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# **CURRICULUM AND INSTRUCTION**

## **5.1—EDUCATIONAL PHILOSOPHY**

The Bryant School District assumes the responsibility of providing students attending its schools a high quality education that challenges students to achieve to their maximum potential. The District shall endeavor to create the environment within the schools necessary to attain this goal. The creation of the necessary climate shall be based on the following core beliefs:

1. The District's vision statement will be developed with input from students, parents, business leaders, and other community members.
2. All students can be successful learners.
3. Students learn at different rates and in different ways.
4. A primary goal shall be to give students the skills they need to be life-long learners.
5. The education of all citizens is basic to our community's well-being.
6. Student achievement is affected positively by the involvement of parents and the community in the schools.
7. The District is responsible for helping cultivate good citizenship skills in its students.
8. Students reflect the moral and ethical values of their environment.
9. All people have a right to a safe environment.
10. Each person is responsible for his/her own actions.
11. Innovation involves taking risks.
12. Schools are responsible for creating the conditions that promote success.
13. Each person is entitled to retain his/her dignity.
14. All people have the right to be treated with respect and the responsibility to treat others respectfully.
15. For teachers to succeed in cultivating high student achievement, they need to be given the materials, training, and environment necessary to produce such results.

Date Adopted: February 16, 2015

Last Revised:

### **5.1.1 – ACCREDITATION OF SCHOOLS**

Accreditation for a school or district is based upon compliance with applicable state laws and the Standards for Accreditation. It shall be the objective of the Bryant School District to maintain accredited status at all times.

Date Adopted: February 16, 2015

Last Revised:

## **5.1.2 – SCHOOL DAY**

### **Teaching Hours**

Teachers will be on duty 7 hours and 40 minutes each day. The principal of each school will establish and publish the specific beginning and ending hours after approval by the superintendent.

The teaching hours set out above are the usual and customary, at-school daily expectation under a teacher's contract. In addition to the hours set out above, teachers are expected to conduct parent/teacher conferences included in the school calendar, participate in faculty meetings when given reasonable notice, occasionally serve on faculty or District committees, confer with students or parents who cannot reasonably confer within the teacher's usual and customary daily schedule when given reasonable notice, and perform other such usual and customary expectations of teachers.

When teachers find it necessary to schedule parent or student conferences outside the usual and customary at-school daily hours, a building administrator is expected to remain in the building and be available to assist the teacher. In such cases the teacher is expected to consult with the building administrator to schedule the conference.

Teachers shall be required to check with the principal of their school before leaving the building during school hours. In order to maintain consistency throughout all District schools, a sign in/out sheet will be maintained in each school office. Leaving school during school hours should be primarily for school-related business. However, circumstances may allow the taking care of personal business during school hours on a limited basis when approved in advance by the building principal.

Teacher preparation periods are to be used as time for preparing lessons, grading papers, parent-teacher conferences, handling miscellaneous school duties, etc.

Date Adopted: February 16, 2015

Last Revised:

### **5.1.3 – PERIOD OF SILENCE**

The teacher in charge of each classroom shall, at the opening of school each day, conduct a one-minute period of silence with the participation of all students in the classroom who desire to participate.

Students and employees may engage in personal religious practices, such as prayer, at any time, and shall do so in a manner and at a time so that the educational process is not disrupted.

Legal Reference:       A.C.A. § 6-10-115

Date Adopted: February 16, 2015

Last Revised:

### **5.1.4 – DEPARTMENTAL CHAIRPERSONS**

High School departmental chairpersons in departments having five (5) or more faculty members will receive (a) a stipend if appointed beginning with the 2008-09 school year, or (b) the choice of a stipend OR an extra planning period one semester per year if appointed prior to the 2008-09 school year.

Duties of the chairpersons shall include:

- Scheduling and conducting departmental meetings.
- Keeping an accurate inventory of all teaching supplies in the department.
- Handling the purchasing of materials for the department and submitting an annual budget to the administration for departmental needs.
- Maintaining the resource center for the department.
- Handling departmental correspondence.
- Keeping teachers in the department abreast of new programs and innovations within the subject field.
- Planning and conducting in-service training within the field.
- Investigating new textbooks, curriculum materials, and audio-visual aids.
- Aiding new teachers in becoming adjusted to the program.
- Aiding in the implementation and evaluation of curriculum guides.

Date Adopted: February 16, 2015

Last Revised:



## 5.2 - PLANNING FOR EDUCATIONAL IMPROVEMENT

Each school in the district, in collaboration with administrators, teachers, other school staff, parents, the community, and students, shall develop a school-level improvement plan (SLIP) to:

- Establish goals or anticipated outcomes based on an analysis of students' needs;
- Identify student supports and evidence-based interventions and practices to be implemented;
- Describe the professional learning necessary for adults to deliver the supports or interventions;
- Describe the implementation timeline for monitoring of the interventions and practices for effectiveness;
- Describe the timeline and procedures for evaluation of the interventions and practices for effectiveness; and
- Evaluate and modify a parent, family, and community engagement plan.

Each SLIP shall include a literacy plan that includes a curriculum program and a professional development program that is aligned with the District's literacy needs and is based on the science of reading.

Some of the data that shall be considered when developing the SLIP includes, but is not limited to:

- Statewide assessment results;
- Interim assessment results;
- Similarly situated school's SLIPs; and
- Evaluation(s), including staff, student, and community feedback, of the existing SLIP.

The SLIP is to be reviewed on an ongoing basis with reports to the board on the implementation progress of the SLIP throughout the year of implementation. By May 1 of each year, the SLIP to be implemented in the upcoming school year shall be presented to the District Board of Directors for review and approval. The District will post the District's SLIP(s) to the District's website under State-Required Information by August 1 of each year.

The district shall develop, with appropriate staff; school board members; and community input, a school district support plan (SDSP). The SDSP, in coordination with the District's SLIPs, shall

- Specify the support the District will provide to the District's schools;
- Collaboratively establish priorities regarding goals or anticipated outcomes with the District's schools, including feeder schools;
- Identify resources to support the established priorities;
- Describe the time and pace of providing support and monitoring for the established priorities;
- Describe the measures for analyzing and evaluating that the District support was effective in improving the school performance;
- Establish, evaluate, and update a parent, family, and community engagement plan; and
- Direct the use of Enhanced Student Achievement funding for strategies to close gaps in academic achievement.

If the District's data reflects a disproportionality in equitable access to qualified and effective teachers and administrators, the District shall develop and implement strategies to provide equitable access as part of the SDSP.

The District shall post the District's SDSP to the District's website under State-Required Information, including any updates to the District's SDSP.

The District's Board of Directors shall hold a meeting annually to provide a report that systematically explains the District's policies, programs, and goals to the community. The District's report shall detail the progress of the District and the District's schools toward accomplishing program goals, accreditation standards, and proposals to correct any deficiencies. The report shall be made available to the public, including by posting a copy on the District's website under State-Required Information no later than ten (10) days following the meeting with the most recent annual report posted by August 1 of each year. The meeting shall provide parents and other members of the community the opportunity to ask questions and make suggestions concerning the District's program.

Legal References:      A.C.A. § 6-15-2914  
                                 DESE Rules Governing the Arkansas Educational Support and Accountability Act  
                                 DESE Rules Governing Parental Involvement Plans and Family and Community  
                                 Engagement  
                                 DESE Rules Governing Documents Posted to School District and Education Service  
                                 Cooperative Websites  
                                 Standards for Accreditation 1-B.4, 3-B.1, 3-B.2, 3-B.2.1, 5-A.1  
                                 Commissioner's Memo COM-20-021

Date Adopted: July 19, 2018

Last Revised: June 20, 2022

### 5.3 - CURRICULUM DEVELOPMENT

The Board of Education is responsible for reviewing instructional programs offered by the District.

The District shall review each curriculum area annually to address the continued relevancy, adequacy, and cost effectiveness of individual courses and instructional programs and to ensure each area is aligned with the current curriculum frameworks and Arkansas Academic Standards approved by the State Board of Education. Each school's administration shall implement a monitoring process to ensure that the instructional content of each course offered is consistent with the Arkansas Academic Standards and curriculum frameworks approved by the State Board of Education.

The District shall not purchase curriculum for the District's reading program that is not from the list of curricula approved by the Division of Elementary and Secondary Education.

Pursuant to state law, no curriculum or classroom instruction shall be provided on the following topics before grade five (5):

- Sexually explicit materials;
- Sexual reproduction;
- Sexual intercourse;
- Gender identity; or
- Sexual orientation.

Legal References:       Standards of Accreditation 1-A.1, 1-A.4  
                                 A.C.A. § 6-15-101  
                                 A.C.A. § 6-15-1505(a)  
                                 A.C.A. § 6-15-2906  
                                 A.C.A. § 6-16-157  
                                 A.C.A. § 6-17-429

Date Adopted: February 16, 2015

Last Revised: June 15, 2023

## **5.4 - RESERVED**

## 5.5 – SELECTION/INSPECTION OF INSTRUCTIONAL MATERIALS

### Definitions

“Curriculum” means: the sequences of public school student learning expectations, pacing, materials, and resources that are used to teach the Arkansas academic standards and the processes for evaluating mastery of the Arkansas academic standards at particular points in time throughout the kindergarten through grade twelve (K-12) educational program.

“Gender identity” means the same as is used in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, which defines it as a category of social identity and refers to an individual's identification as male, female, or, occasionally, some category other than male or female.

“Instructional material” means instructional content that is provided to a public school student, regardless of its format, that includes without limitation printed or representational materials, audio-visual materials, and materials in electronic or digital format, such as materials accessible through the internet; however, Instructional material does not include academic tests or academic assessments.

“Sexual orientation” means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual.

The use of instructional materials, including classroom events or activities associated with classroom instruction, beyond those approved as part of the curriculum/textbook program must be compatible with school and district policies. If there is uncertainty concerning the appropriateness of supplemental materials, the personnel desiring to use the materials shall get approval from the school's principal prior to putting the materials into use.

All instructional materials, including classroom events or activities associated with classroom instruction, used as part of the educational curriculum of a student shall be available for inspection by the parents or guardians of the student.

Parents or guardians wishing to inspect instructional materials used as part of the educational curriculum for their child may schedule an appointment with the student's teacher at a mutually agreeable time. Parents/guardians wishing to challenge the appropriateness of any instructional materials shall follow the procedures outlined in Policy 5.6—CHALLENGE OF INSTRUCTIONAL/SUPPLEMENTAL MATERIALS.

In addition to all other inspection rights under this policy, the following shall be made available for inspection regardless of whether any of the listed items are offered as part of a sex education class or program or as part of any other class, activity, or program:

- a. Curricula;
- b. Materials;
- c. Tests;
- d. Surveys;
- e. Questionnaires;

- f. Activities; and
- g. Instruction of any kind.

Except when directly related to a requirement under the Arkansas academic standards; a District employee responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or a District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary context in relation to a topic of instruction, the District shall provide written notification to parents and legal guardians of their ability to exercise their rights under this policy to review items A-G above or to challenge and/or opt their student out of items under A-G above as permitted under Policy 5.6. The District's notification method shall ensure that the District receives a confirmation of the written notification receipt from parents and legal guardians.

The same notification requirements and opt out options as above for gender identity and sexual orientation shall apply to the sexual abuse and assault and human trafficking prevention education the District provides to students.

The rights provided to parents under this policy transfer to the student when he/she turns eighteen (18) years old.

The Bryant Board of Education shall delegate to the Superintendent of Schools the authority and responsibility for selection of all print and non-print materials, technological materials, and other resources. Responsibilities for actual selection may be delegated to appropriate professionally trained personnel who shall discharge this obligation consistent with the District's Instructional Materials Selection and Challenge Procedures.

Selection procedures shall involve representatives of the professional staff directly affected by the selections, and persons qualified by preparation to aid in wise selection. The professional staff shall select and use instructional resources appropriate for the curriculum. These resources will represent a wide range of abilities, interests, and diverse points of view. Principles will be placed above personal opinion and reason above prejudice in the selection of materials of the highest quality and appropriateness.

The library media specialist will work cooperatively with staff members, students, parents, and the community to interpret and guide the application of the procedures in making selections for the media center.

The superintendent shall develop and publish procedures for implementing this policy and related state rules and regulations including procedures for challenging the appropriateness of instructional materials. These procedures will be available through the principal's office or library at each school.

Legal References:      20 USC § 1232h  
                                 A.C.A. § 6-16-155  
                                 A.C.A. § 6-16-157  
                                 A.C.A. § 6-16-1006

Date Adopted: February 16, 2015

Last Revised: June 15, 2023

## **5.6 - CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS**

“Curriculum” means the sequences of public school student learning expectations, pacing, materials, and resources that are used to teach the Arkansas academic standards and the processes for evaluating mastery of the Arkansas academic standards at particular points in time throughout the kindergarten through grade twelve (K-12) educational program.

“Gender identity” means the same as is used in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, which defines it as a category of social identity and refers to an individual's identification as male, female, or, occasionally, some category other than male or female.

“Instructional material” means instructional content that is provided to a public school student, regardless of its format, that includes without limitation printed or representational materials, audio-visual materials, and materials in electronic or digital format, such as materials accessible through the internet; however, Instructional material does not include academic tests or academic assessments.

“Sexual orientation” means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual.

Instructional and supplemental materials, including classroom events or activities associated with classroom instruction, are selected for their compatibility with the District’s educational program and their ability to help fulfill the District’s educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials may do so by following the procedure outlined in this policy.

The contesting individual may present a copy of the form(s) to the principal and request a conference be held at a time of mutual convenience. Prior to the conference, the principal shall consult with the teacher regarding the contested material. In the conference, the principal shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the principal shall have five (5) working days to submit a summary of the concerns expressed by the individual and the principal’s response to those concerns to the Superintendent.

If the contesting individual is not satisfied with the principal’s response, the individual may, after the five (5) working day period, request a meeting with the Superintendent where the individual shall present the same challenge form(s) previously presented to the principal. The Superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the Superintendent shall have five (5) working days to write a summary of the concerns expressed by the individual and the Superintendent’s response to those concerns. The Superintendent shall create a file of his/her response along with a copy of the principal’s response and a copy of the contesting individual’s challenge form(s).

If, after meeting with the Superintendent, the contesting individual is not satisfied with the Superintendent's response regarding the appropriateness of the instructional or supplemental material, he/she may appeal the Superintendent's decision to the Board. The Superintendent shall present the contesting individual's challenge form(s) to the Board at the next regularly scheduled meeting along with the written responses to the challenge. The Board may elect, if it so chooses, to hear brief verbal presentations from the parties involved in the challenge.

The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be if the instructional and supplemental materials, including classroom events or activities associated with classroom instruction, are:

- Misleading;
- Factually inaccurate; or
- Otherwise inappropriate for the intended educational use.

In addition to the notification requirements under Board Policy 5.5 and all other challenge rights under this policy, parents and legal guardians may opt their students out of any of the following by submission of form 5.6F2 regardless of whether any of the listed items are offered as part of a sex education class or program or as part of any other class, activity, or program except when the item is directly related to a requirement under the Arkansas academic standards; a District employee is responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or a District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary context in relation to a topic of instruction:

- a. Curricula;
- b. Materials;
- c. Tests;
- d. Surveys;
- e. Questionnaires;
- f. Activities; and
- g. Instruction of any kind.

Students who are excused under this policy from participating in any or all portions of items a-g above shall not be penalized for grading purposes if the student satisfactorily performs alternative lessons related to health.

The same notification requirements and opt out options as above for gender identity and sexual orientation shall apply to the sexual abuse and assault and human trafficking prevention education the District provides to students.

The rights provided to parents under this policy transfer to the student when the student turns eighteen (18) years old.

Legal Reference: 20 USC 1232h  
A.C.A. § 6-16-155  
A.C.A. § 6-16-157  
A.C.A. § 6-16-1006



Date Adopted: February 16, 2015

Last Revised: June 15, 2023

**5.6F—REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL OR SUPPLEMENTAL MATERIALS, EVENTS, AND ACTIVITIES**

Name: \_\_\_\_\_

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

Instructional material, event, or activity being contested:

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Reasons for contesting the material, event, or activity (be specific):

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What is your proposed resolution?

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Signature of contesting individual \_\_\_\_\_

Signature of receiving principal \_\_\_\_\_

Signature of Superintendent \_\_\_\_\_

Date Adopted: July 22, 2021

Last Revised: June 15, 2023

Parent's Name: \_\_\_\_\_

Student's Name: \_\_\_\_\_

This image shows a blank sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

I understand that in order for my excused student to not be penalized for grading purposes due to my student being excused from the above instruction, instructional materials, events, or activities that my student must satisfactorily perform alternative lessons related to health.

Parent's Signature: \_\_\_\_\_

Date:

Date Adopted: July 22, 2021

Last Revised: June 15, 2023

## **5.7 - SELECTION OF LIBRARY/MEDIA CENTER MATERIALS**

The ultimate authority for the selection and retention of materials for the schools' media centers rests with the Board of Education, which shall serve as a final arbiter in resolving a challenge to any media center materials. Licensed media center personnel shall make the initial selections in consultation with school and district licensed staff. Materials selected shall be in accordance with the guidelines of this policy.

The school media center functions as an essential component of a quality education. It implements and enriches all parts of the teaching and learning process. It reflects and supports the district's goals and objectives.

The purpose of the schools' libraries/media centers is to supplement and enrich the curriculum and instruction offered by the District. Promoting the dialogue characteristic of a healthy democracy necessitates the maintenance of a broad range of materials and information representing varied points of view on current and historical issues. In the selection of the materials and resources to be available in each library/media center consideration will be given to their age appropriateness. Materials should be available to challenge the different interests, learning styles, and reading levels of the school's students and that will help them attain the District's educational goals.

### **Selection Criteria**

Library/Media Center materials are selected for their compatibility with the District's educational program and their ability to help fulfill the District's educational goals and objectives. Selection of library materials is initiated by the school library media specialist after evaluating the individual school's needs and the requests from faculty and students. Contents of the existing collection and needs of the curriculum are to be considered in planning for the purchase of materials.

The criteria used in the selection of media center materials shall be that the materials:

- a) Support and enhance the curricular and educational goals of the district;
- b) Are appropriate for the ages, learning styles, interests, and maturity of the schools' students, or parents in the case of parenting literature;
- c) Contribute to the examination of issues from varying points of view and help to broaden students understanding of their rights and responsibilities in our society;
- d) Help develop critical thinking skills;
- e) Are factually and/or historically accurate, in the case of non-fiction works and/or serve a pedagogical purpose;
- f) Have literary merit as perceived by the educational community; and
- g) Are technically well produced, physically sound (to the extent appropriate), and represent a reasonably sound economic value.

Reputable, unbiased, and professional selection aids will be consulted as guides for selection as needed. The selection aids may include, without limitation, the following:

- a) Booklist;
- b) High School Library Catalog;
- c) Horn Book;
- d) Kirkus Reviews;

- e) School Library Journal;
- f) Titlewave by Follett; and
- g) Voice of Youth Advocates (VOYA).

### **Retention and Continuous Evaluation**

Media center materials shall be reviewed regularly to ensure the continued appropriateness of the center's collection to the school's curriculum and to maintain the collection in good repair. Those materials no longer meeting the selection criteria, have not been used for a long period of time, or are too worn to be economically repaired shall be withdrawn from the collection and disposed of. A record of withdrawn media materials including the manner of their disposal shall be maintained for a period of three (3) years.

The decision to remove or retain an item in the collection may be based on the following criteria:

- a) Physical condition of the materials;
- b) Number of copies remaining in the media center;
- c) Availability of similar materials in the collection;
- d) Duplicates no longer in heavy demand;
- e) Obsolete materials – those outdated in style, theme, and contents;
- f) Materials with superseded editions;
- g) Compliance with law and school board policy; and
- h) Compliance with the criteria for selection of library materials outlined in this policy.

Note: Aged items (i.e. historically significant, critically acclaimed titles) may be retained at the discretion of the library media specialist.

### **Gifts**

Gifts to the media centers shall be evaluated to determine their appropriateness before they are placed in any media center. The evaluation shall use the same criteria as for all other materials considered for inclusion in the media centers. Any items determined to be unacceptable shall be returned to the donor or disposed of at the discretion of the media specialist. The media centers shall have a list of desired items to give to prospective donors to aid them in their selection of materials to donate.

### **Challenges**

The parent, legal guardian, person having lawful control of a student, or person acting in loco parentis of a student affected by a media selection, or a District employee may formally challenge the appropriateness of a media center selection by following the procedure outlined in this policy. The challenged material shall remain available throughout the challenge process.

Before any formal challenge can be filed, the individual contesting (hereinafter complainant) the appropriateness of the specified item shall request a conference through the principal's office with a licensed media center employee. The complainant shall be given a copy of this policy and a challenge/reconsideration form prior to the conference. The meeting shall take place at the earliest possible time of mutual convenience,

but in no case later than five (5) working days from the date of the request unless it is by the choice of the complainant.

In the meeting, the media specialist shall explain the selection criteria and how the challenged material fits the criteria. The complainant shall explain the complainant's reasons for objecting to the selected material. If, at the completion of the meeting, the complainant wishes to make a formal challenge to the selected material, the complainant may do so by completing the challenge/reconsideration form and submitting it to the principal's office.

To review the contested media, the principal shall select a committee of five (5) or seven (7) licensed personnel consisting of the principal as chair and at least one media specialist. The remaining committee members shall be licensed personnel with curriculum knowledge appropriate for the material being contested and representative of diverse viewpoints. The task of the committee shall be to determine if the challenged material meets the criteria of selection. No material shall be withdrawn solely for the viewpoints expressed within it and shall be reviewed in its entirety and not selected portions taken out of context.

The principal shall convene a meeting after a reasonable time for the committee members to adequately review the contested material and the complainant's challenge/reconsideration form submitted by the complainant. All meetings of the committee shall be open to the public. The complainant shall be allowed to present the complaint to the committee after which time the committee shall meet to discuss the material. The committee shall vote to determine whether the contested material shall be relocated within the media center's collection to an area that is not accessible to minors. A member from the voting majority shall write a summary of the reasons for their decision. A notice of the committee's decision and the summary shall be given (by hand or certified mail) to the complainant.

If the decision is to not relocate the material, the complainant may appeal the committee's decision to the district Board of Directors by filing a written appeal to the Superintendent within five (5) working days of the committee's decision or of written receipt of the decision. The Superintendent shall present the original complaint and the committee's decision along with the summary of its reasons for its position plus a recommendation of the administration, if so desired, to the Board within fifteen (15) days of the committee's decision. The Board shall review the material submitted to them by the Superintendent and make a decision within thirty (30) days of receipt of the information. The Board's decision is final.

Legal Reference: A.C.A. § 6-25-101 et seq.

Date Adopted: February 16, 2015

Last Revised: June 15, 2023

## 5.8 - USE OF COPYRIGHTED MATERIALS

The Bryant Public School District encourages the enrichment of the instructional program through the proper use of copyrighted works. Procedures governing the use and reproduction of copyrighted works fall under federal copyright law. To help ensure the appropriate use of copyrighted works, the Superintendent, or designee, will provide District personnel with copyright compliance information.

While the application of copyright law to the use and/or reproduction of works can be difficult to determine, it is essential for District personnel and students to use works in an ethical manner. A complete reading of U.S. Copyright Law is available at <http://copyright.gov/title17/>. One of the important aspects of the copyright law is the application of “fair use,” which is located in section 107 of copyright law. The section specifying “fair use” guidelines from Section 107 of the copyright law is stated as follows:

“Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair.

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes
2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for, or value of, the copyrighted work

The distinction between what is fair use and what is infringement in a particular case will not always be clear or easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission. When it is impracticable to obtain permission, teachers should consider avoiding the use of copyrighted material unless they are confident that the doctrine of fair use would apply to the situation. (<http://www.copyright.gov/fls/fl102.html>)

***Practices such as photocopying, scanning, or digitally transmitting works to solely avoid paying for additional books, workbooks, and multimedia is a violation of copyright law.*** The building principal or the library/media specialist should be contacted for additional assistance concerning use and/or reproduction of works if unsure of copyright compliance. The Bryant Public School District will not be responsible for any employee or student violations of the use of copyrighted works.

Cross Reference: 5.11—DIGITAL LEARNING COURSES

Legal Reference: 17 USC § 101 to 1010 (Federal Copyright Law of 1976)

Date Adopted: February 16, 2015

Last Revised:

## **5.9 - COMPUTER SOFTWARE COPYRIGHT**

The District shall observe copyright laws governing computer software reproduction. Unless specifically allowed by the software purchase agreement, the Copyright Act allows the purchaser of software to:

1. Make one copy of software for archival purposes in case the original is destroyed or damaged through mechanical failure of a computer. However, if the original is sold or given away, the archival copy must be destroyed;
2. Make necessary adaptations to use the program; and/or
3. Add features to the program for specific applications. These improvements may not be sold or given away without the copyright owner's permission.

The District shall abide by applicable licensing agreements before using computer software on local-area or wide-area networks.

Legal Reference:        17 USC § 117   Amended Dec. 12, 1980

Date Adopted: February 16, 2015

Last Revised:



## **5.10 - RELIGION IN THE SCHOOLS**

It is the Board's policy that the school system, as an agency of the government, shall be neutral in matters regarding religion and will not engage in any activity that either advocates or belittles religion. The District shall assume no role or responsibility for the religious training of any student.

The need for neutrality does not diminish our school system's educational responsibility to address the historical role of religion in the development of our culture. Since we live in a diverse society, the District's goal shall be to address the subject of religion objectively in such a way that it promotes an understanding of, and tolerance for, each other's religious or non-religious views.

Discussions concerning religious concepts, practices, or disciplines are permissible when presented in a secular context in their relation to an inclusive study of religion or to the study of a particular region or country. The discussions shall be such that they are objective and academically informational and do not advocate nor belittle any particular form of religious practice.

Date Adopted: February 16, 2015

Last Revised:

## 5.11 - 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.

The District shall annually determine what District created digital learning courses it will provide to our students.<sup>1</sup> The District may also choose to provide digital learning courses by contracting with outside providers of such courses, who have been pre-approved as part of the Arkansas Course Choice Program 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 5.9—USE OF COPYRIGHTED MATERIALS as well as applicable statutory requirements.

The District shall require all outside providers to incorporate Policy 5.9 as a condition of the service contract. Failure of the outside provider to abide by Policy 5.9 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 scheduled courses digitally if offered digitally by the District or, if applicable, through the Arkansas Course Choice Program. The student's attendance in the student's digital course(s) shall be determined in accordance with Policy 4.7—ABSENCES.

The District is responsible for providing all instructional materials for each student who enrolls in a District approved digital learning course.

Except as required by Policy 5.19, 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.

Cross References:     4.7—ABSENCES  
                              4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS  
                              5.8—USE OF COPYRIGHTED MATERIALS  
                              5.19—ARKANSAS COURSE CHOICE PROGRAM

Legal References:     A.C.A. § 6-16-1401 et seq.  
                              A.C.A. § 6-16-1701 et seq.  
                              A.C.A. § 6-18-213  
                              A.C.A. § 6-18-222  
                              A.C.A. § 6-28-109  
                              DESE RULES GOVERNING DISTANCE AND DIGITAL LEARNING

Date Adopted: June 23, 2016

Last Revised: June 15, 2023

## **5.12 - RESERVED**

## **5.13 – STUDENT INTERVENTION SERVICES AND SUMMER SCHOOL**

### **School Year Student Intervention Services**

Bryant Public Schools shall offer intervention programs during the school year to those students in kindergarten through third grade (K-3) not performing at grade level.

### **Summer School**

Bryant Public Schools may offer a summer school remediation program for students in any or all grade levels. In appropriate cases, students not performing at grade level during the regular school year shall be required to successfully participate in a summer school remediation program to be eligible for promotion to the next grade. Transportation to and from the school shall be the responsibility of the student's parent or guardian.

Nothing in this policy shall be construed to prevent Bryant Public Schools from offering intervention programs during the school year or during summer school to students in any or all grade levels.

Legal References:      A.C.A. § 6-16-704  
                                 A.C.A. § 6-16-705  
                                 A.C.A. § 6-16-706

Date Adopted: April 16, 2020

Last Revised:

## **5.14 - 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.

Parents shall be notified of this policy at the beginning of each school year.

Date Adopted: February 16, 2015

Last Revised: July 19, 2018

## 5.15 - GRADING

Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis 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 a student, persons standing in loco parentis 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 issue grades for each nine-week grading period to keep parents/guardians informed of their student's progress. Students in grades kindergarten through five will receive progress reports half-way through the nine-week period. For students in other grades, at the half-way point in the nine-week period, a progress report will be sent home on all students who are making a D or F.

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

The Bryant School District maintains software that parents may use to check their child's progress via the Internet. Parents should contact their child's principal for further information on how to utilize this software.

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

- (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 grades kindergarten through fifth grade shall be as follows:

A standards-based report card is used for students in grades kindergarten through five. This allows teachers to provide specific feedback to parents regarding the standards and skills in which students excel or need more reinforcement.

Students will receive the following marks for literacy and math standards using this grading scale:

- 3-Independently performs at grade level
- 2-Inconsistent, but with support, performs at grade level
- 1-Struggles frequently or is unable to perform at grade level

\*Not every standard is assessed every quarter. For those standards not assessed, students will receive a N/A marking.

The grading scale for all other 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 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.

### **Student Attendance During Alternative Methods of Instruction (AMI) Days**

Students will be counted present for each part of the day for which completed work is returned to the teacher by the end of the third day following an AMI day. Attendance sheets from the school office will be used to maintain accurate records.

Student work from AMI days will be graded by the teacher and recorded as classwork. Not submitting the completed work within the allocated time with no communication about extenuating circumstances will result in an unexcused absence for elementary students, and a "0" being assigned for the work in addition to the unexcused absence in secondary. The school principal will make the final decision on excused/unexcused absences, in accordance with the district handbook.

Legal References:      A.C.A. § 6-15-902  
                                 A.C.A. § 9-28-113(f)  
                                 Standards for Accreditation 5-A.1  
                                 Division of Elementary and Secondary Education Rules Governing Grading and  
                                 Course Credit

Date Adopted: February 16, 2015

Last Revised: July 23, 2020



## **5.16—COMPUTER SCIENCE COURSE PREREQUISITES AND PROGRESSION**

### **Traditional Progression**

A student who has not previously received a computer science credit may elect to take an introductory level computer science course. A student who passes a computer science course level is eligible to take the next level computer science course in the same computer science course emphasis.

### **Alternative Progression**

A student who does not have credit for any computer science course, the introductory level computer science course for the particular computer science emphasis, or the preceding level course for the computer science emphasis may be placed in a computer science course based on any combination of the following factors:

- The student's grade point average;
- Recommendation from the student's teacher(s);
- Completion of computer science internships or independent studies;
- Demonstration of previous computer science work by the student; or
- Proficiency report from a computer science proficiency evaluation tool.

Legal References:      Arkansas Computer Science Standards For Grades 9-12  
                                 Commissioner's Memo COM-17-051  
                                 Commissioner's Memo COM-19-050

Date Adopted: June 22, 2017

Last Revised: June 20, 2019

## **5.17 - RESERVED**

## **5.18 - HEALTH SERVICES**

The Board believes that healthy children promote a better learning environment, are more capable of high student achievement, and will result in healthier, more productive adults. Therefore, the goal of the District's health services program is to promote a healthy student body. This requires both the education of students concerning healthy behaviors, as well as providing health care services to students.

The District shall develop an age-appropriate seizure education program for the District's students consistent with training programs and guidelines developed by the Epilepsy Foundation of America.

School nurses shall be under the general supervision of the district nursing supervisor and the direct supervision of building principals. The delegation of health care duties shall be in accordance with the Arkansas Nurse Practice Act and the Arkansas State Board of Nursing Rules Chapter Five: Delegation of Nursing Care.

Annually, the information reported in the Division of Elementary and Secondary Education Health Services Survey shall be provided to the Board.

Legal References:      A.C.A. § 6-18-709  
                                 A.C.A. § 6-18-720

Date Adopted: February 16, 2015

Last Revised: July 22, 2021

## **5.19—ARKANSAS COURSE CHOICE PROGRAM**

A District student is eligible to take courses through the Arkansas Course Choice Program (ACCP) if the student is:

- Seeking to take a course not offered by the District; or
- Attending a District school that received a school letter grade of C, D, or F.

The ACCP course catalog shall be made available to all students during student course selection. The District shall not actively discourage, intimidate, or threaten a student during course selection to not take a course through the ACCP.

A student attending courses through the ACCP shall enroll in at least one (1) course at the District, which may be either in person or a digital course offered by the District.

A District student attending courses through the ACCP is entitled to the following services as if the student were attending courses at the District:

1. Required assessments, including without limitation:
  - a. Statewide assessments;
  - b. Advanced Placement; and
  - c. International Baccalaureate,
2. Participation in extracurricular or cocurricular activities; and
3. Special education services pursuant to the student's individualized education program.

Credits earned through the ACCP shall appear on a student's official transcript and count fully towards the student's graduation requirements.

Cross Reference:        5.11—DIGITAL LEARNING COURSES

Legal Reference:        A.C.A. § 6-15-1701 et seq.

Date Adopted : June 15, 2023

Last Revised :

## 5.20—DISTRICT WEBSITE

The Bryant School District shall maintain a web page to provide information about its schools, students, and activities to the community. This policy is adopted to promote continuity between the different pages on the district website by establishing guidelines for their construction and operation.

The Bryant School District website shall be used for educational purposes only. It shall not create either a public or a limited public forum. Any link from any page on the District's site may only be to another educational site. The website shall not use "cookies" to collect or retain identifying information about visitors to its website nor shall any such information be given to "third parties." Any data collected shall be used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

Each school's web page shall be under the supervision of the school's web content designee and the District's website shall be under the supervision of the District's web content designee and Director of Communication. They shall have the responsibility for ensuring that web pages meet appropriate levels of academic standards and are in compliance with these guidelines and any additional administrative regulations. To this end, the District's web content designee and Director of Communication shall have the authority to review and edit any proposed changes to web pages to ensure their compliance with this policy. All such editing shall be viewpoint neutral.

District and school web pages shall also conform to the following guidelines:

1. All pages on the District's website may contain advertising and links only to educational sources.
2. The District's home page shall contain links to existing individual school's web pages and the school home pages shall link back to the District's home page. The District's home page may also include links to educational extracurricular organization's web pages, which shall also link back to the District's home page.
3. Photos along with the student's name shall only be posted on web pages after receiving written permission from the student's parents or the student if the student is over the age of eighteen (8).
4. The District's web server shall host the Bryant School District's website.
5. No web page on the District website may contain public message boards or chat rooms.
6. All web pages on the District website shall be constructed to download in a reasonable length of time.
7. The District's home page shall contain a link to a privacy policy notice, which must be placed in a clear and prominent place and manner.
8. With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by the District.

The District shall include the following information on its website through a link located on the District's homepage titled "State Required Information":

- a. Local and state revenue sources;
- b. Administrator and teacher salary and benefit expenditure data;
- c. District balances, including legal balances and building fund balances;
- d. Minutes of regular and special meetings of the school board;
- e. The district's budget for the ensuing year;
- f. A financial breakdown of monthly expenditures of the district;

- g. The salary schedule for all employees including extended contract and supplementary pay amounts;
- h. Current contract information (not including social security numbers, telephone numbers, personal addresses or signatures) for all district employees;
- i. The district's annual budget;
- j. The annual statistical report of the district;
- k. The district's personnel policies;
- l. The annual School Performance Report;
- m. School-Level Improvement Plans;
- n. The School District Support Plan;
- o. Student discipline policies;
- p. Comprehensive School Counseling Plan;
- q. The District financial policies;
- r. Student handbooks;
- s. The Annual Report to the Public;
- t. The parent, family, and community engagement plan;
- u. The Immunization waiver report from Policy 4.57—IMMUNIZATIONS;
- v. School District Calendar; and
- w. List of statutory, rule, or Standards for Accreditation waivers the District has received under A.C.A. § 6-15-103; and
- x. The District's Teacher and Administrator Recruitment and Retention Plan.
- y. The total amount of state funds used for teacher salaries.

The information and data required for items A through K in 9 above shall be the actual data for the previous two (2) school-years and the projected data for the current school-year.

Before July 15 of each year, the District shall post on its website the following information:

- The dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students with dyslexia;
- The number of students during the previous school year who received dyslexia intervention; and
- The total number of students identified with dyslexia during the previous school year.

If the District's reading curriculum is not taken from the DESE list of approved curricula, the District shall post the reading curriculum the District uses and a statement that the curriculum is not on the list of DESE approved curricula.

The District shall include the following information on its website that may be accessed through a link located on the District's homepage titled "Title IX/Sex Discrimination":

- Contact information for the District's Title IX Coordinator;
- A statement that any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, telephone number, or email address provided. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment;
- Copies of the District's sexual harassment policies;
- Copies of the District's Procedures governing the grievance and appeal process;

- The process for filing a formal complaint of sexual harassment; and
- Direct links to or copies of the materials used to train the District's Title IX Coordinators, investigators, and decision-makers.

The District and school webmasters are responsible for ensuring all District webpages meet required standards to be accessible to individuals with disabilities.

Cross References:      3.26—LICENSED PERSONNEL SEXUAL HARASSMENT  
                                  4.27—STUDENT SEXUAL HARASSMENT  
                                  4.57—IMMUNIZATIONS  
                                  5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT  
                                  5.3—CURRICULUM DEVELOPMENT  
                                  8.20—CLASSIFIED PERSONNEL SEXUAL HARASSMENT

Legal References:      A.C.A. § 6-11-129  
                                  A.C.A. § 6-15-1402  
                                  A.C.A. § 6-15-2006  
                                  A.C.A. § 6-15-2101  
                                  A.C.A. § 6-15-2914  
                                  A.C.A. § 6-17-429  
                                  A.C.A. § 6-17-2403  
                                  A.C.A. § 6-17-1901  
                                  A.C.A. § 6-18-702  
                                  A.C.A. § 6-18-2001 et seq.  
                                  A.C.A. § 6-41-606  
                                  A.C.A. § 6-41-611  
                                  DESE Rules Governing How to Meet the Needs of Children with Dyslexia  
                                  DESE Rules Governing the Arkansas Educational Support and Accountability Act  
                                  DESE Rules Governing Act 1240 Waivers  
                                  DESE Rules Governing Documents Posted to School District and Education Service  
                                  Cooperative Websites  
                                  Standards for Accreditation 12.02.1, 1-B.2, 2-B.1, 2-H.2, 3-A.1, 3-A.2, 3-A.9, 3-B.1,  
                                  3-B.2.1, 5-A.1  
                                  20 U.S.C. § 1232 g  
                                  15 U.S.C. § 6501 (COPPA)  
                                  34 C.F.R. § 106.8  
                                  34 C.F.R. § 106.45

Date Adopted: June 22, 2017

Last Revised: June 13, 2023

### **5.20.1—WEBSITE PRIVACY POLICY**

The Bryant School District operates and maintains a website for the purpose of informing the citizens of the district about its activities. The website does not use “cookies” or ISP addresses to collect or retain personally identifying information about visitors to its website nor is any such information given to “third parties.” Any data collected is used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

The site serves no commercial purpose and does not collect any information from individuals for such purpose.

Photographs of students, when associated with the student’s name, shall not be displayed on any page of the district’s website without the prior written consent of the parent (or the student if 18 or older).

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password protected communication between the District and its staff.

Legal Reference:        15 U.S.C. § 6501 (COPPA)

Date Adopted: July 19, 2018

Last Revised:



## 5.21 - ADVANCED PLACEMENT COURSES

Students in grades 7-12 who take advanced placement courses, concurrent credit college courses; or other courses approved for weighted credit by the Division of Elementary and Secondary Education (DESE) or the Division of Career and Technical Education (DCTE) 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 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 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 course.

For career and technical education courses taken after July 1, 2023, career and technical courses that are eligible for weighted credit are those career and technical education courses that are approved by DCTE to exceed the curriculum standards for a non-weighted class and lead to an approved industry-recognized certification. A student shall receive weighted credit for each approved career and technical education course upon the student:

- Completing the relevant career and technical pathway; and
- Earning the high-value industry credential aligned with the career and technical pathway.

Students who transfer into the District will be given weighted credit for the Advanced Placement courses, concurrent college courses, and other courses approved by DESE and DCTE for weighted credit that were taken for weighted credit at his/her previous school(s) according to the preceding scale.

Legal References:      DESE Rules Governing Grading and Course Credit  
                                 A.C.A. § 6-15-902  
                                 A.C.A. § 6-16-806

Date Adopted: February 16, 2015

Last Revised: June 15, 2023

## 5.22 - CONCURRENT CREDIT

A ninth (9<sup>th</sup>) through twelfth (12<sup>th</sup>) 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 Grading and Course 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 core subject area/unit requirements.

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 of higher education the student attends to take the concurrent credit course.

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. 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.

Cross Reference: 4.59—ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOLED STUDENTS

Legal References: A.C.A. § 6-15-902(c)(2)  
A.C.A. § 6-16-1201 et seq.  
A.C.A. § 6-18-232  
DESE Rules Governing Grading and Course Credit

Date Adopted: February 16, 2015

Last Revised: July 23, 2020

## **5.23 - EQUITY BETWEEN SCHOOLS**

The Bryant School District is committed to providing a quality education for all students in each of the District's schools. The equitable distribution of District resources is one means the District shall use to ensure all of its students receive a quality education. The Board directs that services in Title I schools, when taken as a whole, be at least comparable to services in schools that are not receiving Title I funds. Curriculum materials, instructional supplies, and the percentages of qualified personnel shall be equivalent between all schools in the District when compared on a school-by-school basis. Specifically, the goal of the District is to ensure its students are given an equitable opportunity to learn regardless of the school they attend within the District.

Equity between schools shall not be measured by such things as

1. Changes in enrollment after the start of the school year;
2. Varying costs associated with providing services to children with disabilities,
3. Unexpected changes in personnel assignments occurring after the beginning of the school year;
4. Expenditures on language instruction education programs and;
5. Other expenditures from supplemental State or local funds consistent with the intent of Title I.

Legal Reference: 20 USC § 6321(a),(b), and (c)

Date Adopted: February 16, 2015

Last Revised: July 19, 2018

## **5.24 - RESERVED**

## 5.25 —MARKETING OF PERSONAL INFORMATION

The Bryant School District shall not collect, disclose, or use personal information for the purpose of marketing or for selling that information or to otherwise provide that information to others for that purpose.

Personal information is defined, **for the purposes of this policy only**, as individually identifiable information including:

1. A student or parent's first and last name,
2. A home or other physical address (including street name and the name of the city or town),
3. Telephone number, and
4. Social security identification number.

The district may collect, disclose, or use personal information that is collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions such as the following:

- a. College or other postsecondary education recruitment, or military recruitment;
- b. Book clubs, magazines, and programs providing access to low cost literary products;
- c. Curriculum and instructional materials used by elementary schools and secondary schools;
- d. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- e. The sale by students of products or services to raise funds for school related or education related activities; and
- f. Student recognition programs.

Legal Reference: 20 USC § 1232h(c)

Date Adopted: July 19, 2018

Last Revised:

## 5.26 - ALTERNATIVE LEARNING ENVIRONMENTS

The District shall provide an 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 an 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 an ALE only on the referral of the alternative education placement team. The team's placement decision is final and may not be appealed.

The team is to be comprised of, but not limited to, 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 ~~convenience~~, 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 following characteristics:

1. Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics;
2. Abuse: physical, mental, or sexual;
3. Frequent relocation of residency;
4. Homelessness;
5. Inadequate emotional support;
6. Mental/physical health problems;
7. Pregnancy;
8. Being a single parent;
9. Personal or family problems or situations;
10. Recurring absenteeism;
11. Dropping out from school; or
12. Disruptive behavior.

Before or upon entry into the ALE, the ALE program shall assess the student in order to provide intervention services designed to address the student's specific educational and behavioral needs, with the focus for behavioral needs on long-term improvement of the student's ability to control the student's behavior.

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. The SAP may be revised from time to time by the ALE placement team. The SAP shall contain at a minimum:

- a. A plan of intervention services to be provided to address the student's specific educational needs and, if appropriate, the student's behavioral needs;
- b. Goals and objectives necessary to achieve positive reintegration into the regular educational environment;
- c. Exit criteria on which to base a student's return to the regular educational environment;
- d. Documentation of the presence of the characteristics listed above that were the reason for the student's referral to the ALE program;
- e. Documentation of the specific ALE programming and supports that will address each identified characteristic or situation causing a barrier to the student's success; and
- f. A positive behavior or transitional plan 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 Division of Elementary and Secondary Education (DESE) Rules.

Legal References:       A.C.A. § 6-20-2305(b)(2)  
                              A.C.A. § 6-48-101 et seq.  
                              DESE Rules Governing Student Special Needs Funding— 3.01, 4.00, and 8.0  
                              DESE Rules Governing Student Discipline and School Safety

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Last Revised: June 20, 2022



### **5.26.1 - ALE PROGRAM EVALUATION**

The ALE program shall be evaluated at least annually to determine its overall effectiveness at providing a non-punitive environment that is conducive to learning, that eliminates traditional barriers to learning, and at compliance with the Division of Elementary and Secondary Education Rules Governing Student Special Needs Funding. The evaluation shall specifically address how the use of ALE funds is in alignment with the district's school district support plan in addressing identified achievement gaps and student performance deficiencies.

Legal References:      A.C.A. § 6-15-2914  
                                 DESE Rules Governing Student Special Needs Funding

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## **5.27 - ENGLISH LEARNERS**

The district shall utilize the special needs funding it receives for identified English-Learners (EL) on activities, and materials listed in the DESE Rules Governing Student Special Needs Funding.

The expenditures of EL supplemental funding shall be evaluated at least annually to determine their overall effectiveness. The evaluation shall specifically address how the use of EL funds is in alignment with the District's school district support plan in addressing identified achievement gaps and student performance deficiencies.

Legal References:      A.C.A. § 6-15-2914  
                              A.C.A. § 6-20-2305(b)(3)  
                              DESE Rules Governing Student Special Needs Funding— 3.09, 5.00, and 8.00  
                              Standards for Accreditation 2-J.2

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## **5.28 - ENHANCED STUDENT ACHIEVEMENT FUNDING EXPENDITURES**

Funding received from the state based on the number of students eligible for free and reduced-priced meals under the National Student Lunch Act shall be expended in accordance with guidelines outlined in the Division of Elementary and Secondary Education (DESE) Rules Governing Student Special Needs Funding.

Using District specific data, the District shall conduct the DESE developed needs assessment to identify areas where Enhanced Student Achievement (ESA) funds need to be directed. The District shall develop a three-year plan for the use of the District's ESA funds. The District's plan shall:

- Describe the District's intended and implemented strategies to enhance student achievement;
- Describe how ESA funds will be used to support the strategies of the District as permitted by Arkansas law and DESE Rules;
- Include goals and measures of success for the areas where ESA funds will be directed;
- Specify the categories and types of expenditures the district intends to use to meet the needs that were identified through the needs assessment and supported by the District specific data, which may include without limitation: personnel, programs, materials, supplies, services, and equipment, which may include technology; and
- If the District uses ESA funds in areas not identified by the needs assessment or supported by the District's specific data, justification for the use of the ESA funds in these areas.

The District shall review the District's enhanced student achievement plan at least annually, which shall include a review of the progress of the implementation of the District's proposed strategies and the efficacy of the planned strategies. The District shall update the District's enhanced student achievement plan at least annually. Any amendments to the District's enhanced student achievement plan shall be submitted Along with the District's annual budget to DESE.

Legal References:      A.C.A. § 6-15-2914  
                                 A.C.A. § 6-20-2305(b)(4)  
                                 DESE Rules Governing Student Special Needs Funding 3.12, 3.17, 3.18, 6.00, and  
                                 8.00

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## **5.29 - 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 School Board 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 that 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 to ensure age-appropriate recommendations are made that correlate to the 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:

- 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.

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.

### **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 has established the following goals:

1. Appoint a District school health coordinator (designated District official) who shall be responsible for ensuring that each school fulfills the requirements of this policy;
2. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
3. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
4. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
5. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
6. Not use food or beverages as rewards for academic, classroom, or sports performances;
7. Ensure that drinking water is available without charge to all students;
8. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
9. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
10. Establish no more than nine (9) school wide events that permit exceptions to the food and beverage limitations established by Rule. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar;
11. Abide by the current allowable food and beverage portion standards;
12. 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;
13. Restrict access to competitive foods as required by law and Rule;
14. 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.
15. Provide professional development to all District staff on the topics of nutrition and/or physical activity;

16. 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. 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.<sup>9</sup> 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) 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.

### **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. 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.

### **Adoption Awareness Instruction**

The District shall provide any information provided to students on the District's adoption awareness instruction that was in written form to the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a pregnant student who is enrolled in the District.

### **Breast Feeding**

In addition to providing age-appropriate education for students regarding the nutritional benefits of breastmilk and breastfeeding practices, the District shall provide:

- Space in the District's school facilities for District employees, students, and volunteers who are breastfeeding mothers that is a private, secure, and sanitary room or other location, other than a toilet stall, that contains Access to a power source for a breast pump or any other equipment used to express breast milk where an employee, student, or volunteer can express breast milk;
- Space in the District's school facilities for District students who are breastfeeding mothers that is a private, secure, and sanitary room or other location, other than a toilet stall, where a student can breastfeed the student's child;
- Permission to bring a breast pump and any other equipment used to express breast milk to school;
- Access to a place to safely store breast milk, which shall include, but not be limited to, a refrigerator or cooler in:
  - A nurse's office;
  - A teachers' lounge; or
  - Another private location or location with limited accessibility in which the breast milk may be safely secured;
- Access to a location to clean a breast pump and any other equipment used to express breast milk at school.
- Break time:
  - To an employee or volunteer for the purpose of expressing breast milk that, to the extent possible, shall run concurrently with existing break times; and
  - To a student that is a reasonable amount of time to accommodate the student's need to express breast milk or to breastfeed the student's child on the District's campus;
- That a student shall not incur an academic penalty for expressing breast milk or for breastfeeding the student's child on the District's campus; and
- A student the opportunity to make up any work missed due to expressing breast milk or for breastfeeding the student's child on the District's campus.

### **Child Care**

The District shall provide student mothers and fathers information regarding available child care services.

## **Community Engagement**

The District will work with the SNPAAC to:

- a. Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
- b. Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
- c. Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
- d. 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, with input from the SNPACC, the District shall assess both the District as a whole and individual schools' status regarding 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 8 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) year 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;
- 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 8 11 of the CDC's School Health Index; and
- A copy of the most recent three (3) year assessment of this policy.

Legal References:      Richard B. Russell National School Lunch Act 42 U.S.C. § 1751 et seq. as amended by PL 111-296 (Section 204) of 2010. (Section 204 is codified at 42 U.S.C. § 1758(b))  
                                  Child Nutrition Act of 1966 42 U.S.C. § 1771 et seq.  
                                  7 C.F.R. § 210.18  
                                  7 C.F.R. § 210.31  
                                  A.C.A. § 6-16-158  
                                  A.C.A. § 6-18-234  
                                  A.C.A. § 6-18-719  
                                  A.C.A. § 6-20-709  
                                  A.C.A. § 11-5-116  
                                  A.C.A. §§ 20-7-133, 134, and 135  
                                  DESE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols  
                                  Allowable Competitive Foods/Beverages - Maximum Portion Size List for Middle, Junior High, and High School  
                                  Commissioner's Memo CNU-17-010  
                                  Commissioner's Memo CNU-17-013  
                                  Commissioner's Memo CNU-17-016  
                                  Nutrition Standards for Arkansas Public Schools

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