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# **STUDENTS**

## 4.1—RESIDENCE REQUIREMENTS

Definitions:

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

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

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

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

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

The school district will require three (3) proofs of residential address. Arkansas Code 6-18-202 reads as follows: “Any person who knowingly gives a false residential address for purposes of public school enrollment is guilty of a misdemeanor and subject to a fine not to exceed five hundred dollars (\$500)”.

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

Students in grades K-12 whose parents move from the school district during the school year may have ten (10) days from the date of notification to enroll the student in the new resident district.

Any person eighteen (18) years of age or older may establish a residence separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis for school attendance purposes, but not for athletics or extracurricular purposes.

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District’s schools separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis, the student is required to reside in the District for a primary purpose other than that of school attendance. However, a student previously enrolled in the district who is placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty may continue to attend district schools.

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

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

Legal References:   A.C.A. § 6-4-302  
                          A.C.A. § 6-18-107  
                          A.C.A. § 6-18-202  
                          A.C.A. § 6-18-203  
                          A.C.A. § 9-28-113

Date Adopted:   June 29, 2010  
Last Revised:   June 27, 2017

## **4.2—ENTRANCE REQUIREMENTS**

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

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

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

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

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

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

Nettleton School District has long been interested in furthering international learning and understanding through international education and exchange programs. In the furtherance of this interest, the District admits foreign students, tuition-free, to its school through recognized exchange programs that operate on a non-profit basis. The policy may be obtained at the high school principal's office.



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

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

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

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

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

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

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

For the purposes of this policy, “activity duty members of the uniformed services” includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211; “Eligible child” means the children of:

- Active duty members of the uniformed services;
- Members of the active and activated reserve components of the uniformed services;
- Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and
- Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

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

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

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

An eligible child as defined in this policy shall:

1. be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;
4. be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to extent that space is available. This does not prohibit the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs;
5. be provided services comparable to those the student with disabilities received in his/her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;

6. make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
7. be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
8. be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

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

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

Cross References:     4.1—RESIDENCE REQUIREMENTS  
                               4.4—STUDENT TRANSFERS  
                               4.5—SCHOOL CHOICE  
                               4.6—HOME SCHOOLING  
                               4.34—COMMUNICABLE DISEASES AND PARASITES  
                               4.40—HOMELESS STUDENTS

Legal References:     A.C.A. § 6-4-302  
                               A.C.A. § 6-4-309  
                               A.C.A. § 6-15-504  
                               A.C.A. § 6-18-107  
                               A.C.A. § 6-18-201 (c)  
                               A.C.A. § 6-18-207  
                               A.C.A. § 6-18-208  
                               A.C.A. § 6-18-510  
                               A.C.A. § 6-18-702  
                               A.C.A. § 9-28-113  
                               Plyler v Doe 457 US 202,221 (1982)

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

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

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

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

Legal References:     A.C.A. § 6-18-201  
                              A.C.A. § 6-18-207

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

#### **4.4—STUDENT TRANSFERS**

The Nettleton School District shall review and accept or reject requests for transfers, both into and out of the district, on a case by case basis at the regularly scheduled board meetings.

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

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

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

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

School principals shall be responsible for developing procedures and rules for student withdrawal from school. These may include but are not limited to the required payment for unreturned school property such as textbooks, library books, uniforms, school lunch charges, library fines, and other costs incurred by the student while enrolled.

Except as otherwise required or permitted by law, the responsibility for transportation of any nonresident student admitted to a school in this District shall be borne by the student or the student’s parents. The District and the resident district may enter into a written agreement with the student or student’s parents to provide transportation to or from the District, or both.

Legal References:     A.C.A. § 6-18-316  
                              A.C.A. § 6-18-317  
                              A.C.A. § 6-18-318  
                              A.C.A. § 6-18-510  
                              A.C.A. § 6-15-504  
                              A.C.A. § 9-28-205

Date Adopted: June 29, 2010

Last Revised: June 26, 2018

## **4.5—SCHOOL CHOICE**

### **Standard School Choice**

#### **Exemption**

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

#### **Definition**

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

#### **Transfers Into the District**

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

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

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

#### **Application Process**

The student's parent shall submit a school choice application on a form approved by DESE to this District along with a copy to the student's resident district. Except for students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, the transfer application must be postmarked or hand delivered on or before May 1 of

the year preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications the District receives as both the resident and nonresident district as they are received in the District's central office. Except for applications from students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, applications postmarked or hand delivered on or after May 2 will not be accepted. Statutorily, preference is required to be given to siblings of students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards approved by the Board of Directors may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the application's date and time stamp.

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

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

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

The Superintendent will consider all properly submitted applications for School Choice. By July 1, the Superintendent shall notify the parent and the student's resident district, in writing, of the decision to accept or reject the application.

### **Accepted Applications**

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

A student, whose application has been accepted and who has enrolled in the District, is eligible to continue enrollment until completing his/her secondary education. Continued enrollment is conditioned upon the student meeting applicable statutory and District policy requirements. Any student who has been accepted under choice and who fails to initially enroll under the timelines and provisions provided in this policy; chooses to return to his/her resident district; or enrolls in a home school or private school voids the transfer and must reapply if, in the future, the student seeks another school choice transfer. A subsequent transfer application will be subject to the capacity standards applicable to the year in which the application is considered by the District.

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

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

### **Rejected Applications**

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

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

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

Rejection of applications shall be in writing and shall state the reason(s) for the rejection. A student whose application was rejected may request a hearing before the State Board of Education to reconsider the application which must be done, in writing to the State Board within ten (10) days of receiving the rejection letter from the District.

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

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

All Standard School Choice applications shall be granted unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) of more than three percent (3%) of the average daily membership on October 1 of the immediately preceding year. By



December 15 of each year, DESE shall determine and notify the District of the net number of allowable choice transfers. Students are not counted for the purpose of determining the three percent (3%) cap if the student transfers:

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

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

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

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

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

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

### **Opportunity School Choice**

#### **Transfers Into or Within the District**

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

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

- Either:
  - The student's resident district has been classified by the state board as in need of Level 5 — intensive support; or
  - The student's assigned school has a rating of "F"; and
- By May 1 of the year before the student intends to transfer, the student's parent, guardian, or the student if the student is over eighteen (18) years of age has submitted an application of the student's request to transfer to the:
  - DESE;
  - Sending school district; and
  - Receiving school district.

A student is not required to meet the May 1 application deadline if the student has a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base. The student may transfer at any time if the student's application:

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

Within thirty (30) days from receipt of an application from a student seeking admission under this section of the policy, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, whether the Opportunity School Choice application has been accepted or rejected. The notification shall be sent via First-Class Mail to the address on the application.

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

If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection. A parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District's decision to deny the application to the State Board of Education. The appeal must be in writing to the State Board of Education via certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District.

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

The District may, but is not obligated to provide transportation to and from the transferring district.

### **Transfers out of, or within, the District**

If a District school receives a rating of “F” or the District has been classified by the State Board as in need of Level 5 Intensive Support, the District shall timely notify parents, guardians, or students, if over eighteen (18) years of age, as soon as practicable after the school or district designation is made of all options available under Opportunity Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to submit an application to enroll the student in a school district that has not been classified by the State Board as in need of Level 5 Intensive Support or in a public school that does not have a rating of “F”.

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

### **Unsafe School Choice Program**

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

Legal References:     A.C.A. § 6-1-106  
                              A.C.A. § 6-13-113  
                              A.C.A. § 6-15-430(b)  
                              A.C.A. § 6-18-227  
                              A.C.A. § 6-18-510  
                              A.C.A. § 6-18-1901 et seq.  
                              A.C.A. § 6-21-812  
                              DESE Rules Governing the Guidelines, Procedures and Enforcement of the  
                              Arkansas Opportunity Public School Choice Act  
                              DESE Rules Governing The Public School Choice Act of 2015

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## 4.5F—SCHOOL CHOICE CAPACITY RESOLUTION

Whereas:

- The Board of Directors of the Nettleton School District has approved by a vote of the Board, the following capacity resolution for school choice applicants for the 2018-19 school-year under the provisions of policy 4.5—SCHOOL CHOICE and applicable Arkansas law.
- Applicants, whose applications meet the provisions of policy 4.5—SCHOOL CHOICE, will be sent a provisional acceptance notification letter which will give instructions on the necessary steps and timelines to enroll in the District. Provisional acceptance shall be determined prior to July 1 with a final decision to be made by July 1 based on the district's available capacity for each academic program, class, grade level, and individual school.
- Applications that are not received on or before May 1, or to a student's resident district that has declared itself exempt due to an existing desegregation order, or, the acceptance of which would exceed the applicant's resident district's statutory limitation on student transfers out of its district will not be accepted.
- The district reserves to itself the ability to determine, based on an examination of student records obtained from the prior district, and other information, whether any student would require a different class, course or courses, program of instruction, or special services than originally applied for. If such an examination determines that capacity has been reached in the appropriate class, course or program of instruction, or that additional staff would have to be hired for the applicant, the District shall rescind the original provisional acceptance letter and deny the Choice transfer for that student.
- The district reserves to itself the ability to decline to accept under school choice any student whose acceptance would require the district to add additional staff, for any reason.

THEREFORE, let it be resolved that these shall constitute the School Choice openings at the beginning of the School Choice enrollment period for the school-year 2017-18.

\_\_\_\_\_  
Board President

\_\_\_\_\_  
Board Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Last Revised: June 27, 2017

## **4.6—HOME SCHOOLING**

### **Enrollment in Home School**

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

1. At the beginning of each school year, but no later than August 15;
1. Fourteen (14) calendar days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive absences) and at the beginning of each school year thereafter; or
3. Within thirty (30) calendar days of the parent or legal guardian establishing residency within the district during the school year.

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

- Electronically, including without limitation by email;
- By mail; or
- In person.

The notice shall include:

- a. The name, sex, date of birth, grade level, and the name and address of the school last attended, if any;
- b. The mailing address and telephone number of the home school;
- c. The name of the parent or legal guardian providing the home school;
- d. Indicate if the home-schooled student intends to participate in extracurricular activities during the school year;
- e. A statement of whether the home-schooled student plans to seek a high school equivalency diploma during the current school year;
- f. A statement if the home-school student plans to seek a driver's license during the current school year;
- g. A statement that the parent or legal guardian agrees that the parent or legal guardian is responsible for the education of their children during the time the parents or legal guardians choose to home school; and
- h. A signature of the parent or legal guardian, which must be notarized if the home-schooled student plans to seek a driver's license during the school year.

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

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

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

- A transcript listing all courses taken and semester grades from the home school;
- Score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and

- A portfolio of indicators of the home-schooled student's academic progress, including without limitation:
  - Curricula used in the home school;
  - Tests taken and lessons completed by the home-schooled student; and
  - Other indicators of the home-schooled student's academic progress.

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

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

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

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

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

Legal References:    A.C.A. § 6-15-503  
                           A.C.A. § 6-15-504  
                           A.C.A. § 6-41-103

Date Adopted: June 29, 2010  
 Last Revised: June 27, 2017

## 4.7—ABSENCES

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

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

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

### **Excused Absences**

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings a written statement to the principal or designee upon his/her return to school from the parent or legal guardian stating such reason. A written statement presented for an absence having occurred more than five (5) school days prior to its presentation may **not** be accepted. A maximum of six (6) excused days are allowed per semester. Any additional excused days must be approved by the principal. The following are examples of excused days:

1. The student's illness or when attendance could jeopardize the health of other students.
2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal; or
7. Participation in an FFA, FHA, or 4-H sanctioned activity;
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from

deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.

10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
11. Absences for students excused from school by the Division of Elementary and Secondary Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.

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

### **Unexcused Absences**

Absences not defined above or not having an accompanying note from the parent; legal guardian; person having lawful control of the student; or person standing in loco parentis, presented in the timeline required by this policy, shall be considered as unexcused absences. Students with six (6) unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has three (3) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student exceeds six (6) unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law.

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

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



Days missed due to out-of-school suspension or expulsion shall be unexcused absences.

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

## **ATTENDANCE OF STUDENTS IN GRADES K-6**

**Tardies and Absences:** Students shall be prompt in arriving to school and to class. A child is documented as tardy when arriving 5 to 15 minutes after the beginning of the school day. A child is documented as 1/2 day absent when arriving more than 15 minutes late or leaving before the end of the school day. Excessive tardies and/or absences will result in parent notification and/or a conference and may be reported to the Prosecuting Attorney of Craighead County.

Division of Elementary and Secondary Education guidelines requires that students be in attendance 6 hours a day excluding lunch and recess. Students who receive less than 3 hours of instructional time will be counted absent for the entire day.

### **Parents have the following responsibilities toward student attendance:**

1. Make sure that students arrive on time and remain for the entire day.
2. Schedule appointments and vacations at a time when students are not in school.
3. Send a note or a doctor's excuse when your child returns to school explaining the reason for the absence. Documentation must be turned in the day the student returns to school.
4. Understand that one (1) tardy or one (1) early checkout will result in the loss of perfect attendance for the student.
5. Understand that students who are absent from school may not be allowed to participate in extracurricular activities on the day of the absence. However, students who are required to attend school sponsored activities resulting in absences will not be counted absent from school and will be allowed to participate.

## **ATTENDANCE OF STUDENTS IN GRADES 7-12**

The Nettleton School District is in full compliance with Arkansas Law 6-18-subchapter 23 which provides each school district with the responsibility of developing strategies for promoting maximum student attendance. Excessive unexcused absences may be a mandatory basis for denial of promotion, class credit, or graduation (Arkansas Law 6-18-209).

Students interested in obtaining a good education should be present and on time in assigned classes. The attendance policy is designed for absences such as personal illness, serious personal or family problems, and professional appointments, which cannot be scheduled after school. When a student is absent, his/her parent/guardian is asked to telephone the principal's office the morning of the absence. If no contact has been made by the parent/guardian, the school personnel shall attempt to contact the parent/guardian by telephone.

1. Any false or forged submitted absentee documentation will result in loss of academic credit of impacted class(es) for the current semester.
2. All make-up work is the responsibility of the student.

For students in grades 9-12:

Teachers do not have to give work for absences but may require a student to do any make-up work needed for adequate evaluation of progress. The time limit on make-up work is at the teacher's discretion.

For students in grades 7-8:

- a. A student will receive a zero (0) for work he/she does not make up at the teacher's request
  - b. For each day absent, the student will be allowed at least one additional day to complete required assignments, including tests.
3. Students missing more than ten (10) minutes of class shall be counted absent unless engaged in a school-sponsored activity.

### **DEFINITION OF SCHOOL AND STUDENT DAY**

1. A school day is any day in which classes are in session and students receive not less than six (6) hours of instructional time. Students attending classes or programs authorized by law at other public schools or other educational institutions may include travel time as part of the school day (Arkansas Law 6-16-102).

Students in grades 9-12 are required to enroll in no fewer than 360 minutes of planned instructional time each day as a requirement for graduation, unless granted a financial hardship waiver. To be considered for a waiver from full day attendance, the following requirements must be met: (a) The parent/guardian must provide a written document to the building principal, that full day attendance at school by the student results in financial hardship, defined as "harm or suffering caused by a student's inability to obtain or provide basic life necessities of food, clothing and shelter for the student or the student's family", (b) Financial records may be required to document the hardship, (c) The student must be on track to meet all graduation requirements as noted in the student handbook, (d) Authentic verification of continuous employment must be provided by the student. If a waiver is granted, it can be revoked by the principal if one of the above requirements is no longer met.

2. Any day in which less than six (6) hours but three (3) or more hours of instruction is provided shall be counted as one-half (1/2) day.
3. For attendance purposes, students attending a minimum of six (6) hours, excluding the lunch period, shall be counted as attending a full day. Students attending three (3) hours but less than six (6) hours shall be counted as attending one-half (1/2) day. Students attending less than three (3) hours shall be counted absent.
4. Seniors who provide proof of part-time enrollment and who remain in good standing in a state approved post-secondary school, college or university can be counted as full school day students

for attendance purposes, if current Division of Elementary and Secondary Education guidelines are met.

5. School approved and/or sponsored activities and instructional trips shall be counted as a part of or a full school day.

## **CHECKING OUT**

Students who **MUST** leave school during the day to keep **MEDICAL APPOINTMENTS** may be checked out upon presentation of an appointment card. Students checking out for any other reason must follow the procedures listed below:

1. Students can only be checked out by a parent/guardian or other responsible person pre-approved through the office by the parent/guardian. The names of the persons that are preapproved through the office must be on file in the office.
2. Parents/guardians, etc. must go to the principal's office to pick up the student, sign a check-out sheet recording their name, relationship, and time of check out.
3. No parent will be denied the right to check out his/her child or have access to school records unless prohibited by a court order.
4. Any student arriving late to school and returning to school after having checked out will report to the principal's office and sign the check-in list. This is necessary to keep accurate records.

Cross References: 4.8 – MAKE-UP WORK  
4.57 – IMMUNIZATIONS  
5.11 – DIGITAL LEARNING COURSES

Legal References: A.C.A. § 6-4-302  
A.C.A. § 6-18-107  
A.C.A. § 6-18-209  
A.C.A. § 6-18-220  
A.C.A. § 6-18-222  
A.C.A. § 6-18-229  
A.C.A. § 6-18-231  
A.C.A. § 6-18-507(g)  
A.C.A. § 6-18-702  
A.C.A. § 6-27-113(f)  
A.C.A. § 7-4-116  
A.C.A. § 27-16-701  
Division of Elementary and Secondary Education Rules Governing Distance and Digital Learning

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## **4.8—MAKE-UP WORK**

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

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

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

Date Adopted: June 29, 2010

Last Revised: June 19, 2012

## 4.9—TARDIES

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

**Tardies and Absences K-6:** Students shall be prompt in arriving to school and to class. A child is documented as tardy when arriving 5 to 15 minutes after the beginning of the school day. A child is documented as 1/2 day absent when arriving more than 15 minutes late or leaving more than 15 minutes before the end of the school day. Excessive tardies and/or absences will result in parent notification and/or a conference and may be reported to the Prosecuting Attorney of Craighead County.

Division of Elementary and Secondary Education guidelines requires that students be in attendance 6 hours a day excluding lunch and recess. Students who receive less than 3 hours of instructional time will be counted absent for the entire day.

**Parents have the following responsibilities toward student attendance:**

1. Make sure that students arrive on time and remain for the entire day.
2. Schedule appointments and vacations at a time when students are not in school.
3. Contact the school when your child is going to be absent.
4. Send a note or a doctor's excuse when your child returns to school explaining the reason for the absence. Documentation must be turned in the day the student returns to school.
5. Understand that one (1) tardy or one (1) early checkout will result in the loss of perfect attendance for the student.
6. Understand that students who are absent from school may not be allowed to participate in extracurricular activities on the day of the absence. However, students who are required to attend school sponsored activities resulting in absentees will not be counted absent from school and will be allowed to participate.

**Tardies and Absences 7-12:** A student shall be prompt in arriving at school and to class. Each teacher shall establish rules for handling tardiness in each class. Excessive tardiness shall be referred to the principal for disciplinary measures. At high school, all first period tardies will be handled through the principal's office.

Date Adopted: June 29, 2010  
Last Revised:

#### **4.10—CLOSED CAMPUS**

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

High school students will not be permitted on the intermediate or elementary campuses during regular school hours without the prior approval of their building administrator.

When not in regularly assigned classes, high school students will only be permitted in the areas of the high school campus, high school gym, and cafeteria during regular school hours.

Date Adopted: June 29, 2010

Last Revised:

#### **4.11—EQUAL EDUCATIONAL OPPORTUNITY**

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

Inquiries on nondiscrimination may be directed to the Equity Coordinator, 3300 One Place, Jonesboro, AR who may be reached at [grace.petersen@nettletonschoools.net](mailto:grace.petersen@nettletonschoools.net), or 870-910-7800.

Date Adopted: June 29, 2010

Last Revised: June 26, 2018

## 4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS

It is the policy of this school district to comply with the Equal Access Act, Title VIII of Public Law 98-377 and the laws of the State of Arkansas.

### **Definitions:**

**Limited Open Forum:** The opportunity granted by the school for one or more non-curriculum-related student groups to meet on school premises during non-instructional time.

**Sponsorship:** The act of promoting, leading or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting.

**Non-Instructional Time:** Time set aside by the school before actual classroom instruction begins, during the lunch period, or after actual classroom instruction ends.

### **Procedures**

1. The provisions of "equal access" apply only to schools which house grades 7-12 in which a limited open forum exists.
2. Meetings shall be voluntary and student initiated.
3. Meetings shall not materially and substantially interfere with the orderly conduct of educational activities within the school.
4. All meetings shall be scheduled during non-instructional time by the school's principal.
5. The school, or its employees, may not sponsor the meeting. The school's principal shall assign a school employee to each such meeting for the purpose of providing custodianship of the school's facilities.
6. Employees of the school shall be present at religious meetings only in a non-participatory capacity.
7. Non-school persons may not direct, conduct, control, or regularly attend activities of student groups.
8. The school may not expend funds for such meetings except for the incidental cost of providing space for student initiated groups.
9. Student attendance at such meetings shall be voluntary.
10. The school may not provide facilities for meetings which are otherwise unlawful.



11. All group meetings during the limited open forum must be open to all students without regard to race, religion, gender, or national origin.

The superintendent, school principal, school staff members, and students shall establish regulations for the operation of school-sponsored organizations. School organizations shall operate in the best interest of the students and the school and shall be under direct control of school officials. Such organizations shall not be affiliated nor associated with any political or religious organization nor any organization which denies membership on the basis of gender, race, creed, color, or political beliefs.

All school-sponsored organizations shall be under the control of the school principal and shall meet the following criteria:

1. Every organization must have the approval of the sponsor in advance for the time and place of all meetings and all activities of the organization. All meetings shall be held on campus, and the sponsor shall be present throughout the meetings. All activities of the organization shall have the approval of the principal, and the sponsor or a substitute sponsor approved by the principal shall be present throughout the activity.
2. Every school-sponsored organization shall have a constitution approved by the school principal. Such constitution shall be kept on file in the principal's office. The constitution shall
  - A. Contain a statement that all members must be students who are presently enrolled in the school of sponsorship.
  - B. Contain qualifications for membership. Selection shall not be on the basis of a popular vote of the membership.
  - C. Contain a statement of the purpose of the organization. The purposes shall not be contrary to the welfare or best interest of the students or the school, or in conflict with the authority or responsibilities of the school board and its employees.
  - D. Contain a statement that there is no affiliation with any non-school organization, nor any political or religious organization which denies membership on the basis of sex, race, color, creed, or political belief.
  - E. Provide that the collection or dispersal of school sponsored organization funds shall be in accordance with the regulations set forth by the school and the school district.
  - F. Provide that speakers who are not members of the student body, faculty, or administration of the school must have the approval of the sponsor and the school principal.
  - G. Act only in accordance with its constitution and shall abide by all rules and regulations of the school and the school district.
3. Authorization to conduct activities as an organization recognized by the school administration may be denied or revoked if the following occurs:



#### 4.13—PRIVACY OF STUDENTS’ RECORDS/ DIRECTORY INFORMATION

All students’ education records are available for inspection and copying by the parents of any student who is under the age of eighteen (18). At the age of eighteen (18), the right to inspect and copy a student’s records transfers to the student. A student’s parent or the student, if over the age of 18, requesting to review the student’s education records will be allowed to do so within no more than forty five (45) days of the request. The district forwards education records, including disciplinary records, to schools that have requested them and in which the student seeks or intends to enroll, or is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.

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

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

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

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

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

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

For purposes of this policy, the Nettleton School District does not distinguish between a custodial and noncustodial parent with respect to gaining access to a student's records. The fact of a person's status as parent or guardian, alone, enables that parent or guardian to review and copy his child's records.

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

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

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

The form for objecting to making directory information available is located in the back of the student handbook and must be completed and signed by the parent or age-eligible student and filed with the building principal's office no later than ten (10) school days after the beginning of each school year or

the date the student is enrolled for school. Failure to file an objection by that time is considered a specific grant of permission.

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

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

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

Legal References: 20 U.S.C. § 1232g  
20 U.S.C. § 7908  
34 CFR 99.3, 99.7, 99.21, 99.22, 99.30, 99.31, 99.32, 99.33, 99.34, 99.35,  
99.36, 99.37, 99.63, 99.64

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

**4.13F—OBJECTION TO PUBLICATION OF DIRECTORY INFORMATION**  
**(Not to be filed if the parent/student has no objection)**

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

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

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

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

Deny disclosure to military recruiters \_\_\_\_\_

Deny disclosure to Institutions of postsecondary education \_\_\_\_\_

Deny disclosure to Potential employers \_\_\_\_\_

Deny disclosure to all public and school sources \_\_\_\_\_

Selecting this option will prohibit the release of directory information to the three categories listed above along with all other public sources (such as newspapers), **AND** result in the student's directory information **not** being included in the school's yearbook and other school media.

Deny disclosure to all public sources \_\_\_\_\_

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

\_\_\_\_\_  
Name of student (Printed)

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

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

**Note: your district does not have to include the separate options listed on this form, but students do have the right to opt out of either category separately.**

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

### **Student Media**

All student media that are supported financially by the school or by use of school facilities, or are produced in conjunction with a class shall be considered school-sponsored media. School-sponsored media does not provide a forum for public expression. Student media, as well as the content of student expression in school-sponsored activities, shall be subject to the editorial review of the District's administration whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations;

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

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

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

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

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

A student or group of students who distribute ten (10) or fewer copies of the same non-school literature, media, or materials (hereinafter “non-school materials”), shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10) copies of non-school materials shall have school authorities review their non-school materials at least three (3) school days in advance of their desired time of dissemination. School authorities shall review the non-school materials, prior to their distribution and will bar from distribution those non-school materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Material may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution. Concerns related to any denial of distribution by the principal shall be heard by the superintendent, whose decision shall be final.

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

The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of non-school materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur; and
5. Not inhibit a person’s right to accept or reject any literature distributed in accordance with the regulations.

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

Legal References:     A.C.A. § 6-18-1202, 1203, & 1204  
                              *Tinker v. Des Moines ISD*, 393 U.S. 503 (1969)  
                              *Bethel School District No. 403 v. Fraser*, 478 U.S. 675 (1986)  
                              *Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)

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

### **CONTACT BY PARENTS**

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

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

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

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

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

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

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis identified on student enrollment forms. The principal or the principal's designee shall not attempt to make such

contact if presented documentation by the investigator that notification is prohibited because a parent, legal guardian, person having lawful control of the student, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

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

### **CONTACT BY PROFESSIONAL LICENSURE STANDARDS BOARD INVESTIGATORS**

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

Legal References:     A.C.A. § 6-18-513  
                              A.C.A. § 9-13-104  
                              A.C.A. § 12-18-609, 610, 613  
                              A.C.A. § 12-18-1001, 1005

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#### **4.16—STUDENT VISITORS**

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

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## **4.17—STUDENT DISCIPLINE**

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

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

The District's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to a felony or an act that would be considered a felony if committed by an adult; an assault or battery; drug law violations; or sexual misconduct of a serious nature. Any disciplinary action pursued by the District shall be in accordance with the student's appropriate due process rights.

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

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

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

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

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

Disciplinary consequences may range from a minimum of a verbal warning to a maximum of expulsion.

Definitions of Disciplinary Actions:

Conference and/or Warning: A teacher or administrator will confer with the student concerning the infraction explaining the consequences of continued misconduct. A warning may be given if the infraction is of sufficient seriousness to warrant more stringent disciplinary action if repeated.

Detention: A student may be assigned to a detention study hall before, during or after school. A student shall be given notice of such detention at least one day in advance of the detention so that transportation can be arranged by the parent/guardian.

Corporal Punishment: Corporal punishment may be administered according to the district policy pertaining to this violation.

In-School Suspension: A student may be assigned In-School Suspension (ISS) for one (1) to five (5) days. Parent will receive written notification at least one (1) day in advance. Days spent in ISS will not count as absences. Procedures outlined in policies pertaining to ISS will be followed.

Saturday School: A student may be assigned Saturday School instead of out-of-school suspension. Saturday School will be served from 8:00 a.m. to 12:00 noon. Procedures outlined in policies pertaining to Saturday School will be followed.

Suspension Until Parent Conference: The student will be temporarily suspended from classes pending a parent/guardian conference which may occur as soon as contact can be made and a satisfactory solution with the parent/guardian and student can be obtained.

Suspension Not to Exceed 10 Days: The building principal may suspend the student from classes and school activities for a period of one (1) to ten (10) days. Suspensions in excess of ten (10) days require the approval of the superintendent of schools. Procedures outlined in policies pertaining to suspension and expulsion will be followed.

Suspension to Alternative Learning Environment: A student may be assigned for one or more days to an academic setting which can provide additional services that are in the student's best interest. These services include, but are not limited to, more individualized academic assistance, and individual and/or group counseling.

Recommendation for Expulsion: Upon recommendation of the principal and superintendent, the Board of Education will consider the seriousness of the infraction in terms of removal of the offending student from school for a period of one semester, one year or permanently. Procedures outlined in policies pertaining to suspension and expulsion will be followed.

Other Disciplinary Actions: Depending on the specific circumstances, the building principal may use other disciplinary actions for violations of the school district discipline policies. (Such actions may

include loss of vehicle or bus privileges, restitution for damages, confiscation of materials in violation of school policies, loss of test scores, and notification of law enforcement officials).

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

NOTE: This listing of disciplinary actions does not denote an order or sequence by which these actions will be used. Infractions will be considered on a case-by-case basis and decisions will be made depending upon the age of the offender, the severity of the infraction, the regularity of the offense(s), and other circumstances.

Legal References:     A.C.A. § 6-18-502  
                           A.C.A. § 6-17-113

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## **4.18—PROHIBITED CONDUCT**

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

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

17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, sexual orientation, gender identity, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, “throwing signs” or other gestures associated with gangs are prohibited;
21. Sexual harassment; and
22. Bullying;
23. Operating a vehicle on school grounds while using a wireless communication device; and
24. Theft of another individual’s personal property.

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

Legal References:   A.C.A. § 6-18-502  
                          A.C.A. § 6-18-707  
                          A.C.A. § 6-15-1005  
                          A.C.A. § 6-21-609  
                          A.C.A. § 6-18-222  
                          A.C.A. § 6-5-201  
                          A.C.A. § 6-18-514  
                          A.C.A. § 27-51-1602  
                          A.C.A. § 27-51-1603  
                          A.C.A. § 27-51-1609

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

All students will ride school transportation to and from out of town activities. An adult member of the child's immediate family or legal guardian may pick the child up at the site after the activity is finished by requesting permission from the coach/sponsor at the site.

Students may drive their vehicles to in-town activities or to run errands such as selling ads or attending various programs throughout the day; however, students will not be allowed to ride with other students to such activities.

Large groups attending in-town activities beginning and ending at approximately the same time should be transported by school transportation.

Since unforeseeable circumstances may bring situations not covered by the above policy, conditions of exception may be granted with approval of the sponsor/coach and building principal or superintendent.

### **SCHOOL BUS TRANSPORTATION**

The Nettleton School District provides bus transportation to its students daily. The safety of these students is of great concern to the school board and the administration of the district. Certain rules and procedures must be followed if safe and efficient conditions are to be maintained on school buses. We are asking the cooperation of both students and parents in helping us to provide the best and safest transportation possible. A copy of the Transportation Disciplinary Referral Form follows. This list is not intended to cover every situation. Certain circumstances may call for specific rules, and each driver has authority to make such rules as he may see fit concerning the safety of bus passengers.

1. It is a privilege to ride a school bus. Transportation is furnished as a service to students and parents and is not required by law. All questions or concerns about bus stops, schedules, student incidents, department rules and operating procedures should be addressed to the Transportation Director. Parents are advised that Arkansas Law prohibits any abusive action with bus drivers while they are performing their assigned duties.
2. While riding a bus, students are under the supervision of the driver and must obey him at all times. The driver has the authority to refer students with unacceptable behavior to a building principal by means of the district Disciplinary Referral form.
3. Student misbehavior at a bus stop is subject to school district disciplinary action, including suspension of bus riding privileges.
4. Students should be at the bus stop 10 minutes prior to the scheduled boarding time. Students must stand back from the bus stop at least ten (10) feet and wait until the door is opened before moving closer to the bus. Students should not play on the highway or road. If students miss the bus, they should not attempt to hitchhike a ride or to walk to or from school.

5. If students must cross the highway or road to enter the bus, they should always try to be on the right side of the road waiting on the bus. If a student should arrive at the bus stop just as the driver approaches, they should wait until the bus has come to a complete stop and the driver has signaled for them to cross in front of the bus.
6. If students must cross the road after leaving the bus in the afternoon, they should go to a point on the road ten (10) feet in front of the bus. Students should cross the road **ONLY** after the driver has signaled for them to cross.
7. Bus students should conduct themselves in a manner which will not distract the attention of the bus driver or disturb others riding the bus. Continued distracting or disturbing behavior creates a safety concern for all passengers on the bus and will result in suspension(s) of bus riding privileges.
8. Firearms, knives and other objects, which the bus driver considers dangerous to the personal welfare of other students, are forbidden. No animals of any kind are permitted on any school bus. Personal cell phone use on the bus is prohibited.
9. Students will not tamper with any of the safety devices on the bus such as door latches, fire extinguishers, or safety chains.
10. Eating and drinking on school buses is not allowed. Soft drinks may not be brought onto a bus except as part of a lunch to be eaten at school.
11. Students are to remain seated while the bus is moving and keep hands and feet off others
12. Throwing objects from the bus, or extending hands, arms, heads, or bodies out of the windows is prohibited.
13. Willful destruction such as damaging seats, breaking windows, etc., will be grounds for suspension from the school bus, and parents will be required to make restitution and penalty for such damages to the school district in accordance with Arkansas Law 6-21-604.
14. Parents requesting an alternative afternoon bus stop for their child must provide to the school principal signed, written permission, including the stop location. The principal will provide a copy of the parent request to the Transportation Director so that the appropriate driver(s) can be contacted. Otherwise, a student should not ask the bus driver to let them off the bus at any place other than his/her regular bus stop.

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Last Revised:

## **4.20—DISRUPTION OF SCHOOL**

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

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

Legal Reference: A.C.A. § 6-18-511

Date Adopted: June 29, 2010

Last Revised:

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

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

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

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

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

Legal Reference: A.C.A. § 6-17-106 (a)

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

### Definitions

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

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

“Weapon” means any:

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

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

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

If a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student may be considered to be in possession of a weapon. The weapon shall be confiscated and held in the office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of one (1) year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property.<sup>3</sup> Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation

shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

Legal References:   A.C.A. § 5-4-201  
                          A.C.A. § 5-4-401  
                          A.C.A. § 5-27-210  
                          A.C.A. § 5-73-119(b)(e)(8)(9)(10)  
                          A.C.A. § 5-73-133  
                          A.C.A. § 6-18-502  
                          A.C.A. § 6-18-507  
                          A.C.A. § 6-21-608  
                          20 USCS § 7961

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## 4.23—TOBACCO AND TOBACCO PRODUCTS

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) by anyone in or on any real property owned or leased by a District school, including school buses owned or leased by the District, or at school sponsored events on or off campus by anyone related to the events, is prohibited. The exhibition by students of tobacco-related gear or paraphernalia and tobacco industry sponsorship, marketing or giveaways is prohibited.

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

Note: The statute requires posting “...in a conspicuous location at every entrance to each building owned or leased by a public school district and every school bus used to transport students.”

Procedures for Implement and Enforcing Comprehensive Tobacco Policy:

- Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.
- The District has the right to ask those that wish to use tobacco or products containing tobacco, to leave the school campus or school sponsored events.
- Students who seek help quitting tobacco products will be offered assistance by the school district via access to online tobacco cessation programs such as the Arkansas Tobacco QUITLINE @ 1-800-QUIT-NOW or [www.mylastdip.com](http://www.mylastdip.com)
- Signage posted by Tobacco Free Campus.
- Following the Division of Elementary and Secondary Education Frameworks, students K-12 are required to receive instruction on avoiding tobacco use.

Legal Reference: A.C.A. § 6-21-609

Date Adopted: June 29, 2010

Last Revised: June 17, 2014

## **4.24—DRUGS AND ALCOHOL**

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

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

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

### **Procedures**

1. All violations of the Drug and Alcohol Policy shall be reported to the student's parents as soon as possible.
2. All violations of the Drug and Alcohol Policy may be reported to the appropriate law enforcement officials.
3. Any student selling any substance prohibited by this policy, second offenders, and felony violators shall be recommended for expulsion by the Nettleton School Board. The student shall lose all student rights and privileges and shall lose credit in all courses in progress. The student and parent/guardian shall complete the appropriate drug/alcohol rehabilitation program. The parent/guardian shall make formal application to the Nettleton School Board requesting readmission of the student. The student and parent/guardian shall meet with the Superintendent of Nettleton Schools for a conference prior to the student being admitted to class.

## **CHEMICAL SCREEN TEST POLICY FOR NETTLETON SCHOOLS**

It is the mission of Nettleton Schools to educate all students to the highest practical extent of our abilities, and to provide for their physical, mental and emotional needs through the development of a safe, non-threatening environment with minimum interruptions which provide for a conducive learning climate.

The Nettleton School District recognizes that chemical abuse or misuse is a significant health and safety problem for students, detrimentally affecting overall health, behavior, learning ability, reflexes, and the total development of each individual. The Nettleton Board of Education is committed to its Mission Statement and is determined to help students by providing another option for them to say



"No" to the use of drugs. Chemical abuse includes, but is not limited to, the use of illegal drugs, alcohol, and misuse of legal drugs and medications.

### **Purpose of a Chemical Abuse Policy:**

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

### **Scope**

The provisions of this policy apply to all students in Nettleton Schools in grades seven through twelve, who sign, and whose parent/guardian sign Consent Form "A" of the Chemical Screen Policy. All students who wish to participate in extra-curricular activities and/or those who are registered to park vehicles at NPS will be required to be subject to random testing.

**The use or possession of illegal drugs during school activities or prior to school activities where the illegal drug has the possibility of affecting the participant is a violation of this policy. Students may be tested if reasonable suspicion exists.**

### **General Provisions and Definitions:**

Nettleton School District shall randomly require selected students in grades seven through twelve of Nettleton Schools to provide a urine specimen for urinalysis testing.

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

prescribed by a physician and not used as authorized by the doctor or the manufacturer of the substance.

***Extra-Curricular Activities*** are defined as school sanctioned activities other than regular classroom instruction. Such activities include clubs, school organizations with district, state or national affiliates. Also included are student(s)/groups involved in presentations, representing the school and/or competitions either directly or indirectly with NPS. This also includes any programs sponsored by the Division of Elementary and Secondary Education.

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

***Refusal to Submit to Testing:*** Any participant who refuses to submit to a random drug testing shall remain at the testing site until the school officials have made proper contact with parent or guardian. Students with a consent form who refuse to submit to random drug testing and students who refuse to submit to drug testing due to reasonable suspicion will have their consent form declared invalid and are subject to disciplinary action as outlined in *Student Disciplinary Policies* of this handbook.

### **Consent Form**

No student shall be allowed to participate in any extra-curricular activity or be granted vehicle parking privileges at NPS until the consent form has been signed by both student and custodial parent/legal guardian and returned to the principal. All students and custodial parents/guardians will be strongly encouraged to sign a consent form for random testing during the year.

### **Testing Due to Reasonable Suspicion**

Students who have been identified through the criteria outlined as reasonable suspicion may be tested separately from the times of the random testing. The testing should take place as soon as possible after the determination of reasonable suspicion has been verified. The charge of the testing for these identified will be the responsibility of the District. Students who test positive under this policy's provision dealing with reasonable suspicion will be subject to disciplinary action as outlined in the Nettleton School District Student Policy Book.

### **Cost**

The cost of the test given during random selection will be paid by the District. Follow up tests for those students testing positive will be paid by the District. Any test requested by the parent(s) or student challenging the validity of the initial test results will be at the parent's expense. If that test proves negative, the district will pay for that retest.

### **Grievances**

The procedure for appealing is found in *The Nettleton School District Student Policy Book*.

## Procedures

**Type of Testing:** The District shall randomly require selected students of Nettleton Schools in grades seven through twelve to provide a urine specimen for urinalysis testing. Each specimen cup will have a number on it, which will be assigned to a participant's name. The samples submitted by the students will be sealed and sent to the lab for testing. All students randomly selected must report to the designated location for providing urine samples to be taken at Nettleton Schools. Urinalysis will be the method utilized to test for the presence of chemicals in the body. A breathalyzer will be used to determine alcohol content in the body.

**Selection Process:** Students enrolled at Nettleton Junior and Senior High will be subject to random selection for chemical testing. Students will be divided into a pool for students in grades seven through nine and another pool for students in grades ten through twelve. Each student will be assigned a number. The testing agency will select days for random testing; these days will not be known by the school officials. A minimum of ten test days will be set per year for each pool. The amount of numbers drawn will be no less than (5%) or no greater than (25%) of the students in grades seven through twelve annually who have Consent Form "A" signed. If any student whose number is drawn is absent on that day, the selection process will continue until the number (5-20) of students selected for testing equals the number specified for that day's random testing.

**Use of Positive Tests:** Upon receipt of a positive test result for any student, a student may request a retest at his/her expense within a 24-hour period of a positive result. The specimen used for the second testing will be from the original split sample taken during the random sampling. The original sample taken at the testing site will be divided into two separate containers and sealed at the collection site.

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

Initial counseling including referrals, resources and information on chemical abuse will be available from the District. Further outside counseling/rehabilitation for the student will be strongly recommended for the student who tests positive. The additional counseling/rehabilitation will be at the expense of the student.

The student will be placed on confidential probation for twenty days. If the parent/guardian of the student submits that the student may continue in the Nettleton extra-curricular activities and retain vehicle parking privileges, the student will be so permitted. The school will not be responsible for injury or other health problems due to the student's misuse or abuse of the drug while the said student is involved in school activities. After twenty-one days, the student will be tested again; a written copy of the results will be given to the Superintendent or designee. If the re-test is negative, the confidential probation will be lifted.

- If the re-test is positive, the principal and sponsor(s) will be notified that the student will not be allowed to continue in extra-curricular activities or have vehicle parking privileges until his/her test results prove negative. The following tests to verify the students being tested negatively will be administered by the testing agency. The schedule for retesting will be determined by the Superintendent or designee. The student cannot participate in any extracurricular activities or have vehicle parking privileges until testing negatively. To retain eligibility for participation in

extracurricular activities and regain vehicle parking privileges for the next school year, a student must have a negative result on the Chemical Screening Test. This test must be administered by Nettleton School's testing agent.

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

### **Testing Procedure:**

**Analysis of Urine Specimens:** The initial urinalysis method shall be an immunoassay screen. If a specimen tests positive for any substance being checked, a GC/MS confirmation test will be performed. If the parent/guardian questions the validity or reliability of the testing agency's results, the sample from the split specimen in the second sealed vial will be used for the parent-requested follow up test. The parents may choose a laboratory of choice so long as the Department of Health and Human Services Standards certify it. Gas chromatography/mass spectrometry GC/MS shall be conducted on the specimen. If the result of the GC/MS test is positive, the student shall be considered to have had a positive result. If the results of the GC/MS are negative for the suspected substance or substances, the student shall be considered to have had a negative result. The school will be responsible for paying for the requested test if the results prove to be negative.

All test results from the laboratory shall be communicated to the Superintendent or designee. To ensure proper testing procedures, United States Department of Health and Human Services Standards as defined by the National Institute of Drug Abuse certified laboratories will be followed.

All initial urine specimens will be taken at the designated location determined by the Principal or designee. Any student who is requested to provide a urine specimen shall be directed to the collection site where the student will complete the necessary forms. Students selected as part of the random test will be required to provide additional information for the testing agency. Students confirmed positive might be permitted, at the Superintendent's discretion, to provide the sample after the twenty-one day confidential probation at the testing agency facility. (This is to ensure confidentiality).

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

1. Agent and/or administrator shall positively identify the examinee.
2. The agent and/or administrator shall ask the individual to remove any unnecessary outer garments (i.e. coat, jacket) that might conceal items or substances that could be used to tamper with or adulterate the urine specimen. All personal belongings (i.e. purse, briefcase, etc.) must remain with the outer garments. The agent and/or administrator shall note any unusual behavior or appearance. In Arkansas, it is unlawful to adulterate a urine sample, or possess or distribute adulterates for the purpose of defrauding or causing deceitful results in a drug screening test (Act 750, 2003).
3. The student shall be instructed to wash and dry his/her hands prior to providing the specimen. After washing his/her hands, the student shall not be outside of the presence of the agent and/or administrator and not have access to water fountains, faucets, soap dispensers, or cleaning agents until after the specimen has been provided and sealed. Only one student will be allowed at a time in the washroom and process area.

4. The female student will be allowed to provide the specimen in a stall or partitioned area that allows for individual privacy. The male student may be required to provide the specimen while using a urinal. After the specimen has been provided for the agent, the female student should leave the stall, and the male student should leave the urinal or stall. Extra specimen containers should not be left in the rest rooms.
5. At the collection site, toilet bluing agents shall be placed in the toilet tanks, whenever possible. No other source of water shall be available in the immediate area where the urination occurs.
6. After the specimen has been provided to the agent, the agent will continue with chain of custody procedures and will determine whether the specimen contains at least 45 milliliters of urine. If there is not at least 45 milliliters, additional urine shall be collected. The student may be given reasonable amounts of water for drinking. If a student fails for any reason to provide the necessary amount of specimen, the agent and/or administrator shall contact the Superintendent or designee for guidance.
7. Immediately after collection, the testing agent shall check the temperature of the specimen and inspect the specimen for color and signs of contaminants. Freshly filled specimen containers should be warm. If the specimen is not between 90 and 100 degrees, the student will be required to provide another specimen of urine within two hours of the original collection.
8. Both the agent and/or administrator and the student being tested shall keep the specimen in view at all times prior to its being sealed and labeled.
9. The student shall observe the tamper-proof seal. The labels for the specimen bottle must have all information completed before being placed over the bottle caps and down the sides of the bottles. The agent will place the identification label securely on the bottles.
10. The student and the agent will sign the chain of custody form. The observer will initial the specimen label.
11. The identification label on the specimen container shall contain:
  - the date
  - the student's assigned number
  - the student's name is NOT to be on the sample

**Ethyl Alcohol** will be tested by using a breathalyzer. The cutoff level of ethyl alcohol will be four one-hundredths of one percent (.04%) by weight of alcohol in the student's breath. Cut off levels used are determined by the National Institute on Drug Abuse.

**Medical Review Officer** will review and verify all positive test results, report said results, check for chain of custody compliance and determine false positives.

## **RESULTS AND NOTIFICATION**

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

## Substances Tested

The specific drugs in the drug screen may be selected at the beginning of each school year, and may be amended any time throughout the year. The substances for which students may be tested include, but not limited to:

### BARBITURATES

Amobarbital  
Butobarbital  
Butalbital  
Pentobarbital  
Phenobarbital  
Secobarbital  
Trizolam

### AMPHETAMINES

Amphetamine  
Methamphetamine

### BENZODIAZEPINES

Alprazolam  
Chlordiazepoxide  
Clorazepate  
Diazepam  
Halazepam  
Prazepam

### COCAINE METABOLITES

### PROPOXYPHENES

### PHENCYCLIDINE(PCP)

### QUALITATIVE THC

### OPIATES

Codeine  
Heroin  
Morphine

### ETHYL ALCOHOL

The cut off levels for initial screens shall be 20 nanograms per milliliter (ng/ml) for marijuana metabolites(THC), 300 ng/ml for cocaine metabolites and opiates, 25 ng/ml for phencyclidine, and 1000 ng/ml for amphetamines. The cut off level for ethyl alcohol shall be four one-hundredths of one percent (.04%) by weight of alcohol in the student's breath. Cut off levels used are determined by the National Institute on Drug Abuse.

The cut off levels for confirmation tests shall be 15 ng/ml for marijuana metabolites, 150 ng/ml for cocaine metabolites, 300 ng/ml for opiates, 500 ng/ml for amphetamines, and 25 ng/ml for phencyclidines.

## Reasonable Suspicion Provisions

The use or possession of illegal drugs or alcohol by a student on property under control of the District or prior to entering the property controlled by the District or at a District-sponsored event is a violation of this Policy. This includes attendance at any location involving activities in which Nettleton School or its students are competing, presenting or participating. The penalty for possession of drugs or alcohol is outlined in the Nettleton School District Student Policy Book.

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

alcohol; or that a student is abusing or misusing prescription medications on District property or at a District-sponsored event while under the influence of the prescribed medication. This includes attendance at any location involving activities in which Nettleton School or its students are competing, presenting or participating.

When the district is determining whether a student (or students) can be subjected to the District's "Reasonable Suspicion Chemical Screening" policy under the **reasonable suspicion** standard, the following criteria should be considered:

- Does a District official, administrator, or employee have an articulable basis for suspecting that a student has used, possessed, abused, or sold illegal drugs or alcohol – including the misuse of prescription medication – on District property or at a District-sponsored event?
  - Does a District official, administrator, or employee have an articulable basis for suspecting that a student has used, possessed, abused, or sold illegal drugs or alcohol – including the misuse of prescription medication – off of District property, but is on District property or at a District-sponsored event while under the influence of illegal drugs, alcohol, or misused prescription medication?
  - Does a law enforcement official have an articulable basis for suspecting that a student has used, possessed, abused, or sold illegal drugs or alcohol – including the misuse of prescription medication – on District property or at a District-sponsored event?
  - Does a law enforcement official have an articulable basis for suspecting that a student has used, possessed, abused, or sold illegal drugs or alcohol – including the misuse of prescription medication – off of District property, but is on District property or at a District-sponsored event while under the influence of illegal drugs, alcohol, or misused prescription medication?
1. Is there evidence from the student's parent or legal guardian that the student has used, possessed, or sold illegal drugs or alcohol, or is abusing or misusing prescription medication on District property or at a District-sponsored event or has used illegal drugs or alcohol, or abused or misused prescription medication, off of District property, but is on District property or at a District-sponsored event while under the influence of illegal drugs, alcohol, of misused prescription medication?
  2. If the District is informed by one student (or students) that another student (or students) has used, possessed, abused, or sold illegal drugs or alcohol – including the misuse of prescription medication – on District property or at a District-sponsored event, then the District should, but need not necessarily, take reasonable measures to ascertain whether a District official, administrator, or employee, a law enforcement official, or the parent or legal guardian of the student to be potentially tested, has an articulable basis for suspecting that the student has violated the District's drug policy.
  3. If the District is informed by one student (or students) that another student (or students) is under the influence of illegal drugs or alcohol – including the misuse of prescription medication – on District property or at a District-sponsored event regardless where the ingestion or use of the substance occurred, then the District should, but need not necessarily, make a reasonable attempt to corroborate the complaining student's report. Such an

investigation may, but need not necessarily, include the District ascertaining whether a District official, administrator, or employee, a law enforcement official, or the parent or legal guardian of the student to be tested, has an articulable basis for suspecting that the student has violated the drug policy independent from the complaining student's report.

4. The District cannot foresee all potential situations under which reasonable suspicion may arise. It, therefore, reserves the right to invoke and apply the drug-testing policy's terms whenever and however it is lawful and appropriate to do so. The District will consider the criteria stated above in paragraphs 1-4 to be guiding, but not controlling, standards by which reasonable suspicion may be found under the drug-testing policy – absent extraordinary situations concerning an articulable special need.

## **Records**

All records concerning chemical abuse testing shall be maintained by the Superintendent or designee in a separate locked file. The records shall not be kept in a student's regular file. Only the Superintendent or designee shall have access to the files. The files of each student shall be destroyed upon graduation or twelve months after termination of enrollment. A student and the student's custodial parents/legal guardians may obtain a copy of the student's chemical abuse testing records upon written request. Information in these files will not be released to local authorities unless required through a court order.

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

Cross Reference: 4.35—STUDENT MEDICATIONS

Date Adopted: June 29, 2010

Last Revised: June 11, 2019



## 4.25—STUDENT DRESS AND GROOMING

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

### Procedures

1. Dress and grooming shall be clean and in keeping with good health and sanitary practice.
2. Students shall not wear clothing, hair styles, or facial hair that can be hazardous to them or to others as they are engaged in any educational activity.
3. Dress or grooming which exaggerates, emphasizes, or calls attention to details of the anatomy or which does not conform to the rudiments of common decency shall be regulated.

The following items are inappropriate:

- A. Head coverings shall not be allowed on campus during the school day, except in shop or athletics, or for medical reasons.
  - B. Sunglasses shall not be worn inside the building except for medical reasons.
  - C. Students are not allowed to wear chains, which could be used as weapons.
  - D. Students are prohibited from wearing, while on the grounds of a public school during the regular school day and at school-sponsored activities and events, clothing that exposes underwear, buttocks, or the breast of a female.
  - E. Shorts, skirts and dresses shall be no more than a dollar bill width (2.5 inches) above the top of the kneecap. Cut-offs shall be measured from the ends of the cloth--not the end of the ravel.
  - F. Pants, jeans and shorts are not permitted if holes in the garment are located 2.5 inches (a dollar bill width) above the top of the kneecap.
  - G. The length of shirts and blouses shall be at least one (1) inch below the belt line. Bare midriffs shall not be allowed.
  - H. Shirt straps shall be one (1) inch or wider with undergarments covered at all times.
  - I. Tights, leggings or other types of hosiery must be accompanied by a fingertip length or longer top/dress.
4. Apparel which displays symbols, slogans or words that are lewd, obscene, alcohol or drug-oriented is prohibited.
  5. A student shall not wear or use emblems, insignias, badges, or other symbols which may cause substantial disruption or interference to the normal operation and activities of the district.
  6. Students who object to prescribed physical education attire for religious reasons shall be allowed to choose an alternate dress which is in keeping with both the religious beliefs and the objectives of the class.

7. In addition to other disciplinary actions, administrators may require a change of apparel.

### **DRESS CODE AND CONDUCT RULES FOR GRADUATION**

1. Senior sponsors should explain student dress code and conduct rules and reasons for them to all seniors. Students must understand that infractions of the rules will result in the forfeiture of individual rights and privileges - namely that of participating in the graduation ceremony.
2. Administrators and senior sponsors will be available prior to the graduation ceremony for seeing the dress code and conduct rules are abided by.
3. The following dress codes will be enforced:  
MALE - Dress slacks with a button-up dress shirt or pull over shirt with collar, dress shoes or boots with socks are required. (Ties are recommended, but not required.)  
FEMALE - Skirts and blouses, suits, dresses of appropriate length, or dress pants, along with proper type of dress shoes are required.  
NO - Jeans, tennis shoes, thongs, shorts, warm-ups, t-shirts of any type, hats (other than graduation caps), cutoffs, mini-skirts, or bare midriffs will be acceptable.
4. General rules of conduct include no evidence of alcoholic beverages, drugs, or narcotics in any form. Students suspected of showing signs of use of any of these will not be permitted to participate in the graduation ceremony.
5. During the actual awarding of diplomas, only covers will be awarded. Immediately following the graduation exercise, students meeting the requirements of graduation and adhering to the above rules will pick up their signed diplomas from the proper administrator or class sponsor.

Date Adopted: June 29, 2010

Last Revised: June 11, 2011

## **4.26—GANGS AND GANG ACTIVITY**

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

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

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

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

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

Legal References:     A.C.A. § 5-74-201 et seq.  
                              A.C.A. § 6-15-1005(b)(2)

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## 4.27—STUDENT SEXUAL HARASSMENT

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

The District believes the best policy to create an educational environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to students, parents/legal guardians/other responsible adults, and employees on sexual harassment. The informational materials and training on sexual harassment shall be age appropriate and, when necessary, provided in a language other than English or in an accessible format. The informational materials and training shall include, but are not limited to: the nature of sexual harassment; the District's written grievance procedures for complaints of sexual harassment;<sup>1</sup> that the district does not tolerate sexual harassment; that students can report inappropriate behavior of a sexual nature without fear of adverse consequences; the redress that is available to the victim of sexual harassment;<sup>2</sup> and the potential discipline for perpetrating sexual harassment.

“Sexual harassment” means conduct that is:

1. Of a sexual nature, including, but not limited to:
  - a. Sexual advances;
  - b. Requests for sexual favors;
  - c. Sexual violence; or
  - d. Other personally offensive verbal, visual, or physical conduct of a sexual nature;
2. Unwelcome; and
3. denies or limits a student's ability to participate in or benefit from any of the District's educational programs or activities through any or all of the following methods:
  - a. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education;
  - b. Submission to, or rejection of, such conduct by an individual is used as the basis for academic decisions affecting that individual; and/or
  - c. Such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creates an intimidating, hostile, or offensive academic environment.

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

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

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the

sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

- Making sexual propositions or pressuring for sexual activities;
- Unwelcome touching;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures, or written materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Telling sexual or crude jokes;
- Spreading rumors related to a person's alleged sexual activities;
- Discussions of sexual experiences;
- Rating other students as to sexual activity or performance;
- Circulating or showing emails or Web sites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the student self-identifies as homosexual or transgender.

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

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

Students, or the parents/legal guardians/ other responsible adult of a student, who file a complaint of sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats, intimidation, coercion, or discrimination. The District shall take steps to prevent retaliation and shall take immediate action if any form of retaliation occurs regardless of whether the retaliatory acts are by District officials, students, or third parties.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age of eighteen (18), who filed the complaint:

- The final determination of the investigation;
- Remedies the District will make available to the student; and

- The sanctions, if any, imposed on the alleged harasser relevant to the student.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age of eighteen (18), who was accused of sexual harassment in the complaint:

- The final determination of the investigation; and
- The sanctions, if any, the District intends to impose on the student.

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

Students who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including expulsion.

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

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.  
34 CFR part 106  
A.C.A. § 6-15-1005 (b) (1)

Date Adopted: June 29, 2010

Last Revised: June 26, 2018

#### **4.28—LASER POINTERS**

Students shall not possess any hand held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; en route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event. School personnel shall seize any laser pointer from the student.

Legal References: A.C.A. § 6-18-512

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## **4.29—INTERNET SAFETY and ELECTRONIC DEVICE POLICY**

### **Definition**

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

The District makes electronic device(s) and/or electronic device Internet access available to students, to permit students to perform research and to allow students to learn how to use electronic device technology. Use of district electronic devices is for educational and/or instructional purposes only. Student use of electronic device(s) shall only be as directed or assigned by staff or teachers; students are advised that they enjoy no expectation of privacy in any aspect of their electronic device use, including email, and that monitoring of student electronic device use is continuous.

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

### **Technology Protection Measures**

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

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

### **Internet Use and Safety**

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

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



## Misuse of Internet

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

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

Legal References: Children's Internet Protection Act; PL 106-554  
FCC Final Rules 11-125 August 11,2011  
20 USC 6777  
47 USC 254(h)(l)  
47 CFR 54.520  
47 CFR 520(c)(4)  
A.C.A. § 6-21-107  
A.C.A. § 6-21-111

Date Adopted: June 29, 2010

Last Revised: June 17, 2014

## 4.29F—STUDENT ELECTRONIC DEVICE and INTERNET USE AGREEMENT

Student's Name (Please Print) \_\_\_\_\_ Grade Level \_\_\_\_\_

School \_\_\_\_\_ Date \_\_\_\_\_

The Nettleton School District agrees to allow the student identified above (“Student”) to use the district’s technology to access the Internet under the following terms and conditions which apply whether the access is through a District or student owned electronic device (as used in this Agreement, “electronic device means anything that can be used to transmit or capture images, sound, or data):

1. Conditional Privilege: The Student’s use of the district’s access to the Internet is a privilege conditioned on the Student’s abiding to this agreement. No student may use the district’s access to the Internet whether through a District or student owned electronic device unless the Student and his/her parent or guardian have read and signed the student handbook.

2. Acceptable Use: The Student agrees that he/she will use the District’s Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal laws and regulations and any State laws and rules. The Student also agrees to abide by any Internet use rules instituted at the Student’s school or class, whether those rules are written or oral.

3. Penalties for Improper Use: If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action.

**Disciplinary Actions:** All violations will be handled as any other infraction of school board policy.

Disciplinary actions may include:

1. Revocation of computer access.
2. Financial restitutions.
3. Suspension, expulsion, academic failure due to lack of course completion, or other penalties as may be appropriate for repeat offenders.
5. Possible referral for prosecution.

4. “Misuse of the District’s access to the Internet” includes, but is not limited to, the following:

- a. using the Internet for other than educational purposes;
- b. gaining intentional access or maintaining access to materials which are “harmful to minors” as defined by Arkansas law;
- c. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- d. making unauthorized copies of computer software;
- e. accessing “chat lines” unless authorized by the instructor for a class activity directly supervised by a staff member;
- f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
- g. posting anonymous messages on the system;
- h. using encryption software;
- i. wasteful use of limited resources provided by the school including paper;
- j. causing congestion of the network through lengthy downloads of files;

- k. vandalizing data of another user;
- l. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- m. gaining or attempting to gain unauthorized access to resources or files;
- n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- o. invading the privacy of individuals;
- p. divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
- q. using the network for financial or commercial gain without district permission;
- r. theft or vandalism of data, equipment, or intellectual property;
- s. attempting to gain access or gaining access to student records, grades, or files;
- t. introducing a virus to, or otherwise improperly tampering with the system;
- u. degrading or disrupting equipment or system performance;
- v. creating a web page or associating a web page with the school or school district without proper authorization;
- w. providing access to the District's Internet Access to unauthorized individuals;
- x. failing to obey school or classroom Internet use rules;
- y. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools; or
- z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

5. Liability for debts: Students and their cosigners shall be liable for any and all costs (debts) incurred through the student's use of the computers or access to the Internet including penalties for copyright violations.

6. No Expectation of Privacy: The Student and parent/guardian signing below agree that if the Student uses the Internet through the District's access, that the Student waives any right to privacy the Student may have for such use. The Student and the parent/guardian agree that the district may monitor the Student's use of the District's Internet Access and may also examine all system activities the Student participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system. The District may share such transmissions with the Student's parents/guardians.

7. No Guarantees: The District will make good faith efforts to protect children from improper or harmful matter which may be on the Internet. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.

8. Signatures: We, the persons who have signed the Nettleton Public Schools District Handbook, have read this agreement and agree to be bound by the terms and conditions of this agreement.

Student's Signature: \_\_\_\_\_ Date \_\_\_\_\_

Parent/Legal Guardian Signature: \_\_\_\_\_ Date \_\_\_\_\_

## 4.30—SUSPENSION FROM SCHOOL

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

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

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

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

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

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

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

- a) the student shall be given written notice or advised orally of the charges against him/her;
- b) if the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts; and
- c) if the principal finds the student guilty of the misconduct, he/she may be suspended.

When possible, notice of the suspension, its duration, and any stipulations for the student's readmittance to class will be given to the parent(s), legal guardian(s), person(s) with lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (18) or older prior to the suspension. Such notice shall be handed to the parent(s), legal guardian(s), person(s) with lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (18) or older or mailed to the last address reflected in the records of the school district.

Generally, notice and hearing should precede the student's removal from school, but if prior notice and hearing are not feasible, as where the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school, the necessary notice and hearing should follow as soon as practicable.

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

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

The district shall keep a record of the contacts made to the parent, legal guardian, person with lawful control of the student, person standing in loco parentis.

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

During the period of their suspension, students serving out-of-school suspensions shall not be permitted on campus except to attend a student/parent/administrator conference or when necessary as part of the District's engagement or access to education program.

During the period of their suspension, students serving in-school suspension shall not attend or participate in any school-sponsored activities during the imposed suspension.

### **Procedures**

1. Only the principal or assistant principal may assign In School Suspension (ISS).
2. The assistant principal, or his/her designee, will contact each of the student's teachers in order to obtain the students assignments for the day. Teachers should provide enough work to occupy the student's time during the entire class period.
3. The student will report to the assistant principal at 7:45 a.m. to pick up his/her assignments for the day. After receiving his/her assignments, the student will report to the detention center and will follow his/her class schedule in completing the assignments.
4. Students will be allowed 5-minute restroom breaks only.
5. ISS students will not be allowed to visit with other students nor will they be allowed free time.
6. Violation of any of the above procedures, unsatisfactory conduct, or unsatisfactory progress on assignments may result in additional in-school suspension days or out-of-school suspension.
7. Students refusing the option of ISS will be assigned out of school suspension with loss of credit for work missed and days missed counted as absences.

## SATURDAY SCHOOL

### Definition

A student may be assigned Saturday School instead of out-of-school suspension. Saturday School will be served from 8:00 a.m. to 12:00 noon. Procedures outlined in policies pertaining to Saturday School will be followed.

### Procedure

1. Students assigned to Saturday School will obtain assignments from each of their teachers prior to the assigned Saturday School day. Students must bring enough written work to stay engaged in written activity for the entire four (4) hours. All assignments **MUST** be turned in to the Saturday School supervisor when the students are dismissed for the day.
2. Saturday School will begin promptly at 8:00 a.m. in a designated room and will be dismissed at 12:00 noon sharp. (No early dismissals) Students who arrive between 8:00 a.m. and 8:05 a.m. will be held for an additional five (5) minutes during their 10:00 a.m. break. Students who arrive after 8:05 a.m. will not be admitted and will be subject to a three (3) day suspension.
3. The following policy will be in force during the entire time that students are in the room:
  - A. **NO TALKING** (not even whispering) during the entire time students are in the room.
  - B. **NO DISTRACTIONS** of any sort (no noise making of any type, getting out of seats, passing or throwing articles to others, etc.). Students may get out of their seats to get paper, sharpen pencils, or to see the supervisor. **Trash will be thrown away at break time only.**
  - C. **NO RADIOS OR WALKMAN**
  - D. **NO FOOD OR DRINK**
  - E. **SCHOOL WORK ONLY.** Student must be fully engaged with school work (no newspapers, magazines, art, crafts, or games). No sleeping, window-gazing, or doodling. Students must be engaged in four (4) hours of profitable brain activity with school work. If all assignments are completed satisfactorily and time still remains, disciplinary packets will be assigned.
  - F. **NO BACK-TALK WHATSOEVER.** Follow all directions when given.

Any violation of these rules will result in Saturday School failure and the student will be asked to leave at that time.

Students will be allowed one ten (10) minute break at 10:00 a.m. At 11:55 a.m., all students will stop work, turn in all assignments, and straighten up the room prior to being dismissed at 12:00 noon.

4. Students who do not come to their assigned Saturday School will be suspended for three (3) days, and the Saturday School will be reassigned for the next scheduled Saturday School. Suspended days for non-attendance of Saturday School will be counted as absences and zeroes will be given for all work missed.
5. Any student who misses more than three Saturday Schools in a semester will be recommended for expulsion.

## **HOME SUSPENSIONS**

### **Policy**

Suspension of students from school or school bus transport for disciplinary reasons is authorized for each principal. Any student suspended more than three (3) times in a semester may be recommended for expulsion.

### **Procedures**

1. A teacher may temporarily dismiss any student from class for disciplinary reasons. When feasible, the teacher shall accompany the student to the office of the principal, or designee, and shall file a written statement concerning the student's dismissal from class. The principal, or designee, shall determine whether to reinstate the student in class, reassign to another class, or take other disciplinary action.
2. The principal or assistant principal of any school is authorized to suspend a student (dismiss from attending school) one to ten (1-10) consecutive school days, including the day on which the dismissal from school was initially imposed.
3. Unless the principal or assistant principal has personally witnessed the infraction, an investigation shall be conducted into the matter as deemed necessary including an interview with the student.
4. Prior to any suspension, the principal or assistant principal shall inform the student, either orally or in writing of the nature of the misconduct. If the student denies the misconduct, an explanation of the evidence will be given and the student shall be given opportunity to present a contrary version as a means of defense or mitigation.
5. When the authorized school official considers that a suspension is proper, the student shall be sent home with a suspension notice requesting a conference within 24 hours, if possible. Additionally, a copy of the suspension notice will be mailed to the parent/guardian which shall include the reason for the suspension, its duration, the manner by which the student can be readmitted to school, and the procedure for review of the suspension.
6. After notification of suspension, a student shall remain away from school premises until re-instated by the principal or assistant principal except when accompanied by a parent/guardian for the purpose of attending a disciplinary conference or obtaining assignments.
7. Parents/guardians may request a disciplinary conference with school officials if they wish to discuss the suspension. If the parents/guardians are not satisfied with the results of the conference, they can request a hearing before the superintendent. The suspension will remain in effect until the hearing. The principal will furnish the superintendent with a full report of the incident and disciplinary action taken.

8. The superintendent, or designee shall either agree with, revoke, terminate, or otherwise modify the suspension and will notify the principal and parent/guardian of any decision within five (5) days of the receipt of the principal's report.
9. Days missed during a suspension will count as absences but these absences will not cause the student to lose credit in his/her classes.
10. Students will not be allowed to make up work missed while on suspension. Zeroes will be given for all work missed.

Suspensions initiated by the principal or his/her designee may be appealed to the Superintendent, but not to the Board.

Suspensions initiated by the Superintendent may be appealed to the Board.

Legal References:     A.C.A. § 6-18-507  
                              *Goss v Lopez* , 419 U.S. 565 (1975)

Date Adopted: June 29, 2010

Last Revised: June 11, 2019



## 4.31—EXPULSION

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

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

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

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

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

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

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

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

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

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

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

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student's period of expulsion. The District's program shall include offering an expelled student an opportunity for enrollment in digital learning courses or other alternative educational courses that result in the receipt of academic credit that is at least equal to credit the expelled student may have received from the District if the student had not been expelled.

Cross Reference: Policy 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Legal References:     A.C.A. § 6-15-1406  
                              A.C.A. § 6-18-502  
                              A.C.A. § 6-18-507

Date Adopted: June 29, 2010  
Last Revised: June 11, 2019

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

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

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

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

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

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

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

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

Legal References:   A.C.A. § 6-18-513  
                          A.C.A. § 9-13-104  
                          A.C.A. § 12-12-509, 510, and 516  
                          A.C.A. § 9-13-104

Date Adopted: June 29, 2010  
Last Revised:  June 11, 2019

### **4.33—STUDENTS' VEHICLES**

A student who has presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive his/her vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. Parking on school property is a privilege which may be denied to a student for any disciplinary violation, at the discretion of the student's building principal.

Students are not permitted to loiter in parking areas and are not to return to their vehicles during the school day for any reason unless given permission to do so by school personnel.

It is understood that there is no expectation of privacy in vehicles in parking areas. Drivers of vehicles parked on a school campus will be held accountable for illegal substances or any other item prohibited by District policy found in their vehicle. The act of a student parking a vehicle on campus is a grant of permission for school or law enforcement authorities to search that vehicle.

#### **Policy**

Students are subject to the same rules of conduct while traveling to and from schools as they are while on school grounds. Appropriate disciplinary actions may be taken against commuting students who violate student code of conduct rules. High School students shall be permitted to drive motor vehicles to school as long as the vehicles are operated safely for the sole purpose of transportation. It is understood that there is no expectation of privacy in vehicles in parking areas. Drivers of vehicles parked on a school campus will be held accountable for any illegal substances or any other item prohibited by District policy found in their vehicle. Any student parking a vehicle on campus is granting permission for school or law enforcement authorities to search that vehicle. K-8<sup>th</sup> grade students will not be allowed to drive motorized vehicles to school. Students who drive motor vehicles to school shall obey the regulations that follow:

1. Students must participate in the district random drug testing program.
2. All students driving a motor vehicle to school shall hold a valid driver's license and proof of insurance for that type of vehicle.
3. Students shall present proof of parental permission to drive a vehicle to school.
4. All motor vehicles that are driven to school by students shall be registered with the school and must display the current decal.
5. Upon arrival at school, student vehicles shall be parked on the student parking lot.
6. Students shall not be permitted to drive at any time after their arrival at school each day until they leave at the end of the school day unless given special permission by school authorities.
7. Students shall not sit in cars after arriving at school, nor shall they loiter on the student parking lot.

8. Students shall drive with care, observing all traffic rules and regulations established by the administration.

In addition to other disciplinary action, administrators may suspend driving privileges.

Date Adopted: June 29, 2010

Last Revised: June 19, 2012

#### **4.34—COMMUNICABLE DISEASES AND PARASITES**

Students with communicable diseases or with human host parasites that are transmittable in a school environment shall demonstrate respect for other students by not attending school while they are capable of transmitting their condition to others. Students whom the school nurse determines are unwell or unfit for school attendance or who are believed to have a communicable disease or condition will be required to be picked up by their parent or guardian. Specific examples include, but are not limited to: Varicella (chicken pox), measles, scabies, conjunctivitis (Pink Eye), impetigo/MRSA (Methicillin-resistant *Staphylococcus aureus*), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis A, B, or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally). A student who has been sent home by the school nurse will be subsequently readmitted, at the discretion of the school nurse, when the student is no longer a transmission risk. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.

To help control the possible spread of communicable diseases, school personnel shall follow the District's exposure control plan when dealing with any bloodborne, foodborne, and airborne pathogens exposures. Standard precautions shall be followed relating to the handling, disposal, and cleanup of blood and other potentially infectious materials such as all body fluids, secretions and excretions (except sweat).

In accordance with 4.57 – IMMUNIZATIONS, the District shall maintain a copy of each student's immunization record and a list of individuals with exemptions from immunization which shall be education records as defined in policy 4.13. That policy provides that an education record may be disclosed to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

A student enrolled in the District who has an immunization exemption may be removed from school at the discretion of the Division of Elementary and Secondary Health during an outbreak of the disease for which the student is not vaccinated. The student may not return to school until the outbreak has been resolved and the student's return to school is approved by the Division of Elementary and Secondary Health.

The parents or legal guardians of students found to have live human host parasites that are transmittable in a school environment will be asked to pick their child up. The parents or legal guardians will be given information concerning the eradication and control of human host parasites. A student may be readmitted after the school nurse or designee has determined the student no longer has live human host parasites that are transmittable in a school environment.

Each school may conduct screenings of students for human host parasites that are transmittable in a school environment as needed. The screenings shall be conducted in a manner that respects the privacy and confidentiality of each student.

The school principal shall develop procedures for dealing with students with infestations, communicable or contagious disease. Principals are authorized to exclude such students from daily attendance for any period of time as may be prescribed by the local health department, the school nurse or a physician. To minimize illness from spreading throughout a school, children with fever,

diarrhea, or vomiting the previous day or night should not be sent to school until they have been free of symptoms for 24 hours. Even though the child may feel better, he/she usually remains contagious and a health threat to others. The State Board of Health regulations require that a student who has been ill with a contagious disease present a doctor's certificate showing the student to be free of contagion.

Cross References: 4.2—ENTRANCE REQUIREMENTS  
4.7—ABSENCES  
4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY  
INFORMATION  
4.57—IMMUNIZATIONS

Legal References: A.C.A. § 6-18-702  
Arkansas State Board of Health Rules Pertaining To Immunization  
Requirements  
Division of Elementary and Secondary Education Rules Governing  
Kindergarten Through 12<sup>th</sup> Grade Immunization Requirements

Date Adopted: June 29, 2010

Last Revised: June 11, 2019



## 4.35—STUDENT MEDICATIONS

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

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

Each school must maintain a current record of all medication administered by school personnel by completing the appropriate medication administration record (MAR). This form must be completed annually and any time a medication changes and/or if additional medications are added.

A student's parent/legal guardian may administer medication to his/her child at school provided prior arrangements have been made with the principal or designee. If a parent chooses to administer medication at school to his/her child, the school district is relieved of any responsibility for these actions.

Medications, including those for self-administration, must be in the original container and be properly labeled with the student's name, the ordering health care provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings. Medications will not be transported with a student on the bus. Schedule II medications that are permitted by this policy to be brought to school shall be stored in a double locked cabinet.

Any incident/error in administering medication, including, but not limited to, incorrect student, incorrect medication, incorrect dose, incorrect time (greater than 30 minutes before or after prescribed time), missed doses or student noncompliance must be reported to the parent/legal guardian and principal immediately for appropriate action. A written incident report must be completed for each medication incident/error and attached to the medication log.

Field Trips – Students must receive prescribed medication on field trips unless otherwise instructed by the parent/legal guardian prior to the field trip. The necessary dosage of medication for each student must be placed in a sealed envelope labeled with the following information: student's name, name of medication, directions concerning dosage and route, and, time of day to be taken. The medication must be removed from the original container and placed in the envelope by the nurse or designated person. Medication on a field trip, but not administered, must be returned to its original location by the nurse

or designee. The medication must be kept, at all times, in the possession of the employee administering the medication.

Students with an individualized health plan (IHP) may be given over-the-counter medications to the extent giving such medications are included in the student's IHP and ordered by a doctor. OTC (over the counter) medications will not be administered at school without a physician's order and written consent form from the parent/legal guardian.

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

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

### Schedule II Medications

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

For the student's safety, no student will be allowed to attend school if the student is currently taking any other Schedule II medication than permitted by this policy. Students who are taking Schedule II medications which are not allowed to be brought to school shall be eligible for homebound instruction if provided for in their IEP or 504 plans.

Option 2: Students taking Schedule II medications methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse)<sup>1</sup> shall be allowed to attend school.

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

### Self-Administration of Medication

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

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

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

- In school;
- At an on-site school sponsored activity;
- While traveling to or from school; or
- At an off-site school sponsored activity;

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

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

#### Emergency Administration of Glucagon and Insulin

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

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

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

#### Emergency Administration of Epinephrine

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

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer auto-injector epinephrine to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

Students with an order from and a licensed health care provider to self-administer auto-injectable epinephrine and who have written permission from their parent or guardian shall provide the school nurse an epinephrine auto-injector. This epinephrine will be used in the event the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes the student is having a life-threatening anaphylactic reaction and the student is either not self-carrying his/her /epinephrine auto-injector or the nurse is unable to locate it.

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

#### Emergency Administration of Albuterol

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

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

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

## Emergency Administration of Anti-opioid

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

Legal References:     Ark. State Board of Nursing: School Nurse Roles and Responsibilities  
                              Division of Elementary and Secondary Education and  
                              Arkansas State Board of Nursing Rules Governing the Administration of  
  Glucagon to Arkansas Public School Students Suffering from Type I  
  Diabetes  
                              A.C.A. § 6-18-701  
                              A.C.A. § 6-18-707  
                              A.C.A. § 6-18-711  
                              A.C.A. § 6-18-714  
                              A.C.A. §17-87-103 (11)  
                              A.C.A. §20-13-405

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## 4.35F—MEDICATION ADMINISTRATION CONSENT FORM

Student's Name (Please Print) \_\_\_\_\_

This form is good for school year \_\_\_\_\_. This consent form must be updated anytime the student's medication order changes and renewed each year and/or anytime a student changes schools.

Medications, including those for self-administration, must be in the original container and be properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings.

I hereby authorize the school nurse, or his/her designee, to administer the following medications to my student.

Name(s) of medication(s) \_\_\_\_\_

Name of physician or dentist (if applicable) \_\_\_\_\_

Dosage \_\_\_\_\_

Instructions for administering the medication \_\_\_\_\_

\_\_\_\_\_

Other instructions \_\_\_\_\_

\_\_\_\_\_

I hereby authorize \_\_\_\_\_ to administer the above medication to my student in the unavailability of the school nurse at school in accordance with the above medication administration instructions.

I authorize the school nurse to take a photograph of my student to be used to verify my student's identification before the school nurse or an authorized individual administers medications to my student.

I acknowledge that the District, its Board of Directors, and its employees shall be immune from civil liability for damages resulting from the administration of medications in accordance with this consent form.

Parent or legal guardian signature \_\_\_\_\_

Date \_\_\_\_\_

Date Adopted:

Last Revised: June 11, 2019

## 4.35F2—MEDICATION SELF-ADMINISTRATION CONSENT FORM

Student's Name (Please Print) \_\_\_\_\_

This form is good for school year \_\_\_\_\_. This consent form must be updated anytime the student's medication order changes and renewed each year and/or anytime a student changes schools.

The following must be provided for the student to be eligible to self-administer rescue inhalers and/or auto-injectable epinephrine. Eligibility is **only** valid for this school for the current academic year.

- a written statement from a licensed health-care provider who has prescriptive privileges that he//she has prescribed the rescue inhaler and/or auto-injectable epinephrine for the student and that the student needs to carry the medication on his/her person due to a medical condition;
- the specific medications prescribed for the student;
- an individualized health care plan developed by the prescribing health-care provider containing the treatment plan for managing asthma and/or anaphylaxis episodes of the student and for medication use by the student during school hours; and
- a statement from the prescribing health-care provider that the student possesses the skill and responsibility necessary to use and administer the asthma inhaler and/or auto-injectable epinephrine.

If the school nurse is available, the student shall demonstrate his/her skill level in using the rescue inhalers and/or auto-injectable epinephrine to the nurse.

Rescue inhalers and/or auto-injectable epinephrine for a student's self-administration shall be supplied by the student's parent or guardian and be in the original container properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings.

Students who self-carry a rescue inhaler or an epinephrine auto-injector shall also provide the school nurse with a rescue inhaler or an epinephrine auto-injector to be used in emergency situations.

I understand this form authorizes my student to possess and use the medication(s) included on this form while on school grounds and at school sponsored events but that distribution of the medication(s) included on this form to other students may lead to disciplinary action against my student.

My signature below is an acknowledgment that I understand that the District, its Board of Directors, and its employees shall be immune from civil liability for injury resulting from the self-administration of medications by the student named above.

Parent or legal guardian signature \_\_\_\_\_

Date \_\_\_\_\_

Date Adopted:

Last Revised: June 11, 2019

### 4.35F3—GLUCAGON AND/OR INSULIN ADMINISTRATION CONSENT FORM

Student's Name (Please Print) \_\_\_\_\_

This form is good for school year \_\_\_\_\_. This consent form must be updated anytime the student's medication order changes and renewed each year and/or anytime a student changes schools.

The school has developed an individual health plan (IHP) acknowledging that my child has been diagnosed as suffering from diabetes. The IHP authorizes the school nurse to administer Glucagon or insulin to my child in an emergency situation.

In the absence of the nurse, trained volunteer district personnel may administer to my child in an emergency situation:

Glucagon \_\_\_\_\_

Insulin \_\_\_\_\_

I hereby authorize the school nurse to administer Glucagon and insulin to my child, or, in the absence of the nurse, trained volunteer district personnel designated as care providers, to administer the medication(s) I selected above to my child in an emergency situation. I will supply the medication(s) I selected above to the school nurse in the original container properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings.

I acknowledge that the District, its Board of Directors, its employees, or an agent of the District, including a healthcare professional who trained volunteer school personnel designated as care providers shall not be liable for any damages resulting from his/her actions or inactions in the administration of Glucagon or insulin in accordance with this consent form and the IHP.

Parent or legal guardian signature \_\_\_\_\_

Date \_\_\_\_\_

Date Adopted: June 19, 2012

Last Revised: June 16, 2015



**4.35F4—EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM**

Student’s Name (Please Print) \_\_\_\_\_

This form is good for school year \_\_\_\_\_. This consent form must be updated anytime the student's medication order changes and renewed each year and/or anytime a student changes schools.

My child has an IHP that provides for the administration of epinephrine in emergency situations. I hereby authorize the school nurse or other school employee certified to administer auto-injectable epinephrine to administer auto-injectable epinephrine in emergency situations when he/she believes my child is having a life-threatening anaphylactic reaction.

The medication must be in the original container and be properly labeled with the student’s name, the ordering provider’s name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings.

Date of physician's order \_\_\_\_\_

Circumstances under which Epinephrine may be administered \_\_\_\_\_

\_\_\_\_\_

Other instructions \_\_\_\_\_

\_\_\_\_\_

I acknowledge that the District, its Board of Directors, and its employees shall be immune from civil liability for damages resulting from the administration of auto-injector epinephrine in accordance with this consent form, District policy, and Arkansas law.

Parent or legal guardian signature \_\_\_\_\_

Date \_\_\_\_\_

Date Adopted: June 17, 2014

Last Revised: June 11, 2019

**4.35F5—ALBUTEROL EMERGENCY ADMINISTRATION CONSENT FORM**

Student’s Name (Please Print) \_\_\_\_\_

This form is good for school year \_\_\_\_\_. This consent form must be updated anytime the student's medication order changes and renewed each year and/or anytime a student changes schools.

My child has an IHP that provides for the administration of albuterol in emergency situations. I hereby authorize the school nurse or other school employee certified to administer albuterol to administer albuterol in emergency situations when he/she believes my child is in perceived respiratory distress.

The medication must be in the original container and be properly labeled with the student’s name, the ordering provider’s name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings.

Date of physician's order \_\_\_\_\_

Circumstances under which albuterol may be administered

\_\_\_\_\_

\_\_\_\_\_

Other instructions \_\_\_\_\_

\_\_\_\_\_

I acknowledge that the District, its Board of Directors, and its employees shall be immune from civil liability for damages resulting from the administration of albuterol in accordance with this consent form, District policy, and Arkansas law.

Parent or legal guardian signature \_\_\_\_\_

Date \_\_\_\_\_

Date Adopted: June 11, 2019  
Last Revised:

#### **4.36—STUDENT ILLNESS/ACCIDENT**

If a student becomes too ill to remain in class and/or could be contagious to other students, the principal or designee will attempt to notify the student's parent or legal guardian. The student will remain in the school's health room or a place where he/she can be supervised until the end of the school day or until the parent/legal guardian can check the student out of school.

If a student becomes seriously ill or is injured while at school and the parent/legal guardian cannot be contacted, the failure to make such contact shall not unreasonably delay the school's expeditious transport of the student to an appropriate medical care facility. The school assumes no responsibility for treatment of the student. When available, current, and applicable, the student's emergency contact numbers and medical information will be utilized. Parents are strongly encouraged to keep this information up to date.

**Accidents:** The principal, or designee, shall be responsible for giving emergency care to students injured at school. If the accident is of minor nature, first aid shall be administered, and the parent/guardian shall be called. If neither parent/guardian can be located, directions on the student's emergency form shall be followed. In extreme emergencies, an ambulance shall be called, and the child shall be taken immediately to the emergency room of one of the hospitals. A written report shall be filed for any accident which warrants the attention of a physician.

**First Aid:** Each school of the district shall store adequate first aid supplies, and each school shall have in its employ at least one person who is certified by the American Red Cross or approved by the State Department of Education as qualified to administer emergency first aid, and who shall be on the school grounds during normal school hours. When practical, the parent/guardian shall be contacted before such first aid is given.

**Eye Safety:** Students participating in courses where the materials could possibly damage the eyes are required by law to wear some type of protective glasses.

Date Adopted: June 29, 2010

Last Revised:

## **4.37 – EMERGENCY DRILLS**

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than three (3) times per year with at least one each in the months of September, January, and February. Students who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct an annual active shooter drill and school safety assessment for all District schools in collaboration with local law enforcement and emergency management personnel. Students will be included in the drills to the extent that is developmentally appropriate to the age of the student and grade configuration of the school. Drills may be conducted during the instructional day or during non-instructional time periods.

Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of violence, terrorist attack, natural disaster, or other emergency. Students shall be included in the drills to the extent practicable.

Legal References:     A.C.A. § 12-13-109  
                              A.C.A. § 6-10-110  
                              A.C.A. § 6-10-121  
                              A.C.A. § 6-15-1302  
                              A.C.A. § 6-15-1303  
                              Ark. Division of Academic Facilities and Transportation Rules Governing  
                              Maintenance and Operations of Ark. Public School Buses and Physical  
                              Examinations of School Bus Drivers 4.03.1

Date Adopted: June 29, 2010  
Last Revised: June 16, 2015

#### **4.38—PERMANENT RECORDS**

Permanent school records, as required by the Division of Elementary and Secondary Education (DESE), shall be maintained for each student enrolled in the District until the student receives a high school diploma or its equivalent or is beyond the age of compulsory school attendance. A copy of the student's permanent record shall be provided to the receiving school district within ten (10) school days after the date a request from the receiving school district is received.

Legal References:     A.C.A. § 6-18-901  
                              DESE Rules Governing Student Permanent Records

Date Adopted: June 29, 2010  
Last Revised: June 11, 2019

## 4.39 – CORPORAL PUNISHMENT

### Option 1

The Nettleton School Board authorizes the use of corporal punishment to be administered in accordance with this policy by the Superintendent or the superintendent's designated staff members who are required to have a state-issued license as a condition of their employment.

Prior to the administration of corporal punishment, the student receiving the corporal punishment shall be given an explanation of the reasons for the punishment and be given an opportunity to refute the charges.

All corporal punishment shall be administered privately, i.e. out of the sight and hearing of other students, shall not be excessive, or administered with malice, and shall be administered in the presence of another school administrator or designee who shall be a licensed staff member employed by the District.

Corporal punishment shall not be used as a form of discipline for a student who is intellectually disabled, non-ambulatory, non-verbal, or autistic.

### **Procedures**

1. Corporal Punishment: Any teacher or school administrator in a school district that authorizes use of Corporal Punishment written in the district's student discipline policy may use Corporal Punishment in the presence of an administrator or his designee. It must be administered in accordance with the district's written student discipline policy and only to maintain discipline and order within the public schools.
2. It will not be administered in the presence of other students, not in malice, anger or in excess.
3. Prior to administering corporal punishment, the administrator or teacher shall advise the student of the rule and infraction for which the punishment is being administered in the presence of the witness. The student should be allowed to make a statement but school personnel are not required to conduct a formal hearing.
4. Corporal Punishment shall be administered to the lower posterior only.
5. No employee, other than the building principal, assistant principal or superintendent shall administer corporal punishment for another employee.
6. Refusal to take corporal punishment shall result in alternate disciplinary action, including but not limited to suspension of the student.
7. The principal shall be notified when corporal punishment is administered and a written report shall be submitted which states the reasons for the punishment and the name of the witness(es).

Legal Reference: A.C.A. § 6-18-503 (b)

Date Adopted: June 29, 2010

Date Revised: June 11, 2019

#### **4.40—HOMELESS STUDENTS**

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

- Receive appropriate time and training in order to carry out the duties required by law and this policy;
- Coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensure that school personnel receive professional development and other support regarding their duties and responsibilities for homeless youths;
- Ensure that unaccompanied homeless youths:
  - Are enrolled in school;
  - Have opportunities to meet the same challenging State academic standards as other children and youths, and
  - Are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid;
- Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.

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

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

For the purposes of this policy "school of origin" means:

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

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

1. Continue the child's or youth's education in the school of origin for the duration of homelessness:

- In any case in which a family becomes homeless between academic years or during an academic year; and
  - For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
2. Enroll the child or youth in any public school that non homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

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

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

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

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

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

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

- (a) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
- (b) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- (c) are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and includes
- (d) are migratory children who are living in circumstances described in clauses (a) through (c).



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

Legal References: 42 U.S.C. § 11431 et seq.\*\*  
42 U.S.C. § 11431 (2)  
42 U.S.C. § 11432(g)(1)(H)(I)  
42 U.S.C. § 11432 (g)(1)(J)(i), (ii), (iii), (iii)(I), (iii)(II)  
42 U.S.C. § 11432 (g)(3)(A), (A)(i), (A)(i)(I), (A)(i)(II), (A)(ii)  
42 U.S.C. § 11432 (g)(3)(B)(i), (ii), (iii)  
42 U.S.C. § 11432 (g)(3)(C)(i), (ii), (iii)  
42 U.S.C. § 11432 (g)(3)(E)(i), (ii), (iii)  
42 U.S.C. § 11432 (g)(3)(G)  
42 U.S.C. § 11432 (g)(4) (A), (B), (C), (D), (E)  
42 U.S.C. § 11434a  
Commissioner's Memo COM-18-044

Date Adopted: June 29, 2010

Last Revised: June 26, 2018

#### **4.41—PHYSICAL EXAMINATIONS OR SCREENINGS**

The school district shall provide periodic vision screenings for students enrolled in pre- kindergarten, kindergarten, grades one, two, four, six and eight, and all special needs and new students in the system. (Ark.6-18-1501). The school district shall provide periodic hearing screenings for students enrolled in kindergarten, grades one, three, five and seven, and all special needs and new students in the system. Members of the school staff or a parent/guardian may refer any student for such examination. If examination reveals deficiencies in either hearing or vision, a written referral will be sent home. It becomes the parent/guardian's responsibility to have the student examined by a physician (Ark. 6-18-701). Third party billing is attempted for compensation on hearing and vision screening tests.

The school district shall provide a continuous scoliosis screening program in which girls in the sixth (6) and eighth (8) grades shall receive a scoliosis screening. Boys in the eighth (8) grade shall receive a scoliosis screening. For students with a scoliometer reading greater than seven (7) degrees, a written referral will be sent home. It becomes the parent/guardian's responsibility to have the student examined by a physician (Arkansas Law 20-25-802).

Physical examinations shall be required of all students prior to engaging in practice or participating in any interscholastic athletic competition.

The school district shall obtain annual height and weight measurements for students in grades kindergarten, 2,4,6,8, and 10 for calculating Body Mass Index (BMI) percentile by age and provide a health report for parents according to guidelines of Act 201 (2007). Parents may provide a written refusal for their child to be assessed and reported for BMI percentile.

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

Except in instances where a student is suspected of having a contagious or infectious disease, parents shall have the right to opt their student out of the exams or screenings by providing certification from a physician that he/she has recently examined the student.

Legal References: A.C.A. § 6-18-701 (b), (c), (e), (f)

Date Adopted: June 29, 2010

Last Revised:

#### **4.42—STUDENT HANDBOOK**

It shall be the policy of the Nettleton School District that the most recently adopted version of the Student Handbook be incorporated by reference into the policies of this district. In the event that there is a conflict between the student handbook and a general board policy or policies, the more recently adopted language will be considered binding and controlling on the matter provided the parent(s) of the student, or the student if 18 years of age or older have acknowledged receipt of the controlling language. The Student Handbook may be viewed online or a hard copy can be checked out from the principal's office. If checked out, it must be returned at the end of the year to avoid a \$10.00 replacement fee.

Principals shall review all changes to student policies and ensure that such changes are provided to students and parents, either in the Handbook or, if changes are made after the handbook is printed, as an addendum to the handbook.

Principals and counselors shall also review Policies 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS and the current DESE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, the Principal and/or Counselor shall notify the Superintendent and Curriculum Coordinator immediately, so that corrections may be made and notice of the requirements given to students and parents.

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

## 4.43—BULLYING

### Definitions

“Attribute” means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation;

“Bullying” means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that may address an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated and that causes or creates actual or reasonably foreseeable:

- Physical harm to a public school employee or student or damage to the public school employee's or student's property;
- Substantial interference with a student's education or with a public school employee's role in education;
- A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
- Substantial disruption of the orderly operation of the school or educational environment;

Examples of "Bullying" include, but are not limited to, a pattern of behavior involving one or more of the following:

1. Cyberbullying;
2. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes,
3. Pointed questions intended to embarrass or humiliate,
4. Mocking, taunting or belittling,
5. Non-verbal threats and/or intimidation such as “fronting” or “chesting” a person,
6. Demeaning humor relating to a student's actual or perceived attributes,
7. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
8. Blocking access to school property or facilities,
9. Deliberate physical contact or injury to person or property,
10. Stealing or hiding books or belongings,
11. Threats of harm to student(s), possessions, or others,
12. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
13. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether the student self-identifies as homosexual or transgender (Examples: “Slut”, “You are so gay.”, “Fag”, “Queer”).

"Cyberbullying" means any form of communication by electronic act that is sent with the purpose to:

- Harass, intimidate, humiliate, ridicule, defame, or threaten a student, school employee, or person with whom the other student or school employee is associated; or
- Incite violence towards a student, school employee, or person with whom the other student or school employee is associated.

Cyberbullying of School Employees includes, but is not limited to:

- a. Building a fake profile or website of the employee;
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
- c. Posting an original or edited image of the school employee on the Internet;
- d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee;
- e. Making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
- f. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;
- g. Signing up a school employee for a pornographic Internet site; or
- h. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

Cyberbullying is prohibited whether or not the cyberbullying originated on school property or with school equipment, if the cyberbullying results in the substantial disruption of the orderly operation of the school or educational environment or is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose.

“Harassment” means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other's performance in the school environment; and

“Substantial disruption” means without limitation that any one or more of the following occur as a result of the bullying:

- Necessary cessation of instruction or educational activities;
- Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
- Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
- Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

Respect for the dignity of others is a cornerstone of civil society. Bullying creates an atmosphere of fear and intimidation, robs a person of his/her dignity, detracts from the safe environment necessary to promote student learning, and will not be tolerated by the Board of Directors. Students who bully another person shall be held accountable for their actions whether they occur on school equipment or property; off school property at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops.

Students are encouraged to report behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, to their teacher or the building principal. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the building principal, or designee, as soon as possible. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the building principal, or designee.

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

A building principal, or designee, who receives a credible report or complaint of bullying shall:

1. As soon as reasonably practicable, but by no later than the end of the school day following the receipt of the credible report of bullying:
  - a. Report to a parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student that their student is the victim in a credible report of bullying; and
  - b. Prepare a written report of the alleged incident of bullying;
2. Promptly investigate the credible report or complaint of bullying, which shall be completed by no later than the fifth (5<sup>th</sup>) school day following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student who was the alleged victim in a credible report of bullying whether the investigation found the credible report or complaint of bullying to be true and the availability of counseling and other intervention services.
4. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of the student, or person acting in loco parentis of the student who is alleged to have been the perpetrator of the incident of bullying:
  - a. That a credible report or complaint of bullying against their student exists;
  - b. Whether the investigation found the credible report or complaint of bullying to be true;
  - c. Whether action was taken against their student upon the conclusion of the investigation of the alleged incident of bullying; and
  - d. Information regarding the reporting of another alleged incident of bullying, including potential consequences of continued incidents of bullying;
5. Make a written record of the investigation, which shall include:
  - a. A detailed description of the alleged incident of bullying, including without limitation
    - a. detailed summary of the statements from all material witnesses to the alleged incident of bullying;
    - b. Any action taken as a result of the investigation; and
6. Discuss, as appropriate, the availability of counseling and other intervention services with students involved in the incident of bullying.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to

other violations of the student handbook which may have simultaneously occurred. In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus. Parents, legal guardians, person having lawful control of a student, persons standing in loco parentis, students, school volunteers, and employees shall be given copies of the notice annually.

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

Copies of this policy shall be available upon request.

Legal References:     A.C.A. § 5-71-217  
                              A.C.A. § 6-18-514

Date Adopted: June 29, 2010

Last Revised: June 11, 2019

#### **4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2020**

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are 18 years of age or older, sign a *Smart Core Waiver Form* to not participate. While Smart Core is the default option, a *Smart Core Information Sheet* and a *Smart Core Waiver Form* will be sent home with students prior to their enrolling in seventh grade, or when a 7-12 grade student enrolls in the district for the first time and there is not a signed waiver form in the student's permanent record. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the Alternate Pathway of Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the deadline for them to sign and return the waiver form.

While there are similarities between the two curriculums, following the Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Core curriculum may subsequently change to the Smart Core curriculum **providing** they would be able to complete the required course of study by the end of their senior year. Students wishing to change their choice of curriculums must consult with their counselor to determine the feasibility of changing paths.

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

Sufficient information relating to Smart Core and the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding of each. This may be accomplished through any or all of the following means.

- Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;
- Discussion of the Smart Core curriculum and graduation requirements at the school's annual public meeting, PTA meetings, or a meeting held specifically for the purpose of informing the public on this matter;
- Discussions held by the school's counselors with students and their parents; and/or
- Distribution of a newsletter(s) to parents or guardians of the district's students.

Administrators, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children for all students who meet the definition of "eligible child" in Policy 4.2 – ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.



## GRADUATION REQUIREMENTS

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of 22 units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 1 unit to graduate for a total of 23 units. The additional required units may be taken from any electives offered by the district. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

All students must receive a passing score on the Arkansas Civics Exam in order to graduate.

Students shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation and the use of automated external defibrillators in order to graduate.

### Digital Learning Courses

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format. In addition to the other graduation requirements contained in this policy, students are required to take at least one (1) digital learning course for credit while in high school.

### SMART CORE: Sixteen (16) units

English: four (4) units – 9th, 10th, 11th, and 12th

Oral Communications: one-half (1/2) unit

Mathematics: four (4) units (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.)

1. Algebra I or Algebra A & B\* which may be taken in grades 7-8 or 8-9

2. Geometry or Geometry A & B\* which may be taken in grades 8-9 or 9-10

\*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four-unit requirement for the purpose of meeting the **graduation** requirement, but only serve as one unit each toward fulfilling the **Smart Core** requirement.

3. Algebra II; and

4. The fourth unit may be either:

- A math unit approved by DESE beyond Algebra II or
- One unit of computer science chosen from DESE Essentials of Computer Programming, DESE Computer Science and Mathematics, AP Computer Science, IB Computer Science, or other options approved by DESE.

Natural Science: three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - An additional science credit approved by DESE; or
  - A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- Civics - one-half ( $\frac{1}{2}$ ) unit
- World History - one unit
- American History - one unit
- Other social studies – one-half ( $\frac{1}{2}$ ) unit

Physical Education: one-half ( $\frac{1}{2}$ ) unit

**Note:** While one-half ( $\frac{1}{2}$ ) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half ( $\frac{1}{2}$ ) unit

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.

Fine Arts: one-half ( $\frac{1}{2}$ ) unit

### **CAREER FOCUS: - Seven (7) units**

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

### **CORE: Sixteen (16) units**

English: four (4) units – 9, 10, 11, and 12

Oral Communications: one-half ( $\frac{1}{2}$ ) unit

Mathematics: four (4) units

- Algebra or its equivalent\* - 1 unit

- Geometry or its equivalent\* - 1 unit
  - All math units must build on the base of algebra and geometry knowledge and skills.
  - (Comparable concurrent credit college courses may be substituted where applicable)
  - One unit of computer science chosen from DESE Essentials of Computer Programming, DESE Computer Science and Mathematics, AP Computer Science, IB Computer Science, or other options approved by DESE may be substituted for a math credit beyond Algebra I and Geometry.
- \*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.

Science: three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - An additional science credit approved by DESE; or
  - A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- Civics one-half (1/2) unit
- World history, one (1) unit
- American History, one (1) unit
- Other social studies – one half (1/2) unit

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

**Note:** While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit

Economics – one half (1/2) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.

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

### **CAREER FOCUS: - Seven (7) units**

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

Legal References: Standards of Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3  
DESE Guidelines for the Development of Smart Core Curriculum Policy  
DESE Rules Governing Distance and Digital Learning  
Smart Core Information Sheet 2018  
Smart Core Waiver Form 2018  
Commissioner’s Memo LS-18-082  
A.C.A. § 6-4-302  
A.C.A. § 6-16-122  
A.C.A. § 6-16-143  
A.C.A. § 6-16-149  
A.C.A. § 6-16-150  
A.C.A. § 6-16-1406  
A.C.A. § 6-18-107

Date Adopted: June 17, 2014  
Last Revised: June 11, 2019

#### **4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2021 AND THEREAFTER**

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are eighteen (18) years of age or older, sign a *Smart Core Waiver Form* to not participate. While Smart Core is the default option, a *Smart Core Information Sheet* and a *Smart Core Waiver Form*<sup>1</sup> will be sent home with students prior to their enrolling in seventh (7<sup>th</sup>) grade, or when a seventh (7<sup>th</sup>) through twelfth (12<sup>th</sup>) grade student enrolls in the district for the first time and there is not a signed waiver form in the student's permanent record. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the Alternate Pathway to Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the deadline for them to sign and return the waiver forms.

While there are similarities between the two curriculums, following the Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Core curriculum may subsequently change to the Smart Core curriculum **providing** they would be able to complete the required course of study by the end of their senior year.<sup>2</sup> Students wishing to change their choice of curriculums must consult with their counselor to determine the feasibility of changing paths.

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

Sufficient information relating to Smart Core and the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding of each. This may be accomplished through any or all of the following means:<sup>4</sup>

- Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;
- Discussion of the Smart Core curriculum and graduation requirements at the school's annual public meeting, PTA meetings, or a meeting held specifically for the purpose of informing the public on this matter;
- Discussions held by the school's counselors with students and their parents; and/or
- Distribution of a newsletter(s) to parents or guardians of the district's students.

Administrators, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.<sup>5</sup>

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE

REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

### **GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 1 unit to graduate for a total of 23 units. The additional required units may be taken from any electives offered by the district.<sup>6</sup> There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

All students must receive a passing score on the Arkansas Civics Exam in order to graduate.

Students shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation and the use of automated external defibrillators in order to graduate.

#### **Digital Learning Courses**

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format.<sup>7</sup> In addition to the other graduation requirements contained in this policy, students are required to take at least one (1) digital learning course for credit while in high school.

#### **Personal and Family Finance**

All students shall receive credit in a course covering the Personal and Family Finance Standards in order to graduate.

#### **SMART CORE: Sixteen (16) units**

English: four (4) units – 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>

Oral Communications: one-half (½) unit

Mathematics: four (4) units (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.)

1) Algebra I or Algebra A & B\* which may be taken in grades 7-8 or 8-9;

2) Geometry or Geometry A & B\* which may be taken in grades 8-9 or 9-10;

\*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four-unit requirement for the purpose of meeting the **graduation** requirement, but only serve as one unit each toward fulfilling the **Smart Core** requirement.

3) Algebra II; and

4) The fourth unit may be either:

- A math unit approved by DESE beyond Algebra II or
- A computer science flex credit may be taken in the place of a fourth math credit.

Natural Science: three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - An additional science credit approved by DESE; or
  - A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- Civics one-half ( $\frac{1}{2}$ ) unit
- World History - one unit
- American History - one unit
- Other social studies – one-half unit ( $\frac{1}{2}$ ) unit

Physical Education: one-half ( $\frac{1}{2}$ ) unit

**Note:** While one-half ( $\frac{1}{2}$ ) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half ( $\frac{1}{2}$ ) unit

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>9</sup>

Fine Arts: one-half ( $\frac{1}{2}$ ) unit

**CAREER FOCUS: - Six (6) units**

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

**CORE: Sixteen (16) units**

English: four (4) units – 9<sup>th</sup> 10<sup>th</sup> 11<sup>th</sup> and 12<sup>th</sup>

Oral Communications: one-half ( $\frac{1}{2}$ ) unit

Mathematics: four (4) units

- Algebra or its equivalent\* - 1 unit
- Geometry or its equivalent\* - 1 unit

- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable concurrent credit college courses may be substituted where applicable)
- A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry

\*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.

Science: three (3) units

- DESE approved biology – 1 credit;
- DESE approved physical science – 1 credit; and
- A third unit that is either:
  - An additional science credit approved by DESE; or
  - A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- Civics one-half ( $\frac{1}{2}$ ) unit
- World history, one (1) unit
- American History, one (1) unit
- Other social studies – one-half ( $\frac{1}{2}$ ) unit

Physical Education: one-half ( $\frac{1}{2}$ ) unit

**Note:** While one-half ( $\frac{1}{2}$ ) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half ( $\frac{1}{2}$ ) unit

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>9</sup>

Fine Arts: one-half ( $\frac{1}{2}$ ) unit

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A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

Legal References: Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3



DESE Guidelines for the Development of Smart Core Curriculum Policy  
DESE Rules Governing Distance and Digital Learning  
Smart Core Information Sheet  
Smart Core Waiver Form  
Commissioner's memo LS-18-082  
A.C.A. § 6-4-302  
A.C.A. § 6-16-122  
A.C.A. § 6-16-143  
A.C.A. § 6-16-149  
A.C.A. § 6-16-150  
A.C.A. § 6-16-1406  
A.C.A. § 6-18-107

Date Adopted: June 27, 2017

Last Revised: June 11, 2019

#### **4.46—PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance shall be recited during the first class period of each school day. Those students choosing to participate shall do so by facing the flag with their right hands over their hearts, or in an appropriate salute if in uniform, while reciting the Pledge. Students choosing not to participate shall be quiet while either standing or sitting at their desks.

Students shall not be compelled to recite the Pledge, but students who choose not to recite the Pledge shall not disrupt those students choosing to recite the Pledge.

Students choosing not to recite the Pledge shall not be subject to any comments, retaliation, or disciplinary action.

Legal Reference: A.C.A. § 6-16-108

Date Adopted: June 29, 2010

Last Revised:

#### **4.47– POSSESSION AND USE OF CELL PHONES, AND OTHER ELECTRONIC DEVICES**

Students are responsible for conducting themselves in a manner that respects the rights of others. Possession and use of any electronic device, whether district or student owned, that interferes with a positive, orderly classroom environment does not respect the rights of others and is expressly forbidden.

To protect the security of statewide assessments, no electronic device, as defined in this policy, shall be accessible by a student at any time during assessment administration unless specifically permitted by a student's individualized education program (IEP) or individual health plan; this means that when a student is taking an AESAA assessment, the student shall not have his/her electronic device in his/her possession. Any student violating this provision shall be subject to this policy's disciplinary provisions.

As used in this policy, “electronic devices” means anything that can be used to transmit or capture images, sound, or data.

Misuse of electronic devices includes, but is not limited to:

1. Using electronic devices during class time in any manner other than specifically permitted by the classroom instructor;
2. Permitting any audible sound to come from the device when not being used for reason #1 above;
3. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores;
4. Using the device record audio or video or to take photographs in areas where a general expectation of personal privacy exists, including but not limited locker rooms and bathrooms;
5. Creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.

Use of an electronic device is permitted to the extent it is approved in a student’s individualized education program (IEP) or it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Before and after normal school hours, possession of electronic devices is permitted on the school campus. The use of such devices at school sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending.

A parent shall obtain approval from the student’s building principal before operating a student-tracking safety device at school or at a school-sponsored event if the device has recording or listen-in capability. The District requires the device’s recording and listen-in technology to be disabled

while the device is on the campus or at the school-sponsored event because of student privacy concerns. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other students. The student's parent shall agree in writing to the requirement for the device's recording and listening-in technology to be disabled and that the District may prohibit future use of the device on campus or at a school-sponsored activity if it is determined that the device's recording or listening-in capabilities were used in violation of this policy before the student safety tracking device may be on campus or at a school-sponsored event.

The student and/or the student's parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the school's administration office by the student's parents or guardians. Students have no right of privacy as to the content contained on any electronic devices that have been confiscated. A search of a confiscated device shall meet the reasonable individualized suspicion requirements of Policy 4.32 – SEARCH, SEIZURE, AND INTERROGATIONS.

Students who use a school issued cell phones and/or computers for non-school purposes, except as permitted by the district's Internet/computer use policy, shall be subject to discipline, up to and including suspension or expulsion. Students are forbidden from using school issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including expulsion.

No student shall use any wireless communication device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle that is in motion and on school property. Violation may result in disciplinary action up to and including suspension.

Legal Reference:       A.C.A. §6-18-515  
                              A.C.A. § 27-51-1602  
                              A.C.A. § 27-51-1603  
                              A.C.A. § 27-51-1609  
                              DESE Test Administration Manual

Date Adopted: June 29, 2010  
Last Revised: June 11, 2019

#### **4.48—VIDEO SURVEILLANCE**

The board has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding district facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras.

The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as rest rooms or dressing areas where an expectation of privacy is reasonable and customary.

Signs shall be posted on campus buildings and in district vehicles to notify students, staff, and visitors that video cameras may be in use. Parents and students shall also be notified through the student handbook that cameras may be in use in school buildings, on school grounds and in school vehicles. Students will be held responsible for any violations of school discipline rules caught by the cameras.

The district shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording.

Videos containing evidence of a violation of student conduct rules and/or state or federal law shall be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or student handbook; any release or viewing of such records shall be in accordance with current law.

Students who vandalize, damage, disable, or render inoperable (temporarily or permanently) surveillance cameras and equipment shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Legal References:     20 USC 1232(g)  
                              20 U.S.C. 7115  
                              34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31

Date Adopted: June 29, 2010

Last Revised:

#### **4.49—SPECIAL EDUCATION**

The district shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, required under the Individuals With Disabilities Education Act (“IDEA”), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and Arkansas Statutes.

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in state and federal statutes which govern special education. Implementation of an Individualized Education Program (IEP) in accordance with the IDEA satisfies the district's obligation to provide a free and appropriate education under Section 504.

The Board directs the superintendent to ensure procedures are in place for the implementation of special education services and that programs are developed to conform to the requirements of state and federal legislation. The superintendent is responsible for appointing a district coordinator for overseeing district fulfillment of its responsibilities regarding handicapped students. Among the coordinator’s responsibilities shall be ensuring district enforcement of the due process rights of handicapped students and their parents.

#### **DISCIPLINE FOR HANDICAPPED**

As stated in the "Goals of Student Policies," this school exists for the students it serves. The school recognizes that handicapped students may have special needs that would call for modified approaches to disciplinary problems. Each handicapped student shall be afforded an appropriate public education in the least restrictive setting which would include an appropriate plan of discipline for the student.

#### **Procedures**

1. Handicapped students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to free appropriate public education.
2. The Individualized Education Plan (IEP) team for a handicapped student shall determine the particular discipline procedures to be adopted for that student and shall include those procedures in the IEP for the student.
3. The district's grievance officer for Act 504 is designated as the person employed by the district to serve as superintendent of schools.

## **DUE PROCESS**

Every student is entitled to due process in every instance of disciplinary action for which the student may be subjected to penalties of suspensions or expulsion. In all instances, the student shall be informed of the reason for disciplinary action to be taken.

### **Procedures**

1. Due process procedures shall be made known to all students.
2. In all instances in which the alleged violation may result in the suspension or expulsion of a student, the school principal or designee, shall follow the provisions of school district policy regarding these disciplinary actions.
3. The right of appeal is available to all students through district policy concerning complaints and grievances.

## **COMPLAINTS AND GRIEVANCES**

The right of appeal is guaranteed by the Constitution of the United States and this right shall be provided to the students and patrons of this school district.

### **Procedures**

1. If a parent/guardian or student, eighteen years of age or older, wishes to contest a disciplinary ruling or alter action made by a teacher, staff member, or administrator, a written statement listing reasons for the complaint shall be made to the principal of the school.
2. The principal shall rule, or otherwise attempt to resolve the complaint satisfactorily, and shall notify the complainant of the decision. A copy of the written statement and the principal's rationale for ruling or the resolution of the complaint shall be forwarded to the superintendent of schools.
3. If dissatisfied with the ruling or resolution by the principal, the aggrieved party may appeal to the superintendent who will either attempt to resolve the matter or affirm the action.
4. The school district Equity Coordinator may be contacted by any party involved in grievance process for assistance in resolution of the complaint.

Legal References: 34 C.F.R. 300 et seq.  
42 U.S.C. §12101 et seq. American with Disabilities Act  
29 U.S.C. § 794 Rehabilitation Act of 1973, Section 504,  
20 U.S.C. §1400 et seq. Individuals with Disabilities Education Act,  
P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act  
A.C.A. § 6-41-201 et seq.

Date Adopted: June 29, 2010

Last Revised:

## 4.50—SCHOOL MEAL MODIFICATIONS

The district only provides modified meal components on menus to accommodate students with a disability. A parent/guardian wishing to request for their student with a disability must submit to the district's Director of Child Nutrition a medical statement completed by a State licensed healthcare professional, which includes:

- Physicians, including those licensed by:
  - The Arkansas State Medical Board;
  - The Arkansas State Board of Chiropractic Examiners (Chiropractors);
  - The Arkansas Board of Podiatric Medicine (Podiatrists);
- Nurse Practitioners (APRNs in family or pediatric practice with prescriptive authority);
- Physician Assistants (PAs who work in collaborative practice with a physician); and
- Dentists.

The medical statement should include:

1. A description of the student's disability that is sufficient to understand how the disability restricts the student's diet;
2. An explanation of what must be done to accommodate the disability, which may include:
  - a. Food(s) to avoid or restrict;
  - b. Food(s) to substitute;
  - c. Caloric modifications; or
  - d. The substitution of a liquid nutritive formula.

If the information provided in the medical statement is unclear, or lacks sufficient detail, the district's Director of Child Nutrition shall request additional information so that a proper and safe meal can be provided.

When choosing an appropriate approach to accommodate a student's disability, the District will consider the expense and efficiency of the requested accommodations. The District will offer a reasonable modification that effectively accommodates the child's disability and provides equal opportunity to participate in or benefit from the program, which may include a generic version of a product.

Parents may file a grievance regarding the request for accommodations with the District's 504 Coordinator, who will schedule a hearing on the grievance to be held as soon as possible. The 504 coordinator shall provide a copy of the procedures governing the hearing, including that the parent has the right to be accompanied by counsel, and the appeal process upon request.

The district will not prepare meals outside the normal menu to accommodate a family's religious or personal health beliefs.



Legal References:    Commissioner’s Memo FIN-09-044  
                          Commissioner’s Memo FIN-15-122  
                          Commissioner’s Memo CNU-17-051  
                          Commissioner’s Memo CNU-18-008  
                          Commissioner’s Memo CNU-18-023  
                          7 CFR 210.10(g)

Date Adopted: June 29, 2010

Last Revised: June 27, 2017

#### **4.51— FOOD SERVICE PREPAYMENT**

The district does not offer credit for food items purchased in the school cafeteria; payment for such items is due at the time the food items are received. Parents or students choosing to do so may pay weekly or monthly in advance for students' meals.

Date Adopted: June 29, 2010

Last Revised:

## **4.52—STUDENTS WHO ARE FOSTER CHILDREN**

The District will afford the same services and educational opportunities to foster children that are afforded other children and youth. The District shall work with the Department of Human Services (“DHS”), the Division of Elementary and Secondary Education (DESE), and individuals involved with each foster child to ensure that the foster child is able to maintain his/her continuity of educational services to the fullest extent that is practical and reasonable.

The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational liaison for foster children and youth whose responsibilities shall include ensuring the timely school enrollment of each foster child and assisting foster children who transfer between schools by expediting the transfer of relevant educational records.

The District, working with other individuals and agencies shall, unless the presiding court rules otherwise or DHS grants a request to transfer under Foster Child School Choice, ensure that the foster child remains in his/her school of origin, even if a change in the foster child’s placement results in a residency that is outside the district. In such a situation, the District will work with DHS to arrange for transportation to and from school for the foster child to the extent it is reasonable and practical.

Upon notification to the District’s foster care liaison by a foster child’s case worker that a foster child’s school enrollment is being changed to one of the District’s schools, the school receiving the child must immediately enroll him/her. Immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.

A foster child’s grades shall not be lowered due to absence from school that is caused by a change in the child’s school enrollment, the child’s attendance at dependency-neglect court proceedings, or other court-ordered counseling or treatment.

Any course work completed by the foster child prior to a school enrollment change shall be accepted as academic credit so long as the child has satisfactorily completed the appropriate academic placement assessment.

If a foster child was enrolled in a District school immediately prior to completing his/her graduation requirements while detained in a juvenile detention facility or while committed to the Division of Youth Services of DHS, the District shall issue the child a diploma.

### **Foster Child School Choice**

If DHS approves a request from a foster parent, or the foster child if the foster child is eighteen (18) years of age, to transfer to another school in the District or into the district as being in the best interest of the foster child, the District shall allow the foster child to transfer to another school in the District or into the District if the foster parent, or the foster child if the foster child is eighteen (18) years of age, submits a request to transfer on a form approved by DESE that is postmarked by no later than May 1 of the year the student seeks to begin the fall semester at another school in the District or in the District.

By July 1 of the school year in which the student seeks to transfer under this section, the superintendent shall notify the foster parent, or the foster child if the foster child is eighteen (18) years of age, in writing whether the application has been accepted or rejected. If the application is accepted, the superintendent shall state in the notification letter a reasonable deadline for the foster child to enroll in the new school or the District and that failure to enroll by the date shall void the school choice acceptance. If the application is rejected, the superintendent shall state in the notification letter the reason for the rejection and that the foster parent, or the foster child if the foster child is eighteen (18) years of age, may submit a written appeal of the rejection to the State board within ten (10) days of receiving the notification letter.

The District shall only reject a Foster Child School Choice application if:<sup>5</sup>

1. The public school or District has reached the maximum student-to-teacher ratio allowed under federal law, state law, rules for standards of accreditation, or other applicable rule or regulation; or
2. Approving the transfer would conflict with a provision of an enforceable desegregation court order or a public school district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment.

A foster child whose application is rejected by the District may submit a written request within ten (10) days following the receipt of the rejection letter from the superintendent to the State Board of Education for the State Board to reconsider the transfer.

A Foster Child School Choice transfer shall remain in effect until the foster child:

- Graduates from high school; or
- Transfers to another school or school district under:
  - The Foster Child School Choice Act;
  - Opportunity Public School Choice Act;
  - The Public School Choice Act of 2015; or
  - Any other law that allows a transfer.

The District shall accept credits toward graduation that were awarded by another public school district.

When a foster child transfers from the foster child's school of origin to another school in the District or into the District, the foster child or the foster parent is responsible for the foster child's transportation to and from the school the foster child transferred to. The District and the foster parent, or the foster child if the foster child is eighteen (18) years of age, may enter into a written agreement for the District to provide the transportation to and from the school the foster child transferred to.

Legal Reference:     A.C.A. § 9-28-113  
                          A.C.A. § 6-18-233

Date Adopted: June 18, 2013

Last Revised: June 11, 2019

#### **4.53— PLACEMENT OF MULTIPLE BIRTH SIBLINGS**

The parent, guardian or other person having charge or custody of multiple birth siblings in grades pre-K through 6 may request that the multiple birth siblings are placed in either the same or separate classrooms. The request shall be in writing not later than the 14<sup>th</sup> calendar day prior to the first day of classes at the beginning of the academic year. The school shall honor the request unless it would require the school to add an additional class to the sibling's grade level. If one parent of multiple birth siblings requests a placement that differs from that of the other parent of the same multiple birth siblings, the school shall determine the appropriate placement of the siblings.

The school may change the classroom placement of one or more of the multiple birth siblings if:

- There have been a minimum of 30 instructional days since the start of the school year; and
  - After consulting with each classroom teacher in which the siblings were placed, the school determines the parent's classroom placement request is:
    - Detrimental to the educational achievement of one or more of the siblings;
    - Disruptive to the siblings' assigned classroom learning environment; or
    - Disruptive to the school's educational or disciplinary environment.

If a parent believes the school has not followed the requirements of this policy, the parent may appeal the multiple birth siblings' classroom placement to the Superintendent. The Superintendent's decision regarding the appeal shall be final.

Legal Reference: A.C.A. § 6-18-106

Date Adopted: June 18, 2013

Last Revised:

#### 4.54 – STUDENT ACCELERATION

**The Board believes that acceleration is an effective and research-based intervention for the academic growth of students who are ready for an advanced or faster-paced curriculum. It can allow a student to move through the traditional educational setting more rapidly, based on assessed readiness, capability and motivation. At the same time, the Board understands that acceleration is not a replacement for gifted education services or programs.**

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 timespan. Either form of acceleration can be triggered by either a parent/guardian, student, or community member's request or by the referral of school personnel. In either case, the process of determining the appropriateness of the request shall be under the direction of the district/school Gifted and Talented Program Coordinator who shall convene the individuals necessary to make an informed decision which shall include the student's parents or guardians.

While the needs of the student should dictate when acceleration decisions are considered, the Board believes the optimal time for referrals is in the spring which gives adequate time for working through the determination process and for preparing those concerned for a smooth transition to the acceleration beginning in the following school-year.

The District's Gifted and Talented Program Coordinator will create a written format to govern the referral and determination process which shall be made available to any parent or staff member upon request.

The parents/guardians of any student whose request for acceleration has been denied may appeal the decision, in writing to the District's GT Coordinator. The District's GT Coordinator and the Acceleration Placement Committee will again thoroughly review the case study that was completed on the student. Upon completion of the review, the Committee will either request additional new testing be conducted to help the Committee make its determination or it will uphold the initial decision. The Committee's decision may not be further appealed.

Legal Reference: DESE Gifted and Talented Rules

Date adopted: June 18, 2013

Last Revised:

## 4.55—STUDENT PROMOTION AND RETENTION

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

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

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

- a. The building principal or designee;
- b. The student's teacher(s);
- c. School counselor;
- d. A 504/special education representative (if applicable); and
- e. The student's parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis.

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

At least once each semester, the Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis, and teacher(s) of a student in kindergarten through eighth (8<sup>th</sup>) grade shall be notified in writing of the student's independent grade-level-equivalency in reading.

Such remediation shall not require the student to pass a subsequent college and career readiness measurement in order to graduate from high school.

Promotion/retention or graduation of students with an IEP shall be based on their successful attainment of the goals set forth in their IEP.

Each student shall have a student success plan (SSP) developed by school personnel in collaboration with the student's parents and the student that is reviewed and updated annually. A student's SSP shall use multiple academic measures to personalize learning in order for students to achieve their grade-level expectations and individual growth. The SSP will identify if the student is in need of

additional support or acceleration. Academic measures to be used in creating and updating a student's SSP shall include, but are not limited to:

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

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

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

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

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

An SSP shall be created:

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

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

Students who either refuse to sit for a Statewide assessment or attempt to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are originally administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity, including school dances, prom, homecoming, senior events, and may be prevented from walking or participating in graduation exercises. The student shall remain ineligible to participate until the student takes the same or a following Statewide assessment, as applicable. The Superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.<sup>3</sup> Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.



## **GRADES 7-12 SEMESTER TEST EXEMPTION**

In order to be considered for semester test exemption, a student must be in *both* Financial and Academic “Good Standing.”

Financial “Good Standing” is accomplished by:

- All charges and fines paid on any student accounts (Cafeteria, Library, etc.)
- All district paperwork completed and returned (Registration Form, Free and Reduced Lunch Application, etc.)

**Academic “Good Standing” (for the Fall Semester) is accomplished by:**

**Grades 7-11:**

1. No more than three (3) total office referrals. Of which, no more than one (1) may result in ISS, and none (0) can result in OSS.  
AND
2. By scoring “Exceeding” or “Ready” on ACT Aspire Exam, or comparable state mandated exam (based on student performance for the prior school year)  
OR
3. By showing growth on ACT Aspire Exam, or comparable state mandated exam.

**Grade 12:**

1. No more than three (3) total office referrals. Of which, no more than one (1) may result in ISS, and none (0) can result in OSS.  
AND
2. By scoring 19 composite on state administered ACT Exam  
OR
3. By showing growth in state mandated testing (ACT Aspire to state mandated ACT, etc.)

**OR...**

**Grades 7-12:**

1. By earning an A, B or C in the class for fall semester  
AND
2. No more than three (3) total office referrals. Of which, no more than one (1) can result in ISS, and none (0) can result in OSS.  
AND
3. By attending school until the first day of semester testing.

**Academic “Good Standing” (for the Spring Semester) is accomplished by:**

**Grades 7-12:**

1. By earning an A, B or C in the class for spring semester  
AND
2. No more than three (3) total office referrals. Of which, no more than one (1) may result in ISS, and none (0) can result in OSS.  
AND
3. By attending school until the first day of semester testing.

\* A student who qualifies for exemptions, but chooses to take semester tests, cannot have his/her semester grade lowered by the test score.

Legal References:     A.C.A. 6-15-433  
                          A.C.A. § 6-15-2001  
                          A.C.A. § 6-15-2005  
                          A.C.A. § 6-15-2009  
                          A.C.A. § 9-28-205  
                          DESE Rules Governing the Arkansas Comprehensive Testing, Assessment, and  
                          Accountability Program and the Academic Distress Program  
                          DESE Rules Governing Public School End-Of-Course Assessments and  
                          Remediation  
                          Murphy v. State of Ark., 852 F.2d 1039 (8<sup>th</sup> Cir. 1988)

Date Adopted: June 17, 2014

Last Revised: June 25, 2019

## **4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS**

### **Definitions:**

“Academic Courses” are those courses for which class time is scheduled, which can be credited to meet the minimum requirements for graduation, which is taught by a teacher required to have State licensure in the course or is otherwise qualified under Arkansas statute, and has a course content guide which has been approved by the Division of Elementary and Secondary Education (DESE). Any of the courses for which concurrent high school credit is earned may be from an institution of higher education recognized by DESE. If a student passes an academic course offered on a block schedule, the course can be counted twice toward meeting the requirement for students to pass four (4) academic courses per semester as required by this policy.

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

“Field Trips” are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

“Interscholastic Activities” means athletic or non-athletic/academic activities where students compete on a school vs. school basis.

“Intrascholastic Activities” means athletic or non-athletic/academic activities where students compete with students from within the same school.

“Supplemental Improvement Program (SIP)” is an additional instructional opportunity for identified students outside of their regular classroom and meets the criteria outlined in the current Arkansas Activities Association (AAA) Handbook.

### **Extracurricular Eligibility**

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted). Additionally, a student’s participation in, and the District’s operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.<sup>3</sup> Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

A student who enrolls in the district and meets the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS shall be eligible to tryout for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in athletic activity.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

### **Interscholastic Activities**

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.

### **ACADEMIC REQUIREMENTS: Junior High**

A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the first semester. The second semester eighth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The first semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The second semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed (4) academic courses the previous semester which count toward his/her high school graduation requirements.

Ninth-grade students must meet the requirements of the senior high scholarship rule by the end of the second semester in the ninth grade in order to be eligible to participate the fall semester of their tenth-grade year.

## **ACADEMIC REQUIREMENTS: Senior High**

In order to remain eligible for competitive interscholastic activity, a student must have passed (4) academic courses the previous semester and either:

- 1) Have earned a minimum Grade Point Average (GPA) of 2.0 from all academic courses the previous semester; or
- 2) If the student has passed four (4) academic courses the previous semester but does not have a 2.0 GPA the student must be enrolled and successfully participating in an SIP to maintain their competitive interscholastic extracurricular eligibility.

## **STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM**

In order to be considered eligible to participate in competitive interscholastic activities, students with disabilities must pass at least four (4) courses per semester as required by their individual education program (IEP).

## **ARKANSAS ACTIVITIES ASSOCIATION**

In addition to the foregoing rules, the district shall abide by the rules of AAA governing interscholastic activities. AAA provides catastrophic insurance coverage for students participating in AAA governed extracurricular activities who are enrolled in school. As a matter of District policy, no student may participate in an AAA governed extracurricular activity unless he or she is enrolled in a district school, to ensure all students are eligible for AAA catastrophic insurance.

### **Intrascholastic Activities**

#### **AAA Governed Activities**

Students participating in intrascholastic extracurricular activities that would be governed by AAA if they were to occur between students of different schools shall meet all interscholastic activity eligibility requirements to be eligible to participate in the comparable intrascholastic activity. The District will abide by the AAA Handbook for such activities to ensure District students are not disqualified from participating in interscholastic activities.

#### **Non-AAA Governed Activities**

Unless made ineligible by District policies, all students shall be eligible to participate in non-AAA governed intrascholastic extracurricular activities. Intrascholastic activities designed for a particular grade(s) or course(s) shall require the student to be enrolled in the grade(s) or course(s).

Participation is open to all students in grades K-12 for quarterly scholastic honor rolls and citizenship recognitions. All K-6 students enrolled in the Nettleton School District are eligible to participate in K-6 activities. All students are encouraged to participate in classroom and/or school related groups responsibilities (i.e. Fire Marshal, student council member, etc.) which incorporate

character, self-discipline, civic responsibility and positive work habits.

Participation by students in athletic, non-athletic, and other competitive contests and activities can be a means of developing wholesome attitudes and good school and interpersonal relationships and shall be conceived as a part of the total school program. The worth of these activities must be assessed by the educational value accruing to the student in relationship to the time and energy expended in preparation and participation.

### **Procedures**

1. All co-curricular and interscholastic activities and contests shall be under the direction of the school principal, or designee, and shall be sanctioned by the National Association of Secondary School Principals and/or the Arkansas Activities Association whenever applicable.
2. Student participation is contingent upon that student establishing and maintaining his/her eligibility with the Arkansas Activities Association and the academic requirements specified by the Division of Elementary and Secondary Education.
3. All such activities must be coached, directed, or sponsored by a member of the professional staff.
4. No school event shall knowingly be authorized where students are not allowed to participate because of race, national origin, or ethnic background.
5. All such activities shall have some educational benefit or value for the participants whose needs and interests must be considered at all times. Preparation and participation shall not interfere with regular classroom instruction and shall be consistent with the academic goals and objectives of the school district.
6. Insofar as possible, activity events involving two or more schools shall be scheduled on weekend dates and holidays or after 3:30 p.m. on school days. Events which are scheduled prior to 3:30 p.m. shall be sanctioned by the Arkansas Activities Association and shall be governed by the restrictions placed by that organization.
7. The school principal shall be responsible for certifying the eligibility of students for participation in these activities. Eligibility for participation of students shall be the same as those required by the Arkansas Activities Association.
8. Interruption of a school's instructional time shall be held to a minimum. School principals shall develop procedures for limiting interference with class time by setting time schedules for announcements, providing guidelines for school visitors, and other disruptions of the regular school instructional schedule.
9. Neither schools nor students shall be used by private commercial interests to promote products, services, or financial profits.

10. All travel to these activities shall be regulated by the district policy pertaining to field trips and excursions:
  - A. The trip is an extension of the school day and all school rules and regulations will apply. Student conduct rules will be further outlined by the sponsor and monitored.
  - B. Sponsors will secure a trip permission form from each student.
  - C. The school dress code will be enforced.
  - D. On one-day field trips, students should be reminded by their sponsor that the students are responsible for all work missed that day.

**IN ADDITION TO THE RULES FOR DAY FIELD TRIPS, THE FOLLOWING GUIDELINES WILL BE USED FOR OVERNIGHT TRIPS:**

- E. Sponsors will secure a medical release form from each student.
- F. Sponsors will inform parent/guardian of the name of the motel/hotel, the telephone number, and the type of transportation that will be used.
- G. Sponsors will require a curfew for the students and will make room checks.
- H. If the students miss two or more school days, a study time will be established by the sponsors.
- I. Students will be responsible for having necessary study materials with them to complete all assignments that were given prior to the trip.

**FUND-RAISING ACTIVITIES**

Local school officials are encouraged to keep school sponsored activities that require student fund-raising to the absolute minimum.

1. Students shall not be permitted to sell goods or services in places other than the school campus during regular school hours or at special school functions.
2. All fund-raising or charity drives sponsored by a school must receive the approval of the school principal.
3. School principals are encouraged to develop rules concerning student fund-raising activities.
4. Fund-raising projects sponsored by parents or booster organizations which will involve students in the sale of goods or services shall have the approval of the school principal and the superintendent.

Legal References:     Arkansas Activities Association Handbook  
                           A.C.A. § 6-4-302  
                           A.C.A. § 6-15-2907  
                           A.C.A. § 6-16-151  
                           A.C.A. § 6-18-713  
                           Commissioner's Memo COM-18-009  
                           Commissioner's Memo LS-18-015

Date Adopted: June 29, 2010

Last Revised: June 26, 2018

## **4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY**

### **Definitions**

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

“Field Trips” are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

“Interscholastic Activities” means athletic or non-athletic/academic activities where students compete on a school vs. school basis.

“Intrascholastic Activities” means athletic or non-athletic/academic activities where students compete with students from within the same school.

### **Extracurricular Eligibility**

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

A student may lose his/her eligibility to participate in extracurricular activities when, in the opinion of the school’s administration, the student’s participation in such an activity may adversely jeopardize his/her academic achievement. Students may also be denied permission to participate in extracurricular activities as a consequence of disciplinary action taken by the administration for inappropriate behavior.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may wave this paragraph's provisions when the student’s failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.



A student who enrolls in the district and meets the definition of “eligible child” in Policy 4.2—ENTRANCE REQUIREMENTS shall be eligible to tryout for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in athletic activity.

Participation is open to all students in grades K-12 for quarterly scholastic honor rolls and citizenship recognitions. All K-6 students enrolled in the Nettleton School District are eligible to participate in K-6 activities. All students are encouraged to participate in classroom and/or school related groups responsibilities (i.e. Fire Marshal, student council member, etc.) which incorporate character, self-discipline, civic responsibility and positive work habits.

Participation by students in athletic, non-athletic, and other competitive contests and activities can be a means of developing wholesome attitudes and good school and interpersonal relationships and shall be conceived as a part of the total school program. The worth of these activities must be assessed by the educational value accruing to the student in relationship to the time and energy expended in preparation and participation.

### **Procedures**

1. All co-curricular and interscholastic activities and contests shall be under the direction of the school principal, or designee, and shall be sanctioned by the National Association of Secondary School Principals and/or the Arkansas Activities Association whenever applicable.
2. Student participation is contingent upon that student establishing and maintaining his/her eligibility with the Arkansas Activities Association and the academic requirements specified by the Division of Elementary and Secondary Education.
3. All such activities must be coached, directed, or sponsored by a member of the professional staff.
4. No school event shall knowingly be authorized where students are not allowed to participate because of race, national origin, or ethnic background.
5. All such activities shall have some educational benefit or value for the participants whose needs and interests must be considered at all times. Preparation and participation shall not interfere with regular classroom instruction and shall be consistent with the academic goals and objectives of the school district.

6. Insofar as possible, activity events involving two or more schools shall be scheduled on weekend dates and holidays or after 3:30 p.m. on school days. Events which are scheduled prior to 3:30 p.m. shall be sanctioned by the Arkansas Activities Association and shall be governed by the restrictions placed by that organization.
7. The school principal shall be responsible for certifying the eligibility of students for participation in these activities. Eligibility for participation of students shall be the same as those required by the Arkansas Activities Association.
8. Interruption of a school's instructional time shall be held to a minimum. School principals shall develop procedures for limiting interference with class time by setting time schedules for announcements, providing guidelines for school visitors, and other disruptions of the regular school instructional schedule.
9. Neither schools nor students shall be used by private commercial interests to promote products, services, or financial profits.
10. All travel to these activities shall be regulated by the district policy pertaining to field trips and excursions:
  - a. The trip is an extension of the school day and all school rules and regulations will apply. Student conduct rules will be further outlined by the sponsor and monitored.
  - b. Sponsors will secure a trip permission form from each student.
  - c. The school dress code will be enforced.
  - d. On one-day field trips, students should be reminded by their sponsor that the students are responsible for all work missed that day.

**IN ADDITION TO THE RULES FOR DAY FIELD TRIPS, THE FOLLOWING GUIDELINES WILL BE USED FOR OVERNIGHT TRIPS:**

- e. Sponsors will secure a medical release form from each student.
- f. Sponsors will inform parent/guardian of the name of the motel/hotel, the telephone number, and the type of transportation that will be used.
- g. Sponsors will require a curfew for the students and will make room checks.
- h. If the students miss two or more school days, a study time will be established by the sponsors.
- i. Students will be responsible for having necessary study materials with them to complete all assignments that were given prior to the trip.

**FUND-RAISING ACTIVITIES**

Local school officials are encouraged to keep school sponsored activities that require student fund-raising to the absolute minimum.

5. Students shall not be permitted to sell goods or services in places other than the school campus during regular school hours or at special school functions.

6. All fund-raising or charity drives sponsored by a school must receive the approval of the school principal.
7. School principals are encouraged to develop rules concerning student fund-raising activities.
8. Fund-raising projects sponsored by parents or booster organizations which will involve students in the sale of goods or services shall have the approval of the school principal and the superintendent.

Legal References:   A.C.A. § 6-4-302  
                          A.C.A. § 6-15-2907  
                          A.C.A. § 6-16-151  
                          A.C.A. § 6-18-713  
                          Commissioner’s Memo LS-18-015

Date Adopted: June 29, 2010  
Last Revised: June 11, 2019

## **4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS**

Home-schooled student means a student legally enrolled in an Arkansas home school and who meets or has met the criteria for being a home-schooled student, as established by A.C.A. § 6-15-503.

Interscholastic activity means an activity between schools subject to rules of the Arkansas Activities Association that is outside the regular curriculum of the school district, such as an athletic activity, fine arts program, or a special interest group or club.

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.

Home-schooled students whose parents or guardians are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone as permitted by this policy.

Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in an interscholastic activities without discrimination. The District shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the home-schooled student is unable to meet because of his or her enrollment in a home school.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

Home-schooled students whose parent or legal guardian are not residents of the school district will be permitted to pursue participation in an interscholastic activity in the District if the superintendent of the student's resident district and the superintendent of the District both agree in writing to allow the student to participate in interscholastic activities at the District.

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 30<sup>th</sup> percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one course in the District's school where the student is intending to participate in an interscholastic activity.

The student shall regularly attend the class in which the student is registered beginning no later than the eleventh (11<sup>th</sup>) day of the semester in which the student's interscholastic activity participation is desired. The student must attend the practices for the interscholastic activity to the same extent as is required of traditional students.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

A home-schooled student who has met the try out criteria; and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:

- standards of behavior and codes of conduct;
- attend the practices for the interscholastic activity to the same extent as is required of traditional students;
- required drug testing;
- permission slips, waivers, physical exams; and
- participation or activity fees.

A home-schooled student who is not a resident of the District may begin participating in interscholastic activities:

- a. Immediately upon being approved for participation for all interscholastic activities other than athletic activities; and
- b. One (1) calendar year after being approved to participate in interscholastic activities that are athletic activities unless the approval is prior to July 1 of the school year the student would have been enrolled in seventh (7<sup>th</sup>) grade if the student were enrolled in public school.

A home-schooled student who is not a resident of the District and is prohibited under this policy from participating in an interscholastic activity that is an athletic activity for one (1) calendar year may immediately participate in rehearsals, tryouts, practices, auditions, classes, or other endeavors associated with the interscholastic activity.

Students who participate in extracurricular or athletic activities under this policy will be transported to and from the interscholastic activities on the same basis as other students are transported.

A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five days after the student withdraws from the member school.

Legal References: A.C.A. § 6-15-509

A.C.A. § 6-16-151  
A.C.A. § 6-18-232  
A.C.A. § 6-18-713

Arkansas Activities Association Handbook  
Commissioner's Memo COM-18-009  
Commissioner's Memo LS-18-015  
Division of Elementary and Secondary Education Rules Governing Home  
Schools

Date Adopted: June 17, 2014  
Last Revised: June 11, 2018

## 4.57—IMMUNIZATIONS

### Definitions

"In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional dose(s).

"Serologic testing" refers to a medical procedure used to determine an individual's immunity to Hepatitis B, Measles, Mumps, Rubella and Varicella.

### General Requirements

Unless otherwise provided by law or this policy, no student shall be admitted to attend classes in the District who has not been age appropriately immunized against:

- Poliomyelitis;
- Diphtheria;
- Tetanus;
- Pertussis;
- Red (rubeola) measles;
- Rubella;
- Mumps;
- Hepatitis A;
- Hepatitis B;
- Meningococcal disease;
- Varicella (chickenpox); and
- Any other immunization required by the Arkansas Department of Health (ADH).

The District administration has the responsibility to evaluate the immunization status of District students. The District shall maintain a list of all students who are not fully age appropriately immunized or who have an exemption provided by ADH to the immunization requirements based on medical, religious, or philosophical grounds. Students who are not fully age appropriately immunized when seeking admittance shall be referred to a medical authority for consultation.

The only types of proof of immunization the District will accept are immunization records provided by a:

- A. Licensed physician;
- B. Health department;
- C. Military service; or
- D. Official record from another educational institution in Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating "up-to-date", "complete", "adequate", and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted. Valid proof of immunization and of immunity based on serological testing shall be entered into the student's record.

In order to continue attending classes in the District, the student must have submitted:

- 1) Proof of immunization showing the student to be fully age appropriately vaccinated;

- 2) Written documentation by a public health nurse or private physician of proof the student is in process of being age appropriately immunized, which includes a schedule of the student's next immunization;
- 3) A copy of a letter from ADH indicating immunity based on serologic testing; and/or
- 4) A copy of the letter from ADH exempting the student from the immunization requirements for the current school year, or a copy of the application for an exemption for the current school year if the exemption letter has not yet arrived.

Students whose immunization records or serology results are lost or unavailable are required to receive all age appropriate vaccinations or submit number 4 above.

### **Temporary Admittance**

While students who are not fully age appropriately immunized or have not yet submitted an immunization waiver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1<sup>st</sup> is later in the current school year than the thirty (30) days following the student's admittance). No student shall be withdrawn and readmitted in order to extend the thirty (30) day period. Students may be allowed to continue attending beyond the thirty (30) day period if the student submits a copy of either number 2 or number 4 above.

Students who are in process shall be required to adhere to the submitted schedule. Failure of the student to submit written documentation from a public health nurse or private physician demonstrating the student received the vaccinations set forth in the schedule may lead to the revocation of the student's temporary admittance; such students shall be excluded from school until the documentation is provided.

The District will not accept copies of applications requesting an exemption for the current school year that are older than two (2) weeks based on the date on the application. Students who submit a copy of an application to receive an exemption from the immunization requirements for the current year to gain temporary admittance have thirty (30) days from the admission date to submit either a letter from ADH granting the exemption or documentation demonstrating the student is in process and a copy of the immunization schedule. Failure to submit the necessary documentation by the close of the thirty (30) days will result in the student being excluded until the documentation is submitted.

### **Exclusion From School**

In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak. Students may be excluded for twenty-one (21) days or longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.



Students who are excluded from school are not eligible to receive homebound instruction unless the excluded student had a pre-existing IEP or 504 Plan and the IEP/504 team determines homebound instruction to be in the best interest of the student. To the extent possible, the student's teacher(s) shall place in the principal's office a copy of the student's assignments:

- for the remainder of the week by the end of the initial school day of the student's exclusion; and
- by the end of each school's calendar week for the upcoming week until the student returns to school.

It is the responsibility of the student or the student's parent/legal guardian to make sure that the student's assignments are collected.

Students excluded from school shall have five (5) school days from the day the student returns to school to submit any homework and to make up any examinations. State mandated assessments are not included in "examinations" and the District has no control over administering state mandated make-up assessments outside of the state's schedule. Students shall receive a grade of zero for any assignment or examination not completed or submitted on time.

Annually by December 1, the District shall create, maintain, and post to the District's website a report that includes the following for each disease requiring an immunization under this policy:

- a. The number of students in the District that were granted an exemption by the Department of Health from an immunization;
- b. The percentage of students in the District that were granted an exemption by the Department of Health from an immunization; and
- c. The percentage of a population that must receive an immunization for herd immunity to exist.

Cross References: 4.2—ENTRANCE REQUIREMENTS  
4.7—ABSENCES  
4.8—MAKE-UP WORK  
4.34—COMMUNICABLE DISEASES AND PARASITES

Legal References: A.C.A. § 6-18-702  
DESE Rules Governing Kindergarten Through 12<sup>th</sup> Grade Immunization Requirements In Arkansas Public Schools  
ADH Rules Pertaining to Immunization Requirements

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## **4.58—FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA**

### **Food Sharing Table**

The District has no food sharing system for food items other than milk and juice. Students who do not intend to drink milk or juice received as part of a meal may place the milk/juice in a designated ice-filled cooler located at the end of the service line where another student may retrieve it at no charge. Milk and juice may not be taken by another student unless the carton is unopened and was completely covered by ice while in the cooler. A student may not return to the cooler to place for sharing or retrieve an item after the student has left the service line.

At all times, the cooler will be under the supervision of the food service staff. Remaining items should be discarded at the end of the meal period, and no item is to remain in the cooler for longer than four (4) hours.

### **Removing Food Items From the Food Service Area**

At the end of the meal period, a student may leave the cafeteria with up to three (3) school-provided whole fruit or whole vegetable food items. Students may not remove from the cafeteria milk, juice, or any other item requiring a temperature controlled environment.

Except for food service workers as required by their job duties, District employees may only remove school provided food items from the food service area when required by a 504 plan or a student's IEP.

Legal References:     Commissioner's Memo FIN 08-076  
                              Commissioner's Memo FIN 15-052

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## **4.59—ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOLED STUDENTS**

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

1. June 1 for courses to be offered during the Fall semester; and
2. November 1 for courses to be offered during the Spring semester.

A private school or home schooled student who desires to attend one or more of the available academic courses shall submit a written request to attend the academic course(s) to the superintendent, or designee, no later than:

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

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

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

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

- Require the addition of staff or classrooms;
- Exceed the capacity of a program, class, grade level, or school building;
- Cost the District more for the student to attend the academic course than the District receives for the student's attendance;
- Cause the District to provide educational services the District does not currently provide at a financial burden to the District; or
- Cause the District to be out of compliance with applicable laws and regulations regarding desegregation.

Requests to attend an academic course will be granted in the order the requests are received. Upon the receipt of a private or home schooled student's request to attend academic course(s), the District will date and time stamp the request for attendance. If a private school or home schooled student is denied attendance based on a lack of capacity and an opening in the requested course occurs prior to the start of the course, the District will use the date and time stamp on the request for attendance to determine the private school or home schooled student who will be notified of an opening in the requested course.

As part of the request to attend academic courses in the District, a private school or home schooled student shall:

- Indicate the course(s) the private school or home schooled student is interested in attending;
- If the course(s) the private school or home schooled student is interested in attending is being offered by the District in both a physical and a digital format, whether the private school or home schooled student intends to attend the physical course or the digital course;

- Submit, along with the student’s application, a copy of the student’s transcript indicating that the student has received credit for the course(s), or equivalent course(s), that are a prerequisite to the course(s) the student desires to attend at the District;
- Agree to follow the District’s discipline policies; and
- Submit immunization documentation required by Policy 4.57—IMMUNIZATIONS.

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

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

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

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

Cross References:     4.6—HOMESCHOOLING  
                               4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME  
                               SCHOOLED STUDENTS  
                               4.57-- IMMUNIZATIONS

Legal References:     A.C.A. § 6-15-509  
                               A.C.A. § 6-18-232  
                               A.C.A. § 6-18-702  
                               A.C.A. § 6-47-401 et seq.  
                               DESE Rules Governing Distance and Digital Learning  
                               DESE Rules Governing Kindergarten Through 12<sup>th</sup> Grade Immunization  
                               Requirements in Arkansas Public Schools  
                               Commissioner’s Memo COM-19-021

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