three thousand (3,000) students, the language is recommended for all districts.

HOMELESS STUDENTS

The Marvell-Elaine 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:
 - o 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.

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.
1. 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
 1. 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.

For the purposes of this policy, students shall be considered homeless if they lack a fixed, regular, and adequate nighttime residence and:

- A. 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; or
- B. 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;
- C. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- D. 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 4.13.³

Notes: LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA or the immediate family of such a child or youth is eligible for homeless assistance programs administered under Title IV of the McKinney- Vento Homeless Education Assistance Improvements Act without further determinations from other governmental entities.

¹42 U.S.C. §11432(g) (1) (1) requires that SEAs and LEAs demonstrate they have developed policies to remove barriers to the identification, enrollment and retention due to outstanding fees or fines or absences. The policy language is designed to provide as much flexibility as possible to allow a homeless student to succeed while still holding the homeless student responsible for circumstances that are unrelated to the student's living situation. ²The District's liability for transportation is more fully covered by 42 U.S.C. § 11432(g) (1) (J) (iii) (I) and (II), which read as follows:

(I) If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located. (II) If the child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, through continuing the child's or youth's education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally. ³The prohibition on the release of a student's homeless status is from 42 U.S.C. §11432(g) (3) (G).

SCHOOL ADMISSIONS

Prior to a child's admission to a Marvell-Elaine School District school, a parent, guardian or other responsible person must furnish the child's social security number, or in the alternative, request that the child be assigned a number designated by the Department of Education. Prior to admission to a MESD school, a birth certificate or one of the following documents indicating the child's age and date of birth must be provided to the school: statement by the local registrar or a county recorder certifying the child's date of birth, an attested baptism certificate, passport, affidavit of the date and place of birth by the child's parent or guardian, or previous school records. (Ark. Law 6-18-208)

In cases where a parent/guardian cannot verify their residence with regular documentation, the person with whom they reside must provide verification and must sign a notarized statement verifying the family is living in his/her household. This "Head of Household" verification must be processed at the school.

Any person who knowingly gives a false residential address for purposes of public-school enrollment is guilty OF A MISDEMEANOR and subject to a fine not to exceed five hundred dollars (\$500).

The parent/guardian or other responsible person shall indicate on school registration form whether the student has been expelled from a school in any other school district or is a party to an expulsion proceeding.

A student who has been expelled from another school district may not be allowed to enroll in MESD until the expiration date of that expulsion. Students are not officially enrolled until records are received from the sending school.

During the school year, students will be enrolled tentatively until proper documentation is received from previous school.

All enrolling kindergarten students shall be evaluated with Early, Periodic, Screening Diagnosis and Treatment (EPSDT) or its equivalent. Students entering first grade for the first time who have not attended Kindergarten must also be evaluated with the EPSDT or equivalent upon initial enrollment in school.

The EPSDT or its equivalent shall occur either within two years prior to or within 90 days after the student's initial enrollment in kindergarten or first grade.

Any student may be excused from the examination on presentation of a certificate from a reputable physician stating that he has recently examined the student or upon receipt of a written statement from the parent/guardian stating that he objects to the EPSDT examination. This provision shall not be applicable in cases where a student is suspected of having a contagious or infectious disease.

ATTENDANCE

Every parent, guardian or other person residing within the state of Arkansas having custody or charge of any child or children age five (5) through seventeen (17) years on **August 1** of that year, both inclusive, shall enroll and send the child or children to public, private, parochial school, or provide a home-school for the child or children under such penalty for noncompliance shall be set by law with the

following exceptions:

1. Any parent, guardian or other person residing within the State and having custody or charge of any child or children may elect for the child or children not to attend kindergarten if the child or children will not be age six (6) on or before **August 1** of that particular school year. If such an election is made, the parent, guardian or other person having custody or charge of the child must file a signed kindergarten waiver form with the district Equity Coordinator. Such form shall be prescribed by regulation of the Department of Education. On filing the kindergarten waiver from, the child or children shall not be required to attend kindergarten in that school year.
2. Any child who will be six (6) years of age on or before **August 1** of the school year of enrollment and who has not completed a state-accredited kindergarten program shall be evaluated by the district and placed either in the first grade or kindergarten depending upon the results of the evaluation.
3. Students may enter kindergarten in the public schools of this State if they will attain the age of five (5) years 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 approved kindergarten program in another state for at least sixty(60) days, who will become five (5) years old during the year in which he is enrolled in kindergarten and who meets the basic residency requirements for school attendance maybe enrolled in kindergarten upon written request.
4. The child shall be age appropriately immunized from poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, rubella, and other diseases as designated by the State Board of Health, or have an exemption issued by the Arkansas State Department of Health. Proof of immunization shall be by a certificate of a licensed physician or a public health department acknowledging the immunization.
5. Any child who has received a high school diploma, or its equivalent, as determined by the State Board of Education is not subject to this attendance requirement.
6. A waiver of the attendance requirement to any student age 16 or 17 years to enroll in an adult education program is contingent upon Board approval.

The Board has a right to determine student assignment to a school and to establish regulations governing attendance, scheduling, grading, make-up work and behavior expected for continued attendance. Students and parents or guardians have the right to be informed of the existing regulations.

Students have the responsibility to maintain prompt, regular attendance in the school to which they are assigned. Excessive unexcused absences may result in denial of promotion or graduation. Parents or guardians have the responsibility to require prompt, regular attendance at the school assigned for their place of residence and to familiarize themselves with the education program of the school and rules regarding attendance and student behavior.

The Board expects each student to attend all scheduled classes and activities when he/she is at school, except when excused by the principal or his designee. A student, who reports to his assigned school but fails to attend all scheduled classes and activities, except when officially excused, is considered by the Board to be contributing to the potential disruption of the instructional program.

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 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 digital courses shall be determined by the online attendance and time the student is working on the course rather than the student's physical presence at school. Students who are scheduled to have a dedicated period for a digital class shall not be considered absent if the student logs the correct amount of time and completes any required assignments; however, a student who fails to be physically present for an assigned period may be disciplined in accordance with the District's truancy policy.

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 to the principal or designee upon his/her return to school from the parent or legal guardian stating such reason. A written statement presented once the student has return to school after an absence.

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.
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;
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.

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.

Unexcused Absences

Absences not defined above or not having an accompanying note from the parent; legal guardian; person having lawful control of the student; or person standing in loco parentis, presented in the timeline required by this policy, shall be considered as unexcused absences. Students with more than twelve (12)⁵ 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 three (3) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified⁶. 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. **A Family in Need of Services (FINS) Petition may also be filed as an intervention.** When a student has six (6) unexcused absences, his/her parent, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified of a date and time to come in for a conference with student, teacher and administrator. When a student has ten (10) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. The notification should be a written statement sign by administrator and superintendent that the student will receive no credit for that class.

Whenever a student exceeds (12)⁵ 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 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.⁷

Students who attend in-school suspension shall not be counted absent for those days.⁸ Days missed due to out-of-school suspension or expulsion shall be unexcused absences.⁸

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.

Notes: If your district's penalties for absences include an impact on the student's grades, it is important to note that A.C.A. § 9-28-113(f) prohibits the lowering of grades of foster children for absences due to 1) a change in the student's school enrollment; 2) the student's attendance at a court ordered dependency-neglect court proceeding; or 3) the student's attendance at a court-ordered counseling or treatment.

¹ Limiting the number of excused absences for illness is an option which you can choose to include or not include. The number of absences can be changed as you feel appropriate.

² Your board may want to define the meaning of “immediate family.” One source for a definition is A.C.A. § 6-17-1202.

³ The law is silent on how to treat absences for students excluded from school in this manner. While you may elect to have such absences treated as unexcused absences, we do not recommend doing so due to the truancy requirements and the potential for a student to not be able to make up homework based on the language in Policy 4.8—MAKE-UP WORK.

⁴ Statutorily, the day the student serves as a page cannot be counted as an absence, but the school may grant additional days (such as for travel time) in conjunction with the day as a page that would also not be counted as absences. The choice is up to the district.

⁵ A.C.A. § 6-18-222(a) (1) (A) (i) requires school boards to adopt an attendance policy that includes a “certain number” of excessive unexcused absences. The code leaves the specific number up to the individual board’s discretion. The number your board chooses determines the number of absences that triggers the notices being sent to the student’s parents.

⁶ If your district has a Community Truancy Board as defined in A.C.A. § 6-18-225 & 226, notification will also need to be sent to the chairman of the truancy board. The truancy board will then need to proceed as defined by A.C.A. § 6-18-222(a) (4) (A).

⁷ Students are specifically permitted to initiate the agreement on their own; their parents may be unavailable or unwilling to meet with the administration.

⁸ The statutes are silent on whether in-school-suspensions shall count as absences. You can choose to amend this sentence and make either or both forms of suspension count as unexcused absences. In making your decision, we suggest you consider the number of days of allowable unexcused absences you have chosen for this policy, the lower the number, the greater the consequences for including an in-school- suspension as an unexcused absence. A.C.A. § 6-18-507(g) requires districts to note on each student’s attendance record if the student’s absence was due to an out-of-school suspension.

SKIP DAYS

Skip Days are a product of student folklore and are not recognized or sanctioned by District Policy. **Absences will be coded as “Truancy.”**

SENIOR COLLEGE DAY

This is not a sanctioned “Skip Day” for seniors. The following is a guideline for documentation of Senior College Day.

- A. Must be used to visit a college campus.
- B. One trip during the school year and cannot be taken during any test week or the month of May.
- C. ASVAB test is given on campus and may not be used as a college trip.
- D. Armed Services physicals or college physicals may be used in lieu of a college trip.

A senior wishing to take a college trip that meets the above requirements must also complete the following requirements at least two (2) days in advance of the proposed college trip.

- A. Bring a note signed by parent/guardian stating:
 - a. College to be visited
 - b. Date or dates of visit
- B. Have the college day form signed by the dean, counselor, attendance clerk and all teachers.
- C. Form filed in the Principal’s Office

COMPULSORY ATTENDANCE POLICY

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 and send the child to 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-HOME SCHOOLING) have been met.
- 3. The child will not be age five (5) 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).

STUDENT TRANSFERS

The Marvell-Elaine School 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.

The District may reject a nonresident'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. 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 home school will be placed in accordance with policy 4.6-HOME SCHOOLING.

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.³

Except as otherwise required or permitted by law,⁴ 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: ¹You 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.

²Your 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 disability because it would require you to add an additional special education teacher. You may refuse to accept the transfer of a student with disability whose acceptance would necessitate the hiring of an aide, interpreter or other additional staff member.

³ 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.

⁴A.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.

SCHOOL CHOICE

The superintendent will consider all applications for School Choice postmarked no later than the July 1 proceeding the fall semester the applicant would begin school in the District. The superintendent shall notify the parent or guardian and the student's resident district, in writing, of the decision to accept or reject the application within 30 days of its receipt of the application. The District shall advertise in appropriate print and broadcast media 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 and the requirements and procedure for participation in the program. Such pronouncements shall be made in the spring, but in no case later than June first. When considering applications, priority will be

given to applications from siblings or stepsiblings residing in the same residence or household of students already attending the District through school choice.

The District may reject a nonresident'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. The District shall reject applications that would cause it to be out of compliance with applicable laws and regulations regarding desegregation. Letters of rejection shall state the reason(s) for the rejection.

The Board of Directors reserves the right, after a hearing before the board, not to allow any person who is currently under expulsion from another district to enroll in a District school.

Students admitted under this policy shall be entitled to continued enrollment until they graduate or are no longer eligible for enrollment in the District's schools. Any student admitted to this district under the provisions of this policy who chooses to return to his/her resident district during the school year voids the transfer and must reapply for a school choice admission if desiring to return to this district in the future.

Standard School Choice

Exemption

The District is under an enforceable desegregation court order/court-approved desegregation plan¹ 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).² As a result of the desegregation order/desegregation plan¹, 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.³ 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.⁴

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 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.⁵

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 and 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 1.⁶

Application Process

The student's parent shall submit a school choice application on a form approved by ADE to this District along with a copy to 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 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 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.

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.⁷

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.⁸

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. A student whose application was rejected may request a hearing before the State Board of Education to reconsider the application which must be done, 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.⁹ 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 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 District¹⁰

For the purposes of this section of the policy, a "lack of capacity"¹¹ 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 capacity¹¹ 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 District¹⁰ 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
- By May 1 of the year before the student intends to transfer, 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 to the:
 - DESE;
 - Sending school district; and
 - Receiving school district.

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.

Within thirty (30) days from receipt of an application from a student seeking admission under this section of the policy, 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. 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.¹² 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 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.¹³

Transfers out of, or within, the District¹⁰

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 the 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 a school district that has not been classified by the State Board as in need of Level 5 Intensive Support or in a public school that does not have a rating of “F”.

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.¹⁴

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.

Notes: ¹ Select the version of the desegregation order that applies to your district.

² A.C.A. § 6-13-113 requires a district under a desegregation court order or court-approved desegregation plan to submit to DESE by January 1, 2016:

- A copy of the desegregation order or desegregation-related order;
- The case heading and case number of each court case in which the order was entered;
- The name and location of each court that maintains jurisdiction over the order; and
- A description of the school choice student transfer desegregation obligations, if any, that the school district is subject to, related to the order.

Should the district be released by the court, the district is responsible to promptly notify DESE. DESE will post all districts who have submitted the proper paperwork on its website.

In addition, A.C.A. § 6-18-1906 requires districts claiming an exemption based on a desegregation order/desegregation plan to submit documentation by January 1 of each year that contains the following:

- Documentation that the desegregation order or court-approved desegregation plan is still active and enforceable; and
- Documentation showing the specific language the school district believes limits its participation in Standard School Choice.

DESE will notify the district within thirty (30) calendar days of receipt of the submitted documentation whether or not it is required to participate in standard school choice. If DESE does not provide a written exemption to the district, then the district is required to participate in Standard School Choice. The district may submit a written petition to the State Board to review DESE’s decision.

³ If your district doesn't meet the provisions of this paragraph, delete it and, for your master copy of the policy, renumber the remaining footnotes accordingly.

While the policy language requiring the district to notify its contiguous districts that it is exempt from the school choice provisions is not statutorily required, it is advocated by Commissioner's Memo Com-13-061 and we believe it is necessary if potential receiving districts are going to be able to intelligently inform parents who have applied to their school.

⁴ If the desegregation court order/court-approved desegregation plan your district is under would prohibit standard school choice but would not prohibit Opportunity School Choice, remove the references to Opportunity Choice in this paragraph and add the following sentence:

While the District’s desegregation court order/court-approved-desegregation-plan exempts the District from the provisions of Standard School Choice, the District’s desegregation court order/court-approved-desegregation-plan does not exempt it from the transfer provisions of the Arkansas Opportunity Public School Choice Act (Opportunity School Choice).

We advise districts to consult with their attorney about the district’s desegregation court order/court-approved-desegregation-plan applicability to the exemption provisions in A.C.A. § 6-18-1906 and A.C.A. § 6-18-227 and whether you will need to include both, either, or neither policy provisions on standard School Choice or Opportunity School Choice in your final version of this policy.

⁵ For the Resolution, see Form 4.5F. There is no real flexibility in setting capacity as you can no longer take growth into account when setting slots for Standard School Choice. Districts may only deny a transfer if the transfer would place the district above the ninety percent (90%) maximum under law or the student’s resident district has reached its three percent (3%) cap. Your application of a lack of capacity must be consistent; you can't choose to add a teacher due to accepting a student, but refuse to add a staff member because the applicant requires special education.

Once the resolution has been made, the Board's role in determining acceptance is finished and no further board action is required to accept school choice students.

⁶ The statute does not stipulate a date and you can choose your own, but it should give parents a reasonable opportunity to submit their application. While the statute gives districts a choice between advertising in print or on the Internet, it also doesn't prohibit advertising in both. To help inform parents before they try to apply so they will know in advance if it's actually a possibility that their child could be accepted, we suggest either including your capacity resolution in the public announcements or state where the resolution can be picked up.

⁷ Consider the following about the timing of your acceptance of an application and why it's important to provisionally accept each application until the notification letter is returned to you:

The later you accept an application, the more confident you can be about accepting or denying based on capacity. (For example, have as many students as usual moved into your district and were they in the expected grade level patterns?) However, an earlier, **provisional**, acceptance, such as June 1, gives you more time to determine through the use of your acceptance notification letter whether the student's reality matches the information supplied on the application. For example, would the applicant have been held back in 3rd grade in the resident school and the parent is trying to keep that from happening by transferring. While you may have an opening in 4th grade (the grade the parent would have applied for), you may not have an opening in 3rd grade and so would need to deny the application once the paperwork was submitted.

Another example would be an application for a kindergarten choice transfer. When reviewing the completed paperwork, you discover the child is medically fragile and will require additional staff to meet the student's needs. Provisional acceptance gives you the time and opportunity to reconsider your acceptance and still meet the July 1 deadline.

⁸ You are required to hold a hearing before the board of directors about the student's expulsion. (See A.C.A. § 6-18-510.) It is possible that the expulsion was for a disciplinary infraction that does not result in expulsion in your district. If this is the case, you have the choice of whether or not to admit the student under school choice due to the resident district's expulsion of the student but you may **NOT** deny a student unless you hold a hearing.

⁹ The "shalls" used in this paragraph are not statutorily required (The Public School Choice Act of 2015 simply doesn't address the issue), but without notification to the non-resident district, there is no way for the non-resident district to know when the cap has been reached.

¹⁰ Only include "or within" if your district has more than one school with the same grade(s).

¹¹ The capacity standards under "Opportunity Choice" are slightly more strict than under "Standard Choice" standards and are limited to what is stated in the policy. Additionally, by Rule, you are required to base your decision on ninety-five (95%) of capacity at the time of the application with no provision for consideration of your district's normal growth. Just as with Standard School Choice, your application of a lack of capacity must be consistent; you can't choose to add a teacher due to accepting a student, but refuse to add a staff member because the applicant requires special education.

¹² The student or his/her parents may appeal to the State Board a decision to deny admission.

¹³ Sending districts are required to spend up to four hundred dollars (\$400) per year to transport the student. The statute and the Rules are unclear. They both state that receiving districts **may** transport opportunity choice students, but sending districts **shall** pay up to four hundred dollars (\$400) per year to transport the student. The policy's language makes no attempt to settle the discrepancy. The financial responsibility of the transferring district goes away when the school is no longer has a rating of "F" or the student's resident district is no longer classified by the state board as in need of Level 5 — intensive support. At that time the statute states that the receiving district may choose to pay for the transportation.

¹⁴ Opportunity Choice does not give you the option contained in Standard Choice of advertising on the Internet in place of print media.

HOME SCHOOL

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 home school. The notice shall be given:

1. At the beginning of each school year, but no later than August 15;
2. Fourteen (14) calendar 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 home school shall be delivered to the Superintendent through any of the following methods:

1. Electronically, including without limitation by email;
2. By mail; or
3. In person.

The notice shall include:

1. The name, sex, date of birth, grade level, and the name and address of the school last attended, if any;
2. The mailing address and telephone number of the homeschool;
3. The name of the parent or legal guardian providing the homeschool;
4. Indicate if the home-schooled student intends to participate in extracurricular activities during the school year;
5. A statement of whether the home-schooled student plans to seek a high school equivalency diploma during the current school year;
6. A statement if the home-school student plans to seek a driver's license during the current school year;
7. 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 parents or legal guardians choose to homeschool; and
8. 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 which might indicate the need for special education services.

Enrollment or Re-enrollment in Public School

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

1. A transcript listing all courses taken and semester grades from the home school;
2. Score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and
3. 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 students' 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 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 student's parent or legal guardian;
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 home school:

1. Award of course credits earned in the home school;
2. Placement in the proper grade level and promotion to the next grade level;
3. Participation in any academic or extracurricular activity;
4. Membership in school-sponsored clubs, associations or organizations;
5. 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
6. Scholarships

ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOLED STUDENTS

The District allows private school and home schooled students whose parents, legal guardians, or other responsible adult with whom the student resides are residents of the District to attend academic courses offered By the District. The District will place a list of courses that a private school or home schooled student may request to attend on its website by: ¹

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. 3.
A private school or home schooled 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:²¹

- a. August 1 for Fall semester courses; or
- b. December 1 for Spring semester courses.

The superintendent, or designee, is authorized to waive the application deadline on a case by case basis.

The District permits a private school or home schooled student to attend a maximum of six (6) courses per semester.

The District may reject a private school or home schooled student's request for attendance if the District's acceptance would:³²

- Require the addition of staff or classrooms;
- Exceed the capacity of a program, class, grade level, or school building;
- Cost the District more for the student to attend the academic course than the District receives for the student's attendance;
- Cause the District to provide educational services the District does not currently provide at a financial burden to the District; 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 schooled 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 schooled 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 schooled 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 schooled student shall:

- Indicate the course(s) the private school or home schooled student is interested in attending;
- If the course(s) the private school or home schooled 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 schooled student intends to attend the physical course or the digital course;
- Submit, along with the student's application, a copy of the student's transcript indicating that the student has received credit for the course(s), or equivalent course(s), that are a prerequisite to the course(s) the student desires to attend at the District;
- Agree to follow the District's discipline policies; and
- Submit immunization documentation required by Policy 4.57—IMMUNIZATIONS.

A private school or home schooled student who fails to attend an academic course by the eleventh (11) day of class or who is absent without excuse for eleven (11) consecutive days during the semester shall be dropped from the course; however, a private school or home schooled student shall not be considered truant for unexcused absences from the course(s) the student is attending at the District.

Private school or home schooled students shall receive a final grade and transcript for each academic course the student completes.

The responsibility for transportation of any private school or home schooled student attending academic courses in the District shall be borne by the student or the student's parents.

The opportunity provided to home schooled students under this policy is in addition to the opportunity provided in Policy 4.56.2—
EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS.

Notes: This is **NOT** an optional policy. Districts who do not wish to open academic course attendance to private school or home schooled students are required to receive a waiver from the provisions of A.C.A. § 6-18-232 from the Division of Elementary and Secondary Education.

¹ The dates provided here are only suggestions and are not set by statute. You may advertise your course offerings for a shorter or longer period of time; or set the deadline for applications to match the traditional student enrollment deadlines.

²Your 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 attendance of a student with a disability whose acceptance would necessitate the hiring of an aide, interpreter, or other additional staff member.

HOMEWORK

Homework is considered to be part of the educational program of the District. Assignments shall be an extension of the teaching/learning experience that promotes the student's educational development. As an extension of the classroom, homework must be planned and organized and should be viewed by the students as purposeful.

Teachers should be aware of the potential problem students may have completing assignments from multiple teachers and vary the amount of homework they give from day to day.

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 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.
10. If pregnant, student and parents are responsible for notifying the building secretary. Doctors' statement should be provided for applicable dates of leave and return. All make-up work will be provided to building secretary and should be returned in the same manner.

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 ABSENCES. Students shall be allowed makeup for the first short-term out of school suspension.

INSURANCE

Insurance coverage is available to students participating in school sponsored activities. Primary Insurance claim must be filed first, prior to any claim being paid by this policy.

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 suspicion to believe such student or property contains illegal items or other items in violation of Board policy or dangerous to the school community.¹ 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.

Search and seizure by law enforcement officials will occur only when a probable cause exists. School administrators have the responsibility to make students aware of search and seizure procedures involving school property or person.

Metal detectors will be used for both general and random scanning in all schools. General scans will be defined as the use of metal detectors to search all students who are present at school on the day of the search. Random or partial scans will involve a search done with an identifiable group of students. For example: a bus load of students, a class of students or all students who eat lunch during a given lunch period.

All individuals may be subject to general or random scanning when entering buildings, gymnasiums and stadiums for events and activities scheduled outside the school day. If weapons or illegal substances are found during the process of scanning, District policy, local, state and federal laws will be followed.

Note: ¹ Staff are strongly cautioned and advised that to search a student requires **individualized** suspicion, which requires the staff member(s) involved to have:

1. A good reason to believe that a specific student likely possesses an illegal or forbidden item in violation of Board policy; and
 2. The belief that the student possesses the item exists both prior to and at the time of the search.
- Searches lacking such good faith belief about a particular student are not permitted; this includes routine suspicionless personal searches of all students and random suspicionless personal searches of students or groups of students. (This is distinct and different from random, suspicionless drug testing of students who participate in extracurricular or athletic events, which the United States Supreme Court permits.) 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.

Procedures for scanning are as follows:

1. The principal will have a prepared plan for both general and random scanning. These plans will be on file in the Superintendent’s office. Said plan will include details related to:
 - a. Procedures for search of the grounds and buses
 - b. Procedures for securing the building so that when general student population scanning takes place, students may not enter or leave except through designated exits/entrances;
 - c. Provisions for locker searches
2. The principal will conduct random scans and be cognizant of not developing a pattern.
3. A written report will be submitted to the Superintendent.

Any teacher/school employee who observes scanning will initial form when scanning is complete.

4. The conduct of scan searches will follow these procedures:
 - a. The metal detector will be passed over the student on each side, front and back.
 - b. If any metal is registered, the student may be:
 - Instructed to empty his pockets
 - Instructed to pull up his pant leg so that socks and shoes maybe checked;
 - Asked to take off jackets;
 - Asked to submit purses/book bags for search;
 - Asked to turn a belt buckle over to expose the backside in order to ensure that no weapon is concealed;

Once the object that caused the alarm is located, and the alarm does not sound when passed over the student, the search will stop.

5. If after completing these procedures, there is still a reasonable belief that the student is concealing a weapon based on the sounds produced by the metal detector, the student maybe asked to accompany an administrator to the office. In the privacy of an office and with a teacher of the same sex as the student present as a witness, the student will be asked to produce any weapon or metal items on his person. If a pat-down search of a student is conducted, it will be performed by a school official or a certified employee of the as the student who has volunteered to conduct the search. The search will be conducted in private and in the presence of an adult witness of the as the student.

If the above measures do not yield the object that is causing the detector to indicate the presence of an object, then the student's parent/guardian and police authority will be contacted and the student will be detained until the parent/guardian/police authority come to school.

6. The media will not be present during scanning activities, nor will pictures be taken of students who are being scanned.

LOCKS, LOCKERS, DESKS AND OTHER STUDENT STORAGE FACILITIES

Locks, lockers, desks and other student storage facilities are school-owned property. Students may not use a lock on lockers other than the one issued by the school.

Desks and lockers are school property and remain at all times under the control of the school. School authorities may conduct periodic general inspections at any time for any reason related to school administration.

Inspection of individual lockers or desks may occur when there is a reasonable cause to do so.

PATRIOTIC AND RELIGIOUS EXERCISE

Students have the responsibility to participate in or abstain from such exercises as the flag salute, oaths or pledges, anthems and religious observances.

Students have the responsibility to respect the choice of those who choose to participate or abstain from such exercises. Parents and students have the responsibility to express to principals, for appropriate action, their religious or ethical objections to participating in selected features or class activities.

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 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.²

For purposes of this policy, the Marvell-Elaine 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.³

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.⁴ "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,⁵ 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.⁶

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

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

Notes: With very few exceptions; Health Insurance Portability and Accountability Act (HIPAA) privacy requirements don't apply to public K-12 schools and, for that reason, ASBA has no model policy addressing HIPAA. An excellent explanation of the relation between FERPA and HIPAA is available at <http://arsba.org/policy-resources>.

Districts must annually notify parents or students if over the age of 18 of the provisions of this policy and "...shall effectively notify parents who have a primary or home language other than English." (34 CFR 99.7(b) (2))

Districts may release directory information (DI) (as presently defined by the district) of former students to the extent there is not a signed prohibition against such release. As the definition of DI changes over time (for example, the addition of email addresses to the definition of DI), districts may release DI according to the current definition. It also applies to the release of information that is now defined as DI for students who left the district prior to 1974, when there was no such thing as DI.

As stated in this policy, once a student turns 18, the rights to his/her educational records transfers to the student. The release of educational records to a parent becomes permissive and not a right. At that point, the school gets to decide if it wants to release educational records to parents. The student, however, doesn't have the right to object one way or the other. If the parents don't establish dependency, once the student turns 18, the parents don't have an absolute **right** to see their student's educational records. "Dependency" in this regard is defined according to the IRS; if the student is claimed by either of their parents (regardless of custody issues, or filing jointly or separately) as a dependent, then the rights of the parent once the student turns 18 is as described. Without dependency, the parents have no right to see their student's educational records once the student turns 18.

There are several areas of permissible release of students' PII that are not mentioned in this policy (it's not required and would make the policy very long), but that are listed in 34 CFR 99.31. One of the areas that has been greatly elaborated on in the DOE Rules, released 12/2/11, relates to the district's release of PII to an "authorized representative" for the purpose conducting an audit or evaluation of federal or state education programs. This new area is covered in 34 CFR 99.35. Both documents are available by calling the ASBA office and requesting a copy. They could come in handy when answering parents' questions regarding the release of PII.

The Arkansas Supreme Court, Division of Elementary and Secondary Education, and ASBA collaborated in the creation of a form in an effort to aid juvenile intake and probation officers in acquiring necessary information for the officer to make more knowledgeable decisions/recommendations on a course of action for each juvenile's case. The Form allows for parents to authorize the officer to access certain portions of the student's education records and the parent's ESchool PLUS Home Access Center. The form, when completed by the parent and probation officer, will be sent to the district by the officer. A copy of the form, along with a background letter, may be found at <http://arsba.org/policy-resources>.

¹ You may choose a lesser number of days, but you may not exceed 45 days.

² This paragraph along with the preceding paragraph are added (and permitted) due to the amendments in the Code of Federal Regulations resulting from the Virginia Tech shootings in 2007. The paragraph can also apply to the release of PII to state health officials during outbreaks of communicable diseases. This would apply, for example, to immunization records to determine which students need to be removed from the school. (See Policy 4.34).

³ The requirements for conducting a hearing are addressed in 34 CFR 99.22. The district's obligations regarding the results of the hearing

are covered in 34 CFR 99.21. Both are available by calling the ASBA office and requesting a copy.

⁴ The 12/2/11 DOE Rules now provide districts with the option of greater specificity in choosing to whom it will release DI. ASBA has not amended the model policy to include this expanded option because we feel it can result in unintentional restrictions for desired release of DI. The following is the language from 34 CFR 99.37 governing this option:

In its public notice to parents and eligible students in attendance, an educational agency or institution may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. When an educational agency or institution specifies that disclosure of directory information will be limited to specific parties, for specific purposes, or both, the educational agency or institution must limit its directory information disclosures to those specified in its public notice.

⁵ Dates of attendance means the period of time during which a student attends or attended your district, e.g. an academic year or semester. It does not mean specific daily records of attendance.

⁶ This paragraph is language from the amended 34 CFR 99.37 and is included to help eliminate the potential problem of a student (who is in a class where the student really doesn't want to be - for example JAG), who has opted out of release of DI, refusing to give the information necessary for the class.

STUDENT DISCIPLINE POLICY

The Marvell-Elaine 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.¹

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 of the Marvell-Elaine 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 or 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.

Normally, disciplinary actions for Level One infractions will become more severe if the student chooses to commit continued rule

violations. The administration may combine detention, Saturday School, In-School Suspension, or parent-Administration Conference for violation of Level One rules. However, the administration may choose the most severe penalty at any time based on the student's post-disciplinary record. The consequence range from a minimum of a verbal warning to a maximum of a recommendation for expulsion, depending on level of the infraction.

Note: ¹ To satisfy a student's due process rights, for events both on and off campus, make sure that all special education requirements are met when those requirements apply.

SUPERVISION OF STUDENTS

Teachers and principals stand in the place of the parent during the time that students are under their supervision. Teachers will have the responsibility and authority to maintain proper discipline in classrooms and in the school at large, as well as specific areas of duty assigned by principals.

All students are required to be supervised while in classrooms or on playgrounds during school hours. Students are not permitted to occupy schoolrooms or to make use of playgrounds at any time during school hours without supervision.

Arrangements will be made by the building administrator to take care of students who arrive early on inclement weather days. Some member of the school staff will supervise students or others who participate in school-sponsored activities after school hours. No student maybe sent on errands away from the school grounds except by permission of the principal and consent of the parents. To prevent or determine improper behavior on off-campus activities, sponsors may take reasonable search of person, belongings and lodging.

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 is 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;¹ therefore, it is the policy of the District to protect each electronic device with Internet filtering software² 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 use³ including, but not limited to:

- Interacting with other individuals on social networking websites and in chat rooms;
- Cyber-bullying awareness; and
- Cyber-bullying 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 handbook⁴ 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.

Notes: The Neighborhood Children's Internet Protection Act (PL 106-554, 47 USC 254 (h) (I)) requires districts to hold at least one public hearing on its proposed technology safety measures and Internet safety policy as well as any changes to the policy with reasonable notice given to the community and the media. This notice requirement would be met by the regular notification requirements for a board meeting. The regulations do not require this to be a special meeting and it is allowable for it to be part of a regular school board meeting. The requirement also includes retaining the meeting's agenda and minutes as well as the Tech Plans, Acceptable Use Policy, and Internet Safety Policy for a period of five (5) years. This timeline isn't quite as straight forward as it sounds. To help clarify the retention requirements, the 8/11 Rules cited in the Legal References includes the following note:

We conclude that a school or library should be required to retain its Internet safety policy documentation for a period of five (5) years after the funding year in which the policy was relied upon to obtain E-rate funding. For example, if a school adopted an Internet safety policy in 2002 and used that same policy to make its certification in funding year 2009, the school must retain its Internet safety policy documentation for five years after the last day of service for funding year 2009.

¹ The FCC's Rules have been amended to align with the statute's provision which allow local determination of what material is harmful to minors. 47 CFR 54.520(c) (4) states:

Local determination of content. A determination regarding matter inappropriate for minors shall be made by the school board, local educational agency, library, or other authority responsible for making the determination. No agency or instrumentality of the United States Government may establish criteria for making such determination; review the determination made by the certifying school, school board, school district, local educational agency, library, or other authority; or consider the criteria employed by the certifying school, school board, school district, local educational agency, library, or other authority in the administration of the schools and libraries universal service support mechanism.

Therefore, districts must decide on their definition of "harmful to minors." The definition included in the policy is that which is used in the law and Code of Regulations. You may, but you do not have to, change it.

² The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

³ It is important for future Tech Plan approval by the DESE that you have and retain documented proof of such education such as time, place, and materials presented.

⁴ For your student handbook, add progressive discipline – first offense consequence, second offense consequence, etc.

REMOVAL BY TEACHER

Note and advisement: This policy is adopted by the Board of Directors in order to bring the District into compliance with ADE rules concerning student discipline, and to incorporate the provisions of A.C.A. § 6-18-511. However, teachers should be aware that federal law governing a student's Individual Education Program (IEP) or 504 plan, or status as an individual with a disability will supersede Arkansas law. In many cases, removing a student from a classroom due to behavioral problems, will violate a student's IEP, violate a student's 504 plan, or constitute discrimination against the student due to a disability that affects the student's ability to conform his or her behavior. Teachers have been successfully sued for IEP and 504 plan violations in other jurisdictions, and teachers need to understand that violating a student's rights is outside of the scope of his or her employment, and no insurance is available or provided by

the school district for either legal defense or to pay a money judgment. Teachers who rely on this law and this policy to exclude a student with special needs or a disability reassuming a grave personal risk.¹

A teacher may remove a student from class whose behavior the teacher has documented to be repeatedly interfering with the teacher's ability to teach the students in the class or whose behavior is so unruly, disruptive or abusive that it interferes with the ability of the student's other classmates to learn. Students who have been removed from their classroom by a teacher shall be sent to the principal's or principal's designee's office for appropriate discipline.

The teacher's principal or the principal's designee may: unacceptable in such an environment and are hereby prohibited by the Board. Prohibited behaviors include, but shall not be limited to the following.

- A. Place the student into another appropriate classroom;
- B. Place the student into the District's alternative learning environment;
- C. Return the student to the class; or
- D. Take other appropriate action consistent with the District's student discipline policies and state and federal law.

If a teacher removes a student from class two (2) times during any nine-week grading period, the principal or the principal's designee may not return the student to the teacher's class unless a conference has been held for the purpose of determining the cause of the problem and possible solutions. The conference is to be held with the following individuals present

- A. The teacher
- B. The school counselor
- C. The parents, guardians, or persons in locoparentis; and
- D. The student, if appropriate

However, the failure of the parents, guardians, or persons in loco parentis to attend the conference does not prevent any action from being taken as a result of the conference.

PROHIBITED CONDUCT

In support of the board's commitments and state and federal law, students are prohibited from using or possessing any tobacco product or tobacco paraphernalia such as lighters or matches, in or on any property owned or leased by the school district including: (1) in any school building, school vehicle/bus or on the school grounds at any time; (2) at any school-related activity, including athletic events; (3) at any time when the student is subject to the supervision of school personnel, including school trips.

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; and
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.

CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY

The District's Student Code of conduct applies to students while traveling to and from 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.¹ 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.² The transportation to and from school of students who have lost their bus transportation privileges are the responsibility of the student's parent or guardian.

Notes: ¹ The Rules don't specify who is responsible for instructing the students in safe riding practices.

² School buses are operated by the Marvell-Elaine School District as an accommodation to students and parents. Riding a bus is a privilege that must not be abused by daily bus riders or those only riding a bus for a fieldtrip.

Students and parents have the responsibility for knowing and agreeing to abide by bus riding regulations. Bus drivers have the responsibility for obeying all traffic laws and safety procedures, for supervising the behavior of students assigned to them, and for reporting to the school principal those acts of student conduct which are contrary to law, school regulations, or jeopardize the health and safety of persons riding the bus. Principals have the responsibility for acting promptly when acts of misconduct are reported by a bus driver and for proper notification to the student, parent and driver of his disposition of the case. **Parents have the responsibility for providing student transportation to and from school when suspension of bus privileges becomes necessary.**

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.

STUDENT ASSAULT AND 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:

- Cause a breach of the peace;
- Materially and substantially interfere with the operation of the school; or
- 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.

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.

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;
- Nun chucks;
- 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.¹

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.² 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.

Notes: ¹ The exemption is for IDEA purposes where the possession can reasonably be associated with the student's disability. To be eligible for ESEA funds, the federal Department of Education requires an assurance that the district:

- 1) is in compliance with the State law requiring the one-year expulsion; and
- 2) a description of the circumstances surrounding expulsions imposed under the one-year expulsion requirement, including:
 - A. The name of the school concerned;
 - B. The number of students expelled from the school; and
 - C. The type of firearms concerned.

This requirement applies even in the instances where the district exercised its option to modify the expulsion requirement on a case-by-case basis. The DOE Guidance on the Gun Free Schools Act prohibits the use of the case-by-case option to avoid “over-all compliance with the one-year expulsion requirement. In order to modify the expulsion recommendation, the superintendent must provide a written explanation behind the modification under the Federal law.

² The statute that specifies the parents’ penalties is A.C.A. § 5-27-210, but it is also helpful to have A.C.A. § 5-4-201 and A.C.A. § 5-4-401 available which spell out the fines and possible imprisonment for a class B misdemeanor offense.

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 Marvell-Elaine 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; is en 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, drug paraphernalia, 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.

STANDARDS OF CONDUCT

All students are expected to conduct themselves at all times in a manner that will contribute to the best interest of the school and not infringe on the rights of others. School staff has the authority and the responsibility to take customary and reasonable measures to maintain proper control and discipline among students placed under their care and supervision. Such measures may include the use of reasonable force in the exercise of lawful authority to restrain or correct students and maintain order. Any student who gives false information or wrongfully accuses another student or staff member will be subject to disciplinary action. The standards of conduct are broken down into three major categories, Level I, Level II and Level III.

A student, who is well-informed concerning his/her, rights and responsibilities, and the standards of behavior expected, should not require disciplinary action. For the information of all students; however, infractions to avoid and recommended disciplinary actions are presented below.

Consistent application of these standards of conduct by teachers, staff and administrators should result in fairness for all students (offenders and victims alike) and help each school to better achieve our ultimate goal—educating the students.

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 notification of law enforcement officials. The violation of a rule will occur whether the conduct takes place on the school grounds at any time, off the school grounds at a school-supervised activity, function or event, or on school district transportation.

Below each rule is a standardized list of disciplinary actions to be taken. Normally, this list will be adhered to in alphabetical order after each occurrence. However, the administration may exercise more extreme action in severe situations or in situations which a student has been involved in other rule infractions.

Emergency Removal

A building administrator may remove a student without an informal hearing if it is determined that the student's continued presence poses an immediate danger to persons or property or may substantially disrupt the school's orderly operation. A written notice will be provided to the parent/guardian(s) explaining the reason for the student's emergency removal from school. Whenever a student is removed under these conditions, a parent/guardian(s) will be notified when the informal suspension hearing will be held. This hearing will normally be provided within 72 hours, or three days. The student will not be allowed to participate in any school-related activities while on emergency removal. The student is also prohibited from entering any Marvell Elaine School District or other District property without prior authorization of the principal or designee.

Normally, disciplinary actions for these infractions will become progressive more severe if the student choose to commit continued rule violations. The administration may combine detention, Saturday School, In-School Suspension, or Parent-Administrator Conference for violation of these rules. However, the administrator may choose the most severe penalty at any time based on the student's post-disciplinary record.

Reporting Requirement: Violations of these rules may be reported by the teacher or staff member to the school administrator and will be dealt with within the school.

RULE 1 FAILURE TO FOLLOW SCHOOL AND/OR CLASSROOM RULES

Students shall comply with reasonable instructions from administrators, teachers, instructional assistants, school bus drivers or any other authorized school district employee.

- A. Verbal warning
- B. Administrator/Teacher/Parent-Student and Counselor Referral whereby parent attends class as directed by principal
- C. Assign to ISS for 3 days
- D. Out of School Suspension (3-5 days, 6-10 days)

Consequences for all Rule One Infractions must begin with the procedures above (a-b).

RULE 2 DEFIANT BEHAVIOR

Open defiance or blatant refusal to follow the reasonable directions of any authorized school district employee

- A. Referral to the Principal
- B. Administrator/Teacher/Parent/Student Conference and Saturday's School
- C. Administrator/Teacher/Parent-Student and Counselor Referral whereby parent attends class as directed by principal
- D. Suspension(3-5 days,6-10 days)
- E. Recommendation for Expulsion

RULE 3 ACADEMIC DISHONESTY

A student will not cheat on test/assignments nor will a student aid other student in cheating on tests/assignments. Plagiarism is an included offense.

- A. Student will receive zero on test and parent/teacher contact.
- B. Student will receive zero on assignment/test and parent/teacher/administrator conference will be held.
- C. Student will receive zero on assignment and out of school suspension at the discretion of the principal.

RULE 4 TRUANCY (SKIPPING SCHOOL OR CLASS)

A student will not be absent from school without parent or school authorities' prior knowledge and consent. A student absents from his classroom or other assigned learning station and/or being more than 15 minutes late to class or designated area, or not reporting to class or designated area without permission from school authorities will be considered as truant. Truancy will be treated as an unexcused absence. Students found to be truant will not be allowed to make up tests and assignments.

- A. 1st Truancy: 2 days of ISS
- B. 2nd Truancy: Suspension 3 days ISS
- C. 3rd Truancy: Suspension 3-5 days ISS, parent conference and contract signed
- D. 4th Truancy: 2 days Out of School Suspension and parent contact
- E. 5th Truancy: 3-5 days Out of School Suspension and parent contact

- F. 6th Truancy: 3-5 days Out of School Suspension and parent contact
- G. 7th Truancy: Recommendation for ALE

RULE 5 LEAVING CAMPUS OR DESIGNATED AREAS WITHOUT PERMISSION

After arrival on the school campus, a student will not leave the campus or designated area without permission from school authorities.

- A. 3 days of ISS
- B. Suspension 3-5days
- C. Suspension 6-10days
- D. Recommendation for expulsion

RULE 6 REPEATED SCHOOL AND/OR CLASS TARDINESS

Promptness is an important character trait that District staff is to encourage 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.

Students shall not be tardy. A student is tardy if he is not in his classroom or other assigned location by the time the tardy bell stops ringing. (Arkansas Law 6-18-217, 6-18-222) A student who is tardy to class must be admitted to the class by the office or school resource officer. Every 3rd tardy will equal an absence from that class. If a student fails to arrive to class on time, the following actions will be taken to correct this behavior:

- A. 1stTardy: Verbal Warning
- B. 2nd Tardy: Parent Phone Call
- C. 3rd Tardy: Parent Conference
- D. 4thTardy: Saturday School Detention
- E. 5th Tardy: In-School Suspension (ISS)
- F. 6th Tardy: Out-of-School Suspension (OSS) All tardy will start over at the end of each nine weeks.

RULE 7 SMOKING AND SMOKELESS TOBACCO

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, snuff, and cigarette lighter/cigarette rolling papers{ONLY – Consequences listed below}) 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.

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-pips, or under any other name or descriptor.

- | | |
|---|----------------------------------|
| A. Suspension 3-5 Days Cigarettes Lighter (ONLY) and Cigarettes Rolling Papers (ONLY) | |
| B. Suspension 6-10 Days | A. 2 Days of ISS, Parent Contact |
| C. Recommendation for Expulsion | B. 3 Days of ISS, Parent Contact |
| C. Out of School Suspensions, as listed | |

RULE 8 GAMBLING

Students shall not gamble while on school property, school buses or at school-sponsored events.

- A. Suspension 3-5 Days
- B. Suspension 6-10 Days
- C. Recommendation for Expulsion

RULE 9 FORGERIES OR FALSIFICATION OF INFORMATION FAILURE TO PROVIDE IDENTIFICATION

No student shall falsify signature or information on official school records; refuse to give identification or give false identification if requested by a staff member.

- A. Suspension 3-5 Days
- B. Suspension 6-10 Days
- C. Recommendation for Expulsion

RULE 10 FIGHTING

When two or more students fight, it becomes not only danger to the students, but also to others. From our earliest grades, we insist that a student tell an adult if another student is trying to get him or her to fight. **Instigators will get the same consequences as students that fight.** A "fight" is defined as when students intentionally throw blows, or slaps, or kicks at another student. The term "self-defense" is defined as removing one's self from the situation as soon as possible. After students fight, following discussions with the principal or his/her designee, students in violation of this policy may be handcuffed by the School Resource Officer and taken to the Local Police

Department for processing.

Families should expect to pay some court or other costs. Mediation conference with students and parents must be held before reinstatement.

- A. Suspension 3-5 Days
- B. Suspension 6-10 Days
- C. Recommendation for Expulsion

RULE 11 PROFANITY AND OBSCENE GESTURES

A student will not use in verbal or written form profane, violent, vulgar, abusive, insulting, sexual or disrespectful language at any time. A student will not use physical gestures that convey a connotation of obscene or disrespectful acts, infringe upon the rights of others or cause or begin an overt and immediate disruption of the educational process. (A.C.A. 5-60-113; school bus drives; 5-17-207, disorderly conduct; 5-17-208, harassment; 6-17-106, insult/abuse of teachers; 6-18-506) NOTE: If language is not directed towards faculty/staff, there will be consequences which are at the discretion of the principal.

- A. Suspension 3-5 Days
- B. Suspension 6-10 Days
- C. Recommendation for Expulsion

RULE 12 VIOLATIONS OF PARKING AND DRIVING REGULATIONS

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. Students are not permitted to loiter in parking areas and are not to return to their vehicles for any reason unless given permission to do so by school personnel. 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. Any student parking a vehicle on campus is granting permission for school or law enforcement authorities to search that vehicle.

A motor vehicle registration form will be properly filled out by each student desiring to drive a vehicle on campus. Registration of the vehicle is your consent to search the vehicle whenever there is reasonable suspicion of illegal contents in the vehicle. Those forms are available in the principal's office and must be filled out within 5 days of the time a student starts driving. Driver's license, vehicle registration, and liability insurance will be required. Students must display parking hanger in vehicle at all times or be subject to disciplinary action. Driving recklessly (over 15 MPH) or sitting in the vehicle while parked during the school day will not be allowed. Students may park only in those areas designated for student parking. Parking lots are off limits to students during school hours. Once a student parks a vehicle, it may not be moved until the student leaves for the day. A search of a vehicle may be conducted if there is reasonable suspicion that a controlled substance, gun, or other contraband is present. Students will not be allowed to sit in cars when they arrive on campus. They must leave their automobiles and move to the designated areas. The principal has the right to revoke driving privileges of any student operating a vehicle in an unsafe manner on school property.

A student using any type of vehicle (bicycle, motorcycle, automobile, truck) as a means of transportation to and from school will not violate the rules and regulations set forth by the principal of the school. Students who drive to school shall have a valid parking permit displayed in the lower left corner of the front windshield. Parking permits may be obtained through the principal's office upon registration of the vehicle. Vehicles not displaying a valid parking permit issued by the principal will be referred to the local authorities. Students may drive cars and trucks to school and these vehicles must be parked in the assigned area on campus. Students are prohibited from sitting in parked vehicles on campus during school hours or sponsored activities. Students who drive to school will be dismissed after the buses exit the campus.

- A. Warning
- B. Administrator/Parent/Student Conference
- C. Suspension of right to drive any vehicle for 10 days
- D. Suspension of right to drive vehicle for the remainder of the school year.

RULE 13 PUBLIC DISPLAY OF AFFECTION

A public display of affection is inappropriate school behavior. Failure to comply with reasonable expectations of school staff will lead to disciplinary action.

- A. Referral to counselor's office
- B. Administrator/Parent/Student Conference
- C. Three days of In-School Suspension or Saturday's School
- D. Suspension According to the Board's Adopted Policy

RULE 14 STUDENT DRESS AND GROOMING

The Marvell-Elaine 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, and unsafe, could cause property damage, or are offensive to common standards of decency.

This policy is designed to identify what may be worn in school during the regular school day. All students should take pride in their appearance with dress and grooming that contribute to the health and safety of the individual without disrupting the orderly educational process. The student dress code is in effect during the instructional day and during academic and professional activities outside the school day when students are representing the school. This uniformed dress code is not subject to interpretation. It is intended to eliminate questions on what can and cannot be worn.

Students will wear a uniform style of dress based upon the following standards:

Tops:

- No skin should be visible between the waistband of the pants and the bottom of the shirt.
- No inappropriate writing is allowed on the shirt.
- All tops should be of appropriate size so as not to cause undo stretching or gapping of the material. Tops should not be tight to the skin or overly baggy.
- Anything designated as an undergarment should not be seen (e.g. camisoles, undershirts).

Bottoms:

The bottom of shorts, skorts, jumpers and skirts must be four inches from the back of the knee.

Bottoms must be worn no lower than the natural waist.

A belt must be worn if clothing item cannot stay up on waist.

All bottoms should be of appropriate size so as not to cause undo stretching or gapping of the material. Bottoms should not be tight to the skin or overly baggy.

Leggings or skinny-legged pants must be worn with a clothing item that covers buttocks region.

Footwear:

Shoes must be worn at all times. Closed toe and closed heel shoes or boots are permitted. Footwear must be appropriate for the student's designated activity.

Flip-flops, sandals with backs, slide, or house shoes are not permitted.

Clarifying Statements:

Ties are acceptable but not mandatory. Team coaches and club advisors can designate certain days for participants to wear a tie.

Cut-offs, frayed seams, and holes (in jeans above the knee) are not permitted on any clothing. Belt loops should not be cut off. Bagging and sagging are also not permitted. Holes in jeans above the knee must have something worn underneath.

No sweatbands, hair picks, toboggans, combs or other hair covering may be worn at school during the regular school day or at any school sponsored activity.

No wearing or displaying of any bandanna, towel, do-rags, or any materials that simulates bandannas.

No sleepwear.

No halter tops, tube tops, spandex, sunglasses or garment that expose the midriff or torso is permitted.

No accessories, costumes, or unusual attire that is inappropriate or disruptive to the normal operation of the school may be worn.

The only Marvell-Elaine School District logos that will be permitted will be those logos that are School District approved. Writing is not allowed on any clothing.

No rubber bands or baller bands on pants legs.

Caps or hats may only be worn outside the buildings

No body piercing permitted.

No articles of clothing, mask, caps, badges, earrings or buttons that advertise tobacco, alcohol, and gambling or any illegal substance may be worn. No sexual connotation, offensive remarks, or discriminating symbols may be worn on clothing caps, badges, buttons, or earrings.

Exceptions

Parents or legal guardians who object to the policy based on religious grounds must present to the building principal a signed letter detailing the reason for the objection. A meeting will be held to discuss the exemption. Such exemptions will be determined on a case by case basis.

A student who has a medical condition which prevents compliance with this policy will be allowed to wear an alternative uniform upon presentation of the proper medical documentation.

Students who cannot comply with this policy because of hardship will be referred to the district's social worker.

Students new to the district will be allowed a grace period of ten (10) school days to comply with this policy.

Students who are thirty pound over their normal weight will be allowed to wear shirts on the outside of their pants. The thirty pounds over their normal weight will be determined by the student's Body Mass Index (BMI). BMI will be verified by the school nurse. This exception is due to the hardship of sometimes not being able to purchase shirt long enough to keep inside their slacks.

Non-Compliance with Uniform Policy: Non-compliance with this policy may result in but not be limited to the following

consequences: Faculty members and/or principal will determine inappropriate dress. It shall be the responsibility of each faculty member to fill out a discipline slip and send it to the office.

Offense	Consequences
1 st	Warning; teacher will contact parents.
2 nd	Non-compliance recorded; written documentation sent home with student and must be returned with parent's signature; home visit conducted by the school district social worker.
3 rd	Parent allowed to bring appropriate uniform or 2 days In School Suspension.
4 th	Parent allowed to bring appropriate uniform 1 day Send Home
5 th	Repeated offenders are subjected to the following rule: Out of School Suspension

RULE 15 HORSEPLAYING/MINOR ALTERCATIONS/ TEASING

Horseplay is defined as the act of pushing, grabbing, patting, etc., another child, playfully and with care not to harm the recipient of the physical conduct and where no injury occurs. Horseplay is forbidden because it can result in accidental injury or hurt feelings that lead to minor altercations and/or fights. All participants engaged in horseplay and/or minor altercations will be disciplined according to the degree of involvement of each student. Students must participate in Mediation for minor altercations. Behavior or actions that violate a person's right to privacy is prohibited. Peer Mediation/Conflict Resolution is required. (Annoyance- To "pick or tease" (verbal or physical) OR Communication- Non-solicited oral or written communication offensive to the recipient.)

1st: Warning and Parent Contact 2nd: 2 Days of ISS, Parent Contact 3rd: 3 Days of ISS, Parent Contact 4th: Out of School Suspension (3-5 Days, continues 6-10 Days)

Normally, disciplinary actions for these infractions will become progressively more severe if the student chooses to commit continued rule violations. The administrator may combine detention with the parent/administrator conference for violation of these rules. However, the administrator may choose the most severe penalty at any time based on the student's past disciplinary record. Note: A.C.A.references is to Arkansas Code annotated statutes which may pertain to a rule violation.

Reporting Requirement: Violations of these rules will be reported by teachers or staff to the school administrator. The school administrators shall use their discretion in deciding whether to report the offense to law enforcement officials.

RULE 16 LOITERING BY SUSPENDED/EXPELLED STUDENT

No suspended or expelled student shall linger on school grounds nor shall they go on school district property for any purpose while serving suspension/expulsion. No student from another campus is allowed on another school's campus during school hours without permission of school officials. (A.C.A. 6-21-606; 6-21-607)

- A. Parent notified and student may be referred to legal authorities
- B. Violations of this rule may increase the number of days suspended

RULE 17 LOITERING ON AN UNASSIGNED CAMPUS

No student from another campus is allowed on another school's campus during school hours without permission of school officials. (A.C.A. 6-21-606; 6-21-607)

- A. Suspension 3-5 Days
- B. Suspension 6-10 Days
- C. Recommendation for Expulsion

RULE 18 POSSESSION/USE OF CELL PHONES, BEEPERS, OR OTHER ELECTRONIC COMMUNICATION DEVICES

Cell Phone Usage

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;¹ this means that when a student is taking an Arkansas Educational Support and Accountability Assessment (AESAA), 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.

Cell phones should be allowed to be in use: before school, at lunch and after school. Cell phones should be turned off and put away at any other time. The use of a cell phone at any time other than ones allowed above will lead to further disciplinary actions. The regular school day shall begin when the school campus is open in the morning and shall end when the last classroom instruction (including afterschool) is completed. 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.² Students have no right of privacy as to the content contained on any electronic devices that have been confiscated.³ 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.⁴

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.⁵

The use or possession of an Electronic Device, as hereafter defined, on a school campus, on a school bus or at a school-related activity, during the regular school day, is prohibited unless prior written authorization for the possession of the Electronic Device has been obtained by the student in possession of the Electronic Device [See Arkansas Code Annotated 6-18-502(b) (3) (D)]. For the purpose of this rule, "Electronic Device" shall mean cellular telephone, page, music player, video game player, camera or any similar device capable of (1) communicating by voice, text message or email;

(2) playing music or video; (3) recording voice or video images; (4) otherwise sending or receiving electronic information. The regular school day shall begin when the school campus is open in the morning and shall end when the last classroom instruction period (including afterschool) is completed. Prior written authorization for possession of an electronic device may be granted for medical reasons or specific compelling reasons as determined by the principal or the principal's designee at the campus in question.

Special Note: Students who participate in extra-curricular activities and are required to stay after school for practice or travel away from the school for an event may check their electronic devices into the office immediately upon arrival on campus each day. They may then receive them at the end of the school day or at the time that they leave for an event.

Any student in possession of an Electronic Device in violation of this rule shall immediately surrender possession of the Electronic Device, without regard to the ownership of the Electronic Device.

****Parent/guardian(s) or anyone listed on the student's Pupil Information Form must pick-up the device on or after the specific date, during school hours. The Electronic Device Confiscation Form given to the student at the time of the confiscation must be presented, as**

well as identification. The adult picking up the item must first describe the item and then sign indicating they have taken possession of the Electronic Device.

Note: As districts move toward one-to-one computing and other options for integrating technology into classroom instruction and student learning, ASBA advises that in changing this policy (or any other locally generated policy), districts be mindful of the potential concerns relating to equitable access to the technology. When classroom instruction involves technology devices, it is important to make sure all students have reasonably the same access and are not hampered by their socio-economic status.

Permitting or requiring students who own laptops, iPads or any other such device to use them as part of the instructional/learning environment without providing similar devices to those who don't own or have access to such devices is unfair to those students.

¹The ADE Testing Administration Manual requires this language. Our interpretation is that on testing days students will not be allowed to have their cell phones in their possession during any test they take.

²ASBA suggests adding another sentence that specifies the increasing severity of the penalty for repeat offenders. Given the severity of a breach of assessment security, you might consider separate penalties for such action. If you choose to do so, don't forget to amend the last sentence of the second paragraph.

³To perform a search of an electronic device, an administrator would have to possess individualized suspicion that an examination of the device would reveal evidence of student misconduct, and the search itself would have to be tailored to the suspicion. For instance, if there were an allegation that harassing text messages had been sent from Student A to Student B during lunch, individualized suspicion would exist as to the text message history contained on Student A's phone; however, viewing pictures or files unrelated to the suspected misconduct would be inappropriate and a violation of the student's rights under the 4th Amendment of the US Constitution. Merely confiscating a cell phone because the student received a call on it, does not give individualized suspicion to justify a search.

⁴This sentence is included because insurance companies have ruled that injuries occurring while driving and talking on school issued cell phones are subject to workers comp awards.

⁵A.C.A. § 27-51-1603 makes it illegal for anyone under the age of eighteen (18) to use a wireless communication device for any purpose while operating a motor vehicle. Additionally, A.C.A. § 27-51-1609 prohibits the use of a "wireless handheld telephone" while in a school zone for any purpose when that use is not hands free. While the policy language exceeds the statutory prohibitions, we believe the language is important for the protection of students, employees and the public.

If any student refuses to relinquish the electronic device when asked by a person of authority, this will be considered a violation of the following Level One Offense: Rule 2, Defiant Behavior (insubordination), Open defiance or blatant refusal to follow the reasonable directions of any authorized school district employee.

Consequences:

1st Offense: Verbal Warning.

2nd Offense: Referred to Principal.

Students who refuse to surrender their electronic devices will be suspended for three school days.

❖ **The District bears no responsibility for lost/stolen electronic devices brought to school by a student.**

RULE 19 POSSESSIONS OF FIREWORKS

No student shall possess, use or threaten to use any fireworks.

A. Suspension 10 days with recommendation for expulsion.

RULE 20 FALSE EMERGENCY ALARM/TAMPERING WITH SAFETY DEVICES

A student shall not circulate a story of a fire, bombing, bomb threat or other catastrophe when that student knows the story to be untrue. Students will not tamper with safety devices on any school property. If injury results to any person as a result of the false alarm or tampering with safety devices, the student will be reported to law enforcement agencies.

A. Suspension 6-10 days

B. Recommendation for Expulsion

RULE 21 SIMPLE ASSAULT(S) OR SIMPLE TERRORIST THREAT

A student shall not engage in conduct which creates a substantial risk of physical injury to another student or threaten another student, making that student fear imminent physical harm. NOTE: Threats conveyed with a weapon or with the use of a weapon shall be reported to the police immediately by the administrator. Also, threats to cause death or serious physical injury or threats to cause physical injury to teachers or employees are a "D" Felony.

- A. Suspension 6-10days
- B. Recommendation for Expulsion

RULE 22 BULLYING/HARASSMENT

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.

A school principal or designee, who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

Definitions:

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" may also 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, and/or
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.

Cyber-bullying 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/student(s); making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to 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 maybe 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 (5th) 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 maybe given to other violations of the student handbook which may have simultaneously occurred. ¹In 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.² 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.³

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.⁴

Notes: Different consequences are permitted depending on the age or grade of the bullying student.

¹ Example: a student might be disciplined both for bullying and sexual harassment, in an appropriate situation, or bullying and assault.

² Suggestion for the posted notice: Create a circle with a line through it over the word Bullying (similar to a non-smoking logo). Beside the logo write: Mean talk or hurting other people is called bullying. Bullying is against the rules and can get you in trouble, suspended, or expelled. If someone bullies you, or you see someone being bullied, get help by telling an adult.

³ Copies of the notices are required to be published in any district Publication that sets forth the comprehensive rules, procedures, and standards of conduct for the schools within the district as well as the student handbook.

⁴ There should be a statement in the Student Handbook to this effect.

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;

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.

- A. Suspension 3-5days
- B. Suspension 6-10days
- C. Recommendation for Expulsion

Note: A student might be disciplined both for bullying and sexual harassment in an appropriate situation, or bullying, and assault.

RULE 23 DISORDERLY CONDUCT

No student shall engage in inappropriate behavior that substantially disrupts or interferes with, or is likely to disrupt or interfere with, any school function, activity or school program. Such behavior includes, but is not limited to, fighting, threats, excessive noise, abusive language, obscene gestures, exposing private parts, disrupting lawful assembly of persons.

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.

- A. Suspension 3-5days
- B. Suspension 6-10days
- C. Recommendation for Expulsion

RULE 24 MISDEMEANOR BATTERY—MINOR PHYSICAL INJURY

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

- A. Suspension 6-10days
- B. Recommended for Expulsion

RULE 25 UNLAWFUL SEXUAL CONTACT AND SEXUAL MISCONDUCT

Students shall not touch other students in a sexual manner.

- A. Suspension for 6-10 days
- B. Recommendation for Expulsion

RULE 26 SEXUAL HARASSMENT

The Marvell-Elaine 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 guardian/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 grievance procedures for complaints 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 redress that is available to the victim of sexual harassment; and the potential discipline for perpetrating sexual harassment.

"Sexual harassment" means conduct that is:

1. Of a sexual nature including, but not limited to: sexual advances; request for sexual favors; sexual violence or other personally offensive verbal, visual or physical conduct of a sexual nature
2. Unwelcomed and

Denies or limits a student's ability to participate in or benefit from any of the District's educational programs or activities through any or all of the following methods: submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education; submission to, or rejection of, such conduct by an individual is used as the basis for academic decisions affecting that individual; and/or such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creates an intimidating, hostile, or offensive academic environment.

The terms "intimidating," "hostile," and "offensive" include conduct of a sexual nature which has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive that it limits the student's ability to participate in, or benefit from, an educational program or activity.

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 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 as to sexual activity or performance; circulating or showing emails or websites of a sexual nature; intimidation by words, actions, insults, or name calling; and teasing or name-calling and 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 student self-identifies as homosexual or transgender.

Students who believe they have been subjected to sexual harassment, or parent/legal guardian/other responsible adult of a student who believes their student has been subjected to sexual harassment, are encouraged to file a complaint by contacting a counselor, teacher, Title IX coordinator, or administrator who will provide assistance on the complaint process. Under no circumstances shall a student be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment.

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 to the extent necessary to complete a thorough investigation; the extent necessary to submit a report to the child maltreatment hotline; the Professional Licensure Standards Board for complaints alleging sexual harassment by an employee towards a student; or the extent necessary to provide the individual accused in the complaint due process during the investigation and disciplinary processes. Individuals who file a complaint have the right to request that the individual accused of sexual harassment not be informed of the name of the accuser; however, individuals should be aware that making such a request may substantially limit the District's ability to investigate the complaint and may make it impossible for the District's to discipline the accused.

Students or the parents/legal guardians/other responsible adult of a student, who file a complaint of sexual harassment, shall not be subjected to retaliation or reprisal in any form, including threats, intimidation, coercion or discrimination. 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.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age of eighteen (18), who filed the complaint: the final determination of the investigation; remedies the District will make available to the student; and the sanctions, if any, imposed on the alleged harasser relevant to the student.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age eighteen (18) who was accused of sexual harassment in the complaint: the final determination of the investigation; and the sanctions, if any, the District intends to impose on the student.

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following an investigation, any student who is found by the evidence to more likely than not have engaged in sexual harassment will be subject to discipline action up to, and including, expulsion.

Students who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including expulsion. Individuals, who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including expulsion.

- A. Suspension 3-5days
- B. Suspension 6-10days
- C. Recommendation for Expulsion

Notes: ¹ The U.S. Department of Education Office of Civil Rights requires that there are separate written grievance procedures in addition to the written policy. The grievance procedures should include the following: a statement of the school's jurisdiction over Title IX complaints; adequate definitions of sexual harassment (which includes sexual violence) and an explanation as to when such conduct creates a hostile environment; notice of where complaints may be filed; reporting policies and protocols, including provisions for confidential reporting; identification of the employee or employees responsible for evaluating requests for confidentiality; provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity for both the complainant and alleged perpetrator of the outcome of the complaint; notice that Title IX prohibits retaliation; notice of a student's right to file a criminal complaint and a Title IX complaint simultaneously; notice of available interim measures that may be taken to protect the student in the educational setting; the evidentiary standard that must be used (preponderance of the evidence) (i.e., more likely than not that sexual harassment occurred) in resolving a complaint; notice of potential remedies for students; notice potential sanctions against perpetrators; sources of counseling, advocacy, and support; and assurance that the school will take steps to prevent recurrence of any sexual harassment and remedy discriminatory effects on the complainant and others, if appropriate.

² Depending on the specific nature of the problem, remedies for the complainant might include, but are not limited to: providing an escort to ensure that the complainant can move safely between classes and activities; ensuring that the complainant and alleged perpetrator do not attend the same classes; moving the complainant or alleged perpetrator to another school within the district; providing counseling services (which must be free of charge to the student); providing medical services; providing academic support services, such as tutoring; arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record; and reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.

³ Factors to be considered when a complainant requests no investigation or no disciplinary action be taken include: circumstances that suggest there is an increased risk of the alleged perpetrator committing additional acts of sexual harassment or other violence, which include: whether there have been other sexual harassment complaints about the same alleged perpetrator; whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence; whether the alleged perpetrator threatened further sexual harassment or other violence against the student or others; and whether the sexual harassment was committed by multiple perpetrators; whether the student's report reveals a pattern of perpetration, such as illicit use of drugs or alcohol, at a given location or by a particular group that suggest there is an increased risk of future acts of sexual harassment under similar circumstances; whether the sexual harassment was perpetrated with a weapon; the age of the student subjected to the sexual harassment; and whether the school possesses other means to obtain relevant evidence, such as through security cameras, eyewitness accounts, or physical evidence.

Rule 27 INDECENT EXPOSURE

Students shall not expose their sex organs in a public place or in public view or under circumstances knowing the conduct is likely to cause affront or alarm. Violation of this rule will sustain suspension for 10 days and recommendation for expulsion.

RULE 28 CRIMINAL MISCHIEF/VANDALISM-RELATIVELY MINOR DAMAGE

No student shall destroy or damage any property of another or that belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child.

- A. Suspension 3-5days
- B. Suspension 6-10days
- C. Recommendation for Expulsion

RULE 29 MISDEMEANOR THEFT

Students shall not take or possess property that does not belong to them. Parent must make restitution.

- A. Suspension 3-5days
- B. Suspension 6-10days
- C. Recommendation for Expulsion

RULE 30 EXTORTION/BRIBERY

No student will obtain or attempt to obtain something of value from another person either by physical force or by threat (illegal acts).

- A. Suspension 6-10days
- B. Recommendation for Expulsion

RULE 31 MEMBERSHIP IN FRATERNITIES, SORORITIES, SECRET CLUBS, GANG ACTIVITIES OR ASSOCIATION

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.

RULE 32 INAPPROPRIATE USE OF TECHNOLOGY/COMPUTERS AND UNAUTHORIZED ACCESSING OR ATTEMPTING TO ACCESS

The use of the computer to access, store or distribute obscene, pornographic or inappropriately suggestive material is prohibited including social media outlets while on campus or contributing to the disruption of school activities. Any user who violates this policy and accompanying regulations is subject to loss of network privilege, as well as other District disciplinary actions. Any student who finds inappropriate material on a computer or Internet site is to immediately inform the teacher. (Arkansas Code 6-21-107).

COMPUTER FILES

A student shall not modify, erase software without authorization, introduce any viral agent, access another individual's electronic documents, access, create, reproduce or distribute documents/sites containing vulgar language or obscene materials. A student may lose use of network resources.

- A. Parent(s)/Student(s)/Administrator Conference
- B. Suspension 3-5Days
- C. Suspension 6-10Days
- D. Recommendation for Expulsion

RULE 33 PERSISTENT DISREGARD FOR SCHOOL RULES

A student who persists in acts of misconduct after the school has made and documented reasonable efforts to secure his adherence to established rules will be recommended for expulsion. Efforts toward behavior modification will be made prior to recommendation for expulsion except when the student has committed an offense so serious in nature that immediate expulsion is necessary.

RULE 34 POSSESSION OF PROHIBITED WEAPON OR LASER

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; en 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.

No student shall possess any weapon or laser upon any school property, or at school-related events. Students will not possess objects of

no reasonable use at school, which may cause physical injury.

- A. Suspension 6-10days
 - B. Recommendation for Expulsion
-

LEVEL THREE

Normally, disciplinary actions for violation of these infractions will become progressively more severe if the student chooses to commit continued rule violations. However, the administrator may choose the most severe penalty at any time based on the circumstances involved in the particular incident.

Reporting Requirement: Violations of these rules will be reported immediately by teachers or staff to school administrators. The school administrators will report such incidents to law enforcement officials

RULE 35 TAMPERING WITH/DESTRUCTION OF VIDEO SURVEILLANCE CAMERAS/EQUIPMENT

A student shall not tamper with, destroy, or attempt to destroy video surveillance equipment.

Student will be suspended immediately and recommended for expulsion.

RULE 36 TERRORISTIC THREATENING—THREATS OF SERIOUS PHYSICAL INJURY OR PROPERTY DAMAGE/THREATS TO TEACHERS/STAFF

Students shall not, with the purpose of terrorizing another person, threaten to cause death or serious physical injury or substantial property damage to another person or threaten physical injury to teachers or school employees. A student accused of making a bomb threat maybe charged with Class D felony.

Student will be suspended immediately and recommended for expulsion.

RULE 37 BOMB/FALSE BOMB, FIRE ALARM/THREAT

A student shall not threaten a fire or bombing. A student shall not activate a bomb, fire alarm or cause an evacuation.

Student will be suspended immediately and recommended for expulsion.

RULE 38 ASSAULT/BATTERY WITH SUBSTANTIAL RISK OF DEATH OR SERIOUS PHYSICAL INJURY

A student shall not engage in conduct which creates a substantial danger of death or serious physical injury to another person.

Student will be suspended immediately and recommended for expulsion.

RULE 39 ASSAULT/BATTERY ON STAFF

No student shall strike or attempt to strike a teacher or other school personnel.

Student will be suspended immediately and recommended for expulsion.

RULE 40 SEXUAL ABUSE OR RAPE

Students shall not engage in sexual contact with another person by forcible compulsion or engage in sexual contact with another person who is incapable of consent because he/she is physically/mentally helpless; nor shall students engage in sexual intercourse or deviant sexual activity with another person by forcible compulsion or with another who is incapable of consent because he is physically/mentally helpless.

Student will be suspended immediately and recommended for expulsion.

RULE 41 ROBBERY

Students shall not take property belonging to another person or the school by force, threat of force with the use of a deadly weapon.

Student will be suspended immediately and recommended for expulsion.

RULE 42 FELONY THEFT—STUDENT PROPERTY

Students shall not take the property of another person or be in possession of property belonging to another without that person's permission. If a student steals or is in possession of property belonging to another person worth \$500 or more, that student has committed a Level III offense. Parent must make restitution.

- A. Suspension—6-10 days
- B. Recommendation for Expulsion

RULE 43 FELONY THEFT—SCHOOL PROPERTY

Students shall not take the property of another person or be in possession of property that belongs to the school without permission. If a student steals or is in possession of property that belongs to the school that has a value of \$500 or more without permission, that student has committed a Level III offense. Parent must make restitution.

Student will be suspended immediately and recommended for expulsion.

RULE 44 POSSESSION/USE, SELLING, ATTEMPTING TO SELL/DISTRIBUTE OR PURCHASE ILLEGAL DRUGS/ALCOHOL, DRUG PARAPHERNALIA

A student who sells, attempts to sell, distribute or purchase drugs (or any substance he claims to be a controlled substance) or alcohol, shall be reported to legal authorities. No student will be under the influence of use/possess or offer beer, alcoholic beverages on drugs campus.

Student will be immediately suspended and recommended for expulsion.

Sentences for sale of controlled substances within 1,000 feet of public or private schools shall be enhanced by two (2) years and a fine of no less than \$1,000.

Prohibited substances shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or other controlled substance as defined in Act 590 of 1971 of the state of Arkansas, as amended, or beverage containing alcohol or intoxicant of any kind.

RULE 45 CRIMINAL MISCHIEF/VANDALISM—MAJOR DAMAGE

No student shall purposely and without legal justification destroy or damage any property of another or that belonging to the school district. **The parent/guardian shall be responsible for all damages to property caused by the student.**

- A. Suspension 6-10days
- B. Recommendation for Expulsion

RULE 46 ARSON

No student shall deliberately burn or attempt to burn school property.

Student will be suspended immediately and recommended for expulsion.

RULE 47 POSSESSION OR USE OF FIREARM, WEAPON, OR FACSIMILE WEAPON

No student shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon while in school, on or about school property, before or after school, in attendance at school or any school sponsored activity, en 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. Military personnel, such as ROTC cadets, acting in the course of their official duties are accepted.

A weapon is defined as any firearm, knife, razor, ice pick, dirk, box cutter, nun chucks, pepper spray or other noxious spray, explosive, or any other instrument or substance capable of causing bodily harm. For the purposes of this policy, "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, as defined in this policy, on the student's body or in an area under his/her control. If, prior to any questioning or search by any school personnel, a student discovers that he/she has accidentally brought a weapon, other than a firearm, to school including a weapon, other than a firearm, that is in a 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 firearm¹ shall be recommended for expulsion for a period of not less than one year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.¹ 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.² 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.

Student will be suspended immediately, reported to legal authorities and recommended for expulsion for a period of not less than one (1) year.

WARNING!!!! ILLEGAL POSSESSION OR USE OF PROHIBITED WEAPONS ON SCHOOL PROPERTY OR UPON SCHOOL BUS BY A STUDENT SHALL ALSO RESULT IN SUSPENSION OF DRIVER'S LICENSE.

RULE 48 BEHAVIOR NOT COVERED

Marvell-Elaine School District reserves the right to pursue disciplinary or legal action for behavior which is subversive to good order and discipline in the schools even though such behavior is not specified in written rules. (This may or may not be a Level Three offense.)

DRUG DOG

Students of Marvell-Elaine School District should be aware that School District Officials have access to a registered drug dog. The dog, while gentle, has been specially trained to locate marijuana, alcohol and other illegal drugs. Periodic, unannounced visits to all District schools and school-sponsored activities will be made by the dog and its handler.

Lockers, automobiles and other areas of the building will be searched. Students will be held responsible for any prohibited items found in their lockers, automobile or belongings at school. Should prohibited items be found during school check, the violators will be disciplined under District policies and will be referred to local, state, or federal law enforcement agencies.

STUDENT 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.

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.

SCHOOL BUS TRANSPORTATION

School buses are operated by the Marvell-Elaine School District as an accommodation to students and parents. Riding a bus is a privilege that must not be abused by daily bus riders or those only riding a bus for a fieldtrip.

Students and parents have the responsibility for knowing and agreeing to abide by bus riding regulations. Bus drivers have the responsibility for obeying all traffic laws and safety procedures, for supervising the behavior of students assigned to them, and for reporting to the school principal those acts of student conduct which are contrary to law, school regulations, or jeopardize the health and safety of persons riding the bus. Principals have the responsibility for acting promptly when acts of misconduct are reported by a bus driver and for proper notification to the student, parent and driver of his disposition of the case. **Parents have the responsibility for providing student transportation to and from school when suspension of bus privileges becomes necessary.**

PROCEDURES AND RULES FOR STUDENTS RIDING SCHOOL BUSES

Procedures:

1. Students may only ride the bus assigned unless written permission is obtained from the principal's office.
2. Students who miss their bus are to report to the principal's office.
3. Students on buses are under the supervision of the driver and are to follow his/her directions at all times. Failure to follow his/her directions may result in loss of bus privileges.
4. Unauthorized passengers are not allowed on the bus at any time i.e., parents of students or students without a note signed by both a parent/guardian and the principal of the school.

5. Musical instruments will not be permitted to be stored behind the driver's seat or in the front of the bus.

Level I Rules

1. In order for the bus to remain on schedule, students are to be at the bus stop five (5) minutes before the bus is scheduled to arrive. The driver is not permitted to wait for the student. In order for the driver to stop, the students must be visible to the driver.
2. Students will stand back ten (10) feet from the bus stop and wait until the door is opened before moving closer to the bus. While waiting, students are not to play on the highway/road or engage in dangerous conduct, which could cause bodily harm to themselves or others; or damage to private property. Action by local police may be taken.
3. When arriving at the bus stop, just as the bus approaches, students will wait until the bus comes to a complete stop and the driver signals for crossing unless driver has instructed his riders in a different procedure.
4. When entering or leaving the bus, students should proceed quickly and in an orderly manner.
5. Students will refrain from distracting the driver, stay reasonably quiet, face the front of the bus, and leave other students alone.
6. Students **will sit and remain seated** in assigned seats from the time they board the bus until they reach their destination.
7. Students cannot be standing while the bus is in motion.
8. Students are not permitted to carry animals (living or dead) on the bus.
9. Students are not permitted to clutter the bus with paper or other objects.
10. Food and drink are not allowed on the bus for consumption while riding the bus. No eating or drinking allowed at any time.
11. Radio, tape/CD Players or computer electronic games or any other electronic device will not be carried onto the bus.
12. Students will not be permitted to board or leave the bus at any place other than their regular stop without written permission from a parent/guardian, signed by the principal and provided to the bus driver. This is contingent upon a space available basis.
13. Students who are to cross the road after leaving the bus are to go to a point on the shoulder of the road ten (10) feet in front of the bus. The driver will then signal students to cross.
14. Footballs, basketballs, volleyballs, baseballs and softballs will not be brought on the bus.
15. Students are not permitted to carry any objects too large to be held when seated. (i.e., presentation board, science projects, etc.)
16. Students on the bus with the following stipulations may transport musical instruments:
 - A. The following instruments must be held in the student's lap during transport: violin, viola, piccolo, bells, trumpet/coronet/oboe, clarinet (b-flat), alto clarinet, and flute. They cannot be placed on or under the seat and must not interfere with other students sharing their seat.
 - B. The following musical instruments must be placed on the floor between the student's feet: bassoon, bass clarinet, alto saxophone, tenor saxophone, and trombone. They cannot be held in the lap of the students or placed on the seat.
 - C. The following musical instruments are not permitted on the bus during the regular morning and afternoon runs: tuba, drums, baritone horn, string bass, cello and French horn.

Level II Rules

17. Students are not permitted to ride another bus when they are suspended from their assigned route bus. If a student is caught violating this rule, additional punishment will follow.
18. Students are not permitted to extend their hand, arms, heads or any body parts out of the bus windows at any time.
19. Students are not permitted to sit on the front of rear engine cowling or the dashboard.
20. Students will not tamper with any of the safety devices on the bus.
21. Buses are expensive school property. Students will not damage any part of the bus. If a student damages a bus, the parent/guardian will be responsible for the cost of repairs.
22. No student shall possess, use or threaten to use any fireworks upon any school bus or at designated bus stops.
23. Students are not permitted to throw items of any kind inside the bus or out of the bus windows. Any student caught throwing items out of window and damaging a vehicle will be responsible for the cost of repairs.
24. Pagers, cellphones, or other electronic communication devices are not permitted on the bus.
25. State law prohibits smoking or the use of any products containing tobacco in any form on school buses.
26. State law prohibits a student from threatening, cursing, or using abusive language to a school bus driver.
27. Students who refuse to properly identify themselves to the school administrator, driver or personnel from the Transportation Department upon request shall be suspended from riding the bus.

Level III Rules

28. Students shall not possess, use or be under the influence of alcohol on the school bus or at designated bus stops. Students breaking this

rule for the first time will receive disciplinary action.

29. Students shall not possess, use or be under the influence of illegal drugs on the school bus or at designated bus stops. Students breaking this rule for the first time will receive disciplinary action.
30. Students shall not possess any weapon on any school bus or at designated bus stops. Students will not possess objects or devices of no reasonable use at school, which may cause physical injury. Violators of this rule will be recommended for expulsion.
31. No student shall possess, use, threaten to use, or otherwise be involved with any firearm/handgun, weapon, facsimile weapon, or any other instrument that is capable of inflicting physical injury or death. Weapons prohibited by law upon any school bus or at designated bus stops include, but are not limited to: any firearm/handgun (whether loaded or unloaded), knife, razor, ice pick, dirk, brass or metal knuckle, martial arts implement, box cutter, BB gun, pellet gun, pump gun, blackjack, sword, spear in a cane, Billie club, sap, rifle, shotgun, machine gun, bomb, grenade, booby-trap, explosive device, or any other implement designed, made, or adapted for the purpose of inflicting physical injury or death.

Student will be suspended immediately from school, reported to legal authorities and recommended for expulsion from school for a period of not less than one (1) year.

BUS DISCIPLINE

Students who violate bus discipline policies that warrant suspension from riding the bus will be subject to the following:

- 1) First Offense: 3 day suspension
- 2) Second Offense: 5 day suspension
- 3) Third Offense: 7 day suspension

ALTERNATIVE PROGRAM

The District shall provide an eligible alternative learning environment (ALE) for each eligible ALE student enrolled in a District school. The ALE shall be part of an intervention program designed to provide guidance, counseling, and academic support to students who are experiencing emotional, social, or academic problems. Placement of a student in ALE shall not be punitive in nature.

The superintendent or designee shall appoint an Alternative Education Placement Team which shall have the responsibility of determining student placement in the ALE. A student may be enrolled in ALE only on the referral of the Alternative Education Placement Team. The team's placement decision is final and may not be appealed.¹

The team is to be comprised of the following:

- a school counselor from the referring school;
- the ALE administrator and/or ALE teacher;
- the building principal or assistant principal from the referring school;
- a parent, legal guardian, person having lawful control of the student, or person standing in loco parentis (if they choose to participate);
- The District shall document its efforts to contact the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to schedule a meeting or a phone call for a placement meeting at the convenience of the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis, and maintain such documentation in the student's Student Action Plan (SAP).
- LEA special education/504 representative (if applicable);
- at least one (1) of the student's regular classroom teacher(s); and
- if the District so chooses, the student.

Students who are placed in the ALE shall exhibit at least two (2) of the characteristics from items below:

- a. Disruptive behavior;
- b. Dropping out from school;
- c. Personal or family problems or situations;
- d. Recurring absenteeism;

For the purposes of the ALE, personal or family problems or situations are conditions that negatively affect the student's academic and social progress. These may include, but are not limited to:

- e. Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
- f. Abuse: physical, mental, or sexual;
- g. Frequent relocation of residency;
- h. Homelessness;
- i. Inadequate emotional support;
- j. Mental/physical health problems;
- k. Pregnancy; or
- l. Single parenting.

No later than five (5) school days after a student begins alternative education interventions, the Alternative Education Placement Team shall develop a signed agreement between the ALE; the parent, legal guardian, person having lawful control of the student, or person

standing in loco parentis (if they choose to participate); and the student, outlining the responsibility of the ALE; parent, legal guardian, person having lawful control of the student, or person standing in loco parentis; and the student to provide assurance that the plan for each student is successful.

No later than one (1) week after a student begins alternative education interventions, the Alternative Education Placement Team shall assess the student's current functioning abilities and all relevant social, emotional, academic, career, and behavioral information and develop an SAP outlining the intervention services to be provided to the student that is in compliance with the Division of Elementary and Secondary Education (DESE) Rules. The SAP may be revised from time to time by the ALE placement team and a positive behavior or transitional plan shall be developed and added to the SAP prior to a student's return to the regular educational environment.

The district's ALE program shall follow class size, staffing, curriculum, and expenditure requirements identified in the DESE Rules.

Note: ¹ The Rules are silent on appeals, but we believe the policy should have language in this regard. You may choose to leave the language as is or change it to have the decision able to be appealed to the Superintendent or the superintendent's designee. Even if you allow for an appeal, board involvement in student assignment issues is outside of the scope of their authority.

GRIEVANCE—DUE PROCESS

Students have the right to be immediately informed of alleged violations of standards of behavior as established by Board policy and/or school regulations, and to be informed of appeal procedures. Students have the responsibility to know and obey school rules, to express grievances in a polite and hospitable manner, and to give parents correct information concerning misconduct. Principals and teachers have the responsibility to follow Board-established procedures in disciplinary actions involving suspension and expulsion recommendations. Parents have the responsibility to call the principal for a conference when needed, and to arrange with proper school authorities for desired student hearings.

If a school employee believes that any action taken by the school district to discipline a student referred by that employee does not follow school district discipline policies, the school employee may appeal under the district's grievance procedure policy.

STUDENT COMPLAINTS

If a student and/or the parent of the student involved in a disciplinary ruling wishes to contest a disciplinary ruling or a condition or circumstance imposed by a teacher or school administrator, the procedure which follows should be used by the person filing the complaint. Normally, the complaint is oral; however, any party to a complaint may at any time request that a complaint be made in writing.

1. The complaint must be directed to the person who originally took the action upon which the complaint is based. The person shall review his action and give his decision to the complainant.
2. The complainant is not satisfied with the decision; the complaint must be directed to the immediate supervisor of the person who took the original action. If the complaint is directed to a teacher, the immediate supervisor would be the building principal. If the complaint is directed to a principal and involves an academic problem, the immediate supervisor would be the Superintendent or his designee. The supervisor or his designee shall review the original action which was taken and render a decision or suggest a solution which might be mutually satisfactory to all parties. If either party is not satisfied with the decision of the supervisor, the complaint may be directed to the Superintendent.
3. The Board of Directors delegates to the Superintendent the authority to review the complaint and issue a decision regarding the complaint. In regard to suspension and due process, the decision of the Superintendent of Schools will be final.

Note: Only the Board of Education may expel a student from school on concurrence of the Superintendent with the principal's recommendation and only through due process proceedings. The Board of Education may expel a student for the remainder of the semester or for the remainder of the school year or permanently.

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 days¹ 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 (5th) grade unless the student's behavior:

1. Poses a physical risk to himself or herself or to others.
2. Causes a serious disruption that cannot be addressed through other means; or
3. 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:

- a. The student shall be given written notice or advised orally of the charges against him/her;
- b. 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
- c. If the principal finds the student guilty of the 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 guardian, 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.²

- 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 out-of-school suspensions 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.³

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.³

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.

Notes: To satisfy a student's due process rights, make sure that all the IDEA requirements are met for students receiving special education services.

¹ The ten (10) school days are on a traditional school calendar. If your district uses a 4x4 block schedule, the number of days of suspension will need to be modified accordingly.

² A.C.A. § 6-18-507(f) (3) requires attempts at contacting parents be made first by phone. If such contact fails, then contact may be by email, and if that is unsuccessful, contact may be by regular first class mail.

³ Your final language needs to match the language you have chosen for suspensions in policy 4.7.

THREE STRIKES YOU'RE OUT

When a student has been suspended from school for the third time, he/she will be recommended for expulsion for the remainder of the school year or one calendar year with the superintendent having the discretion to modify such expulsion requirement on a case-by-case basis.

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 (5th) grade unless the student's behavior:

- Poses a physical risk to himself or herself or to others;
- Causes a serious disruption that cannot be addressed through other means; or
- 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 days¹ 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.² 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.

Notes: To satisfy a student's due process rights, make sure that all the IDEA requirements are met for students receiving special education services.

¹ The ten (10) school days are on a traditional school calendar. If your district uses a 4x4 block schedule, the number of days of suspension will need to be modified accordingly.

² The current law governing parental responsibility is A.C.A. § 5-27-210

*****The superintendent must clear all students, who have been expelled, for re-entry into school.**

DISCIPLINING STUDENTS WITH IDEA DISABILITIES INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

SUMMARY AND BACKGROUND

The Individuals with Disabilities Education Act (IDEA) Amendments of 1997, PL 105-17, gives students with disabilities special due process rights relative to long-term suspensions or exclusion (expulsion) from school. Students with disabilities are not immune from disciplinary procedures, but neither are those procedures identical with those for students without disabilities. After meeting all procedural safeguards, “exclusion from school-based activities” with the provision of an alternative educational setting, rather than expulsion, maybe recommended as a disciplinary action for students with disabilities.

Due process will be extended to parents and/or students with IDEA disabilities prior to any change in the student’s educational placement or program. Who Is Affected, and What Are the Rules?

Students who are in the formal referral process prior to disciplinary infraction are subject to the due process rights and procedures as defined by IDEA. Subsequently, only students who have been formally identified as students with IDEA-defined disabilities are subject to the due process provisions of PL 105-17. A student’s permanent file will generally show whether he/she has been formally identified as a student with a disability. All such students will also have IEPs (individual educational plans) in their files.

1. Rule for Suspensions of Ten (10) Days or Less. Due process notice is not required for suspensions of ten (10) days or less during the school year for IDEA students. Suspensions of ten (10) days or less are not considered a change in placement. Students with disabilities may be suspended from school for ten (10) days or less per offense. Suspensions of ten (10) days or less do not require that a manifestation determination be made regarding the relationship between the misconduct and disability or placement. No educational (FAPE) services are required for short-term suspensions.

However, if students have patterns of behavioral problems that warrant repeated suspensions, schools are advised to conduct a functional assessment of behavior. Disruptive behavior due to a disability may be evidence that the student’s program is inappropriate. An IEP conference should be scheduled to review the student’s program to make a determination as to the need for a behavior management plan or other modifications that may address current or prevent future misconduct.

2. Rule for Exceeding Ten (10) Days of Suspension or Expulsion. IDEA students may not be suspended for more than ten (10) days or excluded from school as a disciplinary action. Such suspension or exclusion constitutes a change in placement which invokes all due process and procedural safeguards regarding educational programming or placement changes. Refer to IDEA change in placement procedures.

3. Rule for 45-Day Exclusion Involving Weapons or Drugs. IDEA students who bring weapons or drugs to school may be placed in an interim alternative educational setting up to 45 calendar days. The IEP team in accordance with due process requirements must decide an interim alternative placement. In order for the team to meet, the school has the option of removing the student from the school, using other in-school discipline or suspension up to ten (10) school days. Refer to IDEA change in placement procedures.

Compliance with GFSA (Gun-Free School Acts) for students with disabilities under IDEA will be determined on a case-by-case basis. FAPE (Free Appropriate Public Education) must be provided to IDEA students during the interim 45-day placement.

IDEA DISCIPLINARY PROCEDURES:

A suspension of more than ten (10) days or exclusion from school is a change in placement. **Before** change in placement can be implemented, the school must:

1. Notify the parents in writing, in their native tongue and language they can understand, of a review conference.
2. Convene the IEP team within ten (10) days. Include the parents, teachers, therapists, evaluators, student (if appropriate) and anyone else closely involved with or knowledgeable of the student’s placement or education.

3. Use all available school and evaluation data, along with input from committee members, when conducting the IEP team review. This committee must meet and:

- Conduct a functional analysis of behavior or review the one previously completed,
- Develop a behavior plan or review/revise the current behavior plan,
- Conduct a manifestation determination, and
- Determine the interim/alternative placement.

Thus, exclusion or suspension of more than ten (10) days cannot be imposed as a disciplinary action without an investigation and documentation of the appropriateness of both the program and placement. The investigation/review has all evaluation and due process requirements; therefore, there could be a potential delay in recommending exclusion- even with the provision of an alternative educational placement- as a disciplinary measure.

4. Indicate the decision of the committee relative to the following:

- If the behavior is **related** to the disability, the student cannot be excluded from school or suspended for more than ten (10) days as a disciplinary action. However, if appropriate, an alternative educational placement is recommended by the committee. Schools are advised to obtain parental consent prior to implementing a recommended change in placement. If parental consent cannot be obtained, due process for notification of change in placement is required.
- If the behavior is **not related** to the disability, it must be determined and documented by the committee. Following such determination, the administration can then recommend disciplinary action through regular administrative procedures. If the student is recommended for exclusion from school for disciplinary reasons, an alternative educational setting must be provided to continue FAPE (Free Appropriate Public Education) for IDEA students.

5. If the parent **agrees** with the recommended change in placement the decision can be implemented.

6. If the parent **disagrees** with the manifestation determination or recommended change in placement, the parent may file a written request for a due process hearing.

- “Stay put” for the student during the hearing process is the current educational placement.

EXCEPTION:

For disciplinary infractions involving weapons/drugs, the 45-day rule for interim alternative placement applies. If the parent disagrees with the 45-day interim placement, or manifestation determination, the parent may initiate a hearing. In this case, “stay put” is the student’s 45-day interim placement.

7. Inform parents of their due process rights at all conferences, including the right to disagree with any conference decision or recommendation of the school.

NOTE: These procedures are subject to immediate revision and/or interpretation when federal/state regulations are finalized.

DISCIPLINING STUDENTS UNDER SECTION 504 SECTION 504 OF THE REHABILITATION ACT OF 1973

Summary and Background

The Rehabilitation Act of 1973 governs the district’s obligations to provide FAPE (Free Appropriate Public Education) and reasonable accommodations to students with disabilities as defined in Section 504. Section 504 is a civil rights law that prohibits discrimination and guarantees protection for students with disabilities. The Americans with Disabilities Act of 1990 (ADA), Title II, extends Section 504’s prohibition of discrimination on the basis of disability to all school or district activities. In disciplinary situations, due process is required. Purposes of Section 504 include:

1. School districts receiving federal financial assistance must guarantee students their civil rights and are prohibited from discrimination of students on the basis of their disability.
2. Assurance that the states will provide all students with disabilities with a “free appropriate public education” (FAPE).
3. Due process for the parents of students with disabilities, prior to any change in placement or program.

Who Is Affected, and What Are the Rules?

Students who have been formally identified as disabled under Section 504 prior to the disciplinary infraction are subject to due process rights and procedures. A student’s permanent file will indicate whether he/she has been identified as a student with a disability according to 504. Such students will have written documentation of 504 eligibility in their file.

- 1. Rule for Suspensions of Ten (10) Days or Less.** Special due process notice is not required for suspensions of ten (10) days or less. They are not considered a change in placement. Students with disabilities may be suspended from school for ten (10) days or less. Suspensions of ten (10) days or less do not require that a determination be made regarding the relationship between the misconduct and disability or placement.

However, if 504 students have patterns of behavioral problems that warrant repeated suspensions, schools are advised to conduct a 504 discipline review conference to review the student’s program to make determination as to the need for a behavior

management plan or other accommodations that may address current or prevent future misconduct.

(10) **Rule for Exceeding Ten (10) Days of Suspension or Expulsion.** Section 504 students whose behavior is related to their disability may not be suspended for more than ten days or excluded from school as a disciplinary action without following all due process and procedural safeguards. Such suspension or exclusion constitutes a change in placement. (See change in placement procedure)

- If the behavior is related to the 504 disability, educational services (FAPE) must be provided.
- If the behavior is not related to the 504 disability, no educational services must be provided.

2. Rule for Suspension for Weapons/Drugs. Section 504 students who bring weapons/drugs to school may be subject to regular disciplinary actions. However, prior to the disciplinary action the school has the option of removing the student from school using other in-school discipline or suspending the student for up to ten (10) school days. Within the ten (10) days, a 504-discipline review conference must be held in accordance with due process procedures. The 504 committee must conduct a manifestation determination to determine the causal relationship between the misconduct and the disability. (See change in placement procedure)

- If the behavior is related to the 504 disabilities, educational services (FAPE) must be provided.
- If the behavior is not related to the disability, no educational services must be provided.

SECTION 504 DISCIPLINARY PROCESS

Change in Placement Procedures

A suspension of more than ten (10) days or exclusion from school is a change in placement. **Before** any change in placement can be implemented, the school must:

1. Notify the parents in writing, in their native tongue and language they can understand, of a Section 504 discipline review conference.
2. Conduct a meeting with the parents, teachers, therapists, evaluators, student (if appropriate) and anyone else closely involved with or knowledgeable of the student's placement or education.
3. Use all available school and evaluation data, along with input from committee members, when conducting the Section 504 team review. Disruptive behavior due to a disability may be evidence that the student's program is inappropriate. Thus, exclusion or suspension of more than ten (10) days cannot be imposed as a disciplinary action without an investigation and documentation of the appropriateness of both the program and placement. The investigation/review has all evaluation and due process requirements. A behavior management plan should be included in the accommodation plan for students who exhibit serious or chronic misconduct.
4. Complete the Section 504 worksheet to make a manifestation determination. Based on the manifestation review the committee will determine:
 - If the behavior is **related** to the disability, the exclusion of the student for more than ten (10) days requires the provision of FAPE (Free Appropriate Public Education). An alternative educational placement can be recommended by the committee and implemented by the district. The parent will be informed of the recommended change of placement.
 - If the behavior is **not related** to the disability, the student may be excluded from school and no educational services provided. The administration recommends disciplinary action through regular administrative procedures.
5. If the parent disagrees with the relationship between behavior and disability they may file a written request for a hearing, grievance, or complaint. However, the disciplinary action or change in placement can be implemented during the due process proceedings for students with 504 only eligibility. There is no automatic right to remain in the current placement under 504.
6. Inform parents of their due process rights at all conferences.

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 with at least one each in the months of September, January, and February. Students who ride school buses,¹ shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct an active shooter drill and school safety assessment for all District schools in collaboration with local law enforcement and emergency management personnel. The training will include a lockdown exercise with panic button alert system training.^{2,3} 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.

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 Panic Button Alert System. Students shall be included in the drills to the extent practicable.⁴

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 against¹:

- 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.

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. 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.
- 5) 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 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1st 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 twenty-one (21) days or 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.²

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.³

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; and
- The percentage of a population that must receive an immunization for herd immunity to exist.

Notes: ¹ The table showing the age appropriate immunizations is referred to as "Table I" in the Division of Elementary and Secondary Education (DESE) rules and as "Table II" in ADH rules.

² You can amend this sentence to reflect your school's practice for when teachers are required to have their lesson plans ready in advance.

³ Your district may choose to adopt a different schedule such as docking the work a certain percentage for each day it is late.

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).¹ 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 blood borne, 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.

Note: ¹ Consult your school nurse for input on potential modifications of this listing. Hepatitis A is more contagious by casual contact than B or C, but B and C have been left in the model policy to err on the side of caution.

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 with at least one each in the months of September, January, and February. Students who ride school buses shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct an active shooter drill and school safety assessment for all District schools in collaboration with local law enforcement and emergency management personnel. The training will include a lockdown exercise with panic button alert system training. 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.

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 Panic Button Alert System. Students shall be included in the drills to the extent practicable.

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.¹

Schedule II Medications²

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 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.³ 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.

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 sentence³ 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.⁵ 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.⁴

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. c)

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, or combination does not require him/her to have such on his/her person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler, auto-injectable epinephrine, diabetes medication, or any combination on his/her 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 has relieved him/her from other duties until a parent, guardian, and 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 trained⁶ 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 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 trained⁶ 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 trained⁶ 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 trained⁶ 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.

Notes: A.C. A. 17-87-103(11), provides for the administration of Glucagon, insulin or both to students suffering from diabetes.

Districts are not under any obligation to "recruit" volunteers and 4.11 of the rules explicitly states that no employee shall be pressured into volunteering.

¹The time frame in this paragraph is not statutorily mandated and may be changed to better suit your district and the employment contract of the school nurse. Any changes you make, however, need to address the need for students to have their medications through the last day of school and the reality of parent's work schedules.

²This policy offers two different options regarding permissibility of students attending and participating in classes while taking Schedule II medications. Be sure only one option is included in the adopted policy and delete the "Option One" or "Option Two" language after your selection along with the language for the unchosen option in the final version. Be sure to consult with your school nurse when selecting an option.

³Here is a helpful, but not all-inclusive, list of prohibited Schedule II medications: Opium, morphine, codeine, hydromorphone (Dilaudid), methadone, meperidine (Demerol), cocaine, oxycodone (Percodan), amobarbital, pentobarbital, sufentanil, etorphine hydrochloride, phenylactone, dronabinol, secobarbital and fentanyl.

⁴A student who has surgery or is an accident may be taking a Schedule II medication outside of those a student may take and be permitted to attend classes under Option 1 or may have been told by his/her doctor to not attend class during the time the student is taking the Schedule II medication. In such cases, a 504 plan can be developed to cover the duration of the student's recovery, which could include homebound instruction.

⁵The specific authorization should be provided on the doctor's letterhead along with the completed Medication Administration Consent Form (4.35F).

⁶The certification may be received through training that is provided by a nationally recognized organization experienced in training

laypersons in emergency health treatment or other persons approved by the Department of Health. Examples of National programs are those provided by the American Heart Association and the American Red Cross.

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.

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.

PHYSICAL EXAMINATIONS AND 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.

Note: This policy is not intended to and does not cover invasive physical examinations. "Invasive Physical Examinations" is defined in federal law as any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body. It is our understanding that most students who would receive an invasive physical examination would do so as part of the student's individual health plan (IHP) or while at a school based health clinic; neither situation is intended to be covered by this policy.

In the event a student did not fall under one of the above situations, districts should be aware that an invasive physical examination requires that the student's parent/legal guardian be "directly" notified of the specific or approximate dates (to the extent known) during the school year when the invasive physical examination is scheduled within a reasonable period of time that would provide the parent and opportunity to object. Parents of a student whose IHP covers an invasive physical examination have granted permission for that specific type of exam as part of the establishment of the IHP.

"Directly notified" means by mail or email; inclusion in the student handbook does not meet the law's requirements.

Districts with students who participate as athletes in the Arkansas Special Olympics programs should be aware that the student's physical examination for participation in the program must be signed by either an advanced practice nurse or a licensed physician. Many of the participating students often have multiple health challenges, which can sometimes be deadly in the right circumstances (These are often referred to as "co-morbidities".) As a result, it is important that the Special Olympics athlete medical form be completed by the parent and the qualified health care provider. A copy of the medical form can be found on the Policy Resources Page at <http://arsba.org/policy-resources>.

CURRICULUM

Students have the right to a meaningful curriculum, to express their opinion in its development, and access to curriculum guides and course outlines. Students have the right to know what is expected of them in class, and to be informed of their progress. Both students and teachers have the right to be treated with dignity.

Students have the responsibility to meet the requirements of graduation and/or plan of study, to seek counsel and direction in determining education goals, and to work with the teacher to try to resolve any conflicts which might arise. School staff members have the responsibility to recognize the individuality of those students seeking their advice and counsel, to make known to students and the community the broad scope of special instructional programs available in the District; and to work with students to try to resolve conflicts.

SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2020

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*¹ will be sent home with students prior to their enrolling in seventh (7th) grade, or when a seventh (7th) through twelfth (12th) grade student enrolls in the district for the first time and there is not a signed form in the student's permanent record. This policy is to be included in student handbooks for grades six (6th) through twelfth (12th) 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 time they are required to sign the consent forms.

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.² 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 process³ 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:⁴

- 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.⁵

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 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.

SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR GRADUATING CLASS 2021 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 Form¹ will be sent home with students prior to their enrolling in seventh (7th) grade, or when a seventh (7th) through twelfth (12th) 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 requirements of their IEP (when applicable) 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.² 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 process³ 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:⁴

- 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.⁵

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 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS.

GRADUATION REQUIREMENTS

The number of units that 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 zero (0) units to graduate for a total of twenty-two(22) units. The additional required units may be taken from any electives offered by the district.⁶ 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.⁷ 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

In tenth (10th), eleventh (11) or twelfth (12) grade, all students shall receive credit in a course covering the Personal and Family Finance Standards.

SMART CORE: Sixteen (16) units

English: four (4) units – 9th, 10th, 11th, and 12th Oral Communications: one-half (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 with lab experience chosen from:

- 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 (½) unit
- World History - one unit
- American History - one unit
- Other Social Studies - one half (1/2) unit Physical Education: one-half (1/2) unit

Note: While one-half (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 (1/2) unit
Economics – one half (½) 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.⁸

Fine Arts: one-half (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 complete 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.⁹

CORE: Sixteen (16) units

English: four (4) units – 9th, 10th, 11th, and 12th Oral Communications: one-half (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 (1/2) unit
- World history, one (1) unit
- American History, one (1) unit
- Other Social Studies - one-half (1/2) unit

Physical Education: one-half (1/2) unit

Note: While one-half (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 (1/2) unit

Economics – one half (½) 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.⁸

Fine Arts: one-half (1/2) unit

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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.⁹

Notes: ¹The Smart Core Information Sheet and Smart Core Waiver Form are available at on the DESE website arkansas.gov/divisions/learning-services/curriculum-support/Arkansas-graduation-requirements under the "Related Links" heading.

²The 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.

³We 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).

⁴Schools are required to retain documentation procedures and methods used.

⁵The 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.

⁶This 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.

⁷For a detailed explanation/discussion of district options for digital learning courses see policy 5.11 - Digital Learning Courses.

⁸The 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.

⁹In 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.

CONCURRENT CREDIT

A ninth through twelfth grade student who successfully completes a college course(s) from an institution approved by the Division of Elementary and Secondary Education (DESE) shall be given credit toward high school grades and graduation at the rate of one (1) high school credit for each three (3) semester hours of college credit. Unless approved by the school's principal, **prior to enrolling for the course**, the concurrent credit shall be applied toward the student's graduation requirements as an elective.

As permitted by the DESE Rules Governing Concurrent College and High School Credit, a student who takes a three (3) semester hour remedial/developmental education course shall receive a half (1/2) credit for a high school career focus elective. The remedial/developmental education course cannot be used to meet the core subject area/unit requirements in English and mathematics.

Participation in the concurrent high school and college credit program must be documented by a written agreement between:

- The student;
- The student's parent(s) or legal guardian(s) if the student is under the age of eighteen (18);
- The District; and
- The publicly supported community college, technical college, four-year college or university, or private institution the student attends to take the concurrent credit course.

Students are responsible for having the transcript for the concurrent credit course(s) they've taken sent to their school in order to receive credit for the course(s). Credit for concurrent credit courses will not be given until a transcripts received. Students may not receive credit for the course(s) they took or the credit may be delayed if the transcripts are not received in a timely manner; this may jeopardize students' eligibility for extracurricular activities, graduation, or classification.¹

Students will retain credit earned through the concurrent credit program that was applied toward a course required for high school graduation from a previously attended, accredited, public school.

A student eligible to receive free or reduced price meals shall not be responsible for any of the costs for the student's first six (6) concurrent credit hours so long as the concurrent credit courses are taught on the District grounds and by a teacher employed by the District.² Any and all costs of concurrent credit courses beyond the six (6) hours permitted, that are not taught on the District's campus, or are not taught by a teacher employed by the District are the responsibility of the student. Students who are not eligible to receive free or reduced price meals are responsible for any and all costs associated with concurrent credit courses.

Notes: A.C.A. § 6-18-232 prohibits a private school or home schooled student who is attending a concurrent credit course

through the district under Policy 4.59 from being charged for the concurrent course unless the district also charges the district's students for concurrent credit courses.

¹ If your district has other repercussions that would apply for failure to receive credit for a course, enter them here. This paragraph is not mandatory, but would put the responsibility on the student for getting his/her transcripts to you.

² The cost of the six (6) concurrent credit hours may be paid by the District, the institution of higher education, or through a cost sharing agreement between the District and the institution of higher education.

Digital Learning Courses

Definitions

For the purposes of this policy:

“Blended Learning” is education in which instruction and content are delivered through supervised instruction in a classroom and online delivery of instruction with some element of student control over time, place, path, or pace.

“Digital Learning” means a digital technology or internet-based educational delivery model that does not rely exclusively on compressed interactive video (CIV). Digital learning includes online and blended learning.

“Instructional Materials” means:

1. Traditional books, textbooks, and trade books in printed and bound form;
2. Activity-oriented programs that may include:
 - a. Manipulatives;
 - b. Hand-held calculators;
 - c. Other hands-on materials; and
3. Technology-based materials that require the use of electronic equipment in order to be used in the learning process.

“Online Learning” is education in which instruction and content are delivered primarily over the Internet. The term does not include print-based correspondence education, broadcast television or radio, videocassettes, compact disks and stand-alone educational software programs that do not have a significant Internet-based instructional component.

“Public School Student Accessing Courses at a Distance” means a student who is scheduled for a full course load through the District and attends all classes virtually.

Digital Course Offerings

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 and shall be tailored to meet the needs of each student.

All digitally offered courses shall meet or exceed the State Board of Education's curriculum standards and requirements and be capable of being assessed and measured through standardized or local assessments. Additionally, the District shall ensure there is sufficient infrastructure to handle and facilitate a quality digital learning environment.

As an approved digital learning provider, the District shall annually determine what District created digital learning courses it will provide to our students.¹ The District may also choose to provide digital learning courses by contracting with outside providers of such courses, who have been pre-approved by the Division of Elementary and Secondary Education (DESE). The School Board shall determine the provider method or combination of methods for the District. The Superintendent shall ensure that all digital learning courses provided to District students, regardless of the source of the course, have been approved by DESE.

District created digital courses and any digital courses the district purchases from outside providers shall adhere to the guidelines for the use of digitally transmitted copyrighted materials set forth in Policy 5.8—USE OF COPYRIGHTED MATERIALS as well as applicable statutory requirements.

The District shall require all outside providers to incorporate Policy 5.8 as a condition of the service contract. Failure of the outside provider to abide by Policy 5.8 shall constitute a breach of contract and the outside provider shall be responsible for any costs resulting from such breach.

A student may elect to take any or all of his/her scheduled courses digitally. The student's attendance in his/her digital course(s) shall be determined by the online attendance and time the student is working on the course rather than the student's physical presence at school.²

The District is responsible for providing all instructional materials for each student who enrolls in a District approved digital learning course.³ Regardless of any other provisions of this policy, the District may restrict a student's access to digital courses when the student's building principal determines the student's participation in such a course would not be academically appropriate based on the student's

past performance in digital courses. Furthermore, the student's building principal may revoke a student's eligibility to continue taking a digital learning course if the student's performance during the semester indicates the student is not succeeding in the course.⁴

Notes: ¹ The district is NOT required to provide its own digital learning courses, but doing so affords the most oversight of what content such courses contain and how the courses are taught. Note that should the district choose to offer digital courses to non-district students, the district will have to go through the same provider approval process as is required for all "outside" providers.

² 8.04 of DESE Rules Governing Distance and Digital Learning allows a student to take all courses virtually. In addition, 7.08 and 7.09 of the rules requires the student's attendance in a digital course be tracked by time spent and coursework completed rather than simply by the student's physical presence (or lack thereof) at school. There are times when a student's schedule may require that the student be assigned a period during the day for the student to work on a digital course; such a student would not be treated as being absent for that period if the student was not there to be physically counted so long as the student logged the appropriate amount of time and completed all assignments but the student may be in trouble for truancy depending on the circumstances.

Example: A ninth (9th) grade student elects to take one (1) course digitally. The other courses the student takes are scheduled for first (1st), second (2nd), fourth (4th), fifth (5th), and sixth (6th) periods and the student has a study hall during seventh (7th) period. Because the student is too young to check out for third (3rd) period, the student is assigned third (3rd) period to work on the digital course. If the student goes to the gym one day during third (3rd) period instead of the classroom where the student is supposed to be, the student would be truant but would not be absent so long as the student logged the appropriate amount of time and turned in any necessary assignments.

³ This sentence is based on the statutory definition of "instructional materials". The statute further provides that the instructional materials shall be provided at no cost to students for all subjects taught.

⁴ While digital learning offers great promise for engaging students, it also requires maturity and study skills that will not work for some students. The intention of the paragraph is to leave the initial digital enrollment open to previously poor and/or disengaged students who might thrive in a digital format, and yet still give the principal the authority to intervene when it's in the student's best interest.

GRADUATION EXERCISES

PURPOSE: To establish guidelines for determining eligibility to participate in graduation exercises.

1. Any student who has completed seven(7) semesters of schooling in grades 9-12 and who has earned a minimum of twenty-two(22) units of credit will be considered eligible to participate in graduation exercises after completion of the eighth (8th) semester.
2. Students who complete the eighth (8th) semester and do not meet the twenty-two(22) unit requirement at the end of the seventh (7th) semester will be allowed to participate if all credit requirements for graduation are completed at least one week prior to graduation.
3. Students who plan to graduate early(less than eight (8) semesters), must meet the same provisions as stated in number two(2) above.

EVALUATION

Students have the right to know what is expected of them in class order to receive a specific grade; to be graded fairly; to receive both academic and citizenship grades; to be informed of unsatisfactory work; and, provided suggestions for improvement.

Students have the right and responsibility to initiate conferences with teachers concerning student classroom performance. Parents have the responsibility to respond promptly to teacher notification of unsatisfactory academic performance or unsatisfactory conduct on the part of the student.

GRADING SYSTEM

Parents, legal guardians, persons having lawful control of a student, or persons standing in locoparentis shall be kept informed concerning the progress of their student. Parent- teacher conferences are encouraged and may be requested by parents, guardians, persons having lawful control of student, persons standing in locoparentis or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation which may enhance the probability of the student succeeding. The school shall also send timely progress reports and issue grades for each nine-week grading period to keep parents/guardians informed of their student's progress.

The evaluation of each student's performance on a regular basis serves to give the parents/guardians, students, and the school necessary information monitor academic performance. Students' grades shall reflect only the extent to which a student has achieved the expressed educational objective of the course.

The grades of a child in foster care shall not be lowered due to an absence from school due to:²

1. A change in the child's school enrollment;
2. The child's attendance at a dependency-neglect court proceeding; or
3. The child's attendance at court-ordered counseling or treatment.

The grading scale for all schools in the district shall be as follows:

A = 100 – 90
B = 89 – 80
C = 79 – 70
D = 69-60
F = 59 and below

For the purpose of determining grade point averages, the numeric value of each letter grade shall be:

A = 4 points B = 3 points C = 2 points D = 1 point F = 0 points

The grade point values for Advanced Placement (AP), approved courses for weighted credit, International Baccalaureate (IB), and approved honor courses shall be one (1) point greater than for regular courses with the exception that an F shall still be worth 0 points.

The final grades of students who transfer in for part of a semester will be determined by blending the grades earned in the district with those earned outside the district. Each final grade will be the sum of the percentage of days in the grading period transferred from outside the district times the transferred grade from outside the district plus the percentage of days in the grading period while in the district times the grade earned in the district.

For example: The grading period had forty (40) days. A student transferred in with a grade of eighty-three percent (83%) earned in ten (10) days at the previous school. The student had a grade of seventy-five percent (75%) in our district's school earned in the remaining thirty (30) days of the grading period. Ten (10) days is twenty-five percent (25%) of forty (40) days while thirty (30) days is seventy-five percent (75%) of forty (40) days. Thus the final grade would be $(0.25 \times 83) + (0.75 \times 75) = 77\%$.

Notes: ¹ For districts on a 4x4 block schedule the grading period should be adjusted.

² A.C.A. § 9-28-113(f) makes this requirement, but does not offer any statutory solution. Presumably, class work missed due to a foster child's absence for the listed reasons would fall under the same parameters for making up missed assignments or tests as any other absence. As such, a foster child's grades could be affected by how well the child does in making up their missed assignments or tests, but not merely because the child missed school for cause.

ADVANCED PLACEMENT

Students in grades 7th-12th who take advanced placement (AP) courses, International Baccalaureate (IB) courses, or honors or concurrent credit college courses¹, or other courses approved for weighted credit by the Division of Elementary and Secondary Education (DESE) shall be graded according to the following schedule:

A = 100 – 90
B = 89 – 80
C = 79 – 70
D = 69-60
F = 59 and below

For the purpose of determining grade point averages, the numeric value of each letter grade shall be:

A = 5 points B = 4 points C = 3 points D = 2 point F = 0 points

For a student to be eligible to receive weighted credit for an AP, or IB course:

- The course must be taught by an Arkansas licensed teacher who has received the appropriate training required by Arkansas statute and DESE Rule or, for an AP teacher, is in the process of completing an Additional Training Plan; and
- The student takes the applicable AP or IB examination after completing the entire course. Credit shall be given for each grading period during the course of the year, but shall be retroactively removed from a student's grade for any course in which the student fails to take the applicable exam. Students who do not take the applicable exam shall receive the same numeric value for the grade he/she receives in the course as if it were a non-AP or IB course.²

“Honors Courses” are those courses that have been approved by DESE as honors courses. Honors courses must stress higher order learning and be offered in addition to curriculum offerings required by the Standards for Accreditation.

Students who transfer into the district will be given weighted credit for the AP courses, IB courses, honors or concurrent credit college courses,¹ and other courses approved by DESE for weighted credit that were taken for weighted credit at his/her previous school(s) according to the preceding scale.

Notes: ¹ If your board has not chosen to adopt a policy allowing high school students to take college courses for weighted credit (as provided by A.C.A. § 6-15-902(c)(5)(A)) remove “concurrent credit college courses.”

² A.C.A. § 6-15-902(c)(2)(B) and AP Rules (3.11) stipulate that students must take the applicable AP exam to receive weighted credit for the course. Because the state now pays the total cost of the AP exams and the student’s score on the exam does not affect the student’s grade for the course, students can reasonably be expected to take the test. By standardizing the timing of awarding weighted credit across Arkansas, all students will be on a level playing field regarding their GPA for college applications.

CLASSIFICATION OF GRADE YEAR

For grade assignment, students will be classified according to the listed criteria:

5.5 completed units = Sophomore 11 completed units = Junior

16.5 completed units = Senior

ARKANSAS COMPREHENSIVE TESTING, ASSESSMENT AND ACCOUNTABILITY PROGRAM (ACTAAP)

The Arkansas Department of Education has established the ACTAAP, a program of testing that focuses on measuring application of basic skills and problem-solving skills essential to the success of students in school. Current law and the State Board of Education regulations require the administration of criterion-referenced tests (CRTs), and norm-referenced tests (NRTs). ALL students are expected to participate in state assessments.

The state-mandated criterion-referenced testing includes the ACT Aspire Exams at grades 3-10, and the ACT test for grade 11.

The CRTs are aligned to the state math and English language arts frameworks and were developed by Arkansas teachers and the Arkansas Department of Education.

Norm-referenced testing, presently the SAT-10, is administered in grades K-9 in reading comprehension and math problem-solving. The Iowa Early Learning Inventory is administered to all kindergarten students at the beginning of the school year.

The Arkansas Alternate Portfolio Assessment System is designed to evaluate the performance of students with disabilities and students with limited English Proficiency (LEP) in grades 3-10 for whom the criterion-referenced examinations are not appropriate. All 9th grade students with disabilities who are not taking Algebra I or Geometry must be assessed with an alternate portfolio. All eligible LEP students taking Algebra I or Geometry may be assessed with an alternate portfolio.

Parents/guardians are encouraged to review test results with the classroom teachers/building administrator, attend parent/teacher conferences, provide input into the development of the Student Academic Improvement plan and sign the AIP. .

Students with the most significant cognitive disabilities not taking the ACT Aspire examinations will participate in the National Center and State Collaborative (NCSC) online assessments in math and ELA at grades 3-9 and 11.

The Arkansas Alternate Portfolio Assessment for Science will continue to align to the appropriate Arkansas Science Framework and be administered at grades 5, 7, and 10 (Biology).

HONOR ROLL AND HONOR GRADUATES

HONOR ROLL

Students in grades 7-12 who participate in the Smart Core Curriculum and maintain a 3.0 GPA for the grading period will be recognized as honor roll students for that grading period. Semester grades will determine the honor roll at the end of each semester. No C's, D's and F's allowed in reporting of Honor Roll.

HONOR GRADUATES

Students who have successfully completed the minimum core of courses recommended for preparation for college as defined by the State Board of Higher Education and the State Board of Education and have a cumulative GPA of 3.5 will be designated as honor students. The GPA shall be derived from courses taken in public schools in grades nine

(9) through twelve (12). Students with an IEP or 504 plan are included to the extent that the courses that they have taken and successfully completed meet the requirements of their IEP for graduation, regardless of whether or not they meet the course requirements established by the State Board of Education and Higher Education for preparation for college.

VALEDICTORIAN AND SALUTATORIAN

The honor student with the highest GPA and who has been enrolled in public school in grades 9 through 12 and in Marvell-Elaine High School for his/her entire senior year shall serve as the valedictorian of his/her graduating class. Students who finished their 9th, 10th, or 11th grade year enrolled in a high school which has been closed due to consolidation/annexation with the Marvell-Elaine School District shall be selected valedictorian on the basis of the criteria in existence in their high school at the time of the closure and their subsequent academic achievement in Marvell-Elaine High School. Their selections shall be separate from and in addition to selection of the valedictorian from non-consolidated/annexed students enrolled in Marvell-Elaine High School.

The honor student with the second highest GPA and who has been enrolled in public school in grades 9 through 12 and in Marvell-Elaine High School for his/her entire senior year shall serve as the salutatorian of his/her graduating class. Students who finished their 9th, 10th, or 11th grade year enrolled in a high school which has been closed due to consolidation/annexation with the Marvell-Elaine School District shall be selected salutatorian on the basis of the criteria in existence in their high school at the time of the closure and their subsequent academic achievement in Marvell-Elaine High School. Their selection shall be separate from and in addition to selection of the salutatorian from non-consolidated/annexed students enrolled in Marvell-Elaine High School.

Parents or guardians of a student, or a student eighteen (18) years of age or older, who choose to not have the student publicly identified as an honor roll or honor graduate student must submit a written request that the student not be so identified.

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 well-being 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. Students who are convicted of participation in hazing or the failure to report hazing shall be expelled.¹

Note: ¹A.C.A. § 6-5-202 requires the automatic expulsion of a student who is convicted of hazing.

STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE

Student Media

All student media that are supported financially by the school or by use of school facilities, or are produced in conjunction with a class shall be considered school-sponsored media. School-sponsored media does not provide a 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 writings 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. Attacks ethnic, religious, or racial groups or
 - g. Harass, threaten or intimidate 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. Additionally, student web publications shall;
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 18.
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

STUDENT DISTRIBUTION OF NONSCHOOL LITERATURE, PUBLICATIONS, AND MATERIALS

A student or group of students who distribute ten (10) or fewer copies of the same non-school literature, publications, or materials (hereinafter "non-school 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 copies of non-school materials¹ shall have school authorities² review their non-school materials at least three (3) school days³ in advance of their desired time of dissemination. School authorities shall review the non-school materials, prior to their distribution and will bar from distribution those non-school 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.⁴ 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 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 materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur⁵; and
5. Not inhibit a person's right to accept or reject any literature distributed in accordance with the regulations.⁶
6. Students shall be responsible for the removal of excess literature that is left at the distribution point for more than one day.⁷

The Superintendent, along with the student media advisors⁸, shall develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and timelines for the review of materials.

Notes: The goal of the footnotes, are to assist principals in the implementation and enforcement of the policy by trying to improve the identification of the parameters of the policy. While the footnotes are not intended to be included in the distributed version of the policy, they should be helpful in adapting the policy for inclusion in the student handbook.

¹ You may change this number, but the inclusion of a number below which prior inspection is not required permits the exchange of such items as personal notes between students, CDs, party invitations, or birthday cards. The review requirement also applies to materials distributed at extracurricular events that are not intended primarily for adults.

² Consider naming the specific school authority (i.e. Superintendent, assistant superintendent, etc.) responsible for the review.

³ You may change this length of time to suit your district, but it may not exceed three days without putting the district at risk of facing a legal challenge that you are inhibiting free speech.

⁴ While you can prohibit material for the stated reasons, you may not do so merely because it contains a controversial message or content the district disagrees with.

⁵ The time, place, and manner of distribution may vary by the age of the students attending the school. For example, elementary schools may wish to have more narrowly tailored times and places for the distribution and restrict how the materials are made available. It is more difficult for elementary students to tell the difference between school-sponsored and non-school-sponsored materials which could affect who would be appropriate distributors of the materials. Schools also have the option of putting up a notice at the distribution site such as a designated table in a foyer or hallway that the materials do not represent the viewpoint of the school. You might also choose to add a qualifier permitting the principal to impose additional requirements when deemed appropriate to avoid disruption, congestion, or other problems that could be associated with the distribution.

⁶ Students are not to be coerced into taking non-school materials.

⁷ If you choose to include this optional sentence, select a reasonable amount of time for any specific item to be available at one stretch. Some materials could conceivably be appropriately left for distribution for significantly longer periods of time than other materials. You may also choose to add an additional sentence requiring the student(s) who distribute the materials to be responsible for picking up any materials thrown on school grounds.

⁸ In addition to being included in reviewing any amendments to the regulations resulting from this policy, the student media sponsors are required to be included when reviewing any proposed updates to this policy.

STUDENT WELFARE

The Board directs full compliance by the District with the child abuse and neglect reporting laws.

Any school official or employee who knows or has reasonable cause to suspect that a child has been subjected to physical abuse, sexual abuse or neglect, or observes the child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, will immediately report or cause a report to be made to the building principal or his designee, who will then become responsible for making a report to the Phillips County Children and Family Agency.

It will not be the responsibility of the school official or employee who initiated the report to prove that the child has been neglected or abused.

GUIDELINES

1. School employees as members of a school staff are included in a list of persons required by law to report if they have reasonable cause to suspect that a child has been subjected to abuse, sexual abuse, or neglect, or observe the child being subjected to conditions or circumstances which would reasonably result in abuse.
2. Employees as members of a school staff are required to notify the school principal or the person designated by him/her.
3. The principal, or his designee, upon being notified, will become responsible for making a report to SCAN (1-800-482-5964) if the child is nine(9) years of age or younger and the perpetrator (such as the parent) lives in the home. Report to Phillips County Children and Family Services if the child is over nine (9) years of age or if the child is nine(9) years of age or younger and the perpetrator does not live in the home.
4. A school principal, or his designee, receiving a report of suspected physical abuse will report the case immediately by telephone to the appropriate agency. It will not be necessary to call a school nurse in case of suspected sexual abuse. If documentation of marks is needed, notify the Office for Equity and Pupil Services.
5. After the principal or his designee has made a telephone report, Marvell-Elaine School District Child Abuse Report Form will be completed, placed in a sealed envelope marked "Confidential" and sent to the Central Office. A copy of the report is also to be mailed to Phillips County Children and Family Services. This also should be sealed and marked "Confidential." The principal, or his designee, may assign the completion of Marvell-Elaine School District Child Abuse Report Form to the employee making the original report. Responsibility for both the completion of the report and mailing lies with the principal.
6. If the report is completed and submitted by a certified school counselor, Act 28 of 1989 specifies that the counselor may receive

information concerning progress on the case. However, the counselor may not disclose to any other person the reports or other information obtained pursuant to the case.

7. Notification to parents, legal guardians, or other persons having lawful control, is not required if school personnel makes a report or files a complaint based on suspected child abuse or neglect as required under 12-12-507 or if student access is granted to law enforcement personnel for purposes of investigation of suspected child abuse or neglect.(Act 1217 of2001)

STUDENTS ELIGIBILITY FOR INTERSCHOLASTIC ACTIVITIES IN JUNIOR HIGH/MIDDLE SCHOOL AND SENIOR HIGH

The AAA eligibility rules do not apply until the students reach the seventh (7th) grade; however, students who enter late or are retained by failing grades or a mutual decision between the school and the parents could become ineligible under the age rule in later years.

The AAA age rules are as follows:

Rule 7. Age

A. Junior High/Middle School. A junior high/middle school student whose 16th birthday is on or before September 1 may not participate in a junior high/middle school interscholastic event.

NOTE: In the year a student in junior high/middle school becomes too old for junior high/middle school participation, he may be allowed to participate for the senior high, and the number of allowable senior high semesters shall begin.

B. Senior High. A senior high students whose 19th birthday is on or before September 1 may not participate in an interscholastic event.

PARENT-TEACHER CONFERENCES (SECONDARY SCHOOL)

Teachers shall attempt to communicate personally with the parents or guardians of each student at least twice during the school year to discuss the student's academic progress. Teachers shall communicate more often with parents/guardians of students performing below the level expected for their grade.

Parent-teacher conferences are encouraged and maybe requested by parents or guardians when they feel they need to discuss their child's progress with his/her teacher. Conferences shall be scheduled at a time and place to best accommodate those participating in the conference.

SECONDARY (7-12) EXTRACURRICULAR ACTIVITIES POLICY

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/interscholastic 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.¹

"Interscholastic Activities" means athletic or non-athletic/academic activities where students compete with students from within the same school.¹

"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).² 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 wave this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.³ Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.⁴

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.⁵

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 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 and regulations 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.⁶

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.⁷

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).

NOTES: The standards as outlined above are minimum standards and can be raised locally if desired. If your district does not offer a SIP, delete the references to it in your policy.

AAA standards allow a student to participate in an SIP for a maximum of two consecutive semesters and require the student to improve his/her GPA by at least 10% by the end of the first semester to remain eligible for the second semester. By the end of the second semester, the student must have attained a 2.0 GPA to be eligible for competitive interscholastic activities. Following one or more semesters where the students has attained a 2.0 GPA, this cycle may be repeated.

¹The definition for interscholastic activities is effectively taken from the AAA Handbook and is the origin for the extrapolated definition of intrascholastic activities. When it comes to implementing this policy, it may be important/helpful to keep in mind that the handbook also points out the following: performance activities such as band, speech, drama, etc. may be viewed as competitive arenas both internally (ratings by individual schools) and externally (comparisons of individual or school ratings with a view toward determining an ultimate winner). Additionally, both inter and intra scholastic activities may be curricular if the activity is required as part of the course.

²While the Standards for Accreditation no longer expressly requires a policy that "shall limit and control interruptions of instructional time in the classroom and the number of absences for such activities", we believe that restrictions on the interruption of instructional time to be a best practice. You could replace "one per week per extracurricular activity" with a specific number of days per semester that could also allow the student to "bank" or accumulate days in anticipation of a major event.

³This sentence is optional but it would keep the policy from having "zero tolerance" (which we do not support) and give you latitude to accommodate instances beyond the student's control such as a car accident, serious illness or other acts of God. If you choose to include the sentence, you may change "Superintendent" to "Principal" if that would work better in your district. Be sure to align your decision for this footnote with the decision you have made on the same issue that exists in policies 4.55 and 4.56.1.

⁴This paragraph is entirely optional. Participation in extracurricular activities is not a right, and districts may legally place conditions on a public school student's eligibility for participation (such as testing compliance), but districts cannot deny a diploma to an otherwise qualified student or deny a student the ability to attend school. If you choose to include the paragraph, the third to the last sentence may be amended to apply to a timeline of your choice.

⁵This paragraph is not statutorily required, but has been added to align with policy 4.56.2 - Extracurricular Activity Eligibility for Home Schooled Students with the belief that such information will benefit all students.

⁶This also applies to home schooled students and is cleverly accommodated by an adjustment to APSCN reporting outlined in Commissioner's Memo FIN-14-11 or Commissioner's Memo COM-18-009 if the student is also taking courses in accordance with Policy 4.59.

⁷Districts should be aware that the AAA handbook contains rules prohibiting students who participate on school sponsored teams of the various interscholastic activities from being permitted to participate in practices and competitions for the same sport during the same season of the interscholastic activity.

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.¹

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.¹

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 zone² 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 30th 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 course³ 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 (11th) 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;⁴
- 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 (7th) grade if the student were enrolled in public school.
 - c. 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.

Notes: ¹ This paragraph is not statutorily required, but without advance determination of the timelines, there will be no way for a parent to know when, or even for what semester, they will have to make their application to the district. Such information will benefit all students.

² Only include "or their applicable attendance zone's school" if your district has more than one school per grade configuration.

³ You can only **require** one course, but a district may permit a student to register for more than one course.

⁴ Include "drug testing" only if your district conducts such tests.

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 person acting in loco parentis, and teacher(s) of a student in Kindergarten through eighth (8th) 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.

At Marvell-Elaine Elementary School, a minimum of 3 conferences are held between February and May. The conferences may be initiated by the student's teacher, parent/guardian, counselor, principal, or any other appropriate person. If adequate academic progress is not made by the student, he may be required to satisfactorily complete summer school in order to be promoted.

Students in grades seven & eight who receive failing grades in one or more core subjects (English, math, science, or social studies) may be retained in that grade. The following conditions will be considerations in determining a student's need for retention: results of goals met based on a student's IEP, standardized testing results, participation in an approved remediation program.

At Marvell-Elaine High School, Students in high school grades 9-12 are classified according to the number of units of credit they have and not according to the time spent in a grade. Students receiving a percentage grade of 59.5% or higher in a semester, in a high school course, shall receive credit for the course. To be classified as a sophomore, a student must have five (5) units credit, to be classified as a junior, a student must have nine (9) units credit; and to be classified as a senior a student must have fifteen (15) units credit. Class status is updated in August of every school year, with the exception of those students that are retaking courses previously failed.

Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria.¹ 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 student² 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 sample; and
- Local assessment scores.

By the end of grade eight (8), the student's SSP shall:³

- 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:

- By no later than the end of the school year for a student in grade eight (8) or below² who enrolls in the District during the school year; or
- 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/retention or graduation of students with an IEP shall be based on their successful attainment of the goals set forth in their IEP or completion of the Alternate Pathway to Graduation when applicable.

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 Principal may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

Notes: ¹Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria. ¹ 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.

²The Division of Elementary and Secondary Education (DESE) Rules Governing the Arkansas Educational Support and Accountability Act only requires that an SSP be created for students in eighth (8th) grade and beyond and DESE will only cite a district if a student does not have an SSP by the end of eighth (8th) grade and beyond. We have opted to have the default language in the policy be for an SSP to be created for every student, with additional information reviewed and added starting in eighth (8th) for a couple of reasons: First, we believe requiring an SSP for all grades allows for improved communication between parents, teachers and students.. The creation and existence of an SSP at all levels allows for the use of common terminology (such as a parent who has more than one student simultaneously enrolled at a district would not have to know to ask to review and discuss the SSP for the students in eighth (8th) grade or above and also have to know to ask for the response to intervention plan for the student who is below the eighth (8th) grade and beyond. Second, the creation, evaluation, and updating of the SSP at the lower levels should help to establish a student focused learning system by helping to insure each student is receiving the educational support(s) necessary for his/her individual educational development, whether the supports are through a response to intervention system, the Gifted and Talented program or anywhere in-between.

³Subsections 6.05.1 through 6.05.4 of the Arkansas Educational Support and Accountability Act rules include additional recommendations for consideration when creating and updating a student's SSP on each of the items in this list.

⁴This paragraph is optional. The paragraph originated with the movement for students to opt out of state assessments. A.C.A. § 6-15-2907(e) requires all students participate in the statewide assessments and this paragraph is intended to add local incentive for students to participate. While the entire paragraph is optional, the last sentence is important as it would keep the policy from having "zero tolerance" (which we do not support) and give you latitude to accommodate instances beyond the student's control such as a car accident, serious illness or other acts of God. If you choose to include the sentence, you may change "Superintendent" to "Principal" if that would work better for your district. Keep in mind that the decision on who is responsible for deciding whether or not to grant an exception for extraordinary circumstances is a different and separate issue than deciding whether or not to promote or retain a student, which is left in the hands of the school principal earlier in the policy. Be sure to align your decision for this footnote with the decision you made concerning footnote #5.

⁵This paragraph is optional. Participation in graduation or extracurricular activities is not a right, and districts may legally place conditions on a public school student's eligibility for participation (such as testing compliance), but districts cannot deny a diploma to an otherwise qualified student or deny a student the ability to attend school. If you choose to include the paragraphs, the third to last sentence may be amended to apply to a timeline of your choice. Be sure to align the staff position responsible for deciding whether or not to grant an exception with the decision you made for footnote#4.

CREDIT RECOVERY POLICY

The Marvell-Elaine School District offers a credit recovery program for students needing to make-up credit in order to stay on track for graduation. Students have two avenues available for recovering credit: credit recovery class after school; or retaking the class during the regular school year. Students and parents are required to attend an interview. Transportation is not provided for students.

CHILD NUTRITION

Breakfast and hot lunches are provided in the school cafeteria. Students are encouraged to participate in the nutritionally balanced programs; however, students may choose to bring a lunch.

The Marvell-Elaine School District has a meal assistance program which complies with federal guidelines. Meal assistance, in the form of free or reduced priced meals, is available for both breakfast and lunch.

If a student brings their lunch to school, it must be consumed in the school's designated area. It must not be open and visible throughout the school day. Food and drink that many students bring to school to consume throughout the school day are prohibited. These snacks will be confiscated and placed in the office. Written documentation from a doctor must be brought to school if a student has a medical condition that requires them to eat outside of the designated school meal schedule.

WELLNESS POLICY

The health and physical well-being of our students directly affects their ability to learn. Childhood obesity increases the incidence of adult diseases occurring in children and adolescents such as heart disease, high blood pressure and diabetes. The increased risk carries forward into their adulthood. Research indicates that a healthy diet and regular physical activity can help prevent obesity and the diseases resulting from it. It is understood that the eating habits and exercise patterns of students cannot be magically changed overnight, but at the same time, the Board of Directors believes it is necessary to strive to create a culture in our schools that consistently promotes good nutrition and physical activity.

The problem of obesity and inactivity is a public health issue. The Board of Directors is keenly aware that it has taken years for this problem to reach its present level and will similarly take years to correct. The responsibility for addressing the problem lies not only with the schools and the Division of Elementary and Secondary Education (DESE), but with the community and its residents, organizations and agencies. Therefore, the District shall enlist the support of the larger community to find solutions which improve the health and physical activity of our students.

Wellness Committee

To enhance the district's efforts to improve the health of our students, a School Nutrition and Physical Activity Advisory Committee (SNPAAC) shall be formed. It shall be structured in a way that ensures age-appropriate recommendations are made that correlate to our district's grade configurations. The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference. The overarching goal of the committee shall be to promote student wellness by monitoring how well the district is doing at implementing this policy. The SNPAAC shall use modules 1, 2, 3, 4, 10 and 11 of the Centers For Disease Control (CDC) School Health Index as a basis for annually assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in the school district's support plan (SDSP), provided to each school's principal, and reported to the board. Goals and objectives for nutrition and physical activity shall also be included in the SDSP.

The SNPAAC shall be made up of Individuals from the following groups to the extent interested persons from each group desire to be included in the development, implementation, and periodic review of the District's wellness policy:³

- Members of the District's Board of Directors;
- School administrators;
- School nutrition personnel;
- Teacher organizations;
- Teachers of physical education;
- Parents;
- Students;
- Professional groups (such as nurses);
- School health professionals (such as school nurses, school counselors, and social workers); and
- Community members.

The SNPAAC shall provide written recommendations to the District's Child Nutrition Director concerning menus and other foods sold in the school cafeteria. Such recommendations shall be based, at least in part, on the information the Committee receives from the District on the requirements and standards of the National School Lunch Program and from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.⁴

The SNPAAC will meet at least quarterly. Meeting dates for the SNPAAC will be placed on the District's calendar.

School Health Coordinator

To assist the SNPAAC in ensuring that the District fulfills the requirements of this policy, a District level School Health Coordinator (Designated District Official) shall be appointed. In addition, a school level School Health Coordinator shall be appointed who shall be responsible for assisting the District level School Health Coordinator in ensuring that each school fulfills the requirements of this policy.⁵

Goals

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the District will adhere to the DESE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index For Age Assessment Protocols. To promote nutrition, physical activity, and other school based activities that will improve student wellness, the District working with the SNPAAC has established the following goals.⁶

1. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
2. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
3. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
4. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
5. Not use food or beverages as rewards for academic, classroom, or sports performances;
6. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
7. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
8. Abide by the current allowable food and beverage portion standards;
9. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;⁷
10. Restrict access to competitive foods, as required by law and Rule;
11. Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce district dependence on profits from the sale of competitive foods.¹²
12. Provide professional development to all district staff on the topics of nutrition and/or physical activity;⁸
13. Utilize the School Health Index available from the Center for Disease Control (CDC) to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students;

Food and Beverages Outside of the District's Food Service Programs

The District will insure that drinking water is available without charge to all students throughout the school including, but not limited to, in the District's food service areas.

All food and beverages sold to students on school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum.⁹ These restrictions include, but are not limited to, food and beverages sold in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

All food and beverages provided, but not sold, to students on the school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum.⁹ These restrictions include, but are not limited to, food and beverages provided in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

Up to a maximum of nine (9)¹⁰ times per school year, school administration may schedule school wide events where food and beverages provided to students are not required to meet the Federal Smart Snacks standards during the scheduled time. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar.

Food and beverages outside of the District's food service programs may not be sold, served, or provided to students in the District's food service areas during meal times. Elementary students shall not have in-school access to vending machines.

The District does not place nutrition restrictions on food or beverages brought from home that are intended for personal consumption only.⁹

Advertising

In accordance with the USDA regulations, oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product that are made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product shall only be permitted on school campus during the school day if they meet or exceed the Federal Smart Snacks standards.¹¹ This restriction does not apply to:

- Materials used for educational purposes in the classroom, including, but not limited to:
 - The use of advertisements as a media education tool; or
 - Designing and implementing the health or nutrition curriculum;
- Clothing, apparel, or other personal items used by students and staff;
- The packaging of products brought from home for personal consumption; and
- Currently existing advertisements on school property, including but not limited to, the exterior of vending machines, posters, menu boards, coolers, trash cans, cups used for beverage dispensing, and other food service equipment; however, all future contracts and replacement items shall meet the Federal Smart Snacks standards.

Community Engagement

The District will work with the SNPAAC to:

- Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
- Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
- Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
- Encourage the development of and participation in family-oriented community-based physical activity programs.

The District will annually inform the public:

- Of the web address where the policy is located;
- Of any changes made to this policy since the previous year;
- Of the health and wellness priority goals in the District's SDSP;
- That a printed copy of the policy may be picked up at the District's central office; and
- The amounts and specific sources of funds received and expenditures made from competitive food and beverage contracts.

Assessment of District's Wellness Policy

At least once every three years,¹² with input from the SNPACC, the District shall assess both the District as a whole and individual schools' status in regards to the implementation and compliance of the goals of this policy, including the health and wellness goals in the District's SDSP. The assessment shall be based, at least in part, on:

- The extent to which District schools are in compliance with this policy;
- The extent to which this policy compares to other model local school wellness policies;
- The annual reviews of this policy based on modules 1, 2, 3, 4, 10, and 11 of the CDC's School Health Index; and
- A description of the progress made in attaining the goals of this policy.

On the years the assessment occurs, the assessment results shall be reported to the public, including parents, students, and other members of the community as part of the District's annual report to the public.

The District will update the wellness policy based on the results from the three (3) year¹² assessment.

District Website

The District will place on its website:

- The name, District phone number, and District email address for the District Level School Health Coordinator;
- The names, district phone numbers, and district email addresses for the School Level School Health Coordinators;⁵
- The names of the members of the SNPAAC;
- Meeting dates for the SNPAAC;
- Information on how community members may get involved with the SNPAAC;
- A copy of this policy;
- A copy of the annual review of this policy based on modules 1, 2, 3, 4, 10, and 11 of the CDC's School Health Index; and
- A copy of the most recent three (3) year¹² assessment of this policy.

Notes: First and foremost, remember that this policy is to be developed with input from the Wellness Committee(SNPAAC). There are very specific powers, duties, and responsibilities given to the committee.

Additional information on requirements and suggestions for local wellness policies are available from the USDA at <http://healthymeals.nal.usda.gov/school-wellness-resources>. Commissioner's Memos CNU-17-010, CNU-17-013, and CNU-17-016 have several additional resources.

8.01.2 of the DESE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index allows a school to serve or provide to students during the school day, outside of the meal period, a serving of food and beverages that complies with the Federal Smart Snacks requirements as demonstrated by using the Alliance for a Healthier Generation Smart Snacks Calculator, including a copy of the Smart Snacks Calculator product compliance screen and a copy of the nutrition fact label of the product. This is a local control issue and does not have to be included in the policy, but you should be aware that it is an option and is on the DESE Wellness Policy Review Checklist.

As part of the Federal review, districts will be required to provide records demonstrating compliance with the regulations that include, but are not limited to:

- A copy of the wellness policy;
- Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public, which may include, but are not limited to: a copy of the district/school Web page where the local school wellness policy has been posted or a copy of the school newsletter/local newspaper;
- Documentation of the three (3) year assessment for each school; and
- Documentation to demonstrate compliance with the public notification requirements.

¹ The Rules Governing Nutrition and Physical Activity allow three options for accomplishing this requirement:

1. Establish a School Nutrition and Physical Activity Advisory Committee at each school in addition to the district committee;
2. Establish subcommittees of the district Committee, representing the appropriate age and grade configurations for your district; or
3. Include representatives from each appropriate grade level group (elementary, middle, junior and senior high) on the membership of the district committee.

Select the option you will use and rewrite the sentence to reflect your choice.

² The statutory powers are codified at A.C.A. § 20-17-135(e)(1) and repeated in the Rules starting at 6.01. The powers delegated solely through the Rules can be found starting at 6.06.

³ The Healthy, Hunger-Free Kids Act of 2010 requires the groups listed in this paragraph to be permitted to participate (rather than "must"). There is no mention in the Act of limitations to the numbers of individuals included in each category for the policy's oversight, but some limitation to the overall size of this review team may be necessary for efficiency purposes. As part of the review process, districts will be required to demonstrate attempts were made to recruit individuals even if no one in that particular group agrees to participate.

⁴ This paragraph is intended to meet the requirements of A.C.A. § 6-20-709 and the DESE advises that WRITTEN documentation that this requirement has been met will be required during the administrative review of the child nutrition program.

⁵ While the new Federal terminology is "designated district official", the responsibilities remain the same; i.e. ensuring compliance with the Wellness Policy. Indistar refers to this position as "Wellness Chair"; we choose not to make the title of this individual the "Wellness Chair" because we believe that it should be up to the SNPAAC to select the member to be its chair rather than having it set in policy.

You are not required to appoint school level School Health Coordinators. If you choose not to appoint the school level school health coordinators, remove the sentence appointing them.

⁶ The goals included in this policy are those specifically required by rule. Additional goals should be listed upon the advice of the SNPAAC and the consent of the Board. The USDA requires that the final policy include specific measurable goals for nutrition promotion and education, physical activity, and other school- based activities that promote student wellness. When setting the goals, districts are required to review and consider evidence-based strategies. At a minimum, districts are expected to review the "Smarter Lunchroom" tools and strategies; a copy may be found at <http://www.fns.usda.gov/healthierschoolday/tools- schools> under the "School Nutrition Improvement" heading.

⁷ The DESE uses Commissioner's Memos to inform districts of many wellness policy issues concerning nutrition in general, serving portion sizes, drinking water availability, etc. The SNPAAC should be kept abreast of such applicable Memos. You have the choice to exceed the state or federal requirements. If you choose to meet and not exceed those mandated by government, you should delete "or exceed" at the start of the sentence. Currently, some of the state's requirements are more stringent than the federal requirements, but this could change. By mentioning both governments in the policy, you'll still be covered. If you do choose to exceed existing requirements you will need to specify what they are in this policy.

⁸ The Rules require all staff to receive professional development, but, at this time, there is no provision for how much or what it is to consist of. DESE is currently in the process of creating professional development covering several nutrition and physical education areas that will be accessible through Arkansas IDEAS.

⁹ Foods and beverages sold or provided outside of the food service areas being required to meet the Federal Smart Snacks Standards is the minimum required by law. If you choose to exceed the minimum, you will need to include the standards that must be met in the policy.

¹⁰ Nine (9) is simply the maximum allowed by rule. You may insert a lower number if you choose.

¹¹ This language is the minimum required by law. You have the option to be more restrictive on what level of nutritional value food and beverage advertisements must meet to be on school property. If you choose to be more restrictive, keep in mind that the First Amendment requires that the exceptions for educational uses; clothing, apparel, and other personal items; and packaging brought from home still is included.

¹² The USDA refers to this as the "Triennial Assessment" and requires that the district's wellness policy be assessed in depth at least once every three (3) years to determine the district's progress on reaching the goals set in the policy. If you wish to assess the policy more regularly, replace this language with your desired timeline.

ASSEMBLY

Students have the right to arrange and participate in curriculum-related activities on school property in accordance with the building level policies of the principal.

Students have the right to arrange and participate in non-curricular activities on school property during non-instructional time (time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends) in accordance with the Board's limited open forum policy (the practice of providing equal access and a fair opportunity to obtain space to any students wishing to

conduct a meeting or meetings without regard to religious, political, philosophical, or other content of the speech at such meetings).

Students have the responsibility to consult with and follow building-level policies as set by the Board and described by the principal when planning any student activity to be held on school property before, during, or after the school day. Principals have the responsibility for following Board regulations in accepting and acting on student applications or requests, for curriculum or non-curriculum-related meetings.

Should attendance at a planned assembly not be required and students choose not to participate, they have the responsibility to report to an assigned area. Students attending a planned assembly have the responsibility to provide courteous attention.

EXPRESSION

Students have the right to express opinions and to support causes except when such actions are unlawful or disruptive to learning.

A. Oral Expression

Students have the right to free and dynamic expression of ideas including personal opinion. Students have the right to opportunities for expressing themselves orally within the school.

Students have the responsibility to refrain from engaging in offensive obscenity and slander; to avoid speaking in such a way that disrupts the educational process; and the responsibility to avoid speaking solely for the purpose of infringing upon the rights of others. Students, teachers and other school staff have the responsibility to communicate in a courteous, non-hostile manner.

B. Written Expression

Students have the right to distribute or post-print material subject to individual building procedures and accordance with Board of Education policies. Principals have the responsibility to see that the Board of Education policies are adhered to and to develop and make available the building procedures for preparation and distribution of written materials

C. Symbolic Expression

Students have the right to symbolic expression which does not (1) cause disruption of the education process, (2) infringe upon the rights of other students and faculty, (3) prevent the Board of Education from performing its statutory obligations, or (4) cause accidents or endanger the health or physical well-being of students or faculty.

The primary responsibility for dress, grooming and overall appearance of students rests with the parents of individual students and the students themselves. Students have the responsibility to ensure that (1) buttons, badges and other symbols do not contain obscene or libelous words, phrases or pictures; (2) that hair styles do not interfere with the health and safety of all students; (3) that clothing does not result in overt exhibitionism or disregard of common rules except those approved by the Board of Education; and (4) that physical gestures do not convey a connotation of obscene or highly disrespectful acts, infringe upon the rights of others, or cause or begin an overt and immediate disruption of the educational process. School staffs have the responsibility to ensure adherence to the above standards.

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 attendance¹. 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 received².

Notes: ¹ The legal requirement for retention of student records is as written. ASBA strongly advises districts, however, to retain the records of graduates indefinitely due to the potential for future need of the records by students for college admissions, security clearances, background checks, etc.

² The law prohibits districts from refusing to provide the records to receiving schools due to a student owing money to the district.

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.¹

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.²

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.³

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.⁴

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 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:⁵

1. The public school or District has reached the maximum student-to-teacher ratio allowed under federal law, state law, rules for standards of accreditation, or other applicable rule or 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.

Notes: ¹ The name and contact information of the liaison must be sent to the Special Education Section of DESE at the beginning of each school year. A.C.A. § 9-28-113 contains additional requirements/duties of the liaison.

² While A.C.A. § 9-28-113(b)(4) encourages districts to "arrange for transportation," there is no explanation of costs or methods.

³ A.C.A. § 9-28-113 does not address a district's right to refuse enrollment following a hearing before the board for a student that has been expelled from another school, but we believe that right is retained even in this circumstance.

CLUBS/STUDENT ORGANIZATIONS

The following is a list of Marvell-Elaine School District's active student organizations/clubs. For additional information on rules/regulations/guidelines, contact the principal/sponsor.

STUDENT COUNCIL

Purpose: To govern students in cooperation with school officials and establish a closer relationship between students and faculty.

Requirements:

1. Must have a "C" average or better to run for office.
2. Must have and maintain a good conduct record. In order for a student to be considered as having good conduct, the student must not have more than two referrals during the school year.
3. Must have approval of the Principal.

Elective Officers: President (must be a senior), Vice-President, Secretary, Treasurer, Reporter, and Parliamentarian.

F.C.C.L.A.

Purpose: To promote greater understanding with the function of the family, of family and consumer sciences related occupations, and through cooperative action in the community.

Requirements:

1. Must be enrolled in or have taken a Family and Consumer Sciences course.
2. Must have GPA of 2.0 or above.
3. Must have a positive behavior record.

Elective or Appointed Officers: President, Vice-President, Secretary, Treasurer, and Parliamentarian.

BETA CLUB

Purpose: To promote scholarship, leadership, and good citizenship at Marvell-Elaine High School. Requirements:

1. Must have a "B" average or better.
2. Must pay current dues.
3. Must have been approved by three faculty members and the principal.

Elective Officers: President (must be a senior), Vice-President (Jr./Sr.), Secretary, and Treasurer.

F.B.L.A.

Purpose: To create more interest and intelligence in business occupations. Requirements:

1. Must be taking or have taken a business course.
2. Must pay current dues.
3. Must be in grades 9-12.

Elective Officers: President (must be a senior), Vice-President (Jr./Sr.), Secretary, Treasurer, Reporter and Historian.

F.F.A.

Purpose: To strengthen the confidence of students in Vocational work and themselves. Requirements:

1. Must be taking a vocational agricultural course.
2. Must pay current dues.

Elective Officers: President, Vice-President, Secretary, Reporter, Treasurer, Junior Advisor, and Sentinel.

F.T.A.

Purpose: To develop leadership and a professional attitude among students interested in teaching and other educational careers and to develop an understanding and appreciation of the teaching profession.

Requirements:

1. Must have a GPA of "C" for the semester preceding membership.
2. Must pay current dues.

Elective Officers: President, Vice-President, Secretary, Treasurer, Historian, Reporter, and Parliamentarian.

YEARBOOK

Purpose: To provide a record of the school year, its events and people. Requirements:

1. Must have at least an A or B average in English.
2. Must have had at least one year of typing or be enrolled in a typing class.
3. Must not be enrolled in more than one sport.
4. Must not conflict with other extra-curricular activities.
5. Must be able to get along well with teachers and classmates.

Elective Officers: Editor, Co-Editor, Business Manager, and Photographer.

BAND/CHOIR

Requirements:

1. Must have/maintain a 2.0 Grade Point Average or above.
2. Must pay financial obligations.

FORMS AND MISC. INFORMATION

SEX OFFENDERS ON CAMPUS (MEGAN'S LAW)

The Marvell-Elaine School District shall work with area law enforcement in a manner consistent with applicable state law and Division of Elementary and Secondary Education Rules to communicate the presence of a sexual offender. When necessary, law enforcement may contact building principals to provide information concerning registered sex offenders. The decision regarding the school principals to notify rests solely with law enforcement officials; law enforcement officials use a rating system to determine who needs to be notified according to the offender's dangerousness to the community.

In turn, building principals should, in turn, notify any employee who is regularly in a position to observe unauthorized persons on or near the school's property in the ordinary course of their employment. Employees notified could include any of the following: aides, bus drivers, coaches, maintenance staff, professional support staff, school level administrative staff, security personnel, teachers' assistants, and teachers.

It is important that school personnel who receive sex offender notifications understand that they are receiving the sex offender notifications in their official capacity and are **not** to disseminate information about an offender to anyone outside the school. If school personnel are asked about notification information by an organization using school facilities, the organization should be referred to the area law enforcement agency that issued the notice.

Persons **not** to be notified except at the specific discretion of area law enforcement officials include members of parent-teacher organizations, other schools, organizations using school facilities, students, parents or guardians of students, and the press. District personnel may inform the press about procedures which have been put in place and other general topics, but may not reveal the name or any other specifics regarding an offender.

A parent or guardian who is a Level 1 or Level 2 sex offender shall be allowed to enter the school campus to attend parent-teacher conferences or any other activity that is appropriate for a parent or guardian, or community member.

Level 3 and Level 4 sex offenders may only enter the school campus in the following instances.

1. The offender is a student attending school in the district;
2. To attend a graduation or baccalaureate ceremony;
3. It is a non-student contact day according to the school calendar or no school-sponsored event is taking place on campus;
4. The offender is a parent or guardian of a student enrolled in the district and goes directly to the school office to have school personnel deliver medicine, food, or personal items for the student;
5. The offender is a parent or guardian of a student and enters the school campus where the student is enrolled to attend a scheduled parent-teacher conference **and** the offender is escorted to and from the conference by a designated school official or employee.

A Level 3, but not a Level 4, sex offender may attend a school sponsored event for which an admission fee is charged or tickets are sold or distributed if the sex offender:

- Is the parent, guardian, great-grandparent, or is related by blood or marriage within the second (2nd) degree of consanguinity¹ to a student enrolled in the public school;² and
- Notifies the administration of the school in writing at least twenty-four (24) hours before the start of the event that he or she will be attending the event.

A Level 3 and Level 4 sex offender who is the parent or guardian of a child enrolled in the district and who wishes to enter the school campus in which the student is enrolled for any other purpose than those listed above, must give reasonable notice to the school principal or his/her designee. The principal or designee may allow the sex offender to enter upon the campus provided there is a designated school official or employee to escort and supervise the sex offender while they remain on campus. The sex offender shall not enter upon the school campus until such time as a designated school official or employee is available.

Copies of the notification from law enforcement should be kept in a secure place accessible to teachers and staff, but should not be posted on school bulletin boards or made available to students or members of the community at large.

Notes: ¹ The method to determine the degree of consanguinity may be found in A.C.A. § 28-9-212 and a consanguinity diagram has been posted at <http://arsba.org/policy-resources>.

² Our interpretation is that for a Level 3 sex offender to be admitted to a ticketed event that the Level 3 sex offender must be related to a student enrolled in the public school where the event is being hosted rather than related to a student enrolled in the visiting school.

OBJECTION TO PUBLICATION OF DIRECTORY INFORMATION

(Not to be filed if the parent/student has no objection)

I, the undersigned, being a parent of a student, or a student eighteen(18) years of age or older, hereby note my objection to the disclosure or publication by the Marvell-Elaine School District of directory information, as defined in Policy No. 4.13 (Privacy of Students' Records), concerning the student named below.

I understand that the participation by the below-named student in any interscholastic activity, including athletics and school clubs, may make the publication of some directory information unavoidable, and the publication of such information in other forms, such as telephone directories, church directories, etc., is not within the control of the District.

I understand that this form must be filed with the office of the appropriate building principal within ten(10) school days from the beginning of the current school year or the date the student is enrolled for school in order for the District to be bound by this objection. Failure to file this form within that time is a specific grant of permission to publish such information.

I object and wish to deny the disclosure or publication of directory information as follows: Deny disclosure to military recruiters_____

Deny disclosure to Institutions of postsecondary education_____

Deny disclosure to Potential employers_____

Deny disclosure to all public and school sources_____

Selecting this option will prohibit the release of directory information to the three categories listed above along with all other public sources (such as newspapers),

AND result in the student's directory information **not** being included in the school's yearbook and other school publications. Deny

disclosure to all public sources_____

Selecting this option will prohibit the release of directory information to the first three categories listed above along with all other public sources (such as newspapers), but permit the student's directory information **to be included** in the school's yearbook and other school publications.

Name of student (Printed)

Signature of parent (or student, if 18 or older)

Date form was filed (To be filled in by office personnel)

Note: your district does not have to include the separate options listed on this form, but students do have the right to opt out of either category separately.

STUDENT INTERNET AND ELECTRONIC DEVICE USE AGREEMENT

Student's Name (Please Print) _____ Grade Level _____

School _____ Date _____

The Marvell- Elaine School District agrees to allow the student identified above ("Student") to use the district's technology to access the Internet under the following terms and conditions which apply whether the access is through a District or student owned electronic device (as used in this Agreement, "electronic device" means anything that can be used to transmit or capture images, sound, or data):

1. Conditional Privilege: The Student's use of the district's access to the Internet is a privilege conditioned on the Student's abiding to this agreement. No student may use the district's access to the Internet whether through a District or student owned electronic device unless the Student and his/her parent or guardian have read and signed this agreement.

2. Acceptable Use: The Student agrees that he/she will use the District's Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal laws and regulations and any State laws and rules. The Student also agrees to abide by any Internet use rules instituted at the Student's school or class, whether those rules are written or oral.

3. Penalties for Improper Use: If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action. [Note: A.C.A. § 6-21-107 requires the district to have "...provisions for administration of punishment of students for violations of the policy with stiffer penalties for repeat offenders, and the same shall be incorporated into the district's written student discipline policy." You may choose to tailor your punishments to be appropriate to the school's grade levels.]

4. "Misuse of the District's access to the Internet" includes, but is not limited to, the following:

- a. using the Internet for other than educational purposes;
- b. gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
- c. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- d. making unauthorized copies of computer software;
- e. accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
- f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
- g. posting anonymous messages on the system;
- h. using encryption software;
- i. wasteful use of limited resources provided by the school including paper;
- j. causing congestion of the network through lengthy downloads of files;
- k. vandalizing data of another user;
- l. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- m. gaining or attempting to gain unauthorized access to resources or files;
- n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- o. invading the privacy of individuals;
- p. 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, address, and phone number.
- q. using the network for financial or commercial gain without district permission;
- r. theft or vandalism of data, equipment, or intellectual property;
- s. attempting to gain access or gaining access to student records, grades, or files;
- t. introducing a virus to, or otherwise improperly tampering with the system;
- u. degrading or disrupting equipment or system performance;
- v. creating a web page or associating a web page with the school or school district without proper authorization;
- w. providing access to the District's Internet Access to unauthorized individuals;
- x. failing to obey school or classroom Internet use rules; or
- y. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools; or
- z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

5. Liability for debts: Students and their cosigners shall be liable for any and all costs (debts) incurred through the student's use of the computers or access to the Internet including penalties for copyright violations.

6. No Expectation of Privacy: The Student and parent/guardian signing below agree that if the Student uses the Internet through the District's access, that the Student waives any right to privacy the Student may have for such use. The Student and the parent/guardian agree that the district may monitor the Student's use of the District's Internet Access and may also examine all system activities the Student participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system. The District may share such transmissions with the Student's parents/guardians.

7. No Guarantees: The District will make good faith efforts to protect children from improper or harmful matter which may be on the Internet. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.

8. Signatures: We, the persons who have signed below, have read this agreement and agree to be bound by the terms and conditions of this agreement.

Student's Signature: _____ Date _____

Parent/Legal Guardian Signature: _____ Date _____

OBJECTION TO PHYSICAL EXAMINATIONS OR SCREENINGS

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby note my objection to the physical examination or screening of the student named below.

Physical examination or screening being objected to:

_____ Vision test

_____ Hearing test

_____ Scoliosis test

_____ Other, please specify _____

Comments:

Name of student (Printed)

Signature of parent (or student, if 18 or older)

Date form was filed (To be filled in by office personnel)

MEDICATION ADMINISTRATION CONSENT FORM

Student's Name (Please Print) _____

This form is good for 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.

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.

I hereby authorize the school nurse, or designee, to administer the following medication to my student: Name of medication ____

Name of physician or dentist (if applicable) _____

Dosage _____

Instructions for administering the medication _____

Other instructions _____

I hereby authorize _____ to administer the above medication to my student in the unavailability of the school nurse at school in accordance with the above medication administration instructions.

I authorize the school nurse to take a photograph of my student to be used to verify my student's identification before the school nurse or an authorized individual administers medications to my student.¹

I acknowledge that the District, its Board of Directors, and its employees shall be immune from civil liability for damages resulting from the administration of medications in accordance with this consent form.

Parent or legal guardian signature _____ Date _____

Note: ¹ While this language is optional, we recommend retaining the language unless your supervising school nurse determines it to be unnecessary.

EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM

Student's Name (Please Print) _____

This form is good for 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.

My child has an IHP that provides for the administration of epinephrine in emergency situations. I hereby authorize the school nurse or other school employee certified to administer auto-injectable epinephrine to administer auto-injectable epinephrine in emergency situations when he/she believes my child is having a life-threatening anaphylactic reaction.

The medication 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.

Date of physician's order _____

Circumstances under which Epinephrine may be administered _____

Other instructions _____

I acknowledge that the District, its Board of Directors, and its employees shall be immune from civil liability for damages resulting from the administration of auto-injector epinephrine in accordance with this consent form, District policy, and Arkansas law.

Parent or legal guardian signature _____

Date _____

ALBUTEROL EMERGENCY ADMINISTRATION CONSENT FORM

Student's Name (Please Print) _____

This form is good for 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.

My child has an IHP that provides for the administration of albuterol in emergency situations. I hereby authorize the school nurse or other school employee certified to administer albuterol to administer albuterol in emergency situations when he/she believes my child is in perceived respiratory distress.

The medication 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.

Date of physician's order _____

Circumstances under which albuterol may be administered _____

Other instructions _____

I acknowledge that the District, its Board of Directors, and its employees shall be immune from civil liability for damages resulting from the administration of albuterol in accordance with this consent form, District policy, and Arkansas law.

Parent or legal guardian signature _____

Date _____

Marvell-Elaine High School

ACKNOWLEDGEMENT OF RECEIPT

Parent(s) and or guardians must acknowledge the receipt of the Marvell-Elaine High School 2020-21 student handbook. This form also acknowledges that both you and your child have received the Marvell-Elaine High School handbook and acknowledge the following policies of the District:

- Homework Policy
- Attendance Policy
- Discipline/Corporal Punishment Policy
- Student Internet and Electronic Device Use Policy
- Smart Core Curriculum Policy
- Picture Release Policy
- Dress Code Policy
- Parental Involvement Plan/Policy

In the event that you are unclear concerning any aspect of the school policies, you should contact the principal for any clarifications needed.

Print Student Name

Grade

Student's Signature

Print Parent/Guardian's Name

Parent/Guardian's Signature

Date

MARVELL-ELAINE HIGH SCHOOL - SCHOOL COMPACT

Student's Name _____ 1st Period Teacher _____ Grade Level _____

SCHOOL'S RESPONSIBILITIES

Marvell-Elaine High School will:

- Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's student academic achievement standards.
- Hold parent-teacher conferences.
- Provide parents with frequent reports (Progress Reports during the 5th week of each quarter and Report Cards quarterly) on their children's progress.
- Provide parents reasonable access to staff.
- Provide parents opportunities to volunteer and participate in their child's class, and to observe classroom activities.

PRINCIPAL'S RESPONSIBILITIES

I will:

- Keep open lines of communication between the school and home.
- Support and encourage all stakeholders in honoring this compact.
- Support a safe and effective learning environment in each classroom.

Principal's Signature: _____

PARENT'S RESPONSIBILITIES

We, as parents, will support our child(ren)'s learning in the following ways:

- Monitoring attendance and homework assignments.
- Volunteering time and or services at our school as requested.
- Participating, as appropriate, in decisions relating to my child's education.
- Promoting positive use of my child's extracurricular time.
- Ensure that my child gets an adequate amount of sleep and arrives at school on time each day with tools necessary for learning.
- Keep the school informed of any medical, address, or telephone changes.
- Staying informed about my child's education and communicating with the school by promptly reading all notices from the school or the school district received either by my child or by mail and responding, as appropriate.

Parent's Signature: _____

STUDENT'S RESPONSIBILITIES

We, as students, will share the responsibility to improve our academic achievement and achieve the State's high standards. Specifically, we will:

- Be prepared each day with the necessary supplies and materials.
- Be respectful of others and their property.
- Participate in and to fulfill the requirements of my AIP, if applicable.
- Do my homework every day and ask for help when I need to.
- Read at least 30 minutes every day outside of school time.
- Give to my parents or the adult who is responsible for my welfare all notices and information received by me from my school every day.

Student's Signature: _____

2020-2021 PARENTAL INVOLVEMENT PLAN

- I.** Philosophy: The mission of Marvell-Elaine High School is to provide each student a quality education in a safe, supportive environment that promotes self-discipline, wellness and excellence in learning. Marvell-Elaine High School is welcoming, high performing, and results oriented school that prepares well-rounded students for college, careers, and a global society.
- We believe:
- All students can learn when held to high expectations and provided differentiated instruction.
 - Education is a shared responsibility among the school, students, parents and the community.
 - Learning is a lifelong process.
 - Everybody is somebody.
- II.** Program Components*
- To support the belief of the Marvell-Elaine Public Schools, Marvell-Elaine High School parents, alumni, and supporting community must work as knowledgeable partners.
- The Marvell – Elaine High School Parental Involvement Plan will include, but not be limited to, the following components: Parent, Alumni, and Community Involvement*
- Marvell – Elaine High School will provide the following opportunities to involve parents, alumni, and community:
1. The school administration supports the formation of a formal Parent, Alumni, and Community Involvement Committee when community interest warrants.*
~ A Parental Involvement Plan will be developed by the above committee.*
~ The plan will be disseminated to all district patrons.*
 2. Volunteer Plan*
~ Parents will participate in various Booster Clubs that support specific organizations; Cheerleading, Athletics, Band (volunteers needed)
~ Parents will participate in club and organization activities;
~ Parents will participate in site-based committees: Transformational Team
~ A needs assessment will be conducted at the building level to ascertain degree of needs. Lists of needs will be compiled and distributed to parents.*
~ Parents will be surveyed regarding their abilities and interests as volunteers provided in the informational packets. Staff will be encouraged to use the surveys.*
~ Parent volunteers will participate in the development and implementation of the Parental Involvement Plan.*
 3. Activities and Events*
~ Open House:
~ Parents and students will receive school entry orientation as well as information about school improvement and testing performance.
Parent Night; Annual Report to the Public
*At this meeting parents are given a report on the state of the school and an overview of:
 - a. What students will be learning
 - b. How students will be assessed
 - c. What parents should expect for their child's education
 - d. How a parent can assist and make a difference in his or her child's education
~ Parent-Teacher Conferences: October 15, 2020 / March 18, 2021
~ Parent Involvement Meetings: 3rd Thursday of each month
 4. Communication*
Flyers, Progress Reports, Home Visits, Letters to Parents, Phone calls, Contact Log, Parent Meetings & Parent Conferences
 5. Resource Materials*
Parenting skills, interventions, and healthy lifestyles information will be available through guidance offices, parent centers, and the school library as funds are available.*
~ The school administration supports the formation of a formal PTA or PTO when community interest warrants.*
Course Syllabi, School Nurse, Social Worker, Graduation Coach, Faculty Staff, Smart Core
 6. Recognition of Parents*
~ Parent Banquet
~ Pro/Adv. Student/Parent Recognition
~ Parent/Student Athletic Banquet
- III.** Information Packets*
- Parent kits containing pertinent school information will be furnished to each parent. It will contain:
- a. School handbook and school/district calendar.
 - b. Description of school's Parent Involvement Program*
 - c. Contact information for parents about each school will be provided, e.g., parent facilitators, volunteers, school personnel.
 - d. Information will be given regarding location of helpful parent materials; e.g. parent center, school media centers.
 - e. Hours and location of parent center

- f. The recommended role of the parent, student, teacher, and school*
- g. A school telephone number, e-mail address, and school web-page address
- h. A list of teacher's e-mail addresses.*
- i. Dates of two parent/teacher conferences to be held each year*

IV. Parent Center*
 The Marvell-Elaine High School & Marvell-Elaine Elementary School is located on the same site. Location : Marvell – Elaine Elementary School 1018-B Highway 49, Marvell, AR 72366
 Day/ Time: Monday – Friday / 8:00 A.M. – 3:30 P.M.

V. School Policies*
 School policies/procedures do not discourage a parent from visiting the school. Each school will develop guidelines and procedures for parent visitation.*
 Staff development requirements will include a minimum of two hours for teachers and three hours for administrators in effective parent/involvement strategies.*
 ~ If Marvell-Elaine High School is identified as Needs Improvement School on the Arkansas School ESEA Accountability Report, we will include actions in the ACSIP to describe how the school will provide parents written notices about the school's identification that caused Marvell-Elaine Elementary School to be a Need Improvement School and the strategies that will be used to promote parental involvement.*

VI. Facilitator*
 The principal will designate one certified staff member as Parent Facilitator to help organize meaningful training for staff and parents promoting and encouraging a welcoming atmosphere for parental involvement in the school and to undertake efforts to ensure that parental participation is recognized as an asset to the school.
 Name, location, and contact telephone number(s) will be provided.
 * School: Marvell – Elaine High School Parent Facilitator:
 Contact Number: 870 -829-1351

* Denotes requirements in Act 603 of 2003, Act 307 of 2007, or Act 397 of 2009 and Act 1002 of 2011 and Act 1423 of 2013.

MARVELL-ELAINE HIGH SCHOOL P O BOX 1870

MARVELL, AR 72366

870.829.1351- VOICE

870.292.3440@efaxsendsecure.com – FAX