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CURRICULUM AND INSTRUCTION

5.1—EDUCATIONAL PHILOSOPHY

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

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

During the 2014-2015 school year, the Hermitage School District revisited the District Mission, Vision and Core Belief/Values statements. Below is the product of this work, which started with the School Board, then filtered to the District Leadership Team, and then the entire staff.

DISTRICT MISSION STATEMENT:

We are a district that is committed to learning for all in an environment that promotes a pathway to excellence while fostering a sense of community that celebrates our diversity.

DISTRICT CORE BELIEFS/VALUES:

- **LEARNING FOR ALL**
We believe that students and staff must be lifelong learners utilizing technology, demonstrating innovative ideas, and acquiring the skills needed to succeed in careers and higher levels of education.
- **ENVIRONMENT**
We value our staff and students and believe that all are entitled to a collaborative learning environment that is safe and clean, fun and engaging, and caring and respectful.
- **EXCELLENCE**
We expect the *HERMIT PRIDE* to be evident in individuals, academics and extra-curricular activities, with everyone striving for excellence and being held accountable for their actions.
- **COMMUNITY**
We honor the relationships and partnerships, particularly with our families and community, necessary to ensure that our students are healthy, safe, engaged, supported and challenged.
- **DIVERSITY**
We celebrate the people and cultures represented in our schools and seek to explore teaching methods that are engaging, while addressing different learning styles and interests.

DISTRICT VISION STATEMENT:

Hermit's L.E.A.D. the way!
Learning, Excelling, Achieving, Developing

Date Adopted: March 15, 2004
Last Revised: September 14, 2015

5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT

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

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

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

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

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

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

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

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

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

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

If forty percent (40%) or more of the District's students scored "in need of support" on the prior year's statewide assessment for reading, the District shall develop a literacy plan as part of the SDSP that includes: Goals for improving reading achievement throughout the District; and Information regarding the prioritization of funding, including without limitation, Enhanced Student Achievement funding, for strategies to improve reading achievement throughout the District.

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

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

Date Adopted: March 15, 2004

Last Revised: June 13, 2022

5.3—CURRICULUM DEVELOPMENT

Sequential curricula should be developed for each subject area. Curricula are to be aligned with the curriculum frameworks and used to plan instruction leading to student proficiency on Arkansas' content standards. Curricula should be in alignment with the District's vision, mission, goals, and educational philosophy. Student achievement is increased through an integrated curriculum that promotes continuity and a growth in skills and knowledge from grade to grade and from school to school. Therefore, the Board desires that unnecessary duplication of work among the various grades and schools be eliminated and that courses of study and their corresponding content guides be coordinated effectively.

The Board of Education is responsible for reviewing and approving all instructional programs offered by the District as well as approving significant changes to courses or course materials before they are implemented. The Superintendent is responsible for making curriculum recommendations.

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

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

In addition to the requirements listed above, the district's administration shall work with staff as may be appropriate to ensure a successful transition to the implementation of the Common Core State Standards.

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

Date Adopted: March 15, 2004
Last Revised: June 20, 2021

5.4—Policy Deleted - Language moved to 3.6

In an effort to reduce duplicate policies, this policy has been deleted because it is covered by the licensed personnel section policy 3.6. We will retain the number 5.4 as a place holder for future model policy use.

5.5—SELECTION/INSPECTION OF INSTRUCTIONAL MATERIALS

Definitions

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

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

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

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

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

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

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

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

- Curricula;
- Materials;
- Tests;
- Surveys;
- Questionnaires;
- Activities; and
- Instruction of any kind.

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

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

Legal Reference: 20 USC § 1232h
 A.C.A. § 6-16-155
 A.C.A. § 6-15-1006

Date Adopted: March 15, 2004
Last Revised: February 7, 2022

5.6—CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS

Definitions

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

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

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

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

Instructional and supplemental materials, including classroom events or activities associated with classroom instruction, are selected for their compatibility with the District's educational program and their ability to help fulfill the District's educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials, including classroom events or activities associated with classroom instruction, may do so by filling out a *Challenge to Instructional Material* form available in the school's office.

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

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

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

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

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

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

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

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

- Curricula;
- Materials;
- Tests;
- Surveys;
- Questionnaires;
- Activities; and
- Instruction of any kind.

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

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

Legal Reference: 20 USC 1232
 A.C.A. § 6-16-155
 A.C.A. § 6-15-1006

Date Adopted: March 15, 2004
Last Revised: February 7, 2022

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

Name: _____

Date submitted: level one _____ level two _____ level three _____

Instructional material, event, or activity being contested:

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

What is your proposed resolution?

Signature of receiving administrator _____

Signature of Superintendent _____

Date Adopted: March 15, 2004

Last Revised: June 20, 2021

5.6F2—STUDENT OPT OUT OF INSTRUCTION, EVENT, OR ACTIVITY REGARDING SEX ED, SEXUAL ORIENTATION, OR GENDER IDENTITY

Parent’s Name: _____

Student’s Name: _____

I have reviewed the list of curricula, materials, tests, surveys, questionnaires, activities, and instruction of any kind regarding sex ed, sexual orientation , or gender identity and wish for my student to be excused from the following regarding sex ed, sexual orientation, or gender identity:

I understand that I may not opt my student out of curricula, materials, tests, surveys, questionnaires, activities, and instruction of any kind related to sex ed, sexual orientation, or gender identity if the curriculum, material, test, survey, questionnaire, activity, or instruction of any kind is directly related to a requirement under the Arkansas academic standards; a District employee responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or a District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary context in relation to a topic of instruction.

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

Parent’s Signature: _____

Date: _____

Date Adopted: June 20, 2021

Last Revised: June 20, 2021

5.7—SELECTION OF LIBRARY/MEDIA CENTER MATERIALS

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

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

Selection Criteria

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

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

Retention and Continuous Evaluation

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

Gifts

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

Challenges:

The parent of a student affected by a media selection, or a District employee may formally challenge the appropriateness of a media center selection by following the procedure outlined in this policy. The challenged material shall remain available throughout the challenge process.

Before any formal challenge can be filed, the individual contesting (hereinafter complainant) the appropriateness of the specified item shall request a conference through the principal's office with a licensed media center employee. The complainant shall be given a copy of this policy and the *Request for Formal Reconsideration Form* prior to the conference. The meeting shall take place at the earliest possible time of mutual convenience, but in no case later than five (5) working days from the date of the request unless it is by the choice of the complainant.

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

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

The principal shall convene a meeting after a reasonable time for the committee members to adequately review the contested material and the *Request for Formal Reconsideration Form* submitted by the complainant. The complainant shall be allowed to present the complaint to the committee after which time the committee shall meet privately to discuss the material. The committee shall vote by secret ballot to determine whether the contested material shall be removed from the media center's collection. A member from the voting majority shall write a summary of the reasons for their decision. A notice of the committee's decision and the summary shall be given (by hand or certified mail) to the complainant.

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

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

Date Adopted: March 15, 2004

Last Revised: September 14, 2015

5.7F—REQUEST FOR RECONSIDERATION OF LIBRARY/MEDIA CENTER MATERIALS

Name: _____

Date submitted: _____

Media Center material being contested:

Reasons for contesting the material. (Be specific about why you believe the material does not meet the selection criteria listed in policy 5.7—*Selection of Library/Media Center Materials*):

What is your proposed resolution?

Signature of receiving administrator _____

Signature of Superintendent (if appealed) _____

Date Adopted: March 15, 2004
Last Revised: September 14, 2015

5.8—USE OF COPYRIGHTED MATERIALS

Use of Copyrighted Work in Face-to-Face Classroom

The Board of Education encourages the enrichment of the instructional program through the proper use of supplementary materials. To help ensure the appropriate use of copyrighted materials, the Superintendent, or designee, will provide district personnel with information regarding the “fair use” doctrine of the U.S. Copyright Code as detailed in the “Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions with Respect to Books and Periodicals” and “Guidelines for Educational Uses of Music.”

Use of Copyrighted Works in Digital Transmissions

Definitions

“Class session” means the length of time provided for students to access the materials necessary for the completion of course assignments and tests. Depending on the copyrighted work's overall importance to the course, which can vary from a single assignment to an entire course focusing on the copyrighted work, the class session will end on:

- The date set by the teacher for an assignment to be submitted; or
- The date on the school calendar for the end of classes.

“Course packs” are premade compilations of book excerpts; newspaper, magazine, and journal articles; and instructor-authored materials.

“Mediated Instructional activities” includes textbooks, workbooks, and course packs.

“Transmission” is the remote accessing, whether on or off campus, by students of a copyrighted work by means of a closed circuit television, an educational television channel, or in a digital format on a password protected secure webpage.

The District recognizes that advances in technology have resulted in the need for guidelines for the use of copyrighted materials that are transmitted to students through a digital network. While the requirements to use a copyrighted work in a digital transmission have many similarities to those required to use a copyrighted work in a face-to-face classroom, Federal law places several additional requirements on the District’s teachers, IT staff, and librarians for the use of a digitally transmitted copyrighted work. The District is dedicated to providing the tools necessary for teachers, IT staff, and librarians to meet these additional Federal requirements.

The District shall make sure the server where materials are stored is secured, whether the server is located locally or remotely.

The District’s Informational Technologies staff shall develop the proper protocols and train teachers on their use in order to ensure:

1. The transmission of the copyrighted work is limited to only the students enrolled in the course;
 - Each student shall have a unique ID and password for accessing digital courses/materials; or
 - Each course shall have a unique password to access course materials; and

- The password to access the course materials shall be changed immediately following the close of the course.
2. To prevent students from retaining or further disseminating the copyrighted work for more than one class session;
- The print function will be disabled;
 - A transparency shall be placed over any literary work, sheet music, or photograph;
 - Audio and video transmissions will be set to be streamed; and
 - The link to the webpage with a copyrighted work shall be deactivated at the end of the applicable class session.

Teachers who wish to provide copyrighted works to students through a digital transmission as part of a digital course as well as teachers wishing to supplement a face-to-face classroom course with a digital transmission must meet applicable copyright statutes and policy 5.11—DIGITAL LEARNING COURSES as well as the following requirements in order to use a copyrighted work:

- A. The use of the copyrighted work(s), whether in whole or in part, must be a part of regular classroom instruction and must be directly related and of material assistance to the course content;
- B. The extent of a copyrighted work that is used must comply with one or more of the following criteria:
- The entirety of a non dramatic literary or musical work may be used. A non dramatic literary work includes poems and short stories. A non dramatic musical work covers all music that is not part of an opera or musical and does not cover the use of the music video format of a song.
 - Dramatic literary and musical works as well as videos may only be used in limited portions. Dramatic literary and musical works may only be used in the same amount as set forth in the requirements for a face-to-face classroom while videos, including music videos, may only have the portion used that is directly related to the subject of the class session and may not be transmitted in their entirety.
 - Still images or slides that a teacher would have used in the ordinary course of a face-to-face classroom session on a projector or a transparency may be used in a transmission.
 - Works primarily produced or marketed for use in the digital education market may not be transmitted.
 - Works the teacher had knowledge or reasonably believes to be unlawfully made or acquired may not be used.
 - Mediated Instructional activities may not be transmitted.
- C. A statement that works may be subject to copyright shall be placed in at least one of the following areas to provide notice to students of copyright status:
- Course syllabus;
 - Home webpage for the course;
 - Webpage for the particular class session; and/or
 - webpage with the copyrighted work.

The teacher and the District librarian shall work together when making digital copies of copyrighted work from physical or analog versions and shall fulfill the following requirements:

- I. The amount converted is only the amount allowed by law; **and**
- II. The District has no digital copy of the copyrighted work available; **or**
- III. The District's digital copy of the copyrighted work that is available has technological protections that prevent the use of the copyrighted work in the manner prescribed by law.

The District will not be responsible for any employee violations of the use of copyrighted materials.

Notes: A useful checklist for Districts to use to help ensure compliance with Federal copyright laws can be found at <http://library.uncc.edu/copyright/TEACH/teachtools>.

Cross Reference: 5.11—DIGITAL LEARNING COURSES

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

Date Adopted: March 15, 2004

Last Revised: June 20, 2021

5.9—COMPUTER SOFTWARE COPYRIGHT

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

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

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

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

Date Adopted: March 15, 2004

Last Revised: September 14, 2015

5.10—RELIGION IN THE SCHOOLS

The First Amendment of the Constitution states that “Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof. . .” As the Supreme Court has stated (*Abington School District v. Schempp*, 374 U.S. 203) the Amendment thus, “embraces two concepts—freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be.” Therefore, it is the Board’s policy that the school system, as an agency of the government, shall be neutral in matters regarding religion and will not engage in any activity that either advocates or disparages religion. The District shall assume no role or responsibility for the religious training of any student.

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

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

Accommodation will be considered for those portions of instructional activities in the schools that unduly burden a student's sincere religious belief provided such accommodation doesn't amount to a significant change in curriculum, program, or course of instruction and when it is possible that a substitution of equally rigorous material that advances the same instructional goals can be arranged. Parents and students are advised that such accommodations are easier to grant when the objection is to non-state mandated Framework material than if the material is required by the Frameworks.

A student or the student's parent can request the student's teacher accommodate the student's objection based on a religious belief to an instructional activity. Any such request must be made at least 25 school days prior to the assignment's due date. Any objection must be raised in accordance with this policy's requirements or it will not be considered.

Upon receiving such a request, the student's teacher shall determine within five (5) work days if an accommodation is possible under the provisions of this policy. If the teacher decides an accommodation cannot be made or if the student or the student's parent believes the accommodation to be unreasonable, the student or the student's parent may request a conference with the teacher and the teacher's principal. A requested conference will occur at a time of mutual convenience, but no later than five (5) working days following the request. The principal shall have five (5) working days in which to make a decision on the appeal. If the student, the student’s parent, or the teacher is unsatisfied with the principal's decision, it may be appealed to the District Superintendent who shall convene a conference between the student, the parent and the teacher. The requested conference will occur at a time of mutual convenience, but no later than five (5) working days following the request. The Superintendent shall have five (5) working days in which to make a decision on the appeal which shall be final with no further right of appeal.

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

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

Legal Reference: A.C.A. § 6-10-115

Date Adopted: March 15, 2004
Last Revised: September 14, 2015

5.11—DIGITAL LEARNING COURSES

Definitions

For the purposes of this policy

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

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

"Instructional Materials" means:

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

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

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

Digital Course Offerings

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format and shall be tailored to meet the needs of each student.

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

As an approved digital learning provider, the District shall annually determine what District created digital learning courses it will provide to our students. The District may also choose to provide digital learning courses by contracting with outside providers of such courses, who have been pre-approved by the Arkansas

Department of Education (ADE). The School Board shall determine the provider method or combination of methods for the District. The Superintendent shall ensure that all digital learning courses provided to District students, regardless of the source of the course, have been approved by ADE.

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

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

Students are not limited in the number of digital learning courses they take. Enrollment in the digital learning courses, however, may be limited at the discretion of the administrator and/or counselor, dependent upon space available and needs of other students to meet graduation requirements.

A student may elect to take any or all of his/her scheduled courses digitally. The student's attendance in the student's digital course(s) shall be determined in accordance with Policy 4.7—ABSENCES

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

Regardless of any other provisions of this policy, the District may restrict a student's access to digital courses when the student's administrator determines the student's participation in such a course would not be academically appropriate based on the student's past performance in digital courses. Furthermore, the student's administrator may revoke a student's eligibility to continue taking a digital learning course if the student's performance during the semester indicates the student is not succeeding in the course.

Cross References: 4.7—ABSENCES
 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS
 5.8—USE OF COPYRIGHTED MATERIALS

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

Date Adopted: March 15, 2004
Last Revised: June 20, 2021

5.12– Policy Deleted - Language moved to new policy 4.55

This policy has been combined with the previous version of 5.11, and moved to the student section as a new policy 4.55. We will retain the number 5.12 as a place holder for future model policy use.

5.13— STUDENT INTERVENTION SERVICES AND SUMMER SCHOOL

The Hermitage School District shall offer remediation programs during the school year to those students in kindergarten through third grade (K-3) not performing at grade level.

Legal Reference: A.C.A. § 6-16-704
 A.C.A. § 6-16-704
 A.C.A. § 6-16-706

Date Adopted: March 15, 2004
Last Revised: July 13, 2020

5.14—HOMEWORK

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

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

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

Date Adopted: March 15, 2004

Last Revised: July 9, 2018

5.15—GRADING

Parents or legal guardians, persons having lawful control of a student, or persons standing in loco parentis shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, persons having lawful control of a student, or persons standing in loco parentis or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation, which may enhance the probability of the student succeeding. The school shall also send timely progress reports and issue grades for each nine (9)-week grading period to keep parents/guardians informed of their student's progress.

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

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

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

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

A = 100 – 90

B = 89 – 80

C = 79 – 70

D = 69-60

F = 59 and below

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

A = 4 points

B = 3 points

C = 2 points

D = 1 point

F = 0 points

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

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

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

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

Date Adopted: March 15, 2004

Last Revised: July 13, 2020

5.16– Policy Deleted - Language moved to 4.45

In an effort to reduce duplicate policies, this policy has been deleted because it is covered by the student section policies 4.45 and the new 4.45.1. We will retain the number 5.16 as a place holder for future model policy use.

5.17—HONOR ROLL AND HONOR GRADUATES

HONOR ROLL

Students in grades K-6 who maintain a 3.5 grade point average (GPA) for the grading period will be recognized as honor roll students for that grading period. Semester grades will determine the honor roll at the end of each semester.

Students in grades 7-12 who participate in the Smart Core Curriculum and maintain a 3.5 GPA for the grading period will be recognized as honor roll students for that grading period. Semester grades will determine the honor roll at the end of each semester.

HONOR GRADUATES

Students who have successfully completed the minimum core of courses recommended for preparation for college (Smart Core) as defined by Higher Education Coordinating Board and the State Board of Education and have a minimum cumulative GPA of 3.6000 will be designated as honor students. The GPA shall be derived from courses taken in public schools in grades nine (9) through twelve (12), but must include the grades earned in all courses required in the preparation for college tract (Smart Core) as defined by the State Board of Higher Education and the State Board of Education.

Beginning with the graduating class of 2016, all honor graduates must have a 3.6000 grade point average on a 4.0 scale. Designations will be as follows:

- Highest Honors – 4.0000 or higher;
- High Honors – 3.9999 – 3.8000;
- Honors – 3.7999 – 3.6000.

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

Legal References: A.C.A. § 6-18-101 (a) (1)
 A.C.A. § 6-18-101 (a) (2)
 A.C.A. § 6-18-101 (b)
 A.C.A. § 6-18-101(e)
 A.C.A. § 6-61-217(a)

Date Adopted: March 15, 2004
Last Revised: June 20, 2021

5.17F— HONOR ROLL AND GRADUATE OPT OUT FORM

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby note my objection to having the student named below publicly identified as an honor roll or honor graduate student.

Name of student (Printed)

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

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

5.18—HEALTH SERVICES

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

While the school nurse is under the supervision of the school principal, the delegation of health care duties shall be in accordance with the Arkansas Nurse Practice Act and the Arkansas State Board of Nursing Chapter Five: Delegation of Nursing Care.

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

Legal Reference: A.C.A. § 6-18-709

Date Adopted: March 15, 2004

Last Revised: June 20, 2021

5.19– Policy Deleted - Language moved to new policy 4.56

This policy, 5.19.1 and the 7/24/13 version of 5.19.2 have been moved to the student section as new policies 4.56, 4.56.1, and 4.56.2. We will retain the number 5.19 as a place holder for future model policy.

5.20—DISTRICT WEBSITE

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

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

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

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

1. All pages on the District's website may contain advertising and links only to educational sources.
2. The District's home page shall contain links to existing individual school's web pages and the school home pages shall link back to the District's home page. The District's home page may also include links to educational extracurricular organization's web pages which shall also link back to the District's home page.
3. Photos along with the student's name shall only be posted on web pages after receiving written permission from the student's parents or the student if the student is under the age of 18.
4. The District's web server shall host the Hermitage District's website.
5. No web page on the District website may contain public message boards or chat rooms.
6. All web pages on the District website shall be constructed to download in a reasonable length of time.
7. The District's home page shall contain a link to a privacy policy notice which must be placed in a clear and prominent place and manner.
8. With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by Hermitage School District.
9. The District's shall include the following information on its website through a link located on the District's homepage titled "State Required Information"
 - a. Local and state revenue sources;
 - b. Administrator and teacher salary and benefit expenditure data;
 - c. District balances, including legal balances and building fund balances;
 - d. Minutes of regular and special meetings of the school board;
 - e. The district's budget for the ensuing year;
 - f. A financial breakdown of monthly expenditures of the district;
 - g. The salary schedule for all employees including extended contract and supplementary pay amounts;

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

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

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

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

The District shall include the following information on its website that may be accessed through a link located on the District's homepage titled "Title IX/Sex Discrimination":¹¹

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

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

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

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

Date Adopted: March 15, 2004

Last Revised: June 20, 2021

5.20 F1—PERMISSION TO DISPLAY PHOTO OF STUDENT ON WEB SITE

I hereby grant permission to the Hermitage School District to display the photograph or video clip of me/my student (if student is under the age of eighteen {18}) on the District's web site, including any page on the site, or in other District publications without further notice. I also grant the Hermitage School District the right to edit the photograph or video clip at its discretion.

The student's name may be used in conjunction with the photograph or video clip. It is understood, however, that once the photograph or video clip is displayed on a web site, the District has no control over how the photograph or video clip is used or misused by persons with computers accessing the District's web site.

Name of student (Printed)

Grade

Signature of student (only necessary if student is over 18)

Signature of parent (required if student is under 18)

Date

5.20.1—WEB SITE PRIVACY POLICY

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

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

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

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

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

Date Adopted: March 15, 2004

Last Revised: September 14, 2015

5.20.2 HERMITAGE SCHOOL DISTRICT NETWORK/WIRELESS SYSTEM AND INTERNET USE POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the Hermitage School District network and information system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student, employee and all account users, including guest access, to the School District network and information system and the Internet, including electronic communications, the School District considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the School District network system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The School District expects that faculty will blend thoughtful use of the School District computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The School District is providing students, employees, and guests, with access to the School District network and information system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The School District system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use network and Internet access through the district system to further educational and personal goals consistent with the mission of the School District and school policies. Uses that might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the School District system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the School District system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate School District policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. The following uses of the School District system and Internet resources or accounts are considered unacceptable:
1. Users will not use the School District system to access, review, upload, download, complete, store, print, post, receive, transmit or distribute:
 - a. pornographic, obscene or sexually explicit material or other visual depictions;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;

- c. video streams, sound bites, music, radio feeds, and other media forms that use a high capacity of bandwidth. Exceptions may be made if used for instructional purposes;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination;
2. Users will not use the School District system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the School District system to engage in any illegal act or violate any local, state or federal statute or law.
4. Users will not use the School District system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading spam, computer viruses or by any other means, will not tamper with, modify or change the School District system software, hardware or wiring or take any action to violate the School District's security system, and will not use the School District system in such a way as to disrupt the use of the system by other users.
5. Users will not use the School District system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person.
6. Users must not deliberately or knowingly delete a student or employee file.
7. Users will not use the School District system to post or distribute private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting school-related webpages may include school contact information about themselves on a webpage. However, employees may not post personal contact information, personal opinions or other personally identifiable information about students.
 - c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Twitter", "MySpace" and "Facebook."

8. All account information and passwords are kept on file with the School District's Technology Department. Users will not attempt to gain unauthorized access to the School District system or any other system through the School District system, attempt to log in through another person's account, or use network/computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the School District system may not be encrypted without the permission of appropriate school authorities.
 9. Users will not use the School District system to violate copyright laws or usage licensing agreements, or to otherwise use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated material or copying software to or from any school computer or electronic device, and will not plagiarize works they find on the Internet.
 10. Users will not use the School District system for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the School District. Users will not use the School District system to offer or provide goods or services or for product advertisement. Users will not use the School District system to purchase goods or services for personal use without authorization from the appropriate School District official.
- B. An account user, guest, student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations are, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from an on-school computer, electronic device or resource, the school district may investigate such reports to the best of its ability. Account users, guests, students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district network system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate School District official. In the case of a School District employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator, director of technology, or network administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy.

VI. FILTER

- A. With respect to any of its computers/devices connected to the District network for Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. All School District computers and devices connected to the District network for Internet access will restrict, by use of available software filtering technology or other effective methods, all access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. The term "harmful to minors" means any picture, video, image, graphic image file, or other visual depiction that:

1. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 2. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. An administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- D. Notification will be given that the district shall use technical means to limit student Internet access, however the limits do not provide a foolproof means forenforcing the provisions of this acceptable use policy.
- E. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

VII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the School District system, the School District does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the School District system.
- B. Routine maintenance and monitoring of the School District system may lead to a discovery that a user has violated this policy, another School District policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or School District policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and District accessible e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. School District employees should be aware that the School District retains the right at any time to investigate or review the contents of their files, internet site activity, e-mail files and instant messaging content using District-owned electronic devices. In addition, all system users, including School District employees should be aware that data and other materials in files maintained on the School District system may be subject to review.
- F. The School District will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with School District policies conducted through the School District system.

VIII. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the School District.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. Guest users and employees using the network system and Internet on District-owned electronic devices must sign the Internet Use Agreement. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

- D. The District will use every opportunity to educate minors about appropriate online behavior and responsible citizenship including interacting with other individuals on social networking website and in chat rooms and cyber bullying awareness and response. This includes monitoring the online activities of minors and teaching online safety to students.

IX. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the School District system is at the user's own risk. The system is provided on an "as is, as available" basis. The School District will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on School District content management systems (storage devices such as a CD/DVD, flash memory) diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The School District is not responsible for the accuracy or quality of any advice or information obtained through or stored on the School District system. The School District will not be responsible for financial obligations arising through unauthorized use of the School District system or the Internet.

X. USER NOTIFICATION

- A. All users shall be notified of the School District policies relating to Network System and Internet Acceptable Use.
- B. This notification shall include the following:
1. Notification that Internet use is subject to compliance with School District policies.
 2. Disclaimers limiting the School District's liability relative to:
 - a. Information stored on School District storage devices, harddrives or servers.
 - b. Information retrieved through School District computers, networks or online resources.
 - c. Personal property used to access School District computers, networks or online resources.
 - d. Unauthorized financial obligations resulting from use of School District resources/accounts to access the Internet.
 3. A description of the privacy rights and limitations of school sponsored/managed network accounts.
 4. Notification that, even though the School District may use technical means to limit user Network or Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the user and/or the minor's parents.
 6. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
 7. Notification that, should the user violate the School District's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
 8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

XI. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the Internet and the School District system if the student is accessing the School District system from home or a remote location.
- B. Parents will be notified that their students will be using School District resources/accounts to access the Internet and that the School District will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 - 1. A copy of the user notification form provided to the student user.
 - 2. A description of parent/guardian responsibilities.
 - 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.⁹
 - 4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
 - 5. A statement that the School District's acceptable use policy is available for parental review.

XII. WIRELESS ACCESS

- A. Hermitage School District will allow students, staff and guests to access wireless network using their own technology devices (laptops, SmartPhones, iPads, etc.) during the school day. With classroom teacher approval, student may use their own devices in the classroom to access and save information from the Internet, communicate with other learners and use the productivity tools loaded on the devices. Hermitage School District will not provide software or district owned productivity tools to personal devices or non-district owned devices.
- B. Users must sign a Network System Internet Use Agreement prior accessing the wireless network.
 - 1. Any user accessing the wireless network agrees to comply with the District's standards and is given filtered access to the Internet only.
 - 2. Security Considerations
 - a. Wireless access is by nature an insecure medium. As with most guest wireless networks, any information being sent or received over the wireless network could potentially be intercepted by another wireless user. Cautious and informed wireless users should not transmit their credit card information, passwords and any other sensitive personal information while using a wireless "hot spot".
 - b. Anyone using the wireless network is forewarned that there can be no expectation of privacy when using the wireless network. Users assume all associated risks and agree to hold harmless the Hermitage School District and its employees for any personal information (e.g. credit card) that is compromised, or for any damage caused to users' hardware or software due to electric surges, security issues or consequences caused by viruses or hacking. All wireless access users should have up-to-date virus protection on their personal laptop computers or wireless devices, as well as staying up-to-date with applicable OS security patches.
 - 3. Disclaimer

- a. Hermitage Public Schools is providing wireless connectivity in this facility as a service and offers no guarantees that any use of the wireless connection is in any way secure, or that any privacy can be protected when using this wireless connection. Use of this wireless connection is entirely at the risk of the user, and the Hermitage Public Schools is not responsible for any loss of any information that may arise from the use of the wireless connection, or for any loss, injury, or damages resulting from the use of the wireless connection.
- C. Students and staff who do not accept the terms of service will not be able to access the wireless network. Once on the network, all users will have filtered Internet access just as they would on a district owned device.
- D. Networking devices wireless or otherwise may not be connected to Hermitage School District's LAN without getting approval from the Technology Coordinator. Outside devices are less secure and may provide access to sensitive information as well as cause other potential problems. Checks for non-district devices on the network will be done periodically. This policy will also be included in the Network System Internet Use Agreement that users must sign.
- E. Wireless Access Points at Hermitage School District will either be mounted to a wall or ceiling or installed in a network closet/cabinet with locked access. All default passwords in the wireless system have been changed. Updates and patches are checked and installed at least every 3 months.
- F. Additional security for sensitive information is provided by the fact that our Financial, Student Information and Nutrition Center programs are all housed on cloud based servers.

Student Signature

Parent/Guardian Signature

Date

Date

Date adopted: June 8, 2017
Date revised: July 13, 2020

5.21—ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE, and HONORS COURSES

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

A = 100 – 90

B = 89 – 80

C = 79 – 70

D = 69-60

F = 59 and below

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

A = 5 points

B = 4 points

C = 3 points

D = 2 point

F = 0 points

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

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

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

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

Legal References: Division of Elementary and Secondary Education Rules and Regulations Governing
Uniform Grading Scales for Public Secondary Schools
ADESE Rules for Advanced Placement and International Baccalaureate Diploma
Incentive Program
A.C.A. § 6-15-902
A.C.A. § 6-16-806

Date Adopted: March 15, 2004

Last Revised: July 13, 2020

5.22—CONCURRENT CREDIT

A ninth (9th) through twelfth (12th) grade student who successfully completes a college course(s) from an institution approved by the Division of Elementary and Secondary Education (ADESE) shall be given credit toward high school grades and graduation at the rate of one high school credit for each three (3) semester hours of college credit. Unless approved by the school's principal, **prior to enrolling for the course**, the concurrent credit shall be applied toward the student's graduation requirements as an elective.

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

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

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

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

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

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

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

Date Adopted: March 15, 2004

Last Revised: July 13, 2020

5.23—EQUIVALENCE BETWEEN SCHOOLS

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

The Board understands that the equivalence between schools shall not be measured by such things as

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

This policy is for districts with both Title I schools and non-Title I schools with more than one building for each grade span. This policy is **not required for districts with only one building per grade span.*

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

Date Adopted: March 15, 2004

Last Revised: July 9, 2018

5.24—STUDENT PARTICIPATION IN SURVEYS

Section One: No student shall be required to submit to a survey, analysis, or evaluation which is administered or distributed by a school, and is funded in whole or in part by any program administered by the U.S. Department of Education without the prior written consent of the parent/guardian that reveals information concerning the following:

1. political affiliations;
2. mental and psychological problems potentially embarrassing to the student or his/her family;
3. sex behavior and attitudes;
4. illegal, anti-social, self-incriminating, and demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Section Two: No surveys shall be administered without the prior approval of the school principal. Any survey created by a third party, or funded, in whole or in part, as part of any US Department of Education administered program, containing one or more of the eight categories listed above shall be available to be inspected by a student's parent/guardian before the survey is administered or distributed by a school to a student. Parents/guardians shall have the right to deny permission for their child to participate in the taking of the survey. The school shall not penalize students whose parents/guardians exercise this option. The school shall take reasonable precautions to protect students' privacy during their participation in the administration of any survey, analysis, or evaluation containing one or more of the eight categories listed above.

Section Three: Parents or guardians wishing to inspect a survey, analysis, or evaluation shall be able to do so in the administrative office of the administering school where the surveys shall be available for inspection for a period of ten (10)* days (regular school days when school is in session) after the notice of intent to administer the survey is sent. Included in the notice shall be information regarding how the survey or questionnaire will be administered; how it will be utilized; and the persons or entities that will have access to the results of the completed survey or questionnaire. Parents may refuse to allow their student to participate before or after reviewing the survey or questionnaire.

The requirements of sections one, two, and three of this policy do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

Section Four: Prior written parental permission is required before any survey or questionnaire (not including tests mandated by state or Federal law or regulation and standardized scholastic achievement tests) is administered to a student the responses to which are to be provided to a person or entity other than another public school, school district, or any branch of the Federal Government and which requests or requires a student to provide any of the eight (8) categories of information listed above and/or the following;

1. A student's name;
2. The name of the student's parent or member of the student's family;
3. The address, telephone number, or email address of a student or a member of a student's family;
4. A personal identification number, such as a social security number, driver's license number, or student identification number of a student or a member of the student's family;
5. Any information, the disclosure of which is regulated, or prohibited by any other state or federal law or regulation.

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

Legal References: 20 USC § 1232h (a), (b), (c) [NCLB Act of 2001, Part F, Section 1061 (c)
(1)(A)(i)(ii)(B), (2)(A)(i)(ii)(B)(C)(ii), (5)(A)(ii)(B), (6)(C)(F)(G)]
A.C.A. § 6-18-1301 et seq.

Date Adopted: March 15, 2004
Last Revised: September 14, 2015

5.24F1—OBJECTION TO PARTICIPATION IN SURVEYS, ANALYSIS, OR EVALUATIONS

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby note my objection to participation by the student named below in the following survey, analysis, or evaluation.

I choose not to have my student participate in the following survey, analysis, or evaluation.

Name of specific survey _____

____ All surveys

Name of student (Printed)

Grade

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

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

5.24F2—PERMISSION TO PARTICIPATE IN A SURVEY, ANALYSIS, OR EVALUATION

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby grant my permission for the student named below to participate in the following survey, analysis, or evaluation.

Name of survey _____

Name of student (Printed)

Grade

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

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

5.25—MARKETING OF PERSONAL INFORMATION

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

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

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

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

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

Legal Reference: 20 USC § 1232h (c)

Date Adopted: March 15, 2004

Last Revised: July 9, 2018

5.26—ALTERNATIVE LEARNING ENVIRONMENTS

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

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

The team is to be comprised of the following:

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

Students who are placed in the ALE shall exhibit at least two (2) of the following characteristics

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

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

No later than five (5) school days after a student begins alternative education interventions, the Alternative Education Placement Team shall develop a signed agreement between the ALE; the parent; legal guardian, person having lawful control of the student, or person standing in loco parentis (if they choose to participate); and the student, outlining the responsibility of the ALE; parent, or legal guardian, person having lawful control of the student, or person standing in loco parentis; and the student to provide assurance that the plan for each student is successful.

No later than one (1) week after a student begins alternative education interventions, the Alternative Education Placement Team shall assess the student's current functioning abilities and all relevant social, emotional, academic, career, and behavioral information and develop an SAP outlining the intervention services to be provided to the student. The SAP may be revised from time to time by the ALE placement team. The SAP shall contain at a minimum:

- a. A plan of intervention services to be provided to address the student's specific educational needs and, if appropriate, the student's behavioral needs;
 - b. Goals and objectives necessary to achieve positive reintegration into the regular educational environment;
 - c. Exit criteria on which to base a student's return to the regular educational environment;
 - d. Documentation of the presence of the characteristics listed above that were the reason for the student's referral to the ALE program;
 - e. Documentation of the specific ALE programming and supports that will address each identified characteristic or situation causing a barrier to the student's success; and
 - f. A positive behavior or transitional plan prior to a student's return to the regular educational environment.
- **Hybrid Program (If applicable)**
 - Students in an ALE hybrid program shall participate on-site for direct support at least twenty percent (20%) of the total instructional time;
 - Clear criteria for how the district will monitor student success to determine the need for additional direct support if there is a lack of expected progress by a student;
 - That additional direct support may include an increased percentage of on-site instruction and additional services and supports; and
 - That an increased percentage of remote instruction, or placement of a student in an ALE hybrid program, shall only be used to meet a student's academic and social and emotional goals outlined in the student's SAP and not as a punishment or negative consequence.

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

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

Date Adopted: March 15, 2004
Last Revised: June 13, 2022

5.26.1—ALE PROGRAM EVALUATION

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

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

Date Adopted: March 15, 2004
Last Revised: June 13, 2022

5.27—ENGLISH LANGUAGE LEARNERS

The district shall utilize the special needs funding it receives for identified English Language Learners on activities, and materials listed in the ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds.

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

Legal References: A.C.A. § 6-15-2914
 A.C.A. § 6-20-2305(b)(3)
 A.C.A. § 6-15-426(f)
 DESE Rules Governing Student Special Needs– 3.09, 5.00, and 8.00
 Standards for Accreditation 2-J.2

Date Adopted: March 15, 2004

Last Revised: June 20, 2021

5.28—ENHANCED STUDENT ACHIEVEMENT FUNDING EXPENDITURES

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

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

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

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

Note: The initial three-year Enhanced Student Achievement Plan must be submitted to DESE by July 1, 2022.

Legal References: A.C.A. § 6-20-2305(b)(4)
 A.C.A. § 6-15-426(f)
 DESE Rules Governing the Distribution of Student Special Needs Funding and the
 Determination of Allowable Expenditure of These Funds 3.12, 3.17, 3.18, 6.00, and
 8.00

Date Adopted: March 15, 2004
Last Revised: June 13, 2022

5.29—WELLNESS POLICY

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

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

Wellness Committee

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

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

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

The SNPAAC shall provide written recommendations to the District's Child Nutrition Director concerning menus and other foods sold in the school cafeteria. Such recommendations shall be based, at least in part, on the

information the Committee receives from the District on the requirements and standards of the National School Lunch Program and from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.

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

School Health Coordinator

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

Goals

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

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

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

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

All food and beverages sold to students on school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall

meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum. These restrictions include, but are not limited to, food and beverages sold in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

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

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

Food and beverages outside of the District's food service programs may not be sold, served, or provided to students in the District's food service areas during meal times.

Elementary students shall not have in-school access to vending machines.

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

Advertising

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

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

Community Engagement

The District will work with the SNPAAC to:

- a. Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
- b. Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;

- c. Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
- d. Encourage the development of and participation in family-oriented community-based physical activity programs.

The District will annually inform the public:

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

Assessment of District's Wellness Policy

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

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

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

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

District Website

The District will place on its website:

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

Legal References: Richard B. Russell National School Lunch Act 42 U.S.C. § 1751 et seq. as amended by PL 111-296 (Section 204) of 2010. (Section 204 is codified at 42 U.S.C. § 1758(b))

Child Nutrition Act of 1966 42 U.S.C. § 1771 et seq.
7 C.F.R. § 210.18
7 C.F.R. § 210.31
A.C.A. § 6-18-718
A.C.A. § 6-20-709
A.C.A. §§ 20-7-133, 134, and 135
DESE Rules Governing Nutrition and Physical Activity Standards And Body Mass
Index For Age Assessment Protocols
Allowable Competitive Foods/Beverages - Maximum Portion Size List for Middle,
Junior High, and High School
Commissioner's Memo CNU-17-010
Commissioner's Memo CNU-17-013
Commissioner's Memo CNU-17-016
Nutrition Standards for Arkansas Public Schools

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