



# Piggott Schools

Parent-Student  
District Handbook 2023-2024

# PIGGOTT HIGH SCHOOL

“ALMA MATER”

*Hail to the Red*

*And Black*

*Hail Piggott High*

*Hail Alma Mater*

*Ours ‘til we die*

*We love no other*

*All together we*

*Dear Piggott High*

*School VICTORY!*

## **PLEDGE OF ALLEGIANCE**

“I pledge allegiance to the Flag of  
The United States of America, and to  
The Republic for which it stands, one  
Nation under God, indivisible, with  
Liberty and justice for all”

# Piggott School District Handbook

## TABLE OF CONTENTS

Piggott School District Handbook .....	1
School Calendar .....	5
Testing Calendar .....	6-7
Board of Education .....	8
Mission.....	8
Act 80-16.....	9
Success Plan .....	9
Bullying .....	9-14
Sexual Harassment .....	14-15
Terroristic Threatening .....	15
Corporal Punishment .....	16
Computer Use Policy .....	16-21
Transportation Policy .....	21-23
School Health Program .....	23-31
Telephone Usage.....	32
Insurance .....	32
Emergency Dismissal/Drills .....	32-35
Enrollment Requirements .....	35-42
Student Transfers .....	42-48
Home School/School Choice .....	48-58
Student Records .....	58-66
Absences .....	66-72
Student Religious Expression .....	72-74
Students Expelled From Former District .....	74
School Suspension/Expulsions .....	75-76
Discipline for the Handicap .....	77-78
Due Process .....	78
Closed-Campus .....	79
School Lunch Pricing .....	80
Parental Involvement Plan .....	80
Student Promotion & Retention.....	81-86
Chemical Screening Policy .....	87

# **Piggott School District 2023-2024 School Calendar**

## **FIRST SEMESTER**

JULY-AUGUST (10 Days)	Pre-School Workshops
AUGUST 16 <sup>th</sup>	1 <sup>st</sup> Day of School
SEPTEMBER 4 <sup>th</sup>	Labor Day
OCTOBER 19 <sup>th</sup>	Parent-Teacher Conference
OCTOBER 20 <sup>th</sup>	No School
NOVEMBER 20 <sup>th</sup> -24 <sup>th</sup>	Thanksgiving Break
DECEMBER 21 <sup>st</sup> -Jan 2 <sup>nd</sup>	Christmas Break

## **SECOND SEMESTER**

JANUARY 3 <sup>rd</sup>	School Resumes
JANUARY 15 <sup>th</sup>	MLK Day No School
FEBRUARY 19 <sup>th</sup>	Presidents' Day
MARCH 14 <sup>th</sup>	Parent-Teacher Conference
MARCH 15 <sup>th</sup>	No School
MARCH 18 <sup>th</sup> -22 <sup>nd</sup>	Spring Break
APRIL 12 <sup>th</sup>	No School
MAY 24 <sup>th</sup>	Last Day of School
Make-Up Snow Days	May 28 <sup>th</sup> -31 <sup>st</sup> , June 3 <sup>rd</sup>

## 2023-24 DESE Preliminary Testing Calendar

<b>The ACT</b>	<b>Test Window 1</b>
<b>Grade 11</b>	<b>Paper</b> - February 27, 2024 <b>Accommodated (Paper)</b> February 27-29, March 1 & March 4-8, 2023
	<b>Test Window 2</b>
	<b>Paper</b> – March 26, 2024 <b>Accommodated (Paper)</b> March 26-29 & April 1-5, 2024 <b>Online (Standard and Accommodations)</b> March 26-29 & April 1-5, 2024
	<b>Test Window 3</b>
	<b>Paper</b> – April 9, 2024 <b>Accommodated (Paper)</b> April 9-12 & April 15-19, 2024 <b>Online (Standard and Accommodations)</b> April 9-12 & April 15-19, 2024
<b>ACT WorkKeys</b>	<b>Fall Window</b> – 9/11/23 to 12/15/23
<b>Grades 10-12</b>	<b>Spring Window</b> – 2/19/24 to 5/17/24
<b>PSAT/NMSQT</b>	October 2 – October 31
<b>Grade 10</b>	<b>online only</b>
<b>ELPA21 Summative</b>	March 4 – April 12, 2024
<b>ALT ELPA21</b>	TBD
<b>English Learners K-12</b>	

<b>ATLAS Summative</b>	April 15 – May 17, 2024
<b>Grades 3-10</b>	
<b>ATLAS Interims</b>	TBD
<b>Grades 3-10</b>	
<b>Dynamic Learning Maps (DLM)</b>	<b>Fall Window</b>
<b>Qualifying students in grades 3-10</b>	September 11-December 22, 2023
	<b>Spring Window</b>
	February 5-May 17, 2024
<b>Renaissance Star</b>	<b>Fall Window</b>
<b>K-2</b>	September 5-September 29, 2023
	<b>Winter Window</b>
	January 2-January 31, 2024
	<b>Spring Window</b>
	April 15-May 10, 2024

## **BOARD OF EDUCATION**

Piggott Public School complies with all applicable state and federal regulations regarding equality, equity, and civil rights as they pertain to students, employees, and patrons. It is the policy of the Piggott School District not to discriminate on the basis of sex, race, color, national origin, creed, age or disability in its educational programs, activities, or employment policies as required by Title VI, Section 601, and Title VII of the Civil Rights Act of 1964 as amended, Title IX, Section 901, Educational Amendments of 1962, Order 11246 as amended, and Section 504 of the Rehabilitation Act of 1973. Inquiries regarding compliance with equal opportunity, equity, race, and civil rights laws and regulations, and assistance in filing a 505 referral, or grievance, or other related information may be directed to the equity coordinator, Piggott Public School, Piggott, AR 72454. Phone 870-598-2572.

### **Freddie Bowen, Superintendent**

#### **School Board Members**

Chris Roberts, President  
Jennifer Rahn, Vice-President  
Jim Threatt, Secretary  
Jacob Richardson, Member  
Rob Chandler, Member

## **MISSION STATEMENT**

The faculty and staff of the Piggott School District believe that all students can learn and master basic academic skills regardless of their previous academic performance, family background, socio-economic status, race, or gender. The faculty and staff accept the responsibility for providing strong instructional leadership, a positive school climate, and a safe and orderly school environment. We foster strong parent and community involvement.



## **ARKANSAS ACT 80-1656**

### **RULES AND REGULATIONS FOR ORDERLY OPERATION OF SCHOOLS**

Nothing in ACT 80-1656 shall limit a local school district's power to adopt reasonable rules, regulations, and policies, not inconsistent with the ACT, to insure continued orderly operation of schools, including adult education and area vocational-technical high schools, and such powers are deemed to include the right of expulsion for student(s) participation in any activity which tend, in the opinion of the board, to disrupt, obstruct, or interfere with orderly education processes.

ACT 888 requires principals to report acts of students on school property, which constitute a felony and to report assaults or other violent act by students against a teacher on school property to law officials.

ACT 397 and 539 allow a provision for a period of silence.

### **ACT 930 OF 2017 STUDENT SUCCESS PLAN**

A personalized education plan intended to assist students with achieving readiness for college, career, and community engagement. Each eighth grade student shall have a Student Success Plan in place that is developed by school personnel in collaboration with parent and student. The plan must be updated annually thereafter.

### **CYBER BULLYING ACT 115**

Students using any electronic devices including telephone, cell phone, wireless communication devices, computer, or pager as a means to harass another student member.

ACT 115 applies to electronic act whether or not it originated on school property or with school equipment if the electronic act is directed specifically at students or school personnel.

This punishment will take the form of suspension, a recommendation for expulsion, and notification of the police if necessary.

## **Piggott School District Bullying Prevention Policy (Compliance with A.C.A 6-18-514)**

### **A. Policy Statement**

1. The Piggott School District, in order to achieve our agreed district vision, believes that all students have a right to a safe and healthy school environment.
2. All public school students in the Piggott School District shall be provided a public school environment that does not infringe on safety and is reasonably free from bullying, substantial intimidation, harassment, harm or the threat of harm by another student through words or actions.
3. The Board of Directors of the Piggott School District shall adopt policies to prevent bullying.

### **B. Definitions:**

1. "Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by written, verbal, electronic, or physical act that causes or creates a clear and present danger of:
  - a. Physical harm to a public school employee or student or damage to the public school employee's or student's property;
  - b. Substantial interference with a student's education or with a public school employee's role in education;
  - c. A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
  - d. Substantial disruption of the orderly operation of the school or educational environment;
2. "Cyberbullying" means any form of communication by electronic act that is sent with the purpose to:
  - a. Harass, intimidate, humiliate, ridicule, defame. Or threaten a student, public school employee, or person with whom the other student or public school employee is associates; or
  - b. Incite violence to a student, public school employee, or person with home the other student or public school employee is associated;
3. "Harassment" means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status or causes, or reasonably should be expected to cause, substantial interference with the others performance in the school environment; and

4. "Substantial disruption "means without limitation that any one (1) or more of the following occur as a result of the bullying":
  - a. Necessary cessation of instruction or educational activities;
  - b. Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
  - c. Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
  - d. Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

C. Bullying is prohibited:

1. While in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities, at school-sanctioned events or through cyberbullying. Students shall not engage in any of the following activities:
  - a. Cyberbullying that substantially disrupts orderly school operation and educational environment whether or not it generated on school property or with school equipment it was directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose
  - b. Hurtful comments about race, color, religion, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical experience, sexual orientation or mental, physical, developmental, or sensory disability;
  - c. Manipulation;
  - d. Mocking or taunting;
  - e. Physical injury;
  - f. Public humiliation;
  - g. Purposeful social isolation;
  - h. Rumor spreading;
  - i. Threats (verbal, non-verbal, or electronic [including cyberbullying]);
  - j. Verbal assaults, such as teasing or name calling;
  - k. Any other verbal, non-verbal or electronic means (including cyberbullying) the administration deems as an attempt to bully;

- D. To build staff capacity to maintain a safe and healthy school environment, staff will engage in development and training on approved bullying prevention policies, bullying prevention, on the relationship between bullying incidents and suicide risk, on how to cultivate acceptance and understanding. School leadership teams shall be provided an opportunity for school employees to participate in programs or activities designed to develop knowledge and skills to prevent and respond to bullying.

- E. Educators shall discuss the bullying prevention policy with students in age-appropriate ways and school assure them that they need not endure any form of bullying.
- F. The procedures for reporting bullying incidents include:
  - 1. Immediately report any act of bullying/cyberbullying to trusted adult and/or building administrators.
  - 2. Provide information of what was done, who was involved, when the incident occurred, where the incident occurred, and if this behavior has been noted before.
  - 3. Administrators or their designated personnel must begin immediate investigation in the allegation to determine if it is a credible bullying situation. Personnel should follow the Bullying Assessment Flow Chart.
  - 4. Administrators or their designated personnel should then contact the parents or guardians of the students involved in the situation to notify them of the issue and the results of the investigation. A written report should be made available to the parents or guardians within five business days or within a reasonable time frame of the situation.
  - 5. If the issue results in any form of a crime, law enforcement will be contacted.
  - 6. The building administrator will review all information regarding the incident and follow the six step response to bullying protocol on the bottom of the assessment flow chart. Written reports will be kept on file for the remainder of the school year.
- G. Students are encouraged to report behavior they consider to be bullying to a teacher or their principal. Any student who reports bullying shall not be subject to retaliation.
- H. School employees are required to report as soon as possible to the principal (or designee) of alleged bullying incidents that they have witnessed or when they have reliable information that a student has been a target of bullying. School employees who witness such acts shall take immediate steps to intervene when safe to do so. School employees that report bullying incidents shall not be subject to retaliation and be immune from tort liability that may arise from the failure to remedy the reported incident.
- I. Each report of bullying shall be promptly investigated.
- J. The steps that must be taken by employees to address a report of an alleged incident of bullying:
  - 1. Prior to investigation, report to the parent of the targeted student that the student was a target in a credible bullying report.
  - 2. A written record of the investigation shall be maintained. It should include:
    - a) Detailed description of alleged bullying incident

- b) Detailed summary of material witness statements to the alleged bullying incident
  3. Upon investigation completion, notify the parent of the proven aggressor regarding the consequences of continued bullying.
  4. 5 days upon investigation completion, notify the parents of students who are party to the investigation of information about the investigation:
    - a) Existence of a credible report
    - b) Whether the credible report was found to be true based on investigation
    - c) Whether action was taken upon the conclusion of the investigation
    - d) Communicate the need to report recurring bullying incidents
  5. Notices to parents shall comply with state and federal privacy laws.
  6. A written record of any action shall be maintained.
  7. If needed, align counseling and intervention services with the needs of students involved in the bullying incident
- K. Students found through investigation to have engaged in bullying are in violation of this policy and subject to disciplinary action. Consequences for bullying:
  1. Will be at the discretion of the building administrator and could range from warning to expulsion depending on the severity of the situation.
  2. Anyone found guilty of retaliation will be subject to further disciplinary action ranging from suspension to expulsion depending on the severity of the situation.
- L. The superintendent shall report to the school board of directors a public hearing data regarding discipline, including the number of incidents of bullying reported and the actions taken regarding incidents of bullying.
- M. A notice of the behaviors that constitute bullying, the prohibition of bullying, and the consequences of engaging in bullying shall be clearly posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus in the school system.
- N. Copies of the notice of the behaviors that constitute bullying, the prohibition of bullying, and the consequences of engaging in bullying shall be provided annually to students, parents and legal guardians, employees, and school volunteers. A full copy of this policy shall be made available upon request.
- O. A notice of the school system's policies to prevent bullying shall appear in the student handbook and the publication of the comprehensive rules, procedures, standards and code of conduct for each school.

- P. The school system shall provide the Arkansas Division of Elementary Secondary Education (DESE) with the website address at which a copy of the policies adopted in compliance with Act 1029.

### **SEXUAL HARASSMENT**

Any student at Piggott School District is entitled to the same protection against sexual harassment as an employee in the workplace as stated in Title VII of the Civil Rights Act of 1964 and Peer Sexual Harassment by the Arkansas School Board Association. (Copies may be found in the superintendent's office.)

Sexual harassment is deliberate or repeated sexual behavior, or a sex based nature, that is unwelcome, not asked for, not returned, and that creates an intimidating, hostile or offensive environment. The behavior can be verbal nonverbal, or physical. It is deliberate, not happening by accident, but by someone's intent and/or it is repeatedly happening more than once. The victim, as well as the harasser, may be a female or a male. The victim does not have to be of the opposite sex.

<b>Type of Conduct</b>	<b>Sexual Conduct Associated with Sexual Harassment</b>
Physical	Touching
	Patting
	Pinching
	Hugging
	Grabbing
Verbal	Propositions
	Sexual jokes
	Obscene language that is gender-specific or sexual in nature
	Sexual remarks
Other	Pictures, drawings, and cartoons that are offensive in a sexual nature
	Jokes, verse, etc. that may be offensive in a sexual nature
	Staring, ogling, leering

Any student who believes that he or she has been sexually harassed shall:

1. tell the offender that his or her conduct is offensive and unwelcome
2. report the conduct to the appropriate school personnel

The school personnel shall:

1. take the appropriate action as the situation warrants

2. report the harassment in the form of written documentation to the principal  
Repeated offenses and severe harassment shall be reported to and taken care of by the principal.

Consequences shall include corporal punishment, suspension and/ or recommendation of expulsion.

### **TERRORISTIC THREATENING (5-13-301, 1-17-97)**

1. A person commits the offense of terroristic threatening in the first degree if:
  - a. With the purpose of terrorizing another person, he threatens to cause death or serious physical injury or substantial property damage to another person; or
  - b. With the purpose of terrorizing another person, he threatens to cause physical injury or property damage to a teacher or other school employee acting in the line of duty.
  - c. Terroristic threatening in the first degree is a Class D felony.
  
2. A person commits the offense of terroristic threatening in the second degree if, with the purpose of terrorizing another person, he threatens to cause physical injury or property damage to another person.
  - a. Terroristic threatening in the second degree is a Class A misdemeanor.
  
3. A judicial officer, upon pretrial release of defendant, shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.
  - a. This no contact order shall remain in effect during the pendency of any appeal of a conviction under this section.
  - b. The judicial officer or prosecuting attorney shall provide a copy of this no contact order to the victim and arresting agency without unnecessary delay.
  - c. If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the cause, the judicial officer shall enter such orders as are consistent with 5-2-305.

## **CORPORAL PUNISHMENT**

Corporal punishment will always be administered according to the following procedures:

- a. It will be used only after other alternatives, including but not limited to counseling, have failed. Unusual circumstances will necessitate the use of corporal punishment prior to a counseling session.
- b. It will be administered in the presence of at least one certified employee in addition to the person dispensing the punishment
- c. It will not be administered in the presence of other students; it will not be administered with malice, anger, or in excess.
- d. Previous to administration of corporal punishment, the student will have been advised of the reasons the punishment is being given and a full discussion of the options open to both the administrator /teacher and student will have been explored. In the presence of the witness, the reason(s) for the punishment will be given, and the student will be allowed to make a statement. School officials are not required to conduct formal hearings prior to administering corporal punishment.
- e. This punishment will be administered only on the student's buttocks; when the student is resisting, moving about, or placing hands in the area, punishment will be stopped.
- f. Failure to cooperate or refusal to take this type of punishment will result in some other disciplinary measure.

## **COMPUTER USE POLICY**

The Piggott School District makes computers and/or computer Internet access available to students to perform research and to allow students to learn how to use computer technology. Use of district computers is for educational and/or instructional purposes only. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors.<sup>1</sup>

No student will be granted Internet access until and unless a computer use agreement, signed by both the student and the parent or legal guardian (if the student is under the age of eighteen [ 18]) is on file. The current version of the computer use agreement is incorporated by reference into board policy and is considered part of the student handbook. Student use of computers shall only be as directed or assigned by staff or teachers; students are advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that monitoring of student computer use is continuous. Students must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security or Internet



filtering software, alter data without authorization, or disclose passwords to other students. Students who misuse district-owned computers or Internet access in any way, including using computers to violate any other policy or contrary to the computer use agreement, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, as specified in the student handbook and/or computer use agreement.

In an effort to help protect student welfare when they navigate the Internet, the district will work to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

Notes: <sup>1</sup> The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

## **STUDENT GOOGLE APPS AND GMAIL PERMISSION FORM FOR PIGGOTT SCHOOL DISTRICT**

Piggott School District has the ability to create accounts for all students to allow for collaborative sharing using Google Apps and Gmail for Education. These accounts will be needed and used for school related projects and assignments. However, no student will be assigned an account without parent or guardian approval. The rules governing proper electronic communications by students are in the student handbook. Once accounts are assigned, students gain access to the wealth of collaborative tools available through Google Apps.

This account is housed on Google servers, thereby giving your student access to Google Docs (word processor, spreadsheet, and presentation software), Gmail addresses, calendar, plus additional services. This will allow your student to collaborate with teachers and other students for intended educational purposes.

Official Email - Students will be assigned an email account. This account will be considered the student's official Piggott School District email address until such time as the student is no longer enrolled.

Conduct - Students are responsible for good behavior just as they are in a traditional school building. It is illegal to use obscene, profane, threatening, or disrespectful language. Communication with others should always be course related. Students should never say anything via email that they wouldn't mind seeing on the school bulletin board or in the local newspaper. Students should notify the teacher of anything inappropriate or that makes them uncomfortable. Bullying will not be tolerated and the privacy of

others should be respected at all times.

Access - Restricted Access to and use of Google Apps for Education is considered a privilege accorded at the discretion of the Piggott School District. The District maintains the right to immediately withdraw the access and use of the account when there is reason to believe that violations of law or School Board policies have occurred. In such cases, the alleged violation will be referred to the Principal for further investigation and application of necessary consequences as indicated in the Student Handbook and related District Policies.

Security & Content Filtering - Piggott School District cannot and does not guarantee the security of electronic files located on Google systems. Although Google does have a powerful content filter in place, the School cannot assure that users will not be exposed to non-educational material.

Privacy - As with any other school resource, the School reserves the right to access and review content in the Google Apps for Education system at any time.

As with any educational endeavor, we feel that a strong partnership with families is essential to a successful experience.

Therefore, we are asking your permission to provide a Google Apps account to your child. Please fill out and return this permission slip to the main office of your child's school.

## **STUDENT INTERNET/NETWORK USE AGREEMENT**

The Piggott School District agrees to allow the student identified above ("Student") to use the district's technology to access the Internet/Network under the following terms and conditions which apply whether the access is through a District or student owned technology device:

1. **Conditional Privilege:** The Student's use of the district's access to the Internet/Network is a privilege conditioned on the Student's abiding to this agreement. No student may use the district's access to the Internet/Network whether through a District or student owned technology device unless the Student and his/her parent or guardian have read and signed this agreement.
2. **Acceptable Use:** The Student agrees that he /she will use the District's Internet/Network access for educational purposes only. In using the Internet/Network, the Student agrees to obey all federal and state laws and regulations. The Student also agrees to abide by any Internet/Network use rules instituted at the Student's school or class. Whether those rules are written or oral.
3. **Penalties for Improper Use:** If the Student violates this agreement and misuses the Internet/Network, the Student shall be subject to disciplinary action.

1. First Offense - Warning up to corporal punishment. Possible loss of computer privileges.
2. Second Offense - Warning up to corporal punishment or suspension. Temporary loss of computer privileges.
3. Third Offense - Suspension up to expulsion and loss of computer privileges.
4. "Misuse of the District's access to the Internet/Network" includes, but is not limited to, the following:
  - a. using the Internet/Network for other than educational purposes: (playing online games or downloading games, streaming music or videos that are not class related)
  - b. gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas Law;
  - c. using the Internet\Network for any illegal activity, including computer hacking and copyright or intellectual property law violations;
  - d. making unauthorized copies of computer software;
  - e. accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
  - f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
  - g. posting anonymous messages on the system;
  - h. using any means to bypass filter or security setting in place by the school district or state of Arkansas.
  - i. wasteful use of limited resources provided by the school including paper, toner, and Bandwidth;
  - J. causing congestion of the network through lengthy downloads of files; k. vandalizing data of another user;
  - k. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
  - m. gaining or attempting to gain unauthorized access to resources or files; (teacher or network passwords)
  - n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
  - o. invading the privacy of individuals;
  - p. divulging personally identifying information about himself herself or anyone else either on the Internet\Network or in an email. Personally identifying information includes full names, address, and phone number.
  - q. using the network for financial or commercial gain without district permission;
  - r. theft or vandalism of data, equipment, or intellectual property;

- s. attempting to gain access or gaining access to student records, grades, or files;
  - t. introducing a virus to, or otherwise improperly tampering with the system;
  - u. degrading or disrupting equipment or system performance;
  - v. creating a web page or associating a web page with the school or school district without proper authorization;
  - w. providing access to the District's Internet\Network Access to unauthorized individuals;
  - x. failing to obey school or classroom Internet\Network use rules; or
  - y. taking part in any activity related to Internet\Network use which creates clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools.
  - z. Installing or downloading software on district computers without prior approval of technology director or his/her designee.
  - aa. sharing passwords or logging in with another's password.
5. Liability for debts: Students and their cosigners shall be liable for any and all costs (debts) incurred through the student's use of the computers or access to the Internet\Network including penalties for copyright violations.
6. No Expectation of Privacy: The Student and parent/guardian signing below agree that if the Student uses the Internet\Network through the District's access that the Student waives any right to privacy the Student may have for such use. The Student and the parent/guardian agree that the district may monitor the Student's use of the District's Internet\Network Access and may also examine all system activities the Student participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system. The District may share such transmissions with the Student's parents/guardians.
7. No Guarantees: The District will make good faith efforts to protect children from improper or harmful matter, which may be on the Intenet\Network. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.

**PUBLICATIONS, VIDEO, INTERNET CONSENT AND RELEASE AGREEMENT**

Students who attend school in the Piggott Public School District are occasionally asked to be a part of school and/or district publicity, publications and/or public relations activities. In order to guarantee student privacy and ensure your agreement for your student to participate, the district asks that you sign this form and return a form to the school for each of your students. The form referenced at the end of the handbook indicates approval for the student's name, picture, art, written work, voice, verbal

statements or portraits (video or still) to appear in school publicity or district publications, videos or on the district's web site. For example, pictures and articles about school activities may appear in local newspapers or district publications. These pictures and articles may or may not personally identify the student. The district may use the pictures and/ or videos in subsequent years.

## Agreement

Student and Parent/Guardian release to Piggott Public School District the student's name, picture, art, written work, voice, verbal statements, portraits (video or still) and consent to their use by Piggott Public School District.

Piggott Public School District agrees that the student's name, picture, art, written work, voice, verbal statements, portraits (video or still) shall only be used for public relations, public information, school or district promotion, publicity, and instruction. Student and Parent/Guardian understand and agree that:

No monetary consideration shall be paid; Consent and release have been given without coercion or duress; this agreement is binding upon heirs and/ or future legal representatives; the photo, video or student statements may be used in subsequent years. If the Student and Parent/Guardian wish to rescind this agreement they may do so at any time with written notice.

## **TRANSPORTATION POLICY**

It is the belief of the Piggott School District that proper conduct by the students is essential if buses are to operate safely; therefore, only behaved students shall be allowed to ride the buses. Students will not be permitted to ride if they willingly or through negligence cause damage to the bus or if their behavior is such that it causes pain or embarrassment to the driver or other students or in any way interferes with the safety or wellbeing of anyone riding the school bus. Therefore, in the interest of maximum safety, the following regulations will apply to all students riding school buses in the Piggott School District:

1. Students are considered in school from the time they reach the bus stop in the morning until they are let off the bus in the afternoon. Stand back about ten (10) feet from the stop and wait until the door is opened before moving closer to the bus. Do not play on the highway or road. If you miss the bus, do not attempt to hitchhike a ride or walk to or from school without the permission/knowledge of your parents or guardians. If you get on the wrong bus, ride it until it returns to the bus garage.

2. Students going to and from the bus stop should walk on the left side of the highway or road, or on the shoulder, and when a car approaches, move several feet from the road.
3. Pupils must be on time at their pick-up points. Drivers may wait for students who are in sight of the stop if they are hurrying. Drivers will not otherwise wait for students who are not on time.
4. If a student has not been riding their regular bus for 2 consecutive days, the driver does not have to go by your house on the third (Srd) day. An adult must call the bus garage (598-3092) to resume the regular bus schedule.
5. Students may not have in their possession any weapons, explosives, fireworks, knives, unsheathed sharp pointed articles, or any other article, which might cause pain or damage to other students. No pets or other live animals will be transported on the buses. Toys must be in bags and not taken out on the bus. No balloons are allowed on the bus.
6. Students must not try to get on or off the bus while it is in motion. Pupils must remain seated even while the bus is stopped unless the driver directs them otherwise. Riders are not to put their hands, arms, heads, or bodies out of the windows. Do not yell at people outside the bus. Always stay in your seat while the bus is moving.
7. Students are required to exit the bus at the campus of their first hour class. When entering and leaving the bus, please move in an orderly and rapid manner.
8. While riding the bus, students are under the supervision of the driver and must obey him/her at all times. The administration, with notice to the parents, has the authority to suspend a student from riding the bus.
9. Students are expected to conduct themselves in a manner that will not distract the attention of the driver or disturb other riders. This includes keeping hands to yourself, attending to your own matters, leaving other pupils alone, and being reasonably quiet
10. Students are not to tamper with any of the safety devices or equipment.
11. No food or drinks, or containers for such, will be allowed on the bus. No tobacco or drugs may be used on the bus by either the rider or-the driver.
12. Students may be assigned to specific seats by the driver or the administration. If this is done, those students are responsible to sit in those assigned seats.

Students disobeying transportation rules will be subject to appropriate discipline through the administrative offices.

#### Discipline Procedures: School Bus Incidents

The first admonitions in misbehavior will come from the bus driver. He/she will warn the student one or more times depending on the nature of the infraction. If the problem or

problems with any student continue, the driver should report students in grades K-6 to the elementary principal; students in grades 7-12 to the secondary principal. The superintendent may become involved in serious or continuing disciplinary problems.

FIRST OFFENSE:	Warning by the principal.
SECOND OFFENSE:	Three (3) day suspension from the bus.
THIRD OFFENSE:	Five (5) day suspension from the bus.
FOURTH OFFENSE:	Ten (10) day suspension from the bus.
FIFTH OFFENSE:	Suspension from the bus for the remainder of the semester.

Corporal punishment is permissible if administered in the office of the building principal. If in the judgment of the driver and the principal, this punishment is more suitable than suspension from the bus, it may substitute through the third offense. There must be a witness to any corporal punishment.

A "Transportation Disciplinary Report" should be completed for each incident, which involves the school administration. A copy is mailed to the parent/guardian; a copy is kept on file in the principal's office.

### **SCHOOL HEALTH PROGRAM**

The general health and welfare of the student is recognized as an integral part of the school program. Health services provided by the school nurse are primarily inspectional rather than diagnostic in nature. Those provided by the school include:

1. A school nurse at each campus.
2. A nurse's station adequately supplied with first aid supplies,
3. The maintenance of a cumulative health folder for each student which contains a personal data sheet giving the medical history of the student, an emergency clause signed by the parent for use in case of serious illness or injury, and a completed immunization form.

### **4.35—STUDENT MEDICATIONS**

Prior to the administration of any medication, including any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, to any student under the age of eighteen (18), written parental consent is required. The consent form shall include authorization to administer the medication and relieve the Board and its employees of civil liability for damages or injuries resulting from the administration of medication to students in accordance with this policy. All signed medication consent forms are to be maintained by the school nurse.

Unless authorized to self-administer or otherwise authorized by this policy, students are not allowed to carry any medications, including over-the-counter (OTC) medications or any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration while at school. The parent or legal guardian shall bring the student's medication to the school nurse. The student may bring the medication if accompanied by a written authorization from the parent or legal guardian. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, the quantity of the medication(s). If the medications are brought by a student, the school nurse shall ask another school employee to verify, in the presence of the student, the quantity of the medication(s). Each person present shall sign a form verifying the quantity of the medication(s).

Medications, including those for self-administration, must be in the original container and be properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings. Schedule II medications that are permitted by this policy to be brought to school shall be stored in a double locked cabinet.

Students with an individualized health plan (IHP) may be given OTC medications to the extent giving such medications are included in the student's IHP.

The district's supervising registered nurse is responsible for creating procedures for the administration of medications on and off campus.

The school shall not keep outdated medications or any medications past the end of the school year. Parents shall be notified ten (10) days in advance of the school's intention to dispose of any medication. Medications not picked up by the parents or legal guardians within the ten (10) day period shall be disposed of by the school nurse in accordance with current law and rules.<sup>1</sup>

### **Schedule II Medications<sup>2</sup>**

Option 1: The only Schedule II medications that shall be allowed to be brought to the school are methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse).

not allowed to be brought to school shall be eligible for homebound instruction if provided for in their IEP or 504 plans.<sup>4</sup>



Option 2: Students taking Schedule II medications methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse) shall be allowed to attend school.

Students taking Schedule II medications not included in the previous sentence<sup>3</sup> shall be allowed to bring them to school under the provisions of this policy and shall be permitted to attend and participate in classes **only** to the extent the student's doctor has specifically authorized such attendance and participation.<sup>5</sup> A doctor's prescription for a student's Schedule II medication is **not** an authorization. Attendance authorization shall specifically state the degree and potential danger of physical exertion the student is permitted to undertake in the student's classes and extracurricular activities. Without a doctor's written authorization, a student taking Schedule II medications, other than those specifically authorized in this policy, shall **not** be eligible to attend classes, but shall be eligible for homebound instruction if provided for in their IEP or 504 plans.<sup>4</sup>

### **Self-Administration of Medication**

Students who have written permission from their parent or guardian and a licensed health care practitioner on file with the District may:

1. Self-administer either a rescue inhaler or auto-injectable epinephrine;
2. Perform his/her own blood glucose checks;
3. Administer insulin through the insulin delivery system the student uses;
4. Treat the student's own hypoglycemia and hyperglycemia; or
5. Possess on his or her person:
  - a. A rescue inhaler or auto-injectable epinephrine; or
  - b. The necessary supplies and equipment to perform his/her own diabetes monitoring and treatment functions.

A student may be authorized to self-administer a stress dose medication to treat the student's adrenal insufficiency with:

1. The written authorization of the student's parent, legal guardian, or person standing in loco parentis; and
2. A written order from the student's treating physician stating that the student:
  - a. Is capable of completing the proper method of self-administration of the stress dose medication,; and
  - b. Has been instructed on the details of the student's medical condition and the events that may lead to an adrenal crisis.

The parent, legal guardian, or person standing in loco parentis of a student who is authorized to self-administer a stress dose medication shall sign an IHP developed by the school nurse for the school where the student is enrolled. The IHP shall include a requirement for the notification of appropriate staff following the self-administration of a stress dose medication, which shall include the school nurse, teacher of the classroom where the stress dose medication was administered, and a school administrator.

Students who have a current consent form on file shall be allowed to carry and self-administer such medication while:

1. In school; are At an on-site school sponsored activity;
2. While traveling to or from school; or
3. At an off-site school sponsored activity.

A student is prohibited from sharing, transferring, or in any way diverting his/her medications to any other person. The fact that a student with a completed consent form on file is allowed to carry a rescue inhaler, auto-injectable epinephrine, diabetes medication, stress dose medication, or combination does not require the student to have such on the student's person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler, auto-injectable epinephrine, diabetes medication, stress dose medication, or any combination on the student's person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

Students may possess and use a topical sunscreen that is approved by the United States Food and Drug Administration for OTC use to avoid overexposure to the sun without written authorization from a parent, legal guardian, or healthcare professional while the student is on school property or at a school-related event or activity. The parent or guardian of a student may provide written documentation authorizing specifically named District employee(s), in addition to the school nurse, to assist a student in the application of sunscreen. The District employee(s) named in the parent or legal guardian's written authorization shall not be required to assist the student in the application of sunscreen.

## **Emergency Administration of Glucagon and Insulin**

Students may be administered Glucagon, insulin, or both in emergency situations by the school nurse or, in the absence of the school nurse, a trained volunteer school employee designated as a care provider, provided the student has:

1. An IHP that provides for the administration of Glucagon, insulin, or both in emergency situations; and
2. A current, valid consent form on file from their parent or guardian.

When the nurse is unavailable, the trained volunteer school employee who is responsible for a student shall be released from other duties during:

1. The time scheduled for a dose of insulin in the student's IHP; and
2. Glucagon or non-scheduled insulin administration once other staff have relieved him/her from other duties until parent, guardian, other responsible adult, or medical personnel has arrived.

A student shall have access to a private area to perform diabetes monitoring and treatment functions as outlined in the student's IHP.

## **Emergency Administration of Epinephrine**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician may administer an epinephrine auto-injector in emergency situations to students who have an IHP that provides for the administration of an epinephrine auto-injector in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse

or other school employee(s) certified to administer auto-injector epinephrine to administer auto-injector epinephrine to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

Students with an order from a licensed health care provider to self-administer auto-injectable epinephrine and who have written permission from their parent or guardian shall provide the school nurse an epinephrine auto-injector. This epinephrine will be used in the event the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes the student is having a life-

threatening anaphylactic reaction and the student is either not self-carrying his/her epinephrine auto-injector or the nurse is unable to locate it.

The school nurse for each District school shall keep epinephrine auto-injectors on hand that are suitable for the students the school serves. The school nurse or other school employee designated by the school nurse as a care provider who has been trained<sup>6</sup> and certified by a licensed physician may administer auto-injector epinephrine to those students who the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes is having a life-threatening anaphylactic reaction.

### **Emergency Administration of Albuterol**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol in emergency situations to students who have an IHP that provides for the administration of albuterol in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer albuterol to administer albuterol to the student when the employee believes the student is in perceived respiratory distress.

The school nurse for each District school shall keep albuterol on hand. The school nurse or other school employee designated by the school nurse as a care provider who has been trained<sup>6</sup> and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol to those students who the school nurse, or other school employee certified to administer albuterol, in good faith professionally believes is in perceived respiratory distress.

### **Emergency Administration of Anti-opioid**

The school nurse for each District school shall keep anti-opioid injectors on hand and the school nurse and school resource officer shall possess an anti-opioid at all times when on duty. The school nurse, other school employee, volunteer, or student may administer anti-opioid in accordance with the District's procedures to a student who the school nurse, or other observer, in good faith believes is having an opioid overdose.

An opioid overdose rescue kit shall be placed within all storage locations in the District high school buildings that currently contain an automated external defibrillator for public use. The opioid overdose rescue kits shall be located where it is readily available to the public, be visually free of advertisement, and contain an anti-opioid.

### **Emergency Administration of Emergency Adrenal Insufficiency Medication**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician may administer an injectable emergency dose medication in emergency situations to students who have an IHP that provides for the administration of an injectable emergency dose medication in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer an injectable emergency dose medication to administer an injectable emergency dose medication to the student when the employee believes the student is having an adrenal crisis due to adrenal insufficiency.

Students who have met the requirements to be authorized to self-administer a stress dose medication under this policy shall provide the school nurse an emergency injectable dose of the student's medication. This emergency injectable dose will be used in the event the school nurse, or other school employee certified to administer an injectable emergency dose medication, in good faith professionally believes the student is having an adrenal crisis due to adrenal insufficiency.

### **Seizure Disorder Medications**

Students who have been diagnosed with a seizure disorder shall have a seizure action plan that shall be a written IHP designed to acknowledge and prepare for the healthcare needs of the student. The student's seizure action plan shall be created in collaboration between District staff and the student's Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis or the student if over eighteen (18). As part of the creation of the student's seizure action plan, the student's Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall:

1. Provide the school with written authorization to administer the seizure medication at school;

2. Provide a written statement from the student's healthcare provider that shall contain the following information:
  - The student's name;
  - The name and purpose of the medication;
  - The prescribed dosage;
  - The route of administration;
  - The frequency that the medication should be administered; and
  - The circumstances under which the medication should be administered;
3. Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact, which shall be stored in a safe and secure location accessible only by District personnel or volunteers with training to administer seizure medication.

The written authorization, written statement, and seizure action plan shall be kept on file in the office of the school nurse or school administrator and distributed to any school personnel or volunteers responsible for the supervision or care of the student.

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

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

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

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

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

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

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

<sup>6</sup> The certification may be received through training that is provided by a nationally recognized organization experienced in training laypersons in emergency health treatment or other persons approved by the Department of Health. Examples of National programs are those provided by the American Heart Association and the American Red Cross.

## **DISTRICT HEAD LICE/NITS POLICY**

All students entering our school will be checked by the school as soon as possible for head lice/nits.

Step #1: First Dismissal: If lice/nits are found on a child, parents will be notified to pick the child up immediately. Parents will be given the school's attendance and head lice/nits policy, instructive literature, and counseling so they will be aware of how to treat the problem. It is recommended that a shampoo prescribed by a physician be used if possible.

Step #2: Second Dismissal: When a child is sent home the second time with head lice/nits, he/she must be brought back to school by an adult to be checked before returning to class.

Step #3: Third Dismissal: The Child Abuse the Neglect Hotline may be notified at this time and the FINS (Family in Need of Services) petition may be filed with the Clay County Juvenile Office.

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

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

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

A student shall not be disciplined or discriminated against based upon the student's natural, protective, or cultural hairstyle. A student's natural, protective, or cultural hairstyle includes without limitation afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance.

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

### **USE OF DISTRICT TELEPHONES**

Only in case of emergency will students be called to the telephone during class time. The office telephone is for school business; therefore, requests for its use should be made only when absolutely necessary.

Parents should phone students only when absolutely necessary. Students will not be called out of class to talk on the phone. A message may be given to the office staff to be given to the student as soon as possible. The office staff will make a phone call for a student only in case of an emergency.

### **INSURANCE**

The Piggott School District provides supplemental insurance, accidental, medical, and dental coverage for students during school hours and/or at school sponsored events. No pets are to be brought to school functions unless requested by a student's teacher.

### **EMERGENCY DISMISSAL**

When the decision is made to dismiss school early, these radio and television stations will be notified:

KAIT	TV Channel 8
KTHV	TV Channel 11
KARK	TV Channel 4
KATV	TV Channel 7
KFIN	107.9 FM
Clear 94	94.5 FM
Z95 The Bone	95.5 FM
Today's Talk	930AM

Please do not call the school directors or bus garage to find out whether school is being dismissed. If it seems we might dismiss early, please listen to one of the above stations so you will be aware of and plan for your child(ren)'s early arrival at home. You can also check our school website for updates and expect to receive a School Reach Call and/or



Notification on Website App. If it is not possible for you to listen, make arrangements for someone to be responsible for handling the situation. Please talk with your child, in advance, so that he/ she will know what to do and what to expect in case school is dismissed early. When we dismiss early, and you must get a message to your child, call the elementary or high school office and a message will be delivered. Send a note to the teacher with your child(ren) on the morning of any day if the weather is questionable telling your child(ren) what to do in case of early dismissal due to bad weather.

#### **4.37—EMERGENCY DRILLS**

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than three (3) times per year.<sup>1</sup> Students who ride school buses,<sup>2</sup> shall also participate in emergency evacuation drills at least twice each school year. The District shall annually conduct a lockdown drill at all schools in the District in collaboration with local law enforcement, medical professionals, fire department officials, and emergency management personnel. The lockdown drill training will include use of the District’s emergency communication method with law enforcement.<sup>3,4</sup> Students will be included in the drills to the extent that is developmentally appropriate for the age of both the students and grade configuration of the school.<sup>5</sup>

Drills may be conducted during the instructional day or during non-instructional time periods. Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of violence, terrorist attack, natural disaster, other emergency, or the District’s emergency communication with law enforcement method<sup>3</sup>. Students shall be included in the drills to the extent practicable.<sup>5</sup>

Notes: districts are required to conduct a comprehensive school safety assessment to assess the safety, security, accessibility, and emergency preparedness of district buildings and grounds in collaboration with local law enforcement, fire, and emergency management officials. The school safety assessment must be conducted at least once every three (3) years, with the initial school safety assessment being completed by no later than August 1, 2024. The comprehensive school safety assessment shall be conducted by more than one (1) individual, which must include at least one (1) individual who is not assigned to the district facility being assessed. The comprehensive school safety assessment shall include at least all of the following:

- Safety and security of the site and exterior of buildings;
- Access control;
- Safety and security of the interior of buildings;
- Monitoring and surveillance, including without limitation type and extent;
- Communication and information security;
- Review of emergency operation plans; and

- School climate and culture.

When developing your school safety plan, be sure to review and address the items set forth in A.C.A. § 6-15-1303(j).

<sup>1</sup> If your district is determined to be within an area susceptible to earthquakes, add the following:

*Earthquake safety drills shall be conducted in accordance with the District's safety plan.*

<sup>2</sup> Students who only ride buses occasionally, such as to go to and/or from a field trip will also have to participate in the evacuation drills.

<sup>3</sup> Due to the State opting to not appropriate funding for an emergency communication method with law enforcement, including a panic button alert system, districts are no longer required to have an emergency communication method with law enforcement, such as a panic button alert system, but may continue to do so if they choose. If you choose not to continue to provide an emergency communication method with law enforcement, remove references to it from this policy. If you choose to continue to provide a panic button alert system as your emergency communication method with law enforcement, A.C.A. § 6-15-1302 requires that a district's Panic Button Alert System meet the following requirements:

- a) Connect the caller with 911 while simultaneously notifying designated on-site personnel;
- b) Directly integrate into the existing statewide Smart911 system.
- c) Be available for use as a smartphone application and have a mechanism for panic notifications to be triggered by non-smartphone wireless callers and landline callers; and
- d) Be limited to users designated, approved, and confirmed by school administrators.

Smart911 is required to provide a way for schools to geo-fence the school campus and provide and manage floor plans and other documents to assist emergency responders when they automatically display during a 911 call. Districts are responsible for keeping the floor plans and pertinent emergency contact information for the statewide Smart911 system up to date, which must be done at least annually or if substantial building modifications or changes are made.

<sup>4</sup> The purpose of the training is to allow participants to:

- Assess the plan and ability of the district to prevent and respond to a threat on campus;
- Clarify the roles and responsibilities of each individual when an emergency occurs;
- Discuss the logistics of handling an emergency on the school campus;
- Identify areas in which the school safety plan should be modified; and
- Collaborate with local law enforcement, fire, and emergency management officials.

<sup>5</sup> Student involvement will need to be worked out school by school and determined relative to grade and age considerations in conjunction with the actual content of the drill. There may be drills conducted that do not include any students due to the explicit nature of the drill and the age of the students while a drill in another school would include students. There are so many facets of responding to a school intruder/shooting incident that it's difficult to know when your planning has dealt with all the contingencies. A good resource on active shooter drills is the "I Love You Guys" Foundation, which was created by the parents of the victim of the school shooting at Platte Canyon High School in Colorado to develop a protocol to advance school safety. The Foundation has **free** materials for districts that can be a big help when developing protocols and training for both personnel and students. A description of the Foundation's recommended protocol and the materials can be found at <http://iloveguys.org/srp.html>. An additional resource is the Federal government's "Federal School Safety Clearinghouse", which is located at [schoolsafety.gov](http://schoolsafety.gov). Some of these sites' information could also be applied to the other emergency plans required by statute and this policy.

## **ENROLLMENT REQUIREMENTS**

1. Prior to a child's admission to the Piggott School District we ask the parent, guardian, or other responsible person for the child's social security number ( optional), but they may request that the school district assign the child a nine digit number designated by the Department of Education.
2. Admission to Piggott School District a parent, guardian, or responsible person shall provide the school district with one (1) of the following documents indicating the child's age:
  - a. Birth certificate;
  - b. A statement by the local registrar or a county recorder certifying the child's date of birth;

- c. An attested baptismal certificate;
- d. A passport;
- e. An affidavit of the date and place of birth by the child's parent or guardian;
- f. Previous school records; or
- g. A United States military identification.

To enroll in a school in the District, the child must be a resident of the District as defined in District policy (4.1—RESIDENCE REQUIREMENTS), meet the criteria outlined in policy 4.40—HOMELESS STUDENTS or in policy 4.52—STUDENTS WHO ARE FOSTER CHILDREN, be accepted as a transfer student under the provisions of policy 4.4, or participate under a school choice option and submit the required paperwork as required by the choice option under Policy 4.5.

Students may enter kindergarten if they will attain the age of five (5) on or before August 1 of the year in which they are seeking initial enrollment. Any student who has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60) days, will become five (5) years old during the year in which he/she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon written request to the District. Any student who was enrolled in a state-accredited or state-approved kindergarten program in another state or in a kindergarten program equivalent in another country, becomes a resident of this state as a direct result of active military orders or a court-ordered change of custody, will become five (5) years of age during the year in which he or she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon a written request to the District.

Any child who will be six (6) years of age on or before October 1 of the school year of enrollment and who has not completed a state-accredited kindergarten program shall be evaluated by the district and may be placed in the first grade if the results of the evaluation justify placement in the first grade and the child's parent or legal guardian agrees with placement in the first grade; otherwise the child shall be placed in kindergarten.

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

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

(1), and who meets the basic residency requirements for school attendance may be enrolled in the first grade.

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

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

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

1. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the Division of Elementary and Secondary education.
2. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall provide the district with one (1) of the following documents indicating the child's age:
  - a. A birth certificate;
  - b. A statement by the local registrar or a county recorder certifying the child's date of birth;
  - c. An attested baptismal certificate;
  - d. A passport;
  - e. An affidavit of the date and place of birth by the child's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis;
  - f. United States military identification; or
  - g. Previous school records.
3. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding. Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.<sup>3</sup>
4. In accordance with Policy 4.57—IMMUNIZATIONS, the child shall be age appropriately immunized or have an exemption issued by the Arkansas Department of Health.

## Uniformed Services Member's Children

For the purposes of this policy:

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

“Active duty”<sup>4</sup> means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. chapters 1209, and 1211 or 42 U.S.C. § 204.

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

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

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

“Eligible child” means the children of:

- Active duty members of the uniformed services;
- Members of the active and activated reserve components of the uniformed services;
- Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement;
- Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death;
- Dual status military technicians; and
- Traditional members of the National Guard and reserve components of the armed forces who are relocating to the state for employment or to serve as a member of an Arkansas-based reserve component unit.

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

“Transition” means the:

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

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

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

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

An eligible child as defined in this policy shall:

1. Be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. Be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. Enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;
4. Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to the extent that space is available. This does not prohibit the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs;
5. Be provided services comparable to those the student with disabilities received in his/her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
6. Make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;

7. Be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
8. Be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

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

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

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

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

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

### **International Exchange Students**

"Host family" means the individual or family with whom an international exchange student is placed by an international student exchange visitor placement organization under the International Student Exchange Visitor Placement Organization Registration Act, § 6-18-1701 et seq..

"International exchange student" means a student who is placed with a host family by an international student exchange visitor placement organization under the International Student Exchange Visitor Placement Organization Registration Act, § 6-18-1701 et seq.



Before an international exchange student may attend a District school, the District requires all international student exchange visitor placement organizations that are placing international exchange students within the District to:

- Be certified by the Council on Standards for International Educational Travel;
- Provide documented proof of the international exchange student's English proficiency; and
- Notify the District at least three (3) weeks before the beginning of the academic semester the international exchange student plans to enroll in the District.

The District shall admit for enrollment and attendance an international exchange student who has been placed with a host family who resides within the District boundaries. The international exchange student shall attend the school in the District based on the attendance zone where the host family resides.<sup>6</sup>

Upon an international exchange student's arrival, the international exchange student may be required to submit to quarantine to prevent the spread of infectious diseases as may be necessary, which shall not exceed seven (7) days unless otherwise recommended by the Arkansas Department of Health or the Centers for Disease Control and Prevention.

International exchange students are expected to follow the District handbook and student code of conduct as the District has the authority to expel a student for violations of the school district's written student discipline policies or if the international exchange student presents a danger to the District's students or employees.

Statewide assessment results achieved by an international exchange student enrolled in the District shall be included in the District's results on the statewide assessments.<sup>7</sup>

The District shall provide English-language services to international exchange students as necessary.<sup>8</sup>

Notes:

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

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

<sup>3</sup> A.C.A. § 6-18-510 requires that districts adopt this policy language, or similar, **AND** provide a hearing before the board for the student seeking to enroll in the district while currently serving an expulsion from another district in order for the

district to exclude the student until the expiration of the student’s expulsion. Districts who do not include this policy language, or similar, **AND** provide the hearing before the board may **NOT** prohibit the enrollment of a student who is currently serving an expulsion from another district.

<sup>4</sup> A.C.A. § 6-4-302 and 6-28-104 define both “uniformed services” and “active duty.” Consult the statutes to determine if the student wishing to enroll in your district qualifies under the definitions.

<sup>5</sup> While A.C.A. § 6-28-116 only makes this a requirement for districts with at least twenty (20) children of military families enrolled or an average daily membership of three thousand (3,000) students, the language is recommended for all districts.

<sup>6</sup> While A.C.A. § 6-18-234(c)(3) allows a district to limit the number of exchange students that the district is required to admit to a single school to one (1) exchange student for every fifty (50) traditional students enrolled in the school, we have not included such limiting language as we believe that to do so violates the intent that the public schools are open to all students between the ages of five (5) and twenty-one (21) who lawfully reside within the district.

<sup>7</sup> You are not required to include exchange student statewide assessment scores in your district results. The law requires that if you include or exclude exchange student assessment results to be done as a group rather than on an individual student basis.

<sup>8</sup> The law allows districts to opt-out of providing English language services.

#### **4.40—HOMELESS STUDENTS**

The Piggott School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational agency (LEA) liaison for homeless children and youth whose responsibilities shall include, but are not limited to:

- Receive appropriate time and training in order to carry out the duties required by law and this policy;
- Coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensure that school personnel receive Professional development and other support regarding their duties and responsibilities for homeless youths;

- Ensure that unaccompanied homeless youths:
  - Are enrolled in school;
  - Have opportunities to meet the same challenging State academic standards as other children and youths; and
  - Are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid;
- Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.

To the extent possible, the LEA liaison and the building principal shall work together to ensure no homeless child or youth is harmed due to conflicts with District policies solely because of the homeless child or youth’s living situation; this is especially true for District policies governing fees, fines, and absences.<sup>1</sup>

Notwithstanding Policy 4.1, homeless students living in the district are entitled to enroll in the district’s school that non-homeless students who live in the same attendance area are eligible to attend. If there is a question concerning the enrollment of a homeless child due to a conflict with Policy 4.1 or 4.2, the child shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute, including all appeals. It is the responsibility of the District’s LEA liaison for homeless children and youth to carry out the dispute resolution process.

For the purposes of this policy “school of origin” means:

- The school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool; and
- The designated receiving school at the next grade level for all feeder schools when the child completes the final grade provided by the school of origin.

The District shall do one of the following according to what is in the best interests of a homeless child:

1. Continue the child's or youth's education in the school of origin for the duration of homelessness:
  - In any case in which a family becomes homeless between academic years or during an academic year; and
2. For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or Enroll the child or youth in any public school that

non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

In determining the best interest of the child or youth, the District shall:

- Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth.

○  
If the District determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, the District shall provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal. For an unaccompanied youth, the District shall ensure that the LEA liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

The homeless child or youth must be immediately enrolled in the selected school regardless of whether application or enrollment deadlines were missed during the period of homelessness.

The District shall be responsible for providing transportation for a homeless child, at the request of the parent or guardian (or in the case of an unaccompanied youth, the LEA Liaison), to and from the child's school of origin.<sup>2</sup>

A homeless student shall be immediately eligible to participate in interscholastic activities at the school in which the student is enrolled.

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

- a. Are:
  - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
  - Living in emergency or transitional shelters;

- Abandoned in hospitals; or
- b. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- c. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- d. Are migratory children who are living in circumstances described in clauses (a) through (c).

In accordance with Federal law, information on a homeless child or youth’s living situation is part of the student’s education record and shall not be considered, or added, to the list of directory information in Policy 4.13.<sup>3</sup>

## **4.1—RESIDENCE REQUIREMENTS**

### **Definitions**

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

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

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

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

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

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

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

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

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

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

#### **4.4—STUDENT TRANSFERS**

Transfer applications received by the District shall be placed on the Board's next meeting agenda.<sup>1</sup> At least five (5) days before the meeting where the transfer application appears on the agenda, the superintendent shall notify the Board regarding:

- All transfer applications received since the last meeting; and
- The superintendent's recommendation concerning each transfer application.

Each transfer application shall be considered individually and receive a separate vote by the Board. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a student who submits a transfer application shall be given at least five (5) minutes to present the student's case for a transfer to the Board.

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

If the superintendent intends to recommend the Board deny the transfer application, the superintendent shall provide a written explanation of the reasons for the recommendation to the Board and the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student.

The parent, legal guardian, person having lawful control of a student, or person standing in loco parentis to the student who submitted a transfer application that was rejected may appeal the decision of the Board to the State Board of Education.

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

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

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

Except as otherwise required or permitted by law,<sup>4</sup> the responsibility for transportation of any nonresident student admitted to a school in this District shall be borne by the student or the student's parents. The District and the resident district may enter into a written

agreement with the student or student's parents to provide transportation to or from the District, or both.

Notes: Applications are required to be placed at the earliest meeting following their receipt, whether that is the next regularly scheduled meeting or a special board meeting. Consult A.C.A. § 6-18-317 for restrictions on transfers where either the resident or the receiving district is under a desegregation related court order.

<sup>2</sup> Your application of "capacity" should be consistent in order to avoid potential exposure to liability for unlawful discrimination against individuals with disabilities. For example, you should not choose to accept a student who requires no special services, but would require you to add an additional elementary teacher, but refuse to accept a student with a disability because it would require you to add an additional special education teacher. You may refuse to accept the transfer of a student with a disability whose acceptance would necessitate the hiring of an aide, interpreter, or other additional staff member.

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

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

## **Home School**

Students transferring from a home school to a school, which is accredited by the Arkansas Department of Education, shall be evaluated by the staff of the accredited school to determine proper placement.

1. Each local school district shall have authority to assess any homeschooled student who enrolls or reenrolls in the district in order to determine proper educational placement.



2. In order to access and determine proper educational placement, Piggott School District must have:
  - a. Location of the home school
  - b. The basic core curriculum that was offered.
  - c. The paperwork and grades that were given to the student.
3. Any home schooled student who enrolls or reenrolls in a local school district must attend classes for at least nine (9) months immediately prior to graduation before the student can become eligible to receive a high school diploma from the district.

## **Standard School Choice**

### **Exemption**

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

### **Definition**

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

## **Transfers into the District**

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

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

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

### **Application Process**

The student's parent shall submit a school choice application on a form approved by DESE to this District and the student's resident district. Except for students who are transferring under Uniformed Service Member Dependent School Choice, the transfer application must be postmarked, emailed, or hand delivered between January 1 and May 1 of the year preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications the District receives as both the resident and nonresident district as they are received in the District's central office. Except for applications from students who are transferring under Uniformed Service Member Dependent School Choice, applications postmarked, emailed, or hand delivered on or after May 2 will not be accepted. Statutorily, preference is required to be given to siblings of students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards approved by the Board of Directors may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the application's date and time stamp.

Except for students who are transferring under Uniformed Service Member Dependent School Choice, no earlier than January 1 of each year, the Superintendent will consider all properly submitted applications for School Choice. By July 1, the Superintendent shall notify the parent and the student's resident district, in writing, of the decision to accept or reject the application.

### **Accepted Applications**

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

A student, whose application has been accepted and who has enrolled in the District, is eligible to continue enrollment until completing his/her secondary education. Continued enrollment is conditioned upon the student meeting applicable statutory and District policy requirements. Any student who has been accepted under choice and who fails to initially enroll under the timelines and provisions provided in this policy; chooses to return to his/her resident district; or enrolls in a home school or private school voids the transfer and must reapply if, in the future, the student seeks another school choice transfer. A subsequent transfer application will be subject to the capacity standards applicable to the year in which the application is considered by the District. A present or future sibling of a student who continues enrollment in this District may enroll in the District by submitting a Standard School Choice application. Applications of siblings of presently enrolled choice students are subject to the provisions of this policy including the capacity standards applicable to the year in which the sibling's application is considered by the District. A sibling who enrolls in the District through Standard School Choice is eligible to remain in the District until completing his/her secondary education.

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

### **Rejected Applications**

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

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

Rejection of applications shall be in writing and shall state the reason(s) for the rejection. Unless the student's application was rejected due to the application not being timely received by both the resident and nonresident districts, a student whose application was rejected may request a hearing before the State Board of Education to reconsider the application. The request for a hearing must be submitted in writing to the State Board within ten (10) days of receiving the rejection letter from the District.

## **Transfers Out of the District**

All Standard School Choice applications for transfers out of the District shall be granted.

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

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

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

### **Opportunity School Choice**

#### **Transfers into or Within the District<sup>9</sup>**

For the purposes of this section of the policy, a “lack of capacity”<sup>10</sup> is defined as when the receiving school has reached the maximum student-to-teacher ratio allowed under federal or state law, the DESE Rules for the Standards for Accreditation, or other applicable rules. There is a lack of capacity if, as of the date of the application for Opportunity School Choice, ninety-five percent (95%) or more of the seats at the grade level at the nonresident school are filled.

Unless there is a lack of capacity<sup>10</sup> at the District’s school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student may transfer from the student’s assigned school to another school in the District<sup>9</sup> or from the student’s resident district into the District if:

- Either:
  - The student’s resident district has been classified by the state board as in need of Level 5 — intensive support; or
  - The student’s assigned school has a rating of "F"; and
- Except for students who are transferring under Uniformed Service Member Dependents School Choice, the student’s parent, guardian, or the student if the student is over eighteen (18) years of age has submitted an application of the student’s request to transfer by no earlier than January 1 and no later than May 1 of the school year before the school year the student intends to transfer to both the sending and receiving school districts.

Except for students who are transferring under Uniformed Service Members Dependent School Choice or seeking to transfer within the District, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, and the student's resident district whether the Opportunity School Choice application has been accepted or rejected by no later than July 1 of the school year the student is seeking to enroll. If the student is seeking a transfer within the District, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, whether the Opportunity School Choice application has been accepted or rejected within fifteen (15) days from receipt of the student's application. The notification shall be sent via First-Class Mail to the address on the application.

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

If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection.<sup>11</sup> Unless the student's application was rejected due to the application not being timely received by both the resident and nonresident districts, a parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District's decision to deny the application to the State Board of Education. The appeal must be in writing to the State Board of Education via hand delivery or certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District.

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

The District may, but is not obligated to provide transportation to and from the transferring district.<sup>12</sup>

### **Transfers out of, or within, the District<sup>9</sup>**

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

eighteen (18) years of age, an opportunity to submit an application to enroll the student in:

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

Additionally, the District shall request public service announcements to be made over the broadcast media and in the print media at such times and in such a manner as to inform parents or guardians of students in adjoining districts of the availability of the program, the application deadline, and the requirements and procedure for nonresident students to participate in the program.<sup>13</sup>**Uniformed Service Member Dependent School Choice**

"Uniformed service member" means an active or reserve component member of the:

- United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Space Force, or United States Coast Guard;
- National Oceanic and Atmospheric Administration Commissioned Officer Corps; or
- United States Commissioned Corps of the Public Health Service.

"Uniformed service veteran" means a former uniformed service member who has been discharged under conditions other than dishonorable.

A student shall be eligible for school choice under Uniformed Service Member Dependent School Choice if the student is a dependent of a:

- Uniformed service member in full-time active-duty status;
- Surviving spouse of a uniformed service member;
- Reserve component uniformed service member during the period six (6) months before until six (6) months after a Title 10, Title 32, or state active duty mobilization and service; or
- Uniformed service veteran who is returning to civilian status at the conclusion of the uniformed service veteran's active duty status.

A student's parent, legal guardian, person having lawful control of a student, or person standing in loco parentis to the student shall submit a school choice application by mail,

e-mail, or in person to the student's nonresident district and resident district. The application shall be accompanied by:

- a. A copy of the identification card of the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis that qualifies the student under this section; and
- b. A copy of the official orders, assignment notification, or notice of mobilization of the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis.

The application deadline required under Standard School Choice and Opportunity School Choice shall not apply to uniformed service member dependents.

The superintendent of the nonresident district shall notify the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis of the student in writing whether the student's application has been accepted or rejected within fifteen (15) days of the nonresident district's receipt of the application. A student's transfer under the Uniformed Services Member Dependent School Choice is effective immediately upon the nonresident district's written notification of an acceptance.

A student shall be permitted only one (1) school transfer per academic year.

The parent, legal guardian, person having lawful control of a student, or person standing in loco parentis to a student shall be responsible for transportation of the student.

### **Unsafe School Choice Program**

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

Notes:

<sup>1</sup> Select the version of the desegregation order that applies to your district.

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

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

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

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

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

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

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

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

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

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

We advise districts to consult with their attorney about the district's desegregation court order/court-approved-desegregation-plan applicability to the exemption provisions in A.C.A. § 6-18-1906 and A.C.A. § 6-18-227 and whether you will



need to include both, either, or neither policy provisions on standard School Choice or Opportunity School Choice in your final version of this policy.

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

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

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

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

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

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

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

<sup>9</sup> Only include "or within" if your district has more than one school with the same grade(s).

<sup>10</sup> The capacity standards under "Opportunity Choice" are slightly more strict than under "Standard Choice" standards and are limited to what is stated in the policy. Additionally, by Rule, you are required to base your decision on ninety-five (95%) of capacity at the time of the application with no provision for consideration of your district's normal growth. Just as with Standard School Choice, your application of a lack of capacity must be consistent; you can't choose to add a teacher due to accepting a student, but refuse to add a staff member because the applicant requires special education.

<sup>11</sup> The student or his/her parents may appeal to the State Board a decision to deny admission.

<sup>12</sup> Sending districts are required to spend up to four hundred dollars (\$400) per year to transport the student. The statute and the Rules are unclear. They both state that receiving districts **may** transport opportunity choice students, but sending districts **shall** pay up to four hundred dollars (\$400) per year to transport the student. The policy's language makes no attempt to settle the discrepancy. The financial responsibility of the transferring district goes away when the school no longer has a rating of "F" or the student's resident district is no longer classified by the state board as in need of Level 5 — intensive support. At that time the statute states that the receiving district may choose to pay for the transportation.

<sup>13</sup> Opportunity Choice does not give you the option contained in Standard Choice of advertising on the Internet in place of print media.

## **STUDENT SCHOOL RECORDS**

All academic and personal records pertaining to students are confidential and can only be inspected by the student, his/her parent/ guardian, and by school officials. Written permission (consent) to release records is not always required, but as a courtesy, the school will obtain a written release from parents before releasing personally identifiable data. There are two specific instances where permission is not required:

1. Certified personnel within the student's school may examine the student's records.

2. Officials of other schools or school systems, in which the student has enrolled, may request and receive the student's records. Please see the district's full statement of policy on student records.

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

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

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

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

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

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

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

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

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

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

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

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

liability upon the school. The actual responsibility for enforcement of such court orders rests with the parents or guardians, their attorneys and the court which issued the order.

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

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

disclosing information in emergency situations.

When deciding whether to release PII in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an

articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.<sup>2</sup>

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

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

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

Unless the parent or guardian of a student (or student, if above the age of eighteen (18)) objects, "directory information" about a student may be made available to the public, military recruiters, post-secondary educational institutions, prospective employers of those students, as well as school publications such as annual yearbooks and graduation announcements.<sup>4</sup> "Directory information" includes, but is not limited to, a student's name, address, telephone number, electronic mail address, photograph, date and place of birth, dates of attendance,<sup>5</sup> his/her placement on the honor roll (or the receipt of other

types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user.

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

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

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

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

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

The District shall ensure that all contracts that disclose or make available student personally identifiable information to vendors, including school service contract providers, school service on-demand providers, and other third parties, including

without limitation subcontractors of contract providers, include express provisions that safeguard the privacy and security of student personally identifiable information that meet the requirements under A.C.A. § 6-18-2601 et seq. The District shall maintain a list of the school service contract providers that the District contracts with for school services that include or make available student personally identifiable information. The list shall be updated at least once at the beginning of each semester and provided to parents upon request.

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

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

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

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

There are several areas of permissible release of students' PII that are not mentioned in this policy (it's not required and would make the policy very long), but that are listed in 34 CFR § 99.31. One of the areas that has been greatly



elaborated on in the DOE Rules, released 12/2/11, relates to the district's release of PII to an "authorized representative" for the purpose conducting an audit or evaluation of federal or state education programs. This new area is covered in 34 CFR 99.35. Both documents are available by calling the ASBA office and requesting a copy. They could come in handy when answering parents' questions regarding the release of PII.

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

<sup>1</sup> You may choose a lesser number of days, but you may not exceed forty-five (45) days.

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

<sup>3</sup> The requirements for conducting a hearing are addressed in 34 CFR § 99.22. The district's obligations regarding the results of the hearing are covered in 34 CFR § 99.21. Both are available by calling the ASBA office and requesting a copy.

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

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

*or institution must limit its directory information disclosures to those specified in its public notice.*

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

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

#### **4.62—STUDENT NAME, TITLE, OR PRONOUN**

Unless a District employee has the written permission of the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student or the student if the student is an emancipated minor or over eighteen (18) years of age, a District employee shall not address a student with a:

1. Name other than that listed on the student's birth certificate, except for a derivative of the name; or
2. Pronoun or title that is inconsistent with the student's biological sex.

A student shall not be subject to discipline for declining to address a person using a:

- a. Name other than that listed on the student's birth certificate, except for a derivative of the name; or
- b. Pronoun or title that is inconsistent with the person's biological sex.

#### **4.7—ABSENCES**

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

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

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

### **Excused Absences**

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

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.<sup>2</sup>
2. Death or serious illness in their immediate family;<sup>3</sup>
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, FHA, or 4-H sanctioned activity;<sup>4</sup>
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.<sup>5</sup>
12. Absences due to conditions related to pregnancy or parenting, including without limitation:
  - Labor, delivery, and recovery;
  - Prenatal and postnatal medical appointments and other medically necessary, pregnancy-related absences;
  - The illness or medical appointment of a child belonging to a parent who is enrolled at a District school;
  - A legal appointment related to pregnancy or parenting, including without limitation:
    - Adoption;
    - Custody; and
    - Visitation;

- A reasonable amount of time to accommodate a lactating student's need to express breast milk or to breastfeed the student's child on the District's campus; and
- At least ten (10) school days of absences for both a parenting mother and a parenting father after the birth of a child.<sup>6</sup>

Students who serve as pages for a member of the General Assembly shall be considered on instructional assignment and shall not be considered absent from school for the day the student is serving as a page.<sup>7</sup>

Up to one (1) time during each scheduled election, a student shall not be considered absent from school for the time the student accompanies the student's parent when the parent is exercising the parent's right to vote in a scheduled election.

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

- Bring a written statement to the principal or designee upon the student's return to school from the student's parent, legal guardian, or treating physician stating the reason for the student's absence;
- If the student is attending the District's courses digitally, upload a written statement from the student's parent, legal guardian, or treating physician stating the reason for the student's absence through the District's digital course management platform for review by the principal or designee, or
- Provide documentation as proof of a student's participation in an activity or program scheduled and approved by the 4-H program that is provided by a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program.

A written statement presented or uploaded for an absence having occurred more than five (5) school days prior to its presentation or upload will not be accepted.

### **Unexcused Absences**

Absences that are not defined above; do not have an accompanying note from the parent, legal guardian, person having lawful control of the student, person standing in loco parentis, the student's treating physician, or a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program; or have an accompanying note that is not presented or uploaded within the timeline required by this policy shall be considered as unexcused absences. Students with (*insert number*)<sup>8</sup> unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has 6 unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified<sup>9</sup>. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student exceeds 8 unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law. It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Therefore, at any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, legal guardian, person with lawful control of the student, or person standing in loco parentis may petition the school or district's administration for special arrangements to address the student's unexcused absences. If formal arrangements are granted, they shall be formalized into a written agreement which will include the conditions of the agreement and the consequences for failing to fulfill the agreement's requirements. The agreement shall be signed by the student; the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis; and the school or district administrator or designee.<sup>10</sup>

Students who attend in-school suspension shall not be counted absent for those days.<sup>11</sup>

Days missed due to out-of-school suspension or expulsion shall be unexcused absences.<sup>11</sup>

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

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

<sup>1</sup> If you have asynchronous digital courses in addition to or in place of synchronous digital courses, you will need to add to or replace this paragraph with the manner you will use to determine a student's attendance in such classes. The exact manner you use to determine the student's attendance will depend on the options within the digital course platform you are using. Be sure to note that a student who is taking an asynchronous course but who was assigned a class period during the school day for the course may be considered truant under your

discipline policies for failure to be physically were they are assigned to be but would not be considered absent for the digital course itself if the student satisfied the attendance requirements for the asynchronous digital course.

<sup>2</sup> Limiting the number of excused absences for illness is an option which you can choose to include or not include. The number of absences can be changed as you feel appropriate.

<sup>3</sup> Your board may want to define the meaning of “immediate family.” One source for a definition is A.C.A. § 6-17-1202.

<sup>4</sup> A.C.A. § 6-18-220 requires that a student be given an excused absence for attending a 4-H activity even if your district does not have a FFA or FHA program.

<sup>5</sup> The law is silent on how to treat absences for students excluded from school in this manner. While you may elect to have such absences treated as unexcused absences, we do not recommend doing so due to the truancy requirements and the potential for a student to not be able to make up homework based on the language in Policy 4.8—MAKE-UP WORK.

<sup>6</sup> A.C.A. § 6-18-234 exempts the student parent from being dropped from the district enrollment for being absent for more than ten (10) consecutive days when the absences are related to pregnancy or the birth of the student’s child.

<sup>7</sup> Statutorily, the day the student serves as a page cannot be counted as an absence, but the school may grant additional days (such as for travel time) in conjunction with the day as a page that would also not be counted as absences. The choice is up to the district.

<sup>8</sup> A.C.A. § 6-18-222(a)(1)(A)(i) requires school boards to adopt an attendance policy that includes a “certain number” of excessive unexcused absences. The code leaves the specific number up to the individual board’s discretion. The number your board chooses determines the number of absences that triggers the notices being sent to the student’s parents.

<sup>9</sup> If your district has a Community Truancy Board as defined in A.C.A. § 6-18-225 & 226, notification will also need to be sent to the chairman of the truancy board. The truancy board will then need to proceed as defined by A.C.A. § 6-18-222(a)(4)(A).

<sup>10</sup> Students are specifically permitted to initiate the agreement on their own; their parents may be unavailable or unwilling to meet with the administration.

<sup>11</sup> The statutes are silent on whether in-school-suspensions shall count as absences. You can choose to amend this sentence and make either or both forms of suspension count as unexcused absences. In making your decision, we suggest you consider the number of days of allowable unexcused absences you have chosen for this policy, the lower the number, the greater the consequences for including an in-school-suspension as an unexcused absence. A.C.A. § 6-18-507(g) requires districts to note on each student's attendance record if the student's absence was due to an out-of-school suspension.

#### **4.8—MAKE-UP WORK**

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

1. Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.<sup>2</sup>
2. Teachers are responsible for providing the missed assignments when asked by a returning student.<sup>2</sup>
3. Students are required to ask for their assignments on their first day back at school or their first-class day after their return.<sup>2</sup>
4. Make-up tests are to be rescheduled at the discretion of the teacher, but must be aligned with the schedule of the missed work to be made up.
5. Students shall have one class day to make up their work for each class day they are absent.<sup>3</sup>
6. Make-up work which is not turned in within the make-up schedule for that assignment shall receive a zero.<sup>4</sup>
7. Students are responsible for turning in their make-up work without the teacher having to ask for it.<sup>2</sup>
8. Students who are absent on the day their make-up work is due must turn in their work the day they return to school whether or not the class for which the work is due meets the day of their return.
9. As required/permitted by the student's Individual Education Program or 504 Plan.

Work may not be made up for credit for unexcused absences **unless** the unexcused absences are part of a signed agreement as permitted by policy 4.7—ABSENCES.<sup>5</sup>

Work for students serving an out-of-school suspension or expulsion shall be in accordance with the District's programs, measures, or alternative means and methods to continue student engagement and access to education during the student's period of suspension or expulsion<sup>6</sup>

In lieu of the timeline above, assignments for students who are excluded from school by the Arkansas Department of Health during a disease outbreak are to be made up as set forth in Policy 4.57—IMMUNIZATIONS.

In addition to the make-up work process above, at the conclusion of a pregnancy-related or parenting-related period of absence, a student may choose from various options to make up missed work, including without limitation:

- a. Retaking a semester at the District school where the student is enrolled;
- b. Participating in an online course credit recovery program;
- c. Being granted six (6) weeks to continue at the same pace and finish the semester at a later date, provided that the student may:
  - Complete the student’s coursework within the current school year; or
  - Attend previously scheduled summer school classes made available by the District Where the student is enrolled; and
- d. Receiving home-based instruction services.

Notes: <sup>1</sup> Your district has the right to require students to make up work for both excused and unexcused absences; requiring work to be made up for all absences could serve as a deterrent for unexcused absences.

<sup>2</sup> This sentence should be modified for elementary school classes.

<sup>3</sup> Select the number of days your district deems reasonable and feasible.

<sup>4</sup> Your district may choose to adopt a different schedule such as docking the work a certain percentage for each day it is late.

<sup>5</sup> The contents of this paragraph are optional and can be adjusted to the extent it remains aligned with your personalization of policy 4.7. While the law requires that students be provided an opportunity and a process to maintain education services during the student’s suspension or expulsion, whether or not a student receives credit for assignments as part of this process is dependent on the student completing the work and on whether or not you have adopted specific language prohibiting the student from receiving credit.

<sup>6</sup> The program and method(s) you provide for students to maintain their educational opportunity should be in accordance with the requirements from Policy 4.30 and Policy 4.31.

#### **4.63—STUDENT RELIGIOUS EXPRESSION**

The Piggott School District Board of Directors does not allow the discrimination against a student based on a student’s voluntary religious expression, if any. At the same time,



the District shall provide a process to eliminate any actual or perceived sponsorship or attribution to the District of a student's public voluntary expression of a religious viewpoint, if any.

### **Student Assignments**

Student assignments include, but are not limited to:

- Homework;
- Classwork;
- Artwork; and
- Other written or oral assignments.

A student may express the student's religious viewpoint, if any, in the student's assignments without discrimination based on the religious content, if any. A student's assignments shall:

1. Be graded and judged:
  - By ordinary academic standards of substance and relevance; and
  - Against other conventional, pedagogical topics as identified by the District curriculum; and
2. Not be penalized or rewarded based on the religious content, if any, of the student's assignments.

### **Student Presenters**

A student's expression of a religious viewpoint, if any, on an otherwise permissible subject shall not be excluded from a forum, whether oral or in writing, where students are allowed to speak.

The District has the right to restrict student speech that is inappropriate in the school setting by being obscene, vulgar, offensively lewd, or indecent.

Review of written student forums shall be handled in accordance with Policy 4.14—**STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE.**

If the forum is a scheduled event with designated student speakers, the building principal shall have an opportunity to review pre-written remarks prior to the student's presentation at the scheduled forum. The principal may require the student to amend the student's remarks to the extent necessary to address any portions that are determined to be inappropriate. A student's refusal to amend the remarks that were determined to be inappropriate may be prohibited from participation in the forum. A student who diverts from the approved pre-written remarks during a speech in such a manner that is

determined to be inappropriate by the building principal or another present District staff member may be asked to return to the approved remarks. If a student refuses to return to the approved remarks or continues to divert from the approved remarks in a manner that is determined to be inappropriate may be escorted from the forum and disciplined in accordance with the District's Student Code of Conduct.

If the timing or format of the forum does not provide for pre-written remarks to be reviewed, then the building principal or other District staff shall have the authority to address a student whose remarks are determined to be inappropriate. The building principal or District staff member shall initially ask the student to cease the inappropriate remarks. If the student refuses or makes additional inappropriate remarks after being directed to cease such remarks, then the building principal or District staff member may escort the student from the forum and the student may be disciplined in accordance with the District's Student Code of Conduct

There shall be a disclaimer that a student speaker's speech does not reflect the endorsement, sponsorship, position, or expression of the District. The disclaimer shall be provided at all forums where students speak and at all graduation ceremonies. The disclaimer shall be provided orally or in writing as most appropriately fits the format of the forum.

Information on how to participate in a student forum shall be provided to all students.<sup>1</sup>

In addition to the salutatorian and valedictorian selection process in Policy 5.17— HONOR ROLL AND HONOR GRADUATES, the following students may speak during the District's graduation ceremony:<sup>2</sup>

Notes: <sup>1</sup> Insert the process your district will use to notify students of upcoming forums, such as a student newsletter, posting to bulletin boards, or distribution to student emails.

<sup>2</sup> Insert the students in addition to the salutatorian and valedictorian that traditionally speak at your graduation ceremony. Be sure to include the process for how those students are designated if it is not due to that student's position, such as class president. If you have opted not to have salutatorians and valedictorians, you may remove them from this policy.

## **STUDENTS EXPELLED IN THEIR FORMER DISTRICT**

### **Act 574 of 1995**

It shall be the policy of the Piggott School District that when a student, otherwise

eligible for enrollment, is currently under an order of expulsion from the last school district he or she attended, a hearing before the school board shall be held before that student may be enrolled. This hearing may be closed at the request of the student's parent, pursuant to Ark. Code Ann. 6-18-507. See also 28 U.S.C. 1232 g.

Prior to the hearing, the superintendent shall obtain a full report from the former district concerning the expulsion. At the hearing the board shall review the report from the former district, and have an opportunity to question the student and his or her parents concerning the alleged misconduct the board may rule that the student may not enroll until the student's expulsion from his or her former district has expired.

## **SUSPENSION FROM SCHOOL**

The school board recognizes its authority to maintain good order and discipline within the schools of the district; therefore, the board gives the school principals the discretion to suspend a student for up to five days for good cause until a satisfactory conference can be arranged with the parents or guardians. The principal will promptly advise the superintendent of all suspensions and of the circumstances involved in choosing this punishment. No student placed on suspension will be allowed to leave the school premises during the school day until a parent, guardian, or designated adult assumes responsibility for him/her.

The principal will suspend students from school for immorality, insubordination, and for other offenses deemed inappropriate or when counseling and other forms of discipline have failed. Infectious diseases or habitual uncleanliness will result in a student being sent home, but disciplinary suspension is inappropriate in these causes. All suspensions will be in accordance with procedural due process guidelines.

Suspensions may be appealed to the superintendent.

## **4.31—EXPULSION**

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

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

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

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

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

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

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

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

Standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The Superintendent and the Board of Education shall complete the expulsion process of any student that was initiated because the student possessed a firearm or other prohibited weapon on school property regardless of the enrollment status of the student.

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

Notes: To satisfy a student's due process rights, make sure that all the IDEA requirements are met for students receiving special education services.<sup>1</sup> The ten (10) school days are on a traditional school calendar. If your district uses a 4x4 block schedule, the number of days of suspension will need to be modified accordingly.<sup>2</sup> The current law governing parental responsibility is A.C.A. § 5-27-210

Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property.<sup>2</sup> The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understood said laws prior to the student being enrolled in the school.

## **DISCIPLINE FOR THE HANDICAPPED**

Handicapped students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to a free and appropriate education. See the district policy statement on discipline of handicapped students.

## **DUE PROCESS**

The area of procedural due process within the school district shall relate primarily to the area of discipline and disciplinary measures such as corporal punishment, short- and long-term suspension, and expulsion. The degree of procedural due process afforded in each of the above situations shall be dependent on two factors: (1) the gravity of the offense a student is alleged to have committed, and (2) the severity of the contemplated penalty. Under due process each student shall be guaranteed a fair hearing, a fair

judgment, a written record of the decision, and a notice of his/her right to appeal. This is applicable to the serious penalties such as suspension.

The full panoply of procedural due process shall be afforded any student facing long-term suspension or expulsion. In both of these situations, the school board shall follow an adversary type procedure with legal counsel permitted, cross examination, transcribed record of the hearing, and related safeguards. The due process rights of students and parents are as follows:

1. Prior to any suspension, the school principal shall advise the pupil in question of the particular charges; the administrator will also present the evidence on which the charges are based.
2. The pupil shall be given an opportunity at that time to explain his/her version of the events which led to the charges; this explanation should be given to the administrator.
3. Written notice of suspension and the reasons for the suspension shall be given to the parents of the student.
4. The student's parents or legal guardians have the right to appeal a suspension to the superintendent and ultimately to the school board.

## **CLOSED CAMPUS**

Once a student arrives on campus, whether by walking, riding a bus, riding with a parent, etc., he is considered to be in attendance and cannot leave the campus unless checked out through the office. A student who rides a bus is considered on campus when he arrives at the pick-up area in the morning and cannot leave campus when he arrives at school unless checked out through the office. The bus is considered a part of the school campus.

Checkout procedures for each campus are listed in their respective sections of this handbook.

Exception of seniors leaving campus for lunch.

## **SCHOOL LUNCH PRICING**

### **Paid**

Breakfast	\$1.85
Lunch	\$2.95

### **Reduced**

Breakfast	\$.30
Lunch	\$.40

### **Adult Lunch Price**

Breakfast	\$2.10		
Lunch	\$4.00	Staff Lunch	\$3.50

## **PARENT INVOLVEMENT POLICY**

The Piggott School district understands the importance of involving parents in the community as a whole in promoting higher student achievement and general good will between the district and those it serves. Therefore, the district shall strive to develop and maintain the capacity for meaningful and productive parental and community involvement that will result in partnerships that are mutually beneficial to the school, students, parents and the community. To achieve such ends, the district shall work to:

1. Involve parents and the community in the development of the long range planning of the district's parent involvement plan by having a public meeting and getting parent input.
2. Give the schools in the district the support necessary to enable them to plan and implement effective parental involvement activities.
3. Have a coordinated involvement program in the district by planning parent involvement activities with preschool.
4. Explain to parents and the community the State's content and achievement standards, state and local student assessments and how the district's curriculum is aligned with the assessments and standards and how parents can work with the district to improve their child's academic achievement.
5. Provide parents with the materials and training they need to be better able to help their child achieve.
6. Educate district staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent involvement programs that will promote positive partnerships between the school and parents.

7. Keep parents informed about parental involvement programs, meetings, and other activities they could be involved in. Such communication shall be, to the extent practicable, in a language the parents can understand.

To ensure the continued improvement of the district's parental/community involvement program, the district will conduct an annual review of its parental involvement policies to examine their effect on promoting higher student achievement by surveying parents and teachers on the effectiveness of the parent involvement programs and identifying any barriers that prevent maximum parent involvement.

#### **4.55—STUDENT PROMOTION AND RETENTION**

A disservice is done to students through social promotion and is prohibited by state law. The District shall, at a minimum, evaluate each student annually in an effort to help each student who is not performing at grade level. Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall be kept informed concerning the progress of their student(s). Notice of a student's possible retention or required retaking of a course shall be included with the student's grades sent home to each parent/guardian or the student if 18 or older. Parent-teacher conferences are encouraged and may be held as necessary in an effort to improve a student's academic success.

Each time a student is assessed by use of a high-quality literacy screener, with results at least once each semester, the Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis, and teacher(s) of a student in kindergarten through eighth (8<sup>th</sup>) grade shall be notified in writing of the student's independent grade-level-equivalency in reading and, in a parent friendly manner, the student's reading progress.

Any grades, course credits, and/or promotions received by a student while enrolled in the Division of Youth Services system of education shall be considered transferable in the same manner as those grades, course credits, and promotions from other accredited Arkansas public educational entities.

Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria.<sup>1</sup> If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference shall be held before a final decision is made that includes the following individuals:

- a. The building principal or designee;
- b. The student's teacher(s);
- c. School counselor;
- d. A 504/special education representative (if applicable); and



- e. The student's parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis.

The conference shall be held at a time and place that best accommodates those participating in the conference. The school shall document participation or non-participation in required conferences. If the conference attendees fail to agree concerning the student's placement or receipt of course credit, the final decision shall rest with the principal or the principal's designee.

Each student<sup>2</sup> shall have a student success plan (SSP) developed by school personnel in collaboration with the student's parents and the student that is reviewed and updated annually. A student's SSP shall use multiple academic measures to personalize learning in order for students to achieve their grade-level expectations and individual growth. The SSP will identify if the student is in need of additional support or acceleration. Academic measures to be used in creating and updating a student's SSP shall include, but are not limited to:

- Statewide student assessment results;
- Subject grades;
- Student work samples; and
- Local assessment scores.

The SSP for a student in kindergarten through grade three (K-3) who does not meet the reading standard as set by the state board and determined by a high-quality literacy screener or the statewide assessment shall include an individual reading plan for each student. An individual reading plan shall include:

1. The student's specific, diagnosed reading skill needs, including without limitation:
  - Phonemic awareness;
  - Phonics decoding;
  - Text reading fluency;
  - Vocabulary-building strategies; and
  - Self-regulated use of reading comprehension strategies, as identified by high-quality literacy screener data;
2. The goals and benchmarks for the student's growth;
3. How the student's progress will be monitored and evaluated;
4. The type of additional instructional services and interventions the student may receive;
5. The intensive, evidence-based literacy intervention program aligned to the science of reading the student's teacher will use to address the areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension;
6. The strategies the student's parents, legal guardians, or persons standing in loco parentis to the student are encouraged to use in assisting the student to achieve the student's reading goal; and
7. Any additional services the student's teacher determines are available and appropriate to accelerate the student's reading skill development.

All parents, legal guardians, or persons standing in loco parentis shall be notified in writing:

- a. Of the content of their child's independent reading plan and progress on the independent reading plan throughout the year; and
- b. By no later than October 1 of each year, or as soon as practicable if a student's reading need is identified after October 1:
  - Of their student's eligibility to participate in the literacy tutoring grant program;
  - The process for applying for the literacy tutoring grant program; and
  - Other information provided by DESE.

For each student who does not meet the reading standard established by the state board by the end of third (3<sup>rd</sup>) grade, including students who are promoted to the fourth (4<sup>th</sup>) grade under a good cause waiver, the District, during the subsequent summer and school year, shall:

- a. Provide at least ninety (90) minutes of evidence-based literacy instruction aligned to the science of reading during each school day;
- b. Assign the student to:
  - If the District has a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years; or
  - If the District is unable to identify a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher:
    - With a highly-effective rating according to the Teacher Excellence and Support System, when possible; or
    - Deemed to be a high-performing teacher as defined by a Master Professional Educator designation.
- c. Provide parents, legal guardians, or persons standing in loco parentis to students with a “read-at-home” plan to support student early literacy growth, which shall include evidence-based science of reading strategies and tools that are aligned to a student’s individual reading plan for parents, legal guardians, or persons standing in loco parentis to use with their student;
- d. Notify parents, legal guardians, or persons standing in loco parentis to a student regarding their student’s eligibility for a literacy tutoring grant;
- e. Be given priority to receive a literacy tutoring grant; and
- f. Be given the option to participate in additional intensive, evidence-based literacy intervention programs aligned to the science of reading.

The SSP of a student in kindergarten through grade eight (K-8) who is not performing at or above grade level on the state assessment, as defined by the State Board of Education shall include a math intervention plan. The math intervention plan may include the:

1. Provision of each student with access to high-dosage, targeted math tutoring in the subsequent school year, which shall include three (3) or more tutoring sessions a week in a one-on-one or small-group setting;
2. Assignment to:

- if the District has a teacher with a value-added model score in the top quartile statewide in math for the previous three (3) years, a teacher, with a value-added model score in the top quartile statewide in math for the previous three (3) years; or
  - if the District is unable to find a teacher with a value-added model score in the top quartile statewide in math for the previous three (3) years, a teacher:
    - With a highly-effective rating in the Teacher Excellence and Support System, when possible; or
    - Deemed to be a high-performing teacher as defined by a Master Professional Educator designation; and
3. Provision of each student with extended time on math instruction during or after school.

All parents, legal guardians, or persons standing in loco parentis shall receive written notification of their student's math intervention plan and progress on the student's math intervention plan throughout the school year.

By the end of grade eight (8), the student's SSP shall<sup>4</sup>

- Guide the student along pathways to graduation;
- Address accelerated learning opportunities;
- Address academic deficits and interventions; and
- Include college and career planning components.

Based on a student's score on the college and career assessment:

- The student's SSP will be updated in order to assist the student with college and career readiness skills, course selection in high school, and improved academic achievement; and
- Provide a basis for counseling concerning postsecondary preparatory programs.

A student's SSP shall include the recommended sequence of courses for successful completion of the diploma pathway selected by the student but be sufficiently flexible to allow the student to change the student's selected diploma pathway. The school counselor shall meet with the student's parent, legal guardian, or persons standing

in loco parentis and the student to review the student's SSP annually and to revise the student's SSP as necessary to identify the courses to be taken each year until all required core courses are completed. Part of the review shall include an explanation of the possible impacts the revisions to the plan might have on the student's graduation requirements and postsecondary education goals. Any change made to a student's SSP as part of the review that amends the student's diploma pathway shall be structured to ensure that the student will meet the high school graduation requirements for the student's chosen diploma pathway and be qualified for admission to a postsecondary educational institution or to enter the workforce. After each review, the student's SSP shall be signed by the student; student's parent, legal guardian, or person standing in loco parentis to the student; and the school counselor.

An SSP shall be created:

1. By no later than the end of the school year for a student in grade eight (8) or below<sup>2</sup> who enrolls in the District during the school year; or
2. As soon as reasonably possible for a student in grade nine (9) or above who enrolls in the District at the beginning or during the school year.

A student's individualized education program (IEP) may act in the place of the student's SSP if the IEP addresses academic deficits and interventions for the student's failure to meet standards-based academic goals at an expected rate or level and includes a transition plan that addresses college and career planning components. Promotion or retention of students with an IEP shall be based on their successful attainment of the goals set forth in their IEP.

Students who either refuse to sit for a Statewide assessment or attempt to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are originally administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity, including school dances, prom, homecoming, senior events, and may be prevented from walking or participating in graduation exercises. The student shall remain ineligible to participate until the student takes the same or a following Statewide assessment, as applicable. The Superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.<sup>5</sup> Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.<sup>6</sup>

Notes: <sup>1</sup> Insert the criteria your district uses for promotion/retention. The criteria must include the following for students in kindergarten through grade four (k-4):

- A student who has not met the third-grade reading standard as defined by the state board shall not be promoted to fourth(4<sup>th</sup>) grade unless the student has a good cause waiver. The following students may receive a good cause waiver:
- Limited English Proficiency students who have had less than three (3) years of instruction in an English language learner program;
- Students with a disability who are not eligible for the alternate assessment and who have an individualized education program or a 504 plan that reflects that the individual student:
  - Has received an intensive, evidence-based literacy intervention program aligned to the science of reading for more than two (2) years; and
  - Still demonstrates a need in reading proficiency or previously was retained in kindergarten, grade one (1), grade two (2), or grade three (3);
- Students who:
  - Have received an intensive, evidence-based literacy intervention program aligned to the science of reading for two (2) or more years;
  - Still demonstrate a need in reading proficiency and who previously were retained in kindergarten, grade one (1), grade two (2), or grade three (3);

- Have received a special education referral and a full comprehensive evaluation; and
- Have not met exceptional education criteria;
- Students who have already been retained in kindergarten, grade one (1), grade two (2), or grade three (3) for one (1) year;
- Students who can demonstrate that they are successful and independent readers and can perform at or above grade level by use of subsequent student assessments or alternative assessments; or
- Other students with necessary, justifiable good-cause exemptions identified as appropriate by the state board, in consultation with reading experts.

<sup>2</sup> The Division of Elementary and Secondary Education (DESE) Rules Governing the Arkansas Educational Support and Accountability Act only requires that an SSP be created for students in eighth (8<sup>th</sup>) grade and beyond and DESE will only cite a district if a student does not have an SSP by the end of eighth (8<sup>th</sup>) grade and beyond. We have opted to have the default language in the policy be for an SSP to be created for every student, with additional information reviewed and added starting in eighth (8<sup>th</sup>) grade, for a couple of reasons:

First, we believe requiring an SSP for all grades allows for improved communication between parents, teachers, and students. The creation and existence of an SSP at all levels allows for the use of common terminology (such as a parent who has more than one student simultaneously enrolled at a district would not have to know to ask to review and discuss the SSP for the student in eighth (8<sup>th</sup>) grade or above and also have to know to ask for the Response to Intervention plan for the student who is below the eighth (8<sup>th</sup>) grade.) In addition, requiring teachers, parents, and the student (when appropriate) to meet to create an SSP at all grades will help to foster channels of communications between parents and teachers, increase parental engagement, and help prepare parents for the more formal planning process when the student is in eighth (8<sup>th</sup>) grade and beyond. Second, the creation, evaluation, and updating of the SSP at the lower levels should help to establish a student focused learning system by helping to ensure each student is receiving the educational support(s) necessary for his/her individual educational development, whether the supports are through a Response to Intervention system, the Gifted and Talented program, or anywhere in between.

<sup>3</sup> While students in kindergarten through grade three (k-3) are not required to have an SSP, students who are not reading at grade level are required to have an individual reading plan and students in kindergarten through grade eight (K-8) are required to have a math intervention plan. You are required to report to DESE the types of interventions used and the number of students receiving each type of intervention.

<sup>4</sup> Subsections 6.05.1 through 6.05.4 of the Arkansas Educational Support and Accountability Act rules include additional recommendations for consideration when creating and updating a student's SSP on each of the items in this list.

<sup>5</sup> This paragraph is optional. The paragraph originated with the movement for students to opt out of state assessments. A.C.A. § 6-15-2907(e) requires all students participate in the statewide assessments and this paragraph is intended to add local incentive for students to

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

<sup>6</sup> This paragraph is optional. Participation in graduation or extracurricular activities is not a right, and districts may legally place conditions on a public-school student's eligibility for participation (such as testing compliance), but districts cannot deny a diploma to an otherwise qualified student or deny a student the ability to attend school. If you choose to include the paragraph, the third to the last sentence may be amended to apply to a timeline of your choice. Be sure to align the staff position responsible for deciding whether or not to grant an exception with the decision you made for footnote #4.

## CHEMICAL SCREEN TEST POLICY PIGGOTT SCHOOL DISTRICT

The Piggott School District recognizes that chemical abuse or misuse is a significant health problem for students, detrimentally affecting overall health, behavior, learning ability, reflexes, and the total development of each individual. The Piggott Board of Education is determined to help students by providing another option for them to say "No". Chemical abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of the legal drugs and medications.

### Piggott High School Handbook

#### Purpose of a Chemical Abuse Policy:

1. To allow the students of Piggott Schools to know that the school is concerned about their well-being. The School District is interested in helping the students who may be having problems.
2. To emphasize concerns for the health of students in areas of safety while they are participating in activities, as well as the long term physical and emotional effects of chemical use on their health.
3. To confirm and support state laws, which restrict the use of such mood-altering chemicals.
4. To assist students of Piggott Schools to resist the peer pressure that directs them toward the abuse or misuse of chemical substances.
5. To establish standards of conduct for students of Piggott Schools who are considered leaders and standard bearers among their peers.
6. To work cooperatively with the parents by assisting them in keeping their children free from mood-altering chemicals.
7. To provide referrals for students who need evaluation regarding their use of mood-altering chemicals.
8. To deter chemical abuse or misuse by all students through the use of random drug testing.

#### Scope

The provisions of this policy apply to all students in Piggott Schools in grades seven through twelve whose parent/guardian sign Consent Form "A" of the Chemical Screen Policy.

#### General Provisions

*Illegal drugs* are defined as drugs, or synthetic or generic equivalent or derivative of drugs, which are illegal under federal, state, or local laws including, but not limited to, marijuana, heroine, hashish, cocaine, hallucinogens, depressants, and stimulants not prescribed for the user. Illegal drugs include steroids and its derivatives or related substances, which are not prescribed for the user. Illegal drugs include steroids and its derivatives or related substances, which are not prescribed by a physician or are prescribed by a physician for uses not authorized by the manufacturer of the drug.

*Alcohol* is defined as ethyl alcohol or any beverage containing ethyl alcohol.

## Piggott High School Handbook

### Reasonable Suspicion Provisions

The use or possession of illegal drugs or alcohol by a student on property under the control of the District or prior to entering property controlled by the District or at a District-sponsored event where the illegal drug or alcohol has the possibility of impairing the student is a violation of this Policy. The presence of an illegal drug or its metabolites or alcohol in a student's body is considered possession.

*Reasonable Suspicion* is defined as a reasonable suspicion by an administrator or other district employee that a student has used, possessed, or sold illegal drugs on District property or has used illegal drugs off of District property, but is on District property or at a District-sponsored event while under the influence of the illegal drugs; or that a student is abusing or misusing prescription medications on District property or at a District-sponsored event while under the influence of the prescribed medication.

Examples of reasonable suspicion include, but are not limited to:

- Eyewitness evidence by a District official, administrator, or employee;
- Eyewitness evidence of another person plus additional evidence;
- Individualized suspicion possessed by an employee of the District that is based upon a reasonable suspicion and/or reasonably reliable evidence.

### Random Testing Provisions

The use or possession of illegal drugs during school activities or prior to school activities where the illegal drug has the possibility of impairing the participant is a violation of this policy. The presence of an illegal drug and its metabolites in a student's body is considered possession.

Any student undergoing medical treatment prescribed by a physician that includes the use of a drug or medication capable of affecting the student's mental or physical capabilities must notify the appropriate school official at the time of testing. If there is any doubt concerning the effects of the drug or medication, the appropriate school official should be notified. A student's failure to notify the appropriate school official that the student is undergoing medical treatment that includes the use of any drug or medication capable of affecting the student's mental and physical abilities is violation of this policy. The penalty for this violation may be the same as an initial positive test result under the random testing provisions.



## Piggott High School Handbook

### Procedure

*Type of Testing.* The District may require each student of Piggott Schools grades seven through twelve to provide a urine specimen. Each specimen cup will have a number on it which will be assigned to a participant's name. The numbers that are selected through a random process will be sent to the lab for testing. Urinalysis will be utilized to test for the presence of chemicals in the body. All students selected must show up for providing urine samples to be taken at Piggott Schools.

*Selection Process.* While students are in school, they will be subject to random selection for testing. Each student will be assigned a number. Particular days will be selected for testing. The amount of numbers drawn will be no less than (2%) or greater than (15%) of the students in grades seven through twelve. If any student whose number is drawn is absent on that day, the selection process will continue until the number of students selected for testing equals the number representing the percentage of students designated for random testing.

*Refusal to Submit to Testing.* Students not considering to be tested (in the random pool) are allowed to join clubs or organizations, but are not allowed to attend after school meetings or participate in off-campus trips. Any participant who refuses to submit to random drug testing shall not be allowed to participate in any school activity for the remainder of the school year. Each student must consent by the beginning of the 2nd semester in order to participate in 2nd semester activities. The following is a list of activities that students not consenting (in the random pool) will not be allowed to participate in for the school year. Examples include: Class trips, Band festival, Decorating for Prom, Cheerleading, Dances, Quiz Bowl, Prom, Dance, Driving a Car, Homecoming Maid, Prom Committee, Sports, etc.

*Use of Positive Tests.* Upon receipt of a positive test result for any student, a student may request a retest at his/her expense within a 24-hour period of a positive result. The urine specimen used in the original test shall be retested if the student requests a retest.

The Superintendent or designee shall notify the student and the student's custodial parents/ legal guardians.

The Superintendent or designee shall schedule a conference with the student's custodial parents/legal guardians to explain the results.

Counseling/rehabilitation for the student will be strongly recommended for the student who tests positive. This will be at the expense of the student.

## Piggott High School Handbook

The student will be suspended from any school activity for twenty days. After twenty-one days, the student will be tested again at the student's own expense and a written copy of the results will be given to the Superintendent or designee. If the test is negative, the suspension will be lifted. If the test is positive, the student will not be allowed to continue in school activities for one calendar year. The student cannot participate in any form of extracurricular activity involving Piggott schools. To regain eligibility for participation in activities for the next year, a student must have a negative Chemical Screening Test. This must be administered by school's testing agent at the student's expense.

*Exception:* Certain chemicals that take more than twenty days to leave the student's system will be considered differently if the testing company's written opinion details said residual effects of that particular substance.

### Testing Procedure:

*Analysis of Urine Specimens.* The initial urinalysis method shall be an immunoassay screen. If a specimen tests positive for any substance being checked, a student may request a confirmation test within 24 hours of receiving positive results. The confirmation test will be at the student's expense with the original urine specimen being used in the retest. Gas Chromatography/mass spectrometry, GC/MS, shall be conducted on the specimen. The student may be retested at the end of the 20-day suspension period at his/her expense. If the result of the GC/MS is negative for the suspected substance or substances, the student shall be considered to have had a negative result.

All test results from the laboratory shall be communicated to the superintendent or designee.

To ensure proper testing procedure, United States Department of Health and Human Services Standards as defined by the National Institute of Drug Abuse certified laboratories will be followed.

All urine specimens will be taken at a designated rest room. Any student who is requested to provide a urine specimen shall be directed to the collection site where the student will complete the necessary forms. Students selected as part of the random test will be required to execute an additional consent form.

The following precautions will be taken, as appropriate, at the collection site:

1. Positively identify the examinee.

## Piggott High School Handbook

2. The observer shall ask the individual to remove any unnecessary outer garments (i.e. coat, jacket) that might conceal items or substances that could be used to tamper with or adulterate the urine specimen. All personal belongings (i.e. purse, briefcase, etc.) must remain with the outer garments. The observer shall note any unusual behavior or appearance.
3. The student shall be instructed to wash and dry his/her hands prior to providing the specimen. After washing his/her hands, the student shall not be outside of the presence of the observer and not have access to water fountains, faucets, soap dispensers, or cleaning agents until after the specimen has been provided and sealed. Only one person will be allowed at a time in the washroom and process area.
4. The student will be allowed to provide the specimen in a stall or other partitioned area that allows for individual privacy. After the specimen has been provided, the student should leave the stall.
5. At the collection site, toilet bluing agents shall be placed in toilet tanks, whenever possible. No other source of water shall be available in the enclosure where urination occurs.
6. After the specimen has been provided to the observer, the observer will continue with the chain of custody procedures and determine whether it contains at least 60 milliliters of urine. If there is not at least 60 milliliters, additional urine should be collected. The student may be given reasonable amounts of water for drinking. If a student fails for any reason to provide the necessary amount of specimen, the observer shall contact the superintendent or designee for guidance.
7. Immediately after collection the observer shall check the temperature of the specimen and inspect the specimen for color and signs of contaminants. Freshly filled specimens should be warm.
8. Both the observer and the student being tested shall keep the specimen in view at all times prior to its being sealed and labeled.
9. The student shall observe the tamper-proof seal. The labels for the specimen bottle must have all information completed before being placed over the bottle cap and down the sides of the bottle. The observer will place the identification label securely on the bottle.
10. The student and the observer will sign the chain of custody form, and have the observer initial the specimen label.
11. The identification label on the specimen container shall contain:
  - The date
  - The student's name
  - The student's assigned number

## Piggott High School Handbook

12. The observer shall enter the identifying information in a record book. Both the observer and the student shall sign the record book. Both the observer and the student shall sign the permanent record book next to the identifying information.
13. The student shall be asked to read and sign a certification statement regarding the urine specimen.

### RESULTS AND NOTIFICATION

Test results shall be reported to the superintendent or his designee within a specified number of days after the lab's receipt of the specimens. All reports shall be in writing. All specimens testing negative on the initial test or negative on the confirmation test shall be reported as negative. Only specimens confirmed as positive shall be reported as positive for a specific drug(s).

#### Consent Form

Students and parents/guardians will be strongly encouraged to sign a consent form to the random testing at various times of the year. The form must be consigned by the student's custodial parent/legal guardian. No student shall be allowed to participate in any school activity (any activity outside the regular curriculum) until the consent form has been signed by both the student and custodial parent/legal guardian and returned to the principal.

#### Substances Tested

The substances for which students will be tested include:

BARBITUATES	AMPHETAMINES	BENZODIAZEPINES
Amobarbital	Amphetimine	Alprazolam
Butabarbital	Methamphetamine	Chlordiazepoxide
Butalbital	Clorazepate	Pentobarbital
Diazepam	Phenobarbital	Halazepam
Secobarbital	Prazepam	Trizolam
Cocaine Metabolites	Propoxyphenes	Phencyclidine
Qualitative THC	Opiates	Ethyl Alcohol
Codeine	Heroin	Morphine

The cut off levels or initial screens shall be 100 nanograms per milliliter (nm/ml) for marijuana metabolites (THC), 300 ng/ml for cocaine metabolites and opiates, 25 ng/ml for phencyclidine, and 1000 ng/ml for amphetamines. The cut off level for ethyl alcohol shall be four one-hundredths of one percent (.04%) by weight of alcohol in the student's breath or blood. Cut off levels are determined by the National Institute on Drug Abuse.



## Piggott High School Handbook

The cut off levels for confirmation tests shall be 15 mg/ml for amphetamines, and 25 ng/ ml for phencyclidines.

### Cost

The tests to be given during random selection will be paid by the District. Any second test or test requested by the parent or student will be at the parent's own expense.

### Testing Due to Reasonable Suspicion

Students who have been identified through the criteria outlined as reasonable suspicion may be tested separately from the times of random testing. The testing should take place as soon as possible after the determination of reasonable suspicion has been verified. The charge of the testing for those identified will be the responsibility of the District.

### Records

All records concerning chemical abuse testing shall be maintained by the Superintendent or designee in a separate file under lock and key. The records shall not be kept in a student's regular file. Only the Superintendent or his designee shall have access to the files. The files on each student shall be destroyed upon graduation or two years after termination of enrollment. A student and the student's custodial parents/legal guardians may obtain a copy of their chemical abuse testing records upon written request.

### Grievances

The procedure for appealing is found in the Piggott Student Handbook.

"Consent Form A" can be found at the end of the Piggott High School section of this handbook.

## **PARENTAL INVOLVEMENT PLAN**

Piggott High School is dedicated to promoting academic excellence and preparing all students to become active participants in the world. We recognize that family is the primary influence in a child's life. We recognize the importance of the role that families play in providing for student success. We also realize that the responsibility for a child's education is shared by both the family and the school staff the entire time the child is in school. Thus, family and school must work together as informed, cooperative partners in order to gain maximum success. PHS is firmly committed to effective parental involvement.