

POLICIES, RULES, AND REGULATIONS OF THE 2015-16

BOARD OF EDUCATION

**A. JAN THOMAS, JR., PRESIDENT
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REV. JEFFREY RICHARDSON, SECRETARY
DARRYLEE ARMS
BRIAN PROFFITT
DARYEL JACKSON
WM. BART TURNER
DON JOHNSTON, SUPERINTENDENT**

PREFACE

The efficient operation of the Marion School District No. 3 requires the adoption of policies and procedures that apply to all phases of the school program. The policies and regulations set the pattern for the program of education in the school system. Policies and procedures are approved by the Board of Education. The performance of these policies becomes the responsibility of all administrators, teachers, and employees of the Marion School District #3.

The purpose of this handbook is to make available to all members of the staff and patrons information concerning the policies and regulations of the school system.

It is the wish of the School Board that this will be a very successful school in both personal enjoyment and accomplishment for all the professional staff and employees.

The School Board earnestly desires that the students of this school system will be the recipients of a united effort to advance them intellectually and morally in this institution.

MARION SCHOOL DISTRICT MISSION STATEMENT

It is the mission of the Marion School District to provide our students with a program of instruction so that they will acquire the academic, social, and decision-making skills needed to become productive citizens in our rapidly changing technological world.

We recognize individual differences in students and believe that all children can learn. We strive to meet their needs and interests by offering a balanced curriculum and creating an atmosphere conducive to learning.

TABLE OF CONTENTS

Chapter I.....	8
The School Board	8
Corporate Name.....	8
Membership Of The School Board.....	8
Officers Of The School Board	8
Duties Of The School Board Officers.....	8
Authority Of The School Board Members	8
Duties Of The School Board	8
Board Member Training	9
Board-Staff Relationship	10
Meetings Of The School Board.....	12
School Board Agenda.....	12
Public Participation In School Board Meetings.....	12
Executive Sessions Of The School Board	13
Operation Of Schools.....	13
Rules And Regulations	14
School Community Relations.....	14
Development Of Discipline Policies	14
Chapter II.....	16
Administrative Organization	16
Duties Of The Superintendent	16
Chapter III.....	17
Licensed Personnel	17
Licensed Employment.....	17
Licensed Employment Requirements	17
Financial Interest Disclosure.....	18
Teacher Placement.....	18
Teacher Attendance.....	18
Teacher Absences	19
Licensed Sick Leave Policy	19
Donated Sick Leave Policy	20
Vacations	21
Licensed Personnel Family Medical Leave	21
Leave Of Absence For Bone Marrow or Organ Donation.....	27
Military Leave	27
Workers' Compensation Injuries And Sick Leave Coordination	28
Licensed Absence For Child Adoption.....	28
Thirty-Minute Uninterrupted Duty-Free Lunch Period.....	29
Licensed Personnel Cell Phone Use	29
Substitute Teachers	29
Salary Schedules And Regulations.....	30
Transcripts and Payment for Graduate Hours or Degrees	30
Salary Payment Schedules	30
Licensed Personnel Records, Reports and Final Pay Check.....	30
NBPTS Supplement on Salary Schedule.....	31
Certificate of Clinical Competence Stipend	31
Non-Instructional Duties.....	31
Licensed Benefits.....	31
Outside Employment.....	31
Public Office (Ability Of School Employees To Hold)	31
Mentor Policy	32
Licensed Personnel Evaluations.....	32
Administrator Evaluator Certification.....	32
Licensed Personnel Employee Training	33
Licensed Personnel Reduction In Force	36
Licensed Personnel Dismissal and Non-Renewal	37

District Retirement Recognition	38
Licensed Personnel Contract - Return.....	38
Drug Free Workplace.....	38
Tobacco Use	39
Personnel Policies and Personnel Policies Committee	40
Effective Date of Policy Changes.....	41
Teacher of the Year Election Guidelines	41
Grievance Policy for Employees (Licensed)	41
Sexual Harassment Policy	43
Sponsors of Non-Sanctioned Trips/Tours (Licensed).....	44
Video Surveillance (Licensed)	45
Opening of School Bank Accounts (Licensed)	45
Classroom Supplies Reimbursement Policy for Teachers, Grades PK-6.....	45
Teacher Classroom Doors and Windows in or around the Doorway.....	45
Licensed Personnel Duty to Report Child Abuse, Maltreatment or Neglect	46
Licensed Personnel Computer Use Policy (Licensed).....	46
Professional Distance Between Teachers and Students.....	47
Money Received by the Teacher from Students.....	48
2015-16 Teacher Salary Schedule	48
Financial Transactions with Marion School District (Licensed)	51
Chapter IV	52
Classified Personnel.....	52
Classified Employment	52
Overtime, Leave Or Absence And Compensatory Pay Under The FLSA	52
Financial Interest Disclosure	55
Classified Employee Attendance	56
Classified Sick Leave Policy (Excluding Bus Drivers)	56
Donated Sick Leave Policy (Classified)	57
Classified Personnel Family Medical Leave	58
Leave of Absence for Bone Marrow or Organ Donation.....	63
Leave Of Absence For Personal Injury From Assault Or Other Violent Criminal Act	64
Workers' Compensation Injuries And Sick Leave Coordination	64
Classified Absence For Child Adoption	64
Vacations (Classified)	65
Public Office (Ability Of School Employees To Hold)	65
Classified Personnel Termination and Non-Renewal	65
Classified Personnel Evaluations	66
Classified Personnel Cell Phone Use	66
Classified Personnel Reduction in Force.....	66
Military Leave	67
District Retirement Recognition	68
Classified Personnel Contract - Return	68
Drug Free Workplace.....	69
Tobacco Use (Classified).....	70
Personnel Policies Committee for Classified Personnel.....	70
Effective Date of Policy Changes.....	71
Grievance Policy for Employees (Classified).....	71
Sexual Harassment Policy (Classified).....	73
Sponsors of non-Sanctioned Trips/Tours	75
Assignment of Teachers Aides	75
Video Surveillance	75
Opening of School Bank Accounts (Classified)	75
Classified Personnel Duty to Report Child Abuse, Maltreatment or Neglect.....	76
Classified Personnel Computer Use Policy	76
Classified Salary Schedule	77
Financial Transactions with Marion School District (Classified)	78
Chapter V	79
Auxiliary Services	79
School Food Service	79

Transportation.....	79
Bus Driver Physicals	80
Bus Driver Drug And Alcohol Testing	80
Overnight Field Trips And Bus Driving Pay	82
Volunteer Program Policy	83
Chapter VI	84
Instructional Program.....	84
Grade Level Organization	84
Elementary Daily Schedule.....	84
Curriculum.....	84
Eighth Grade Algebra I For Credit	84
Student Performance Grading	84
Graduation Requirements for the Class of 2013-14 and All Classes Thereafter	85
Smart Core Curriculum	85
Benchmark Assessments and Academic Improvement Plans.....	88
Academic Improvement Plan: Consequences Of Failure To Participate.....	88
Promotion/Retention for Grades 3-8 and Grade 11 Literacy	88
Special Education Curriculum Plan.....	89
Alternative Education, Grades 7-12.....	90
Instructional Services for Students with Limited English Proficiency.....	91
Gifted And Talented Program Description	93
Gifted And Talented (Team) Identification Procedure	94
Gifted And Talented (Team) Program Exit Policy.....	97
Homework.....	97
Homebound Instruction.....	98
Student And Faculty Handbooks	98
Student Work Load (High School)	99
Physical Education.....	99
Summer School Credit.....	99
Correspondence Course Credit	99
Transfer Between Schools.....	99
Concurrent College Credit While In High School.....	100
Graduation (Math And Science School Seniors)	100
Selection Policy For Instructional Materials	100
Selection of Library/Media Center Materials.....	102
Athletic Policy.....	104
Retiring Athletic Jerseys	106
Quitting a Team During a Season.....	106
Chapter VII	108
Pupil Personnel Administration	108
Enrollment Requirements	108
Compulsory Attendance Requirements	108
Residency Requirements.....	110
Enrollment When Living With Relatives Or Friends.....	111
Exceptions to the Residency Requirement.....	112
Enrollment Of A Nonresident Under School Choice	112
Enrollment Of A Nonresident	114
Enrollment In Home Schools	114
Enrollment Or Re-Enrollment Of District Residents From Home Schooling.....	114
Student Records Policy.....	114
HIPAA Privacy Policy For Medicaid Purposes.....	116
Student Medications	117
Surveys Or Questionnaires Administered To Students Organizations.....	118
Student Organizations	118
Unlawful Organizations	118
Gangs And Gang Activity.....	118
Student Activities Policy.....	119
Early Dismissal/Cooperative Education.....	121
Placement of Multiple Birth Siblings.....	121

Contact with Students while at School	121
Tobacco Use	122
Complaint Policy for Parents.....	122
Sexual Harassment Policy	123
Video Surveillance (Students).....	124
Chapter VIII	126
Student Discipline, Health, And Safety.....	126
Discipline	126
School Authority	126
Parental Notification	127
Discipline For Eligible Students With Disabilities	127
Student Behavior Code	127
Random Chemical Screen Test Policy, Grades 7-12	132
Fighting	134
Discipline Penalties (Minimum and Maximum).....	135
Serious Disciplinary Problems and Alternative School Placement.....	139
Assertive Discipline	140
Rights Of Teachers	140
Rights Of Students	140
Protected Student Health Information.....	140
Discipline Policy By School Site.....	140
Corporal Punishment	144
In-School Suspension	144
Suspension	144
Concurrent MHS Students and Suspension	145
Emergency Suspensions	146
Alternative Discipline.....	146
Expulsion.....	146
Appearance Code	146
Absences	148
Make-up Work.....	150
Use of Cell Phones by Students	150
Students' Vehicles.....	151
Student Transportation K-12.....	151
Excusing Pupils During School Hours	153
Student Safety And Protection.....	153
Custody	153
Student Accident Insurance	153
Distribution Of Literature	154
Search And Seizure	154
Metal Detectors.....	154
Beepers, Pagers And Other Communication Devices.....	154
Internet/Technology Use By Students	155
Infectious Disease Management Plan	155
Head Lice Policy	155
HIV/Aids Policy.....	156
Medically Fragile Treatment Policy.....	156
Sale of Snacks and Beverages in Elementary Schools.....	156
Wellness Policy.....	157
Equal Educational Opportunity	158
Homeless Students	158
Chapter IX	159
Financial And Business Management	159
Budget (Annual)	159
Bid Solicitation Procedure	159
Expenditures And Financial Records.....	160
Purchases (Unauthorized)	160
Reimbursements	160
Activity Funds.....	160

Records Retention	161
Fund Raising	161
English Language Learners	161
National School Lunch Act Funding Expenditures.....	161
Chapter X	162
Buildings And Property	162
Buildings Opened.....	162
Building Policies	162
Building Maintenance.....	162
Asbestos Management (Operations And Maintenance)	162
Facilities Use Policy	163
Responsibility Of Conduct.....	164
Use Of Equipment.....	164
Sale Of Used Equipment Procedure.....	164
 School Calendar.....	 165
 Index	 166

CHAPTER I

THE SCHOOL BOARD

CORPORATE NAME

The corporate name of this district shall be Marion School District No. 3.

MEMBERSHIP OF THE SCHOOL BOARD

1. The Board of Directors shall consist of seven (7) members, elected by the qualified voters of the Marion School District No. 3. Each member shall be elected for a term of five (5) years.
2. In conformity with the laws of the state, school elections will be held on the third Tuesday of September each year.
3. Any person who is a resident of the district at the time of filing and is a qualified elector may become a candidate for the Board of Directors. He must, however, file a petition signed by twenty (20) qualified electors with the County Board of Education twenty (20) days before the annual school election.
4. If any vacancy shall occur in any school board position due to death, resignation, or other cause other than the expiration of the term of such member, such vacancy shall be filled by the remaining members of the board until the next regular school election, at which a successor member shall be elected for the remaining portion of such term. A.C.A. 6-13-611

OFFICERS OF THE SCHOOL BOARD

Officers elected by the School Board from its membership are president, vice-president and secretary. The superintendent shall serve as the ex-officio secretary.

DUTIES OF THE SCHOOL BOARD OFFICERS

1. At its first meeting after the school election each year, the board shall organize by electing a president, vice-president and a secretary of the board, each for a period of one year.
2. The president of the school board shall act as chairman at meetings and may appoint special temporary committees unless otherwise directed by the school board. He shall have the right to discuss issues as other members of the school board. In case of necessity, the president shall call a special meeting of the school board. The president shall have the right to vote on all questions, and in case of a tie, is required to vote.
3. In the absence of the president, the vice-president shall perform the duties of the president.
4. The ex-officio financial secretary shall record minutes of each board meeting or arrange clerical help for such recording.

AUTHORITY OF THE SCHOOL BOARD MEMBERS

School board members have authority only when acting as a school board legally in session. The school board shall not be bound in anyway by any statement or action on the part of any individual school board member or employee except when such statement or action is in pursuance of specific instructions by the school board.

DUTIES OF THE SCHOOL BOARD

The school board shall provide for the operation and management of the school program through its functions as a policy-making and appraisal body. Actual administration of the details and the responsibility for carrying out policies is delegated by the school board to professionally trained personnel.

Responsibilities of the school board shall be:

1. To select a superintendent and support him in the discharge of his duties.
2. To employ school personnel upon recommendation of the superintendent.
3. To set salary schedules.
4. SECTION 80-403 of "THE SCHOOL LAWS OF ARKANSAS," 1962 states:

"The Board of Directors of each school district shall prepare, approve and make public not less than sixty (60) days in advance of the annual school election a proposed budget of expenditures deemed necessary to provide for the foregoing purposes, together with a rate of tax levy sufficient to provide the funds therefore....."

5. To consider and adopt policies for the school program.
6. To assist in presenting to the public the needs and progress of the educational system.
7. To perform the duties imposed upon the school board by state, local laws and the North Central Accrediting Association.
8. To assist in obtaining and maintaining good public relations.
9. To provide adequate buildings and facilities.
10. To appoint a proper substitute when the superintendent is incapacitated or providently hindered from attending school board meetings.
11. To visit classrooms annually while students are present. A.C.A. 6-13-620

BOARD MEMBER TRAINING

Board members who have served on the board for twelve (12) or more consecutive months are required to obtain a minimum of six (6) hours of training by December 31 of each calendar year. Board members who are elected to serve an initial or non –continuous term shall obtain a minimum of nine (9) hours of training by December 31 of the year following their election and six (6) hours of training by December 31 of each calendar year thereafter. Hours obtained in excess of the required minimums may be carried forward through December 31 of the third calendar year following the year in which the hours were earned.

The training shall be focused on topics relevant to school laws, school operations, and the powers, duties, and responsibilities of the members of the board of directors. The responsibilities include, but are not limited to legal requirements, role differentiation, financial management, improving student achievement, reading and interpreting an audit report, and the duties and responsibilities of the various levels of employees within the district as well as those of the board of directors.

The district is responsible for maintaining a record of the hours of training received by each board member. Board members shall make a concerted effort to submit documentation of training they have received to the superintendent or his/her designee. In the absence of such documentation, the district shall attempt to obtain records of training received from training providers.

Such training may be obtained from an institution of higher learning, from instruction provided by the Arkansas Department of Education or the Arkansas School Boards Association, or from other providers approved by the Arkansas Department of Education.

A statement regarding the number of hours of training received each preceding calendar year shall be:

- Part of the district's comprehensive school plan and goals;
- Published in the same way as other components of the comprehensive plan and goals are required to be published;
- Part of the annual school performance report required to be submitted to, and published by the Arkansas Department of Education.

Board members may attend any instate conference/meeting sanctioned by the Arkansas School Boards Association or the Marion School District. Board members may attend one (per calendar year) out-of-state National or Regional Conference that is sanctioned by the Arkansas School Boards Association or the National School Boards Association. Board members will be reimbursed for their registration fee and travel expenses as follows:

Meals - Reimbursements for meals will be paid based on valid receipts submitted. Tips will not be reimbursed unless they are a fixed gratuity required by the restaurant.

Mileage - All mileage will be reimbursed at the per mile rate established by the Arkansas Department of Education and documented by beginning and ending (actual) mileage or customary map mileage (chart).

Air Transportation: Total air fare will be reimbursed based on valid receipts.

For travel, the board member will be reimbursed the most economical means between the mileage rate or air transportation.

Lodging -Expenses that will be reimbursed include room, meals, and parking. Other expenses must be paid by the board member.

In order to be reimbursed for their expenses to out-of-state conferences, board members must have attended 75 percent of the regular school board meetings for the twelve months prior to the month registration opens for the conference. For example, registration opens in October 2013; a board member must have attended 75 percent of the regular school board meetings between October 2012 and September 2013.

Board members desiring to attend any meetings or conferences shall complete their registration and travel arrangements through the superintendent or his/her designee.

Approved by School Board: October 24, 2013

BOARD-STAFF RELATIONSHIP

The board of education will direct the superintendent of schools to prepare, in cooperation with the staff, a comprehensive set of policies to serve as a basis for the operation and the administration of the schools and as a guide to the superintendent and other employees in the conduct of their respective duties.

These policies shall be considered by the board and when, in its judgment, the policies are satisfactory, the board shall approve them, shall have them prepared in printed form, and make them available to employees and patrons of the school.

1. The board of education represents the public in setting the goals and establishing the basic policies for the schools. It shall refrain from involvement in the administrative functions of the school.
2. Individual members of the board shall refrain from involvement in or interference with the administrative functions of the school.
3. The board of education is responsible for the selection of its chief executive, who is the superintendent, principal, or other designated head of the school system.
4. Subject to the approval of the board of education, the administration head of the system (thereafter referred to as the superintendent) shall be responsible for administering the schools in accordance with

board policies and regulations.

5. The superintendent shall be responsible for the selection and assignment of school employees, management of plant and equipment, administration and supervision of the educational program, and the conduct of the system's public relations program.
6. The superintendent shall prepare and submit annually for board action, a budget of anticipated income and expenditures and shall be responsible with proper board authorization for the expenditure of and proper accounting for all funds in accordance with the adopted budget.
7. The superintendent shall provide the board with such periodic reports as the board feels are necessary to keep it properly advised.
8. The board of education shall transact official business with professional staff members and all other school employees only through the superintendent.
9. Although the superintendent may wish to delegate to others some responsibilities for the reporting to the board, such practice shall be at his express discretion. Situations where other persons report directly to the board as a regular practice shall be considered a violation of this standard.
10. Individual board members shall not engage in official transactions for the school or the entire district unless operating under the prior and specific authorization of the entire board.
11. The superintendent, in cooperation with board members and his staff, shall prepare the agenda of items to be discussed at each board meeting.
12. The time for meetings shall be announced sufficiently in advance to give all board members and the community proper notice.
13. Board meetings shall be open to the public, except at those times when executive sessions are necessary.
14. The board shall require the superintendent to make recommendations for the general welfare of the schools in the system.
15. The working relationships between the board of education and the superintendent shall be such, as to insure effective administration and operation of the member schools.
16. The working relationships between the superintendent and the principals shall be such, as to insure cooperative and effective administration and operation of the member schools.
17. The working relationships between the principals and the staff shall be such, as to insure cooperative and effective administration and operation of the educational program within the schools.
18. At both the central office and the individual school levels, administration procedures shall be carried out by processes which utilize the appropriate abilities and contributions of all staff members.
19. The employment policies of the district shall be such, as to attract and retain the services of well-qualified and competent employees.
20. The status of staff members shall be changed only with recommendation of the superintendent and only at an official meeting of the board of education.
21. The performance of all licensed personnel shall be subject to regular evaluation by the superintendent or his designated representatives.
22. The performance of the superintendent shall be subject to regular evaluation by the board of education.

NOTE: This standard refers to all licensed personnel, including the superintendent of schools.

Boards of education shall adopt procedures to permit employees to present their viewpoints on matters affecting the educational program before policy decisions are made. Efforts shall be made to accomplish this communication in an orderly manner with the superintendent, or his designated representative, present during such discussion.

Inappropriate interference in the administration of the schools by individuals or political and special interest groups shall not be tolerated.

Revised: April 26, 2012

MEETINGS OF THE SCHOOL BOARD

1. The Marion School Board meets regularly the third Thursday of each month at 6:00 P.M. in the superintendent's office or other designated place. Other meetings may be called if needed. All meetings are open to the public except when the school board adjourns to executive session.
2. Special committees may be appointed, as needed, by the president of the school board, and each shall be discharged when its particular function has been fulfilled.
3. At any board meeting, there must be a quorum of four (4) present to conduct any business.
4. A majority shall be necessary for any board action. When there is a divided vote, the "Ayes" and "Nays" shall be recorded.
5. The order of business is as follows:
 - a. Call to order.
 - b. Approving minutes of previous meeting.
 - c. Patron participation.
 - d. Prepared agenda.
 - e. Adjournment.

Revised: April 26, 2012

SCHOOL BOARD AGENDA

1. The school board agenda will be mailed by the superintendent to all board members on Friday preceding the regular meeting to be held on the fourth Thursday of each month.
2. Topics to be included on the board agenda must be submitted to the school board president or the school superintendent prior to the mailing date.

Revised: April 26, 2012

PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS

When patron participation is requested, the following procedure will be followed: After the minutes of the previous meeting have been approved, the president will note if any patron participation has been requested and will recognize those who wish to speak to any item listed on the board's agenda.

1. Patrons desiring to address the board on an current agenda topic, are required to notify the superintendent or board president prior to the start of the board meeting.
 - a. Speakers will be recognized one at a time by the president, and when expediency dictates, the president will ask that groups choose one spokesman. When more than one participant is present, a speakers' podium will be provided. Each speaker could be required to present his/her remarks

from the podium. All expressions from patron participants will be presented at this time, at the board president's discretion.

2. Topics not on the school board agenda will not be heard by the board unless there is a unanimous vote of the members present favoring the addition of the topic to its agenda.
3. No random remarks will be accepted from the audience during the course of the board meeting.
4. The Board desires to protect its role against pre-prejudice in its hearing capacity. It also desires to protect the rights of its students and employees. Therefore, any public comments directed to the board that concerns a district student(s), a district employee, or persons under consideration for employment by the board are not permitted. The presiding officer will request that the patron submit the desired comments in written form to the district's superintendent for his consideration and possible future referral to the board.
5. After referral to the superintendent, if such comments are relevant for board purposes permitted under law, the School Board, at its discretion, may consider such comments in light of any previous decision or any future consideration by the board.
6. When a Board agenda has listed a formal hearing on a employee matter or a student expulsion hearing, the names of witnesses to address the board on such matters will be presented to the board president prior to the start of the hearing.
7. At the conclusion of the board meeting, after all business discussion is completed, the president may, at his discretion, invite supplemental comments or requests from the audience.

Adopted 1989
Revised June 1997
Revised June 11, 2009
Revised April 26, 2012

EXECUTIVE SESSIONS OF THE SCHOOL BOARD

1. The school board is afforded privilege under A.C.A. 25-19-106 to go into executive session only for the following reasons: considering employment, appointment, promotion, demotion, discipline, or resignation of any public officer or employee.
2. The specific purpose of the executive session shall be announced in public before going into executive session.
3. The superintendent, the immediate supervisor, and the employee may be present in the executive session when requested by the school board.
4. Any resolution, contract, regulation or motion considered or decided in the executive session will be legal only if, following the executive session, the board reconvenes in public session and presents the motion and votes on the resolution, contract, regulation or motion.

OPERATION OF SCHOOLS

1. School fiscal year - for administration purposes, the school is operating on the fiscal year from July 1 through June 30.
2. Length of school session - School shall be in session in accordance with state laws and rules and regulation promulgated by the Arkansas Department of Education.
3. Notification of school opening - All school personnel are to be notified as to the time to report for the year's work. Orientation, workshops and opening general faculty meetings are considered a part of the year's

work.

4. Supervision of activities -All activities of the pupils which are sponsored by the schools and conducted in the public school buildings or grounds are considered a part of the educational program and, as such, are to be supervised by teachers.

Revised: April 26, 2012

RULES AND REGULATIONS

1. Rules and regulations governing the orderly conduct of the pupils and the efficient operation of the schools in the Marion School District are found in the Board Policy Handbook and the Student Handbooks.
2. It is recognized by the school board and the administration of the schools that it is necessary to change rules and regulations as progress continues and new services are added.
3. It will be the policy of the school board to revise and evaluate written policy continually, keeping foremost in mind, greater opportunities for the youth in this area.

SCHOOL COMMUNITY RELATIONS

1. The school board shall endeavor to keep the people of the district well informed concerning their schools. It shall be the duty of the superintendent to see that an adequate program in keeping with this policy of the school board is in continuous effect.
2. Advisory committees of interested local citizens may be used to good advantage in bringing about necessary changes in those areas in which the school board may find itself in need of help from time to time. These advisory committees should make recommendations and then be disbanded when its work is finished. The school board alone has authority to act for the school district.
3. The Marion School District Board of Education wishes every layman in our community to feel that he is in partnership with our professional staff. The school board, which has the responsibility for continuous planning, analysis, and evaluation, endeavors to see that the most effective educational opportunities are made available to our children. Those opportunities should be consistent with the aspirations, cultural patterns, and financial abilities of the community.

DEVELOPMENT OF DISCIPLINE POLICIES

1. A committee composed of parents, students and school personnel to include teachers shall annually assist in the development of the district's discipline policies.

The annual review of the district's discipline policies is the responsibility of the Personnel Policies Committee (PPC). The PPC may recommend changes in the policies to the board of directors of Marion School District.

Student discipline policies shall include the offenses listed at A.C.A. 6-18-502 (A) through (E).

2. At the beginning of the school year, each school will issue to each student a school handbook citing school rules and conduct requirements to be read by both student and parents. The student will return a receipt signed by both the parent and the student. The receipt form will also provide an option of either paddling or an alternate form of punishment to be signed by the parent.
3. Due process will be followed in every instance where a student must be punished for choosing not to follow a rule of good conduct:
 - a. Notice of charge
 - b. Opportunity for denial

- c. Evidence against him/her
- d. Opportunity to tell his/her side
- e. Decision, and timely notice and an opportunity for a fair hearing

The degree of due process required is directly proportional to the degree of loss to the student. Any penalty which effectively denies a student's education will require the greatest degree of due process. This means notice in writing at a time sufficient for the student to prepare for a full hearing before the school board.

- 4. Teachers and administrators, classified employees, including bus drivers, and volunteers shall be provided appropriate student discipline training.

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

Adopted June 26, 2006

The Marion School District does not discriminate on the basis of race, color, national origin, sex, age, disability, or veteran status.

CHAPTER II

ADMINISTRATIVE ORGANIZATION

The responsibility for the administration of the policies of the school board shall be delegated to the superintendent of schools and such additional administrative staff members as, in the opinion of the school board, shall be needed to assist him in this function. Administrative authority is delegated to the office of the superintendent of schools and through that office to such staff members as principals, supervisors, and teachers.

DUTIES OF THE SUPERINTENDENT

1. Prepare the agenda for each school board meeting, attend all meetings except when his contract is being considered and participate in all discussions of the school board with no vote.
2. Administer the school in conformity with the adopted policies of the school board and the rules and regulations of the State Department of Education in accordance with Arkansas State Laws.
3. Develop administrative principles and procedures for implementing school board policies.
4. Provide a continuous appraisal of all policies originating with the school board.
5. Make recommendations to the Board concerning personnel employment, discipline, and termination.
6. Approve assignment of all instructional and non-instructional personnel.
7. With the staff, approve for adoption all textbooks and instructional materials, curricula guides, courses of study and extra class activities.
8. Attend national, state and local education conferences where the welfare of the school and public education is concerned.
9. Establish and maintain a permanent record system for each child in attendance in conformity with state law and school board policies.
10. Delegate such authority and duties to various staff members as may, in his judgment, be necessary for the efficient management of the schools and the implementation of school board policies.
11. Have general supervisory control of the admission of pupils to the schools and of their classification and promotion; provide that no pupil will be admitted to school that has not fulfilled the legal requirements as stipulated by state law.
12. Prepare the annual budget for school board approval.
13. Be the medium for all communications with the school board from all school employees.
14. Recommend policies on organization, finance, instruction and the school plant.
15. Keep the board informed on the progress of the school from a financial and instructional standpoint.
16. Perform such other duties as the school board may direct.

Revised: April 26, 2012

Chapter III LICENSED PERSONNEL

LICENSED EMPLOYMENT

1. Employment of all school personnel except the superintendent shall be nominated by the superintendent.
2. Employment will be based on the following:
 - a. Certification requirements.
 - b. Experience and performance.
 - c. Personal interviews.
 - d. Criminal background check.
3. Should a person nominated by the superintendent be rejected by the school board, it shall be the duty of the superintendent to submit another nomination for consideration.
4. Effective immediately, it is expected that the employment basis of persons who were/are initially hired as a teacher/coach is to remain on this basis. A resignation for such persons shall mean a resignation from both aspects of employment. Exceptions shall be for those who added coaching at the request of the district or for other situations such as employee discipline where it is in the district's best interest. It is clearly not in the district's best financial interest to add an additional instructional position in order to satisfy a coaching need.
Adopted 6-28-2007

LICENSED EMPLOYMENT REQUIREMENTS

1. Qualifications: all teachers must satisfy the requirements of state law and policies of the school board.
2. Teacher Information for Personnel File:
 - a. Reference Checks
Prior to employment, all applicants must be confirmed as having good moral character and shall provide the superintendent with a completed Marion School District application form.
 - b. Pre-Employment Criminal Background Checks
A competent and respected work force is a source of pride to the school board and its community. To those ends it shall be a goal of the district to employ persons of good character to work with the district's children and its employees. The district shall follow A.C.A. 6-17-410 and 411 which require criminal background checks.

The administration is directed to develop procedures to carry out this policy. All of the district's applications shall provide notice to potential employees of the district's intention to conduct the background check. At no time shall a person be recommended to the board for employment when the criminal background process has not been properly executed.

It is not the policy of the Marion School District to pay the fee required for the Criminal Record Check required before employing a new licensed employee. Prospective employees are responsible for paying the required fee. A.C.A. 6-17-411

In cases where there have been gaps in the employment history, the district may, at the superintendent's discretion, request the employee's permission to conduct an additional background check, through a reputable agency. The district shall bear the expense for this extra check.

- c. Soon after being notified of employment and before any payment for service, an employee must furnish the superintendent's designee with the following:

1. A current Arkansas Teaching License or Letter of Eligibility
2. Completed Highly Qualified Form with documents
3. Complete Praxis Score Report
4. Official transcripts
5. Completed membership form for Arkansas Teacher Retirement System
6. Current health certificate (Tuberculosis test)
7. Photocopy of a licensed birth certificate
8. Current address form
9. Withholding allowance form (W-4)
10. Photocopy of current driver's license
11. Photocopy of social security card
12. Accumulated sick leave letter from former district on district letterhead (if applicable)

ANNUAL FINANCIAL INTEREST DISCLOSURE

A.C.A. 6-24-101 to 119 requires school board members, administrators, and school employees to disclose personal financial interest they or their family members may have with the Marion School District. Such disclosure applies to transactions with the school district outside the ordinary employment contract. Failure to disclose such interests could result in criminal felony charges being brought against you. Copies of A.C.A. 6-24-101 to 119 are available in the superintendent's office.

Family Member: an employee's spouse, children – including step-children, parents of the employee or spouse, brothers and sisters, anyone living in the same household with the individual or his or her spouse, and anyone serving as an agent for an individual.

Financial Interest: ownership of more than a 5% interest, holding a position as an officer, director, trustee, partner or other top level management, or having one's compensation based in whole or in part by transactions with the school district.

If the contract, or transaction or a series of transactions is less than \$10,000 in a fiscal year, the approval process used by the school board is open disclosure, resolution, and board action stating that entering into such a contract or transaction(s) is in the best interest of the Marion School District.

If a contract or transaction(s) is over \$10,000 in a fiscal year, as specified in the law, the independent approval process shall be directed to the Commissioner of the Arkansas Department of Education. Upon completion of this process as set out in law, the contract shall be reviewed and approved by the school board.

All employees shall complete a district-provided form to indicate receipt of Act 1599's requirements. This form shall be signed by the employee and shall be placed in the employee's personnel file. Revised May 18, 2015

TEACHER PLACEMENT

In so far as possible, teachers will be assigned to positions for which they are best qualified. Also, an effort will be made to honor teacher preference in assignments. Teachers may be assigned, re-assigned, or transferred by the superintendent with school board approval.

TEACHER ATTENDANCE

Teachers are expected to observe the following rules regarding attendance at school:

1. Teachers are expected to attend promptly all meetings designed for them.
2. Teachers are expected to report to school on time as required by the building principal.
3. Teachers shall not leave the building or grounds during school hours without clearing such absences with the principal.

TEACHER ABSENCES

1. In case of absence from duty, the teacher is to telephone the principal at the earliest possible time, preferably the day before the expected absence. The principal of the school shall be informed daily relative to continued absence by the teacher.
 - a. Selection of substitutes for temporary replacement of an absent teacher will be made by the principal.
 - b. The teacher should leave the class roll, duty schedule, and complete lesson plans for the substitute.
2. Beginning with the 2008-2009 school year, when a teacher returns to work following an absence, he/she is to complete the Request for Leave of Absence form on which the teacher will classify his/her absence. This will greatly assist in the reconciliation of sick days submitted by the school and the needs of the payroll department. Adopted 6-28-2008
3. The principal will complete a monthly report of teacher absences and transmit it to the superintendent's office.
4. Extended absences for one duration of time, outside reasons of illness and/or family tragedy, and beyond the provisions of item #7 under Licensed Sick Leave Policy, will be permitted only by a special ruling of the Marion School Board. Item 7 will allow an absence for a total of four days by using the two personal days at the cost of substitute pay and the two "free days". All days taken beyond provision of #7 under Licensed Sick Leave Policy will result in the loss of all pay.

Extended absences beyond this period of time will be considered by the board when reasons of exceptional merit are made available. Additionally, the board will give greater priority to requests that are supported by a recommendation from the building principal and the superintendent.

LICENSED SICK LEAVE POLICY

1. For the purposes of A.C.A. 6-17-1202 to 1209 and this policy, the following definitions shall apply:
 - a. Teacher - the term "teacher" shall include any full-time employee of a local school district, who is compelled by law to secure a license from the State Board of Education as a condition to employment.
 - b. Sick Leave - shall mean absence with full pay from one's duties at school for personal or immediate family illness or other absence allowed under this policy.
 - c. Immediate Family - shall be defined to include husband, wife, children, father, mother, mother-in-law, father-in-law, sister, brother, sister-in-law, brother-in-law, grandfather, grandmother, grandchild, son-in-law, daughter-in-law, and/or members of the family living in the same household of the employee.
2. In case of absences resulting from being required** to serve jury duty or as an election official, the policy will be applied to result in no loss of pay to the teachers. The time spent on jury duty will not count against sick leave.
3. In the event of the birth or adoption in the teacher's family, an employee can request leave under the family medical leave program.
4. In case of death in the immediate family, a total of five (5) days of sick leave will be allowed.
5. Two (2) days of sick leave time will be allowed annually for the purpose of attending a funeral of family or close friends who do not meet the definition of immediate family.
6. Sick leave will be accumulated at the rate of one (1) day per month of teaching service.
7. Two days per year of sick leave time may be taken for personal reasons with the cost of teacher substitute pay for each of the days being deducted from the teacher's salary. These two days will be deducted from the sick leave time taken.

Additionally, two (2) days per year will be allowed which will not result in financial loss to the teacher, nor will the days be deducted from sick leave time. These unused personal leave days (two (2) free personal days) are not accumulative as personal days but may be accumulated and carried over as accumulated sick days. The total of four (4) days described are provided for in case of domestic or personal needs and should be used with discretion.

Personal days taken during the time of critical operation of the instructional program will have to be approved by the building level principal. Times of critical operation may include early days of school opening, test days, days before and after school closings, or other times as identified by the building principal.

8. Any school employee shall be able to transfer up to 90 days of unused sick leave to another school district, educational cooperative, state education agency, or two-year college. A.C.A. 6-17-1206.
9. The accumulated and unused sick leave shall be credited to the employee upon receipt of written proof from the school district, educational cooperative, state education agency, or two-year college in which the employee was formerly employed.
10. Absence for any other reason beyond the provision of this policy will result in the loss of all pay for the days taken and will require the consent of the school administration, which will be given only in case of conspicuous hardship.
11. To qualify for supplemental pay for unused sick days, a teacher must first have accumulated ninety (90) days of unused leave. Beginning with the school year following the one in which the maximum ninety (90) days of allowable sick leave is reached, payment will be made for any days accumulated beyond the ninety (90) days carry-over limit. This payment can be made at the end of the school year, at retirement, or when the person leaves the district. Licensed personnel leaving the district may also choose to transfer all of their unused sick leave. This payment will be made at the current substitute teacher pay rate. The ninety (90) day base must be maintained at all times in order to qualify for pay for unused sick leave.
12. Marion School District will pay any retiring licensed employee the current substitute teacher pay rate for all accumulated sick leave up to a maximum of ninety (90) days. Payment under this policy shall not apply to non-retirement resignations or terminations. Payment shall apply for individuals completely processed for retirement by ATRS but who continue to work under the permissive provisions of A.C.A. 24-7-702(a) or 24-7-502 and 708. To receive payment under this policy, the employee must be eligible for retirement under the current retirement laws of Arkansas. Payment will occur after the retirement papers are sent for processing and the employee has worked the last day of his/her contract.
13. Husbands and wives who are licensed employees will be permitted to share accumulated sick leave by written mutual agreement to the district's business office.
14. When a teacher or administrator uses all of his/her accumulated sick leave and is at the point of the paycheck being docked, the district may require the employee to submit a doctor's excuse for each additional day missed.

Revised May 18, 2015
Adopted June 26, 2006
Revised June 25, 2009

DONATED SICK LEAVE POLICY

The purpose of this policy is to assist a fellow teacher/administrator needing to be off work for an extended period because of some extreme personal or family medical circumstance. All full-time licensed Marion School District employees may share in this policy.

The donation of one's sick days to another Marion School District licensed employee shall be on a voluntary basis. Persons wishing to donate sick days must do so in writing directed to the payroll department. On a district-developed form the donor will identify the recipient of the donated days, will indicate the number of

donated days, and will sign and date the form. The donor and the number of days donated will be kept anonymous by the district. Donated days will be used in the order first received to last received.

An employee is not deemed eligible to make application to receive donated days until he or she has used all previously accumulated leave (i.e. sick, free, or personal) days and has used 10 additional days beyond sick leave. The request to receive donated days shall be made in writing to the superintendent. Accompanying this request shall be a doctor's certification stating the reason for the requested extended absence.

Upon receipt of the doctor's certification, the superintendent shall confer with the individual to determine what information he or she wants shared with the licensed staff. The superintendent shall notify all licensed staff members of the request.

The number of days donated shall be kept confidential – both to the donor and to the recipient. Neither shall be told the number of days donated to date. When the number of donated days is only two (2) or is reduced to two (2), the superintendent shall notify the affected employee. With the employee's permission, the superintendent shall communicate the need a second time.

Donated days not used will be returned to the donor's accumulated sick leave prior to the end of the year. Donated days cannot be carried forward from one school year to another.

The limit on the number of donated days shall be sixty (60) days. This policy is not to supplement the Family Medical Leave Act (FMLA) but will be in lieu of it. If less than 60 days or twelve weeks is used under this donated policy, the balance can certainly be requested under terms of the FMLA at the employee's discretion.

A licensed employee suffering a Workman's Compensation injury is ineligible to receive donated days under this policy because sick leave is not charged to the employee and remuneration is received from the state.

VACATIONS (Licensed)

All twelve (12) month licensed employees will be given two (2) weeks paid vacation after the completion of one (1) year's employment in the Marion School District.

FAMILY MEDICAL LEAVE (Licensed and Classified)

Definitions:

Covered active duty means:

- (A) in the case of a member of a **regular** component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country; and
- (B) in the case of a member of a **reserve** component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country under a call to order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

Covered Service Member is:

- (A) a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- (B) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Eligible Employee: is an employee who has been employed by the district for at least twelve (12) months and for 1250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave. Full time, licensed teachers are considered to have met the 1250 hour requirement for eligibility.

Health Care Provider: is a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices. It also includes any other person determined by the U.S. Secretary of Labor to be capable of providing health care services.

Instructional Employee: is a teacher whose principal function is to teach and instruct students in a class, a small group, or an individual setting and includes: athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include administrators, counselors, librarians, psychologists, or curriculum specialists who are included under the broader definition of "eligible employee" (to the extent the employee has been employed for 12 months).

Next of Kin: used in respect to an individual, means the nearest blood relative of that individual.

Outpatient Status: used in respect to a covered service member, means the status of a member of the Armed Forces assigned to

A) a military medical treatment facility as an outpatient; or

1. a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Qualifying Exigency: Issues that arise due to covered active duty or a call to covered active duty of an employee's spouse, son, daughter, or parent. Examples include issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other activities as defined by federal regulations.¹

Parent: is the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or a daughter.

Serious Health Condition: is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

Serious Injury or Illness:

- (A) in the case of a member of the Armed Forces, including the National Guard or Reserves, it means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- (B) in the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during a period as a covered service member defined in this policy, it means a qualifying (as defined by the U.S Secretary of Labor) injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Year: for leave **other than** to care for the serious injury or illness of a covered service member, the twelve (12) month period of eligibility shall begin on the first duty day of the school year.

Year: for leave to care for the serious injury or illness of a covered service member, the twelve (12) month period begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Policy

The provisions of this policy are intended to be in line with the provisions of the FMLA. If any conflict(s) exist, the Family Medical Leave Act of 1993 as amended shall govern.

Leave Eligibility

The district will grant up to twelve (12) weeks of leave in a year in accordance with the Family Medical Leave Act of 1993 (FMLA) as amended to its eligible employees for one or more of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
2. Because of the placement of a son or daughter with the employee for adoption or foster care;
3. To care for the spouse, son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition; and
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.
5. Because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.
6. To care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury.

The entitlement to leave for reasons 1 and 2 listed above shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a **covered service member** shall be entitled to a total of 26 weeks of leave during one 12-month period to care for the service member who has a serious injury or illness as defined in this policy. An eligible employee who cares for such a covered service member is limited for reasons 1 through 5 listed above to a total of 12 weeks of leave during a year as defined in this policy. For example, an eligible employee who cares for such a covered service member for 16 weeks during a 12 month period could only take a total of 10 weeks for reasons 1 through 5.

If husband and wife are both eligible employees employed by the district, the husband and wife are entitled to a total of 26 weeks of leave during one 12-month period to care for their spouse, son, daughter, parent, or next of kin who is a **covered service member** with a serious injury or illness as defined in this policy. A husband and wife who care for such a covered service member is limited for reasons 1 through 5 listed above to a total of 12 weeks of leave during a year as defined in this policy. For example, an eligible employee who cares for such a covered service member for 16 weeks during a 12 month period could only take a total of 10 weeks for reasons 1 through 5.

District Notice to Employees

The district shall post, in conspicuous places in each school within the district, where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor.

Employee Notice to District

Foreseeable:

When the need for leave is foreseeable for reasons 1 through 4 or 6 listed above, the employee shall provide the district with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave for the specified reason, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

When the necessity for leave for reason 5 listed above is foreseeable, whether because the spouse, son, daughter, or parent of the employee is on covered active duty, or because of notification of an impending call or order to covered active duty, the employee shall provide such notice to the district as is reasonable and practicable .

When the need for leave is for reasons 3, 4, or 6 listed above, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the district subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

Failure by the employee to give thirty (30) days notice may delay the taking of FMLA leave until at least thirty (30) days after the date the employee provides notice to the district.

Unforeseeable:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the district notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the district within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, telegraph, fax, or other electronic means.

Medical Certification

When the need for leave is for reasons 3, 4, or 6 listed above, the employee should provide a medical certification from a licensed, practicing health care provider supporting the need for leave at the time the notice for leave is given, but must provide certification at least fifteen (15) days prior to the date the leave is to begin. The certification shall include the date on which the serious health condition began, the probable duration of the condition, and the appropriate medical facts within the knowledge of the health care provider regarding the condition. Leave taken for reason 3 listed above, must include certification that the eligible employee is needed to care for the son, daughter, spouse, or parent and an estimate of the amount of time the employee is needed to provide the care. For reason 4 listed above, the certification must include a statement that the employee is unable to perform the required functions of his/her position.

If FMLA leave is to be taken on an intermittent or reduced work schedule basis for planned medical treatment, the certification shall include the dates on which such treatment is expected to be given and the duration of such treatment.

Second Opinion: In any case where the district has reason to doubt the validity of the certification provided, the district may require, at its expense, the employee to obtain the opinion of a second health care provider designated or approved by the employer. If the second opinion differs from the first, the district may require, at its expense, the employee to obtain a third opinion from a health care provider agreed upon by both the district and the employee. The opinion of the third health care provider shall be considered final and be binding upon both the district and the employee.

Recertification: The district may request the employee obtain a recertification, at the employee's expense, no more often than every thirty (30) days unless one or more of the following circumstances apply;

- a. The employee requests an extension of leave;
- b. Circumstances described by the previous certification have changed significantly; and/or
- c. The district receives information that casts doubt upon the continuing validity of the certification.

The employee must provide the recertification in no more than fifteen (15) calendar days after the district's request.

No second or third opinion on recertification may be required.

Sick Leave and Family Medical Leave Act (FMLA) Leave

When an employee takes sick leave, the district shall determine if the leave qualifies for FMLA leave. The district may request additional information from the employee to help make the applicability determination. If the leave qualifies under the FMLA, the district will notify the employee, either orally or in writing, of the decision within two workdays. If the leave is intermittent or on a reduced schedule as defined in this policy and the circumstances of the leave don't change, the district is only required to notify the employee once of the

determination regarding the applicability of sick leave and/or FMLA leave. To the extent the employee has accrued paid leave, any leave taken that qualifies for FMLA leave shall be paid leave and charged against the employee's accrued leave.

Concurrent Leave

The district requires employees to substitute any applicable accrued leave for any part of the twelve (12) week period of FMLA leave. All FMLA leave is unpaid unless substituted by applicable accrued leave.

Workers Compensation: FMLA leave may run concurrently with a workers' compensation absence when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will not be charged for any paid leave accrued by the employee. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a "light duty job," but is unable to return to the employee's same or equivalent job, the employee may decline the district's offer of a "light duty job." As a result, the employee may lose his/her workers' compensation payments, but for the duration of the employee's FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

Health Insurance Coverage

The district shall maintain coverage under any group health plan for the duration of FMLA leave the employee takes at the level and under the conditions coverage would have been provided if the employee had continued in active employment with the district. The employee remains responsible for any portion of premium payments customarily paid by the employee. When on unpaid FMLA leave, it is the employee's responsibility to submit his/her portion of the cost of the group health plan coverage to the district's business office on or before it would be made by payroll deduction.

If an employee gives unequivocal notice of intent not to return to work, or if the employment relationship would have terminated if the employee had not taken FMLA leave, the district's obligation to maintain health benefits ceases.

If the employee fails to return from leave after the period of leave to which the employee was entitled has expired, the district may recover the premiums it paid to maintain health care coverage unless:

- a. The employee fails to return to work due to the continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under reasons 3 or 4 listed above; and/or
- b. Other circumstances exist beyond the employee's control.

Circumstances under "a" listed above shall be licensed by a licensed, practicing health care provider verifying the employee's inability to return to work.

Reporting Requirements During Leave

Employees shall inform the district every two weeks during FMLA leave of their current status and intent to return to work.

Return to Work

Medical Certification: An employee who has taken FMLA leave under reason 4 stated above shall provide the district with certification from a health care provider that the employee is able to resume work.

Return to Previous Position: An employee returning from FMLA leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An equivalent position must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, and authority. The employee may not be restored to a position requiring additional licensure or certification.

Failure to Return to Work: In the event that an employee is unable or fails to return to work, the superintendent will make a determination at that time regarding the documented need for a severance of the employee's contract due to the inability of the employee to fulfill the responsibilities and requirements of their contract.

Intermittent or Reduced Schedule Leave

Eligible employees may only take intermittent or reduced schedule leave for reasons 1 and 2 listed above if the district agrees to permit such leave upon request of the employee.

Eligible employees may take intermittent or reduced schedule leave due to reasons 3, 4, and 6 listed above if they have:

- (A) made a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee, as appropriate; and
- (B) provided the employer with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subparagraph, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

Eligible employees requesting intermittent or reduced schedule leave that is foreseeable based on planned medical treatment may be transferred to an alternative position for which the employee is qualified with equivalent pay and benefits that better accommodates the employee's intermittent or reduced schedule leave.

If an eligible employee who meets the definition of an instructional employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the district may require the employee to elect either

- a. to take medical leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
- b. to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee.

Leave taken by eligible instructional employees near the end of the academic term

Leave more than 5 weeks prior to end of term

If the eligible, instructional employee begins leave, due to reasons 1 through 6 listed above, more than 5 weeks prior to the end of the academic term, the district may require the employee to continue taking leave until the end of such term, if

- (A) the leave is of at least 3 weeks duration; and
- (B) the return to employment would occur during the 3-week period before the end of such term.

Leave less than 5 weeks prior to end of term

If the eligible, instructional employee begins leave, due to reasons 1, 2, 3, or 6 listed above during the period that commences 5 weeks prior to the end of the academic term, the district may require the employee to continue taking leave until the end of such term, if

- (A) the leave is of greater than 2 weeks duration; and
- (B) the return to employment would occur during the 2-week period before the end of such term.

Leave less than 3 weeks prior to end of term

If the eligible, instructional employee begins leave, due to 1, 2, 3, or 6 listed above, during the period that commences 3 weeks prior to the end of the academic term and the duration of the leave is greater than 5 working days, the agency or school may require the employee to continue to take leave until the end of such term.

Approved by Licensed PPC: March 16, 2010
Approved by Classified PPC: March 17, 2010
Approved by School Board: May 27, 2010

LEAVE OF ABSENCE FOR BONE MARROW OR ORGAN DONATION

In keeping with A.C.A. 21-4-215, in any calendar year, a public school employee is entitled to the following leave in order to serve as an organ donor or as a bone marrow donor: No more than seven (7) days to serve as a bone marrow donor; and, no more than thirty (30) days to serve as an organ donor.

To qualify for this leave, one must identify the appropriate leave in writing to the superintendent. Second, the employee must provide written verification to the employer from the physician that he/she has been selected for the donation and the approximate date of the expected donation. Finally, after the donation, the employee must provide written verification from the physician to the employer that the employee completed the donation.

A school employee may use the leave provided in this policy without loss or reduction in pay, leave, or credit for time of service.

LEAVE OF ABSENCE FOR PERSONAL INJURY FROM ASSAULT OR OTHER VIOLENT CRIMINAL ACT

The Board of Education of the Marion District shall grant any licensed employee of the district, who is compelled by law to secure a license from the State Board of Education as a condition precedent to employment, leave at full pay for absence due to personal injury caused by either an assault or other criminal act committed against the licensed employee in the course of his/her employment.

The leave shall not exceed one (1) year from the date of injury and shall not be charged to the sick leave of the full-time licensed employee.

The verification of teacher's status as far as being on duty during the time of the incident shall be verified by the principal and the superintendent in writing to the board.

The assault or criminal act must be verified by the proper authority, *i.e.*, Police, etc.

The teacher must present a statement from a medical doctor as to the condition of the teacher's ability to work during this period of time. The school board may request that the teacher be examined by a medical doctor of the board's choosing to verify work ability. If there is a disagreement between the teacher's doctor and the board's doctor, a third opinion shall be requested from someone that both the teacher and the board agree upon and the opinion from the agreed upon doctor shall be the decision from which the board and the teacher shall abide.

The teacher shall not draw worker's compensation or hold any other job during the time the board is paying full salary under the conditions of this policy and act.

The decision of the school board shall be final, and that decision shall not be subject to appeal through any administrative proceeding, including district grievance policy.

MILITARY LEAVE

1. All teachers, administrators, and non-licensed personnel employed by Marion School District who desire to take a leave of absence for the purpose of participating in military training programs or other official duties made available by the Arkansas National Guard or of the reserve branches of the armed forces and all teachers, and administrators employed by Marion School District who desire to take a leave of absence for the purpose of participating in the civil defense and public health training programs made available by the United States Public Health Service shall be entitled to such a leave of absence for a period of fifteen (15) days, plus necessary travel time, in any fiscal year. To the extent that this leave is not used in a fiscal year, it will accumulate for use in the succeeding fiscal year until it totals fifteen (15) days at the beginning of a fiscal year.

2. (a) Whenever any teacher, administrator, or non-licensed employee is granted a leave of absence under the provisions of this section, he shall be entitled to his regular salary during the time he is away from his duties during such leave of absence.

(b) The teacher or administrator will be responsible for paying for the cost of any substitute employed in the teacher's or administrator's absence.

(c) Such leave of absence shall be in addition to the regular vacation time allowed the employee.
3. Teachers, administrators, and non-licensed personnel called to duty in emergency situations by the Governor or by the President shall be granted leave with pay not to exceed thirty (30) working days, after which leave without pay will be granted. This leave shall be granted in addition to all other leave to which the teacher, administrator, or non-licensed person shall be entitled.
4. "Emergency situations" shall have the same meaning as it is defined in § 21-4-212(e).
5. (a) During a leave of absence, teachers, administrators, and non-licensed personnel shall be entitled to preserve all seniority rights, efficiency or performance ratings, promotional status, retirement privileges, life and disability insurance benefits, and any other rights, privileges, and benefits to which they have become entitled.

(b) The period of military service shall, for the purposes of computations to determine whether such persons may be entitled to retirement under the laws of the State of Arkansas, be deemed continuous service, and the teacher, administrator, or non-licensed employee shall not be required to make contributions to any retirement fund.

(c) The school district shall continue to contribute its portion of any life and disability insurance premiums during the leave of absence on behalf of the teacher, administrator, or non-licensed employee, if requested, so that continuous coverage may be maintained.
6. The maximum number of military leave days available in any one (1) calendar year or fiscal year shall be thirty (30) days.

Act 724 of 1989
at A.C.A. § 6-17-306

WORKERS' COMPENSATION INJURIES AND SICK LEAVE COORDINATION

In an effort to minimize the potential loss of wages to an injured employee, Marion School District will allow the employee to coordinate workers' compensation benefits with his/her accumulated sick leave.

If an employee chooses to use this benefit, he/she must notify the central office of their request to coordinate these benefits. The employee must have accumulated sick leave to cover chosen payroll deductions.

The district bookkeeper will establish the amount paid by workers' compensation to the injured employee and calculate the amount the employee would have been docked. The difference between the workers' compensation wages and the docked amount will be charged against the employee's accumulated sick leave at the employee's rate and method of pay. The docked amount will be rounded to the nearest half-day or hour depending on how the employee's leave is recorded.

Under this policy, an employee may not receive more pay while on leave than they would have been paid for time worked

LICENSED ABSENCE FOR CHILD ADOPTION

When an infant child (up to three years) is adopted, the parent of the child may use up to four weeks of accumulated sick leave for home arrangements related to the needs of the child. If the child is beyond the age

of three, the use of one week of accumulated sick leave will be permitted. If medical needs of the child require additional time, documentation from the pediatrician or family physician will justify use of accumulated sick leave for "immediate family".

THIRTY-MINUTE UNINTERRUPTED DUTY-FREE LUNCH PERIOD

Marion School District shall provide at least a thirty-minute uninterrupted duty-free lunch period during each instructional day for each of its licensed employees. Any teacher not receiving a duty-free lunch period during a student instructional day as provided shall be compensated at his or her hourly rate of pay.

LICENSED PERSONNEL CELL PHONE USE

With a restrictive policy on student cell phone use during the school day, the Board desires that faculty also set the right example by refraining from use of their personal cell phones when students are present. The use of cell phones or other electronic communication devices by teachers for personal use during instructional time is strictly forbidden. Calls of an emergency nature that concern the teacher are to be made through the principal's office. Teacher cell phones are to be turned off when students are present and teachers are not to receive or make calls except during one's planning period or before or after school and then only when students are not present.

Adopted 6-28-2007

Revised 6-28-2008

SUBSTITUTE TEACHERS

1. Upon the recommendation of the superintendent, the school board will establish the rate of pay for substitutes.
2. The superintendent will determine the vendor who will be the provider for substitute teaching services.

Degree/Licensed	Daily Rate of Pay	Retroactively after 10 consecutive days in same position	
High School Diploma/GED; no college degree	\$62.00	\$65.00	
College Degree but no teaching license	\$62.00	\$70.00	
Teaching License in any area	\$62.00	MSD Salary Base only with no grad hours; no increment for experience	Current Base Teacher Salary Daily Rate: \$40,805 /190 days = \$214.76

Adopted 7/1/2010

Revised: April 26, 2012

Revised: February 19, 2015

Revised: July 1, 2015

SALARY SCHEDULES AND REGULATIONS

The Marion School District maintains a teacher and principal salary schedule that may be changed from year to year by actions by both the Personnel Policies Committee and the School Board. Besides the salary schedule being part of the personnel policies, a copy of the current salary schedule is available for inspection at all times in the office of the superintendent.

TRANSCRIPTS AND PAYMENT FOR GRADUATE HOURS OR DEGREES

The board values the benefit that additional graduate work in graduate programs of study that are utilized and recognized as outlets for licensure and employment in K-12 public education. The teacher and administrator salary schedule shall pay \$50 per completed and documented graduate credit up to a limit of 20 hours. Graduate hours completed beyond the 20 must be licensed in writing by a graduate advisor as progression toward an M.A./MSE, ED.S. or ED.D/PH.D program of study terminating in a degree program needed by standards or licensure in K-12 public education. Pursuing an advanced degree in an area of personal interest outside the scope of K-12 education will not be paid.

Payment for additional completed graduate work shall be accomplished by district method. That method of payment will be to add the value of the extra hours to the contract in force, if official transcripts are received by the superintendent's designee by either of the two deadlines: September 10 or January 10. While official transcripts can be turned in at any time other than by these deadlines, payment under a revised contract will not occur until the new school year's contracts are issued.

SALARY PAYMENT SCHEDULES

Salaries of all licensed personnel will be paid on twelve (12) monthly increments. The monthly date for receiving checks will be the 20th of each month. If the 20th falls on the weekend, the payroll checks will be distributed the Friday before the 20th. The last check will be made available to the faculty on approximately June 30th (before the close of the fiscal year). The last check which would represent the July payment will be mailed to faculty during the month of July if it has not been picked up by the employee at the end of June.

Requests to pick up paychecks early will be approved only by the superintendent or the superintendent's designee in these two circumstances: 1) a death in the employee's family requiring the employee to be absent on payday or, 2) a required absence because of supervisor-approved, school business. It is to be understood that these exceptions, even for deserving employees, cannot be accommodated if the payroll has not yet been prepared and the checks run.

All payroll deduction arrangements will be in increments of 1/12th per month.

The school district will pay for teacher's college credits toward a certification required by the educational standards only when such a coursework request has been initiated by the district.

6-25-07
Revised 6-25-09

LICENSED PERSONNEL RECORDS, REPORTS, AND FINAL PAY CHECK

The superintendent or his/her designee shall determine, by individual or by position, those records a teacher is responsible to keep and those reports he/she is required to maintain. It is a requirement of employment that all required records and reports be completed, submitted, or otherwise tendered, and be accepted by the appropriate principal, supervisor, or superintendent as complete and satisfactory, before the last month's pay will be released to the licensed employee.

Adopted 6-28-2007

NBPTS SUPPLEMENT ON SALARY SCHEDULE

In keeping with the spirit of A.C.A. 6-17-413, whereby the State of Arkansas financially rewards teachers who achieve National Board of Professional Teaching Standards certification, the Marion School Board also desires to recognize and reward any district teacher who successfully achieves this certification. Upon receipt of documentation of completion of the certification process, the district shall supplement the annual contract of said teacher by \$2000 for the life of the NBPTS certification from the point the policy takes effect.

CERTIFICATE OF CLINICAL COMPETENCE STIPEND

Marion School District desires to support the intent of A.C.A. 6-17-413 (d)(1) in placing Speech-Language-Pathologists who possess a Certificate of Clinical Competence on a parasto receipt of a salary supplement equal to that of Marion School District teachers who receive the local National Board of Professional Teaching Standards \$2000 stipend.

To qualify for the \$2000 stipend Marion School District must receive a photocopy of the Certificate for the individual Pathologist's personnel file prior to September 10th annually. The Director of Special Services shall verify the Certificate prior to the re-issuance of a revised contract for salary purposes.

In order to continue to receive this stipend, the Speech-Language-Pathologist must maintain her Certificate of Clinical Competence with its annual requirements.

NON-INSTRUCTIONAL DUTIES

1. The proper supervision of students at non-instructional times is critical to proper school functioning. Such non-instructional duties shall mean the supervision of students before or after the instructional day begins or ends for students or for the supervision of students during breakfasts, lunches, recesses, or scheduled breaks.
2. In keeping with A.C.A. 6-17-116, the principal of each school shall have the responsibility of assigning such duties. As per the Act, each teacher may be assigned sixty (60) minutes of non-instructional duty at no additional pay. Other time spent above the 60 minutes shall be paid by separate contract at the rate of \$12.00 per hour.

LICENSED BENEFITS

1. All members of the professional staff must belong to the Arkansas Teacher Retirement System.
2. All teachers of the district are covered by Social Security.
3. Group hospital, dental, income protection and life insurance plans are available.
4. All employees may choose to participate in the "cafeteria plan".

OUTSIDE EMPLOYMENT

1. Full-time employment during the school week outside of school duties is prohibited.
2. Regular outside employment during the school week is considered to be a conflict of interest.

PUBLIC OFFICE (Ability of School Employees to hold)

All employees of the Marion School District are free to exercise their rights as citizens and run for or accept appointment to public office if they so desire. However, employees should understand the following:

1. By law, a school board member may not work for the school district which he or she services.
2. School districts may not grant any employee paid leave for the purpose of permitting the employee to engage in public service or related activities.
3. Employees may use their personal days and vacation days to engage in public service or related activities, with the prior approval of their building principal/immediate supervisor.
4. In addition, upon request to the school board, a maximum of five additional days of unpaid leave may be granted to the employee for the purposes of engaging in public service or related activities. If the employee's services can be replaced by the district, the employee will be responsible for reimbursing the district for the expense of a substitute employee.
5. Employees who attempt to use sick leave days fraudulently for any purpose, including engaging in public service or related activities, will face disciplinary action up to and including nonrenewal or termination.

MENTOR POLICY

In keeping with the requirements of the Arkansas Department of Education, Marion School District provides qualified mentors to first-year teachers who have no classroom experience.

Licensed teachers who are interested in being a mentor for a novice teacher must:

1. be licensed educators,
2. be employed by the Marion School District,
3. have taught full-time for a minimum of three years,
4. hold a standard teaching license in the State of Arkansas, and
5. have successfully completed *Pathwise* Classroom Observation System state training.

Required Mentor applications and referral forms are available from the Mentor Director. Mentor teachers must:

1. show evidence of on-going professional growth in their school's ACSIP plan,
2. have a positive impact on student achievement,
3. demonstrate proficiency as a model teacher in all *Pathwise* domains, and,
4. possess good communication and interpersonal skills.

Applications, referral forms, and certificates will be kept on file at both the Mentor's Director's office and at the appropriate school office, as required by the ADE.

MSD will advertise grade level needs and deadlines via district email when additional mentors are needed. Whenever possible, building principals will match novice teachers with on-site mentors who have shared conference times and/or similar teaching assignments. In the event that a mentor is needed and there is no trained mentor who meets the requirements, a building principal may request a qualified teacher to attend *Pathwise* training during the school year. Mentor/Novice teacher matches will be made at the beginning of the school year or whenever a novice teacher is added during a school year. The Mentor Director will approve all Mentor/Novice teacher matches.

LICENSED PERSONNEL EVALUATIONS

Evaluations of licensed personnel shall be in accordance with the rules and regulations established by the Arkansas Department of Education and state statutes.

Any forms, procedures or other methods of evaluation, including criteria, are to be developed by the superintendent and his/her designee(s), but shall not be a part of the personnel policies of the district.

ADMINISTRATOR EVALUATOR CERTIFICATION

All newly hired or new promoted administrators, as a term and condition of their acceptance of their contract of employment for their administrative position, are required to obtain and maintain evaluator certification for

TESS on or before December 31 of the initial administrative contract year, unless they are explicitly excused from such a contractual requirement by board action at the time of the hire or promotion. It shall constitute just and reasonable cause for nonrenewal of the contract of employment for any newly hired or newly promoted administrator who is required to obtain and maintain TESS evaluator certification, as a term and condition of employment, to fail to do so by December 31 of any contract year. No administrator may conduct a summative evaluation unless they have successfully completed all training and certification requirements for evaluations for evaluators required by the ADE.

Approved by Board: April 17, 2014.

LICENSED PERSONNEL EMPLOYEE TRAINING

All employees shall attend all required local professional development training sessions as directed by a supervisor.

1. ACSIP

The District shall develop and implement a plan for the professional development of its licensed employees. The district plan includes all school plans. The district's plan shall, in part, align district resources to address the professional development activities identified in each school's ACSIP. The plan shall describe how the district's categorical funds will be used to address deficiencies in student performance and any identified academic achievement gaps between groups of students. At the end of each school year, the district shall evaluate the professional development activities' effectiveness in improving student performance and closing achievement gaps.

2. Requirements

Each licensed employee shall receive a minimum of sixty (60) hours of professional development annually to be fulfilled between June 1 and May 31. Professional development hours earned in excess of sixty (60) in the designated year cannot be carried over to the next year. Licensed employees who are prevented from obtaining the required professional development hours due to their illness or the illness of an immediate family member as defined in board policy have until the July 31 of the current year to make up the deficient hours. Summer make-up hours used to make up the former school year's 60-hour requirement cannot also be used for the following school year.

The goal of all professional development activities shall be improved student achievement and academic performance that result in individual, school-wide, and system-wide improvement designed to ensure that all students demonstrate proficiency on the state criterion-referenced assessments. The district's professional development plan shall demonstrate scientifically, research-based best practice, and shall be based on student achievement data and in alignment with applicable ADE Rules and/or Arkansas code.

3. Personnel Involvement

Teachers and administrators shall be involved in the design, implementation, and evaluation of the plan for their own professional development. The results of the evaluation made by the participants in each program shall be used to continuously improve the district's professional development offerings and to revise the school improvement plan.

4. Swap Days

Flexible professional development days (swap days) are those days for which an employee is allowed to substitute professional development activities, different from those offered by the district, but which still meet criteria of either the employee's Individual Improvement Plan or the school's ACSIP, or both. The district shall determine on an annual basis how many, if any, swap days of professional development it will allow to be substituted for district scheduled professional development offerings. The determination may be made at an individual building, a grade, or by subject basis. The district administration and the building principal have the authority to require attendance at specific professional development activities. Employees must receive, in advance, approval from the building principal for activities they wish to qualify for swap professional development days. To the fullest extent possible, professional development activities are to be scheduled and attended such that teachers do not miss their regular teaching assignments. Six (6) approved swap hours credited toward fulfilling the sixty (60) hour requirement shall equal one contract day. Hours of

professional development earned by an employee that are not at the request of the district and are in excess of sixty (60) or not pre-approved by the building principal shall not be credited toward fulfilling the required number of contract days for that employee. Hours earned that count toward the required sixty (60) also count toward the required number of contract days for that employee. Employees shall be paid their daily rate of pay for professional development hours earned at the request of the district that necessitate the employee work more than the number of days required by their contract.

5. Make-Up Requirement

Teachers and administrators who, for any reason, miss part or all of any scheduled professional development activity they were required to attend, must make up the required hours in comparable activities which are to be pre-approved by the building principal.

6. Documentation

To receive credit for his/her professional development activity, each licensed employee is responsible for obtaining and submitting documents of attendance for each professional development activity he/she attends. Documentation is to be submitted to the building principal or designee. All professional records will be maintained in a building office or central office file for a period of 5 years as a requirement of ADE monitoring.

7. Required Focus Areas

Teachers and administrators are required to obtain sixty (60) hours of approved professional development annually over a five-year period as part of licensure renewal requirements.

At least six (6) of the sixty (60) annual hours shall be in the area of educational technology.

Teachers are required to receive at least two hours annually of their sixty (60) required hours of professional development designed to enhance their understanding of effective parental involvement strategies. Up to once every five years, an educator may substitute no more than three (3) hours of the required training related to child maltreatment for the parental involvement training requirement.

All licensed personnel shall receive two (2) hours of professional development in teen suicide awareness and prevention one (1) time every five (5) school years which may be obtained by self-review of suitable suicide prevention materials approved by ADE.

Teachers who provide instruction in Arkansas history shall receive at least two (2) hours of professional development in Arkansas history as part of the sixty (60) hours required annually.

Anticipated rescuers shall receive training in cardiopulmonary resuscitation and the use of automated external defibrillators as required by ADE Rule. Such training shall count toward the required hours of professional development.

At least once every three (3) years, persons employed as athletics coaches, shall receive training related to concussions, dehydration, or other health emergencies as well as students' health and safety issues related to environmental issues and communicable diseases.

All licensed personnel shall receive at least two (2) hours of training related to child maltreatment within twelve (12) months of their initial licensure and/or the renewal of their license. The training curriculum shall meet the criteria established by ADE Rule which shall be based on the curriculum approved by the Arkansas Child Abuse/Rape/Domestic Violence Commission. Up to once every five (5) years, an educator may substitute no more than three (3) hours of the required training related to child maltreatment for the parental involvement training requirement. For the purposes of the training, "licensed personnel" includes school social workers, psychologists, and nurses.

All licensed personnel shall receive training related to compliance with the District's anti-bullying policies.

Administrators are required to receive at least three (3) hours annually of their sixty (60) required hours of professional development designed to enhance their understanding of effective parental involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parental participation.

For each administrator, the sixty (60) hour professional development requirement shall include training in data disaggregation, instructional leadership, and fiscal management, including without limitation the Initial, Tier 1, and Tier 2 training required for superintendents and district designees by ADE's Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements.

The superintendent, assistant superintendent, and grades 7-12 principal, assistant principal and guidance counselor are required to participate in professional development on the availability of, eligibility requirements for, and the process of applying for state-supported student financial assistance. Unless obtained as part of their previous position of employment, affected employees who are new to their position shall receive three (3) hours of such training within the first year in their new position. Subsequently, all affected employees shall receive one (1) hour of such training annually.

Teachers required by the superintendent, building principal, or their designee to take approved training related to teaching an advanced placement class for a subject covered by the College Board and Educational Testing Service shall receive up to thirty (30) hours of credit toward the sixty (60) hours of professional development required annually.

Licensed personnel may earn up to twelve (12) hours of professional development for time they are required to spend in their instructional classroom, office or media center prior to the first day of student/teacher interaction provided the time is spent in accordance with the state law and current ADE rules that deal with professional development. The hours may be earned through online professional development approved by the ADE, provided the professional development relates to the district's ACSIP and the teacher's professional growth plan.

8. University Coursework

Teachers are eligible to receive fifteen (15) professional development hours for a college course that meets the criteria identified in law and the applicable ADE rules. The board shall determine if the hours earned apply toward the required sixty (60). A maximum of thirty (30) hours may be applied toward the sixty (60) hours of professional development required annually.

9. Compliance

Employees who do not receive or furnish documentation of the required annual professional development jeopardize the accreditation of their school and academic achievement of their students. Failure of an employee to receive sixty (60) hours of professional development in any given year, unless due to illness as permitted by law, shall be grounds for disciplinary action up to and including termination.

10. Professional Development Formats

Approved professional development activities may include conferences, workshops, institutes, individual learning, mentoring, peer coaching, study groups, National Board for Professional Teaching Standards Certification, distance learning, internships, district/school programs, and approved college/university course work. Professional development activities should be consistent with the objectives developed by the National Staff Development Council Standards.

11. Required Content

Professional development activities shall relate to the following areas: content (K-12); instructional strategies; assessment; advocacy/leadership; systemic change process; standards, frameworks, and curriculum alignment; supervision; mentoring/coaching; educational technology; principles of learning/developmental stages; cognitive research; parental involvement; building a collaborative learning community; and student health and wellness.

Adopted 6-28-2007

LICENSED PERSONNEL REDUCTION IN FORCE

The School Board acknowledges its authority to conduct a reduction in force (RIF) when a decrease in enrollment or other reason(s) make such a reduction necessary or desirable. A RIF will be conducted when the need for a reduction in the work force exceeds the normal rate of attrition for that portion of the staff that is in excess of the needs of the district as determined by the superintendent.

In effecting a reduction in force, the primary goals of the school district shall be to maintain accreditation in compliance with the Standards of Accreditation for Arkansas Public Schools and/or other applicable accreditation associations; and the needs of the district. A reduction in force will be implemented when the superintendent determines it is advisable to do so and shall be effected through non-renewal, termination, or both. Any reduction in force will be conducted by evaluating the staffing needs of the district in each licensure area and/or, if applicable, specific grade levels on a district-wide basis.

If a reduction in force becomes necessary in a licensure area and/or specific grade level(s), the teacher's length of service in the district shall be the initial determining factor. The teacher with the most years of employment as a licensed teacher in the district as compared to other teachers in the same licensure area and/or specific grade level(s) shall prevail. Length of service in a non-licensed position shall not count for the purpose of length of service for a licensed position. Total years of service to the district shall include non-continuous years of service. Less than 120 days in any contract year does not count as a year of service.

In the event that two employees subject to a RIF have the same length of service, the employee with the highest number of points as determined by the schedule contained in this policy shall be retained. The teacher with the fewest points will be laid off first. There is no right or implied right for any teacher to "bump" or displace any other teacher.

- Years of service in the district – 1 point per year
Less than 120 days in any contract year does not count as a year of service;
All licensed position years in the district count including non-continuous years;
Service in any position not requiring teacher licensure does not count toward years of service.
- Graduate degree in any area of licensure applicable to credit of points (only the highest level of points apply)
 - 1 point - Master's degree
 - 2 points - Master's degree plus fifteen (15) additional hours
 - 3 points - Educational specialist degree
 - 4 points - Doctoral degree
- National Board of Professional Teaching Standards certification – 1 point
- Additional academic content areas of licensure as identified by the state board - 1 point per area
- Certification for teaching in a state board identified shortage area - 1 point

A teacher with full licensure in a position shall prevail over a teacher with greater points. All points awarded must be verified by documents on file with the district by October 1 of the current school year. All teachers shall receive a listing of licensed personnel with corresponding point totals. Upon receipt of the list, each teacher has ten (10) working days within which to appeal his or her assignment of points with the Superintendent.

If a teacher is non-renewed or terminated under this policy, he or she shall be offered an opportunity to fill a vacancy for which he or she is qualified for a period of up to two (2) years. The teacher shall be recalled for a period of two (2) years in reverse order of the layoff to any position for which he or she is licensed. Notice of vacancies shall be by licensed mail and the teacher shall have ten (10) working days from the date that the notification is received in which to accept the offer of a position. It is the responsibility of the teacher to keep the

superintendent's office notified of his/her current address for recall. A lack of response or a teacher's refusal of a position shall end the district's obligation to replace the laid-off teacher.

All fringe benefits to which an employee was entitled at the time of RIF, including sick leave, personal business days, etc. will be restored to him/her upon returning to full-time employment with the Marion School District. No benefits will accrue during the RIF-leave status. The employees recalled will be placed on the salary schedule to reflect total years teaching experience.

SECTION TWO

The employees of any school district which annexes to, or consolidates with, the Marion School District will be subject to dismissal or retention at the discretion of the School Board, on the recommendation of the Superintendent, solely on the basis of need for such employees on the part of the Marion School District, if any, at the time of the annexation or consolidation, or within one hundred twenty (120) days after the effective date of the annexation or consolidation. The need for any employee of the annexed or consolidated school district shall be determined solely by the Superintendent and School Board of the Marion School District.

Such employees will not be considered as having any seniority within the Marion District and may not claim an entitlement under a reduction in force to any position held by a Marion School District employee prior to, or at the time of, or prior to the expiration of one hundred twenty (120) days after the consolidation or annexation, if the notification provision below is undertaken by the Superintendent.

The Superintendent shall mail or have hand-delivered the notification to such employee of his intention to recommend non-renewal or termination pursuant to a reduction in force within one hundred twenty (120) days of the effective date of the annexation or consolidation in order to effect the provisions of this section of the Marion School District's reduction-in-force policy. Any such employees who are non-renewed or terminated pursuant to Section Two are not subject to recall. Any such employees shall be paid at the rate for each person on the appropriate level on the salary schedule of the annexed or consolidated district during those one hundred twenty (120) days and/or through the completion of the reduction-in-force process.

This subsection of the reduction-in-force policy shall not be interpreted to provide that the Superintendent must wait one hundred twenty (120) days from the effective date of the annexation or consolidation in order to issue notification of his intention to recommend dismissal through reduction-in-force, but merely that the Superintendent has that period of time in which to issue notification so as to be able to invoke the provisions of this section.

Pursuant to any reduction in force and as a part of it, the salaries of all teachers will be brought into compliance, by a partial RIF if necessary, with the Marion School District's salary schedule and further adjustments made if length of contract or job assignments change.

The intention of this section is to ensure that those Marion School District employees who are employed prior to the annexation or consolidation shall not be displaced by employees of the annexed or consolidated district by application of the reduction-in-force policy.

Legal Reference: A.C.A. § 6-17-2407
Date Adopted: May 14, 2009

LICENSED PERSONNEL DISMISSAL AND NON-RENEWAL

For procedures relating to the termination and non-renewal of teachers, please refer to the Arkansas Teacher Fair Dismissal Act. The Act specifically is not made a part of this policy by this reference.

A copy of the Act is available for review in the office of the principal of each school building.

Approved by School Board: April 26, 2012

DISTRICT RETIREMENT RECOGNITION

A retiree will receive a plaque from Marion School District if the retiree is eligible for benefits under the Arkansas Teacher Retirement System. This recognition shall not apply to employees whose contract is terminated by the district.

Revised March 19, 2015.

LICENSED PERSONNEL CONTRACT – RETURN

An employee shall have thirty (30) days from the date of the receipt of his contract for the following school year in which to return the contract, signed, to the designated office. The date of receipt of the contract shall be presumed to be the date of a cover memo which will be attached to the contract.

Failure of an employee to return the signed contract to the designated office within thirty (30) days of the receipt of the contract shall operate as a resignation by the employee. No further action on the part of the employee, the Superintendent, or the School Board shall be required in order to make the employee's resignation final.

Legal Reference: A.C.A. 6-17-1506 (c)(1)

DRUG FREE WORKPLACE (Licensed and Classified)

The conduct of district staff plays a vital role in the social and behavioral development of our students. It is equally important that the staff have a safe, healthful, and professional environment in which to work. To help promote both interests, the district shall have a drug free workplace. It is, therefore, the district's policy that district employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol, as well as inappropriate or illegal use of prescription drugs. Such actions are prohibited both while at work or in the performance of official duties while off district property; violations of this policy will subject the employee to discipline, up to and including termination.

Compliance with the standards of conduct stated in this policy is mandatory of all employees. Violations of any part of this policy may result in disciplinary action, including suspension and termination. If the situation warrants, the superintendent shall communicate all available information promptly to the proper law enforcement agency and offer full cooperation of the Marion School District in an investigation. Employees are encouraged to seek treatment and/or counseling for drug problems. The Marion School District will not assume any expenses incurred in counseling or attendance in a drug/alcohol program. Information about drug and alcohol counseling, rehabilitation and re-entry programs shall be available in the drug education coordinator's office at the district office.

The following are available for drug abuse and addiction information and treatment:

Parkwood Hospital
901-521-1400

Lakeside Hospital
1-800-232-5253

St. Francis Hospital – West Memphis Office
Addictive Disease Unit Manager # 732-2300

Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance, whether or not engaged in any school or school-related activity, and the behavior of the employee is such that it is inappropriate for a school employee, in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination. This policy also applies to those employees who are under the influence of alcohol while on campus or at school-sponsored functions, including athletic events.

Possession, use or distribution of drug paraphernalia by any employee, whether or not engaged in school or school-related activities, may subject the employee to discipline, up to and including termination. Possession in

one's vehicle or in an area subject to the employee's control will be considered to be possession as though the substance were on the employee's person.

It shall not be necessary for an employee to test at a level demonstrating intoxication by any substance in order to be subject to the terms of this policy. Any physical manifestation of being under the influence of a substance may subject an employee to the terms of this policy. Those physical manifestations include, but are not limited to: unsteadiness; slurred speech; dilated or constricted pupils; incoherent and/or irrational speech; or the presence of an odor associated with a prohibited substance on one's breath or clothing.

Should an employee desire to provide the District with the results of a blood, breath or urine analysis, such results will be taken into account by the District only if the sample is provided within a time range that could provide meaningful results and only by a testing agency chosen or approved by the District. The District shall not request that the employee be tested, and the expense for such voluntary testing shall be borne by the employee.

Any employee who is charged or convicted with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive, excluding holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately. If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.

Any employee so charged is subject to discipline, up to and including termination. However, the failure of an employee to notify his supervisor or the Superintendent of having been so charged shall result in that employee being recommended for termination by the Superintendent.

Any employee convicted of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances, or of drug paraphernalia, shall be recommended for termination.

Any employee who must take prescription medication at the direction of the employee's physician and who is impaired by the prescription medication such that he cannot properly perform his duties shall not report for duty. Any employee who reports for duty and is so impaired, as determined by his supervisor, will be sent home. The employee shall be given sick leave, if owed any. The District or employee will provide transportation for the employee, and the employee may not leave campus while operating any vehicle. It is the responsibility of the employee to contact his physician in order to adjust the medication, if possible, so that the employee may return to his job unimpaired. Should the employee attempt to return to work while impaired by prescription medications for which the employee has a prescription, he will, again, be sent home and given sick leave, if owed any. Should the employee attempt to return to work while impaired by prescription medication a third time, the employee may be subject to discipline, up to and including a recommendation of termination.

Any employee who possesses, uses, distributes or is under the influence of a prescription medication obtained by a means other than his own current prescription shall be treated as though he were in possession, possession with intent to deliver, or under the influence, etc., of an illegal substance. An illegal drug or other substance is one which is (a) not legally obtainable; or (b) one which is legally obtainable, but which has been obtained illegally. The District may require an employee to provide proof from his physician and/or pharmacist that the employee is lawfully able to receive such medication. Failure to provide such proof, to the satisfaction of the Superintendent, may result in discipline, up to and including a recommendation of termination.

Note: Bus drivers are also subject to the DOT rules and regulations.

Legal References: 41 USC § 702, 703, and 706

Date Adopted: February 24, 2011

TOBACCO USE (Licensed, Classified and Student)

Smoking or the use of tobacco, or products containing tobacco in any form, in or on any property owned or leased by the district, including buses or other school vehicles, is prohibited.

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.

Revised May 18, 2015
Approved by School Board: April 26, 2012
Legal Reference: A.C.A. § 6-21-609

PERSONNEL POLICIES AND PERSONNEL POLICIES COMMITTEE

1. "Personnel Policies" means all school district policies, guidelines, regulations, and procedures that pertain to the terms and conditions of the teacher's employment. The following terms and conditions of employment are specifically noted in A.C.A. 6-17-201: benefits, compensation, designation of work days, holidays and non-instructional days, the annual calendar, methods of evaluation, extra duties, leave, grievances, dismissal or non-renewal, reduction in force, and the assignment of teacher aids from school to school.
2. Election And Organization Of The Personnel Policy Review Committee
 - a. The personnel policy review committee shall be composed of two members from the high school campus and one from each of the other campuses, one elementary administrator, one secondary administrator and the superintendent as a nonvoting ex-officio member.
 - b. The election to fill vacancies will be conducted by the teacher representatives of the personnel policy review committee at affected schools the first Thursday in September. Each school needing to elect a representative will nominate one candidate to be voted on by all teachers employed by the district. The names of all consenting candidates will appear on the nomination ballots. Each classroom teacher representative shall be elected by a majority vote of the classroom teachers voting in the election by secret ballots.
 - c. The first organizational meeting of the personnel policy review committee will be held in the superintendent's office on the second Thursday in September. At that time, the committee will elect a chairman and a secretary.
 - d. Teacher members of the personnel policy committee will serve a three-year term. If a position is vacated before the end of the term, the unexpired portion will be filled at the next election or a special election called by the personnel policy committee.
3. Recommendations by the individual faculty members of the Marion School District for personnel policy changes should proceed through the following steps:
 - a. The faculty petitioner will present in writing a proposed change in personnel policy to the faculty representative or the building principal. If the faculty representative has received the proposed change, he/she will immediately take a copy of it to the principal. The principal will call a faculty meeting so that the proposal may be considered.
 - b. The faculty representative or petitioner will present the proposal for discussion. Petitioner may request that the matter be dropped from further consideration at this point.
 - c. The faculty representative will request that the Personnel Policy Committee chairperson place this item on the agenda of the next meeting.
 - d. The faculty representative will present the results of the building teachers meeting for further action by the Personnel Policy Committee.
4. In compliance with A.C.A. 6-17-2051:
 - a. Either the committee or the board of directors may propose new personnel policies or amendments to existing policies, if the proposals by the board have been submitted to the committee at least ten (10) days prior to presentation to the board.

- b. The superintendent may recommend any changes in personnel policies to the board of directors or to the personnel policies committee. Such recommendations shall become proposals if adopted by either the board or the committee.

EFFECTIVE DATE OF POLICY CHANGES:

All personnel policy changes enacted during one fiscal year (July 1-June 30) will become effective on the first day of the following fiscal year, July 1, unless voted on, by secret ballot, and approved by a majority of the licensed staff to be effective in the current fiscal year. This specifically includes any changes made between May 1 and June 30 to ensure compliance with state or federal laws, rules, or regulations or the Arkansas Department of Education Commissioner's Memos. In addition, changes to policies to maintain compliance with state or federal laws, rules, regulations, or Commissioner's Memos that are after June 30 but are adopted within ninety (90) days from the effective date of the legal change that created the need for the policy adoption shall become effective on the final date of adoption. (Act 835 of 2015).

Legal Reference: Act 835 of 2015

Approved by School Board: May 18, 2015

TEACHER OF THE YEAR ELECTION GUIDELINES

There will be one District Teacher of the Year selected from a campus on a rotation basis. The district Teacher of the Year will be eligible for region or state teacher of the year awards. In addition to the District Teacher of the Year, one teacher of the year will be selected from each campus except from the campus selecting the District Teacher of the Year. These teachers will not be eligible for region or state teacher of the year awards and will not provide a portfolio. Their recognition will be a local recognition only.

1. Only licensed personnel based at the school will vote in the election.
2. The Personnel Policy Committee representative from that school shall provide guidance to the Personnel Policy Committee and not be involved in the ballot distribution, collection, and counting. If the representative becomes a top 3 finalist, he/she will be excused from the meeting.
3. Voting will be conducted electronically and will be open for a time designated by the Personnel Policy Committee.
4. The Teacher of the Year election is by peers; administrators will not vote.
5. In the event of a tie, there will be a runoff.

Approved by Licensed Personnel Policy Committee:10-19-10

Approved by Marion School Board: 11-16-10

Revised: April 26, 2012

Revised: April 25, 2013

GRIEVANCE POLICY FOR EMPLOYEES (Licensed and Classified)

Purpose

To provide an orderly process for employees to resolve, at the lowest possible level, their concerns related to the personnel policies or salary payments of this district.

Definitions

Grievance: a claim or concern related to the interpretation, application, or claimed violation of the personnel policies, including salary schedules, federal or state laws and regulations, or terms or conditions of employment, raised by an individual employee of this school district. Other matters for which the means of resolution are provided or foreclosed by statute or administrative procedures shall not be considered grievances.

A group of employees who have the same grievance may file a group grievance.

Group Grievance: A grievance may be filed as a group grievance if it meets the following criteria: (meeting the criteria does not ensure that the subject of the grievance is, in fact, grievable)

1. More than one individual has interest in the matter; and
2. The group has a well-defined common interest in the facts and/or circumstances of the grievance; and
3. The group has designated an employee spokesperson to meet with administration and/or the board; and
4. All individuals within the group are requesting the same relief.

Employee: any person employed under a written contract by this school district.

Immediate Supervisor: the person immediately superior to an employee who directs and supervises the work of that employee.

Day: a calendar day, unless otherwise specified.

Working day: a day in which a majority of the employees of the same job classification as the employee with a grievance is scheduled to work.

Representation: Employees have the right to be represented by a person of their own choosing, but not by a member of a party's immediate family at any level of the grievance procedure process. A teacher shall be entitled to and shall be offered the opportunity to have a witness or representative of the teacher's choice during any disciplinary or grievance matter with any administrator.

Process

Level One: An employee or group of employees who believes that he/she/they has/have a grievance shall inform that employee's immediate supervisor of the potential grievance and discuss the matter with the supervisor within five working days of the occurrence of the grievance. (The five-day requirement does not apply to grievances concerning back pay.) If the grievance is not advanced to Level Two within five days following the conference, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

A determination by the principal, supervisor, or superintendent that the concern expressed by the employee(s) is not a grievance may be appealed to the school board for a final decision.

If the grievance cannot be resolved by the immediate supervisor, the employee(s) can advance the grievance to Level Two. To do this, the employee(s) must complete the top half of the Level Two Grievance Form within five working days of the discussion with the immediate supervisor, citing the manner in which the specific policy was violated that has given rise to the grievance, and submit the Grievance Form to his/her immediate supervisor. The supervisor will have ten working days to respond to the grievance using the bottom half of the Level Two Grievance Form which he/she will submit to the building principal, or, in the event that the employee's immediate supervisor is the building principal, the superintendent.

Level Two: Upon receipt of a Level Two Grievance Form, the building principal or superintendent (hereinafter "recipient") will have ten working days to schedule a conference with the employee(s) filing the grievance. After the conference, the recipient will have ten working days in which to deliver a written response to the grievance to the employee(s). If the grievance is not advanced to Level Three (if appropriate) or appealed to the Board of Education within five days of the conference, the matter will be resolved and the employee(s) shall have no further right with respect to said grievance.

Level Three: If the proper recipient of the Level Two Grievance was the building principal, and the employee(s) remains unsatisfied with the written response to the grievance, the employee(s) may advance the grievance to the superintendent by submitting a copy of the Level Two Grievance Form and the principal's reply to the superintendent within five working days of his/her receipt of the principal's reply. The superintendent will have ten working days to schedule a conference with the employee(s) filing the grievance. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee(s).

Appeal to the Board of Directors: Employees who remain unsatisfied by the written response of the superintendent may appeal the superintendent's decision to the Board of Education within five working days of his/her receipt of the superintendent's written response by submitting a written request for a board hearing to the board president, with a copy sent to the superintendent. If the grievance is not appealed to the Board of Directors within five days of his/her receipt of the superintendent's response, the matter will be considered resolved and the employee(s) shall have no further right with respect to said grievance.

The school board will address the grievance at the next regular meeting of the school board, unless the employee agrees in writing to an alternate date for the hearing. At the hearing, the employee(s) shall have an adequate opportunity to present the grievance but no less than ninety (90) minutes, unless a shorter period is agreed to by the employee, and all parties shall have the opportunity to present and question witnesses. After reviewing the Level Two Grievance Form and the superintendent's reply, the board will decide if the grievance, on its face, is grievable under district policy. If the Board rules the grievance not to be grievable, the matter shall be considered closed. If the Board rules the grievance to be grievable, they shall immediately commence a hearing on the grievance. All parties have the right to representation by a person of their own choosing at the appeal hearing before the Board of Directors. The hearing shall be open to the public unless the employee requests a private hearing. If the hearing is open, the parent or guardian of any student under the age of eighteen years who gives testimony may elect to have the student's testimony given in closed session. At the conclusion of the hearing, if the hearing was closed, the Board of Directors may excuse all parties except board members and deliberate on the hearing. A decision on the grievance shall be announced no later than the next regular board meeting.

Records

Records related to grievances will be filed separately and will not be kept in, or made part of, the personnel file of any employee.

Reprisals

No reprisals of any kind will be taken or tolerated against any employee because he/she has filed or advanced a grievance under this policy.

Board approved: April 17, 2014

SEXUAL HARASSMENT POLICY (Licensed, Classified and Student)

1. Purpose

It is the policy of the Marion School District to maintain a learning and working environment that is free from sexual harassment.

2. Authority

It shall be a violation of this policy for any member of the District's staff to harass a student through conduct or communications of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students or staff members through conduct or communications of a sexual nature as defined. Also prohibited is discrimination between employees based on their submission to or cooperation in sexual harassment.

3. Definitions

Unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, or physical contact of a sexual nature when made by a member of the school staff or when made by any student to another student or staff member shall constitute sexual harassment when:

- a. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment;
- b. submission to or rejection of such conduct is used as a basis for academic decisions affecting that individual; or
- c. such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive academic or work environment.

Sexual harassment, as defined above, may include but is not limited to the following:

- a. verbal harassment or abuse;
- b. pressure for sexual activity;
- c. repeated remarks to a person, with sexual or demeaning implications;
- d. unwelcome touching;
- e. suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

4. Procedures

Any person who alleges sexual harassment by any staff member or student in the District may use the District's Grievance Procedure or may complain directly to the school's principal or the district's equity coordinator.

Proper steps for reporting complaints for sexual harassment are:

- a. Step One - The complainant shall state in writing the basis for the complaint, the names of the persons involved, and the dates of any specific incidents. This complaint shall be presented to the principal or equity coordinator within forty-five (45) days of the alleged incident(s).
- b. Step Two - All complaints are to be investigated immediately and thoroughly. The right to confidentiality, both of the complainant and the accused, will be respected consistent with the district's legal obligations. The administrator will report his findings of his/her investigation and the action taken in writing to the complainant within fourteen (14) calendar days of the receipt of the complaint, either hand-delivered or by licensed mail. Upon completion of the investigation, the administrator will take any corrective action (s) necessary.
- c. Step Three - Should the complainant feel that the action is insufficient, the initial report shall be sent to the district Superintendent. A summary of any previously proposed resolutions shall be included, along with a statement of the reasons why the proposed resolution is deemed insufficient. The complaint shall be investigated immediately and the conclusion of such investigation and the action taken will be reported in writing to the complainant within fourteen (14) calendar days, either hand-delivered or by licensed mail.
- d. Step Four - If the problem is still unresolved after Step 3, the complainant may make a request in writing to the superintendent for a hearing before the Board of Education at the next regularly scheduled board meeting.

5. Disciplinary Action

A substantiated charge against a staff member in the district shall subject such staff member to disciplinary action, including suspension or discharge. A substantiated charge against a student in the school district shall subject that student to disciplinary action including suspension or expulsion.

Legal References: Title IX, 20 U.S.C., Section 1681 et seq.; 1993, EEOC 29 CFR 1604.11

The Sexual Harassment Complaint Form is to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

SPONSORS OF NON-SANCTIONED TRIPS/TOURS (Licensed and Classified)

A Marion School District faculty or staff member organizing a tour or trip, inside Arkansas or outside the state, that involves any of the districts's students and/or parents or other adults must assume all legal responsibility and applicable liability. The district assumes no such responsibility. Trips or tours that have not been sanctioned by the Arkansas Activities Association or approved by the school board shall not be covered by the district's liability insurance policy. No teacher or staff member shall use the school or district name for the event or in its billing.

VIDEO SURVEILLANCE (Licensed, Classified and Student)

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 rooms 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 surveillance cameras and equipment shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Adopted 6-28-2007

OPENING OF SCHOOL BANK ACCOUNTS (Licensed and Classified)

No Checking or Savings Account may be opened or Certificates of Deposit purchased by any school employee for any school purpose without the prior written authorization by the school principal and the Superintendent.

If prior to the effective date, an employee has an account or CD opened for a school purpose, such must be reported immediately to the Superintendent, for immediate corrective actions.

A reminder that all monies received from students or received by the school office, including donations, are considered state funds and are subject to all internal controls that the Division of Legislative Audit and the Board of directors of Marion School District expect.

Failure to comply with this rule will result in discipline sanctions. If misconduct of such an account is determined, it could result in a recommendation for termination of employment and possible prosecution.

Adopted 6-28-2008

CLASSROOM SUPPLIES REIMBURSEMENT POLICY FOR TEACHERS, GRADES PK-6

In keeping with A.C.A. 6-21-303 (b)(1), Marion School District shall provide to teachers in grades PK-6 the greater of twenty dollars (\$20.00) per student enrolled on November 15th in the teacher's room or five hundred dollars (\$500.00) for the purpose of purchasing related commodities for use by the teacher in his or her classroom or for class activities.

Teachers may draw from these discretionary funds by using district-provided purchase orders to vendors who will bill the district, or teachers may expend their own funds and be reimbursed by their school upon providing receipts. No reimbursement shall be made without the required receipts.

TEACHER CLASSROOM DOORS AND WINDOWS IN OR AROUND THE DOORWAY

Teachers are not to cover their doors or cover windows that are a part of the doorway.

Doors to each of our classrooms are expensive items. Most often they are composed of special hardware, hinges, and many are of special laminates or hardwoods, typically not common at house product stores. The materials used to attach decorations such as Scotch Tape®, masking tape, and Plasti-Tak®, often contain compounds that causes the door finish to de-laminate. Staples into the wood also can lead to separation of the wood layers. Teachers are instructed to not attach items to their classroom doors with any of the above materials.

Windows in the door itself or windows which surround the door are not to be covered at any time. Further, It shall be the policy of the district to leave lights on, doors unlocked, and shades open when a teacher is in his/her classroom alone with any student, regardless of the purpose. This assists the district in protecting its employees and students from unnecessary accusations of unethical conduct. Further, being able to see into the classroom assists both the school with general supervision and with student and employee safety in crisis situations involving the authorities.

Approved 6-25-09

LICENSED PERSONNEL DUTY TO REPORT CHILD ABUSE, MALTREATMENT OR NEGLECT

It is the statutory duty of licensed school district employees who have reasonable cause to suspect child abuse or maltreatment to directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. Failure to report suspected child abuse, maltreatment or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Notification of local or state law enforcement does not satisfy the duty to report; only notification by means of the Child Abuse Hotline discharges this duty.

The duty to report suspected child abuse or maltreatment is a direct and personal duty, and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment or neglect has occurred, or to rule out such a belief. Employees and volunteers who call the Child Abuse Hotline in good faith are immune from civil liability and criminal prosecution.

By law, no school district or school district employee may prohibit or restrict an employee or volunteer from directly reporting suspected child abuse or maltreatment, or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline.

Legal References: A.C.A. § 12-18-107
A.C.A. § 12-18-201 et seq.
A.C.A. § 12-18-402

LICENSED PERSONNEL COMPUTER USE POLICY (Licensed and Classified)

The Marion School District provides computers and/or computer Internet access for many employees to assist employees in performing work related tasks. Employees are advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that under Arkansas law both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act. Consequently, no employee or student-related reprimands or other disciplinary communications should be made through email.

Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.

Detailed guidelines describing use of district technology are to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

Approved by School Board: April 26, 2012
Legal References: Children's Internet Protection Act; PL 106-554
20 USC 6777
47 USC 254(h)
A.C.A. § 6-21-107
A.C.A. § 6-21-111

PROFESSIONAL DISTANCE BETWEEN TEACHERS AND STUDENTS

A successful teacher should consider gathering relevant information on his/her students. This is especially true when a student has challenges such as limited English proficiency, poverty, or homelessness. A formative relationship is one that develops mutual trust and yet honors boundaries. Students and teachers must understand and display mutual respect. Teachers are adults who have personal friends, interests, and a life outside of school.

Because a teacher's license is valuable as a means of livelihood, some required advice is given here into protect the teacher. Teachers are urged to avoid inappropriate comments, topics, or discussions with students. Teachers should always remember that they are the adult. As an employee you have personal information that is none of the student's business. At all times a teacher must expect students to honor the teacher's physical space. Certainly, a teacher must never inappropriately touch, make inappropriate comments, or make inappropriate demands toward a student. The converse is also true of students.

In order to protect a teacher from accusation, it shall be the policy of the district to require all doors to be kept unlocked, open, and the lights left on when a student is present in a room with a teacher. Window panes that are a part of the door or panes surrounding the door are not to be covered with paper, so that a fellow teacher or supervisor, or police can have full view of the room should a problem arise.

Avoid topics that either not appropriate to your curriculum. If a student should bring a personal matter to the teacher's attention, the teacher must strive to keep themselves blameless and totally professional with the student. Quickly refer those areas that should be handled by the counselor or principal, especially when gender is an issue.

Teachers should refrain from giving personal contact information, including cell phone numbers to students. Teachers should refrain from texting information to students. One possible exception could be a general email, concerning game cancellations on weekends or during a holiday period. It is the district's preference that the parent be contacted in such instances if at all possible.

As colleagues, we should be proactive to head-off inappropriate conduct between a teacher and a student(s) to protect all concerned. Teachers are advised that the State Board of Education and the Professional Licensure Standards Board consider inappropriate contacts by employees as reportable violations of the Code of Ethics. Teachers should be advised that this Board has subpoena power and will investigate claims. Persons found to have violated the Code of Ethics could suffer the stated penalties which include the loss of one's teaching or administrative license. For more information see the Arkansas Department of Education website, Arkansased.org or see your building principal.

Adopted 6-25-09

MONEY RECEIVED BY THE TEACHER FROM STUDENTS

1. School activities provide numerous opportunities for students to pay for things or to turn in project sales, etc.
2. Teachers are reminded first that such collected funds are considered "state funds" by state auditors. As such, districts and schools are expected to use proper internal controls over such collections.
3. It is the district's long-standing policy that monies received from students are to be received, receipted and taken to the school's bookkeeper for deposit into the proper accounts. Further, each school's bookkeeper has been instructed to deposit receipts daily, unless the school has an adequate safe which has been approved by the district's business manager.
4. At no time are teachers to leave any money in their desk, or in their room. This invites theft and could cause frustrating accountability issues for the administration and the teacher if questioned by authorities.
5. The district is required by its auditors to report to police any theft of collected monies. If theft occurs and a teacher has not followed this district's policy, the teacher may be held responsible for any money that is stolen.
6. In the event of an after school hours event, and a sponsor/cashier is asked to collect such proceeds, it is advised that the teacher and another individual count the proceeds needing deposit, to avoid discrepancies or accusations. In the case of such events, teachers are advised to check in advance with the principal or designee as to where the money is to be kept prior to turning it over to the school bookkeeper for receipting and depositing.

Approved 6-25-2009

MARION SCHOOL DISTRICT 2015-16 TEACHER SALARY SCHEDULE

NOTE: Extended contract length and supplements are added to the figures below.

A. Teacher Salary Schedule

Years of Experience	Bachelor's Degree	Master's Degree	Specialist Degree	Doctorate Degree
0	39305	41580	43855	46130
1	39785	42060	44335	46610
2	40265	42540	44815	47090
3	40745	43020	45295	47570
4	41225	43500	45775	48050
5	41705	43980	46255	48530
6	42185	44460	46735	49010

7	42665	44940	47215	49490
8	43145	45420	47695	49970
9	43625	45900	48175	50450
10	44105	46380	48655	50930
11	44585	46860	49135	51410
12	45065	47340	49615	51890
13	45545	47820	50095	52370
14	46025	48300	50575	52850
15	46505	48780	51055	53330
16	46985	49260	51535	53810
17	47465	49740	52015	54290
18	47945	50220	52495	54770
19	48425	50700	52975	55250
20	48905	51180	53455	55730
21	49385	51660	53935	56210
22	49865	52140	54415	56690
23	50345	52620	54895	57170
24	50825	53100	55375	57650
25	51305	53580	55855	58130
26	51785	54060	56335	58610
27	52265	54540	56815	59090
28	52745	55020	57295	59570
29	53225	55500	57775	60050
30	53705	55980	58255	60530
31	54185	56460	58735	61010

Experience increments are at a rate of \$480 per year for 31 years. Total increments = \$14,880.

\$50 per hour for graduate credit from an accredited institution up to 20 hours, effective 7-1-05.

Hours beyond the 20 must be certified by a graduate advisor as progression toward an M.A./MSE, ED.S or ED.D/PH.D. program of study terminating in a degree program needed by K-12 public education.

B. Supplemental Pay Schedules:

Summer School/Extended Year teachers rate shall be hourly based per diem value of last contract.

NBPTS Supplement - \$2,000/yr. for life of this certificate.

ACSIP School Chair - \$1,500

Parent Involvement Facilitator - \$1,000

*1 Asst. Football - \$2,004 (205 day contract)

Asst. 7th Football - \$1,077

Head Sr. Boys Track - \$1,370

Head Sr. Girls Track - \$1,370

Head Jr. Boys Track - \$1,000

Head Jr. Girls Track - \$1,000

Asst. Sr. Boys Track - \$1,004

Asst. Sr. Girls Track - \$1,004

Asst. Jr. Boys Track - \$904

Head Sr. Girls Basketball - \$2,806

Asst. Sr. Basketball - \$2,217

Head Jr. Basketball - \$1,985

Asst. Jr. Basketball - \$1,568

Head 7th Basketball - \$1,077

Asst. 7th Basketball - \$851

Basketball Worker - \$703

Basketball Clock Operator - \$703

Basketball Official Scorer - \$703

Asst. Jr. Girls Track - \$904
 Boys Cross Country - \$904
 Girls Cross Country - \$904
 Sr. Boys Tennis - \$904
 Sr. Girls Tennis - \$904
 Sr. Boys soccer - \$1,185
 Sr. Girls Soccer - \$1,185
 Head Sr. Baseball - \$2,761
 Asst. Sr. Baseball - \$1,391
 Head Sr. Softball - \$2,761
 Asst. Sr. Softball - \$1,391

Boys Golf - \$904
 Girls Golf - \$904
 ** Asst. Volleyball - \$2,004 (205 day contract)
 Asst. 7th Volleyball - \$1,077
 Volleyball Workers - \$703
 Sr. Cheerleaders - \$2,262
 Jr. Cheerleaders - \$1,697
 Building Trades - \$3,169

Sr. Band Director/Instrumental Music Supervisor - \$8,200
 Jr. High Director/Asst. Sr. Director - \$4,000
 Middle Band Director - \$2,688

*1This includes all football coaching positions except head senior football and assistant 7th grade football. The athletic director will recommend the football coaching assignments to the superintendent.

*2 This includes all volleyball coaching positions except head senior volleyball and assistant 7th grade volleyball. The athletic director will recommend the volleyball coaching assignments to the superintendent.

Supplements for a new sport or additions or changes to other supplements shall be recommended by the athletic director or principal to the superintendent. After review by the PPC, the superintendent shall make a recommendation to the school board of these changes.

C. Administrative Salary Schedule

1. The administrative pay schedule represented below is computed by adding the same percentage increase as the average MSD teacher to the previous year's contract. By dividing this figure by the top 190-day teacher salary, the index below is obtained.

Elem. Principals 1.27561 to 1.41416	Secondary Principals 1.345224 to 1.50795
El. Asst. Principals 1.06215 to 1.27786	Sec. Asst. Principals 1.09685 to 1.36863
Directors 1.10823 to 1.62268	Football Administrator 1.23332
Deputy Superintendent 2.04616	Volleyball Administrator 1.00785
Boys Basketball ADM/Dean-MHS 1.33476	Dean MJHS 1.28081

2. The salary for any new administrative position shall be recommended by the superintendent to the board of education considering job market value and experience.
3. If teachers have an increment contracted, administrators shall also receive a \$500 increment. It shall be treated as an advance toward the percentage raise. The increment shall only apply to the first 31 years in education whether in teaching or in administration.
4. After July 1, 2005, administrators employed under this schedule who are awarded an advanced degree beyond the licensure requirement for their present job shall qualify for the appropriate masters, specialist, or doctorate added stipend upon documentation of conferral. The added degree must be one that is recognized to be required for a job in PK-12 public education.

F. District-Paid Benefits (annual cost shown)

Contribution for health insurance (for those electing participation) is \$2,136 per annum.
 Dental policy provided for all employees - \$382.80 per annum.
 Long-term disability policy provided for all employees - 0.265% times gross salary.

Life insurance for all FTE employees - 0.216% times gross salary
AR teacher retirement matching - 14% of gross salary.
Social Security matching - 6.2% of gross salary.
Medicare matching - 1.45% of gross salary.

For the renewal of a five year standard teaching license, the district will pay the cost of the FBI, Arkansas State Police and Arkansas Child Maltreatment Central Registry background checks and fingerprinting at the Crittenden County Sheriff's Department. A deadline for submission for all paperwork will be established by the district.

PPC approval: 3/16/2010
Board approval: 3/31/2010
Revisions approval by PPC: 3/16/2014
Revisions approval by Board: 3/17/2014

Financial Transactions with Marion School District (Licensed and Classified) By EMPLOYEES

Act 1599 of 2001 requires full, open disclosure and appropriate approval before a school district employee may sell, lease, provide services, or enter other transactions with the employing school district.

Act 1599 does NOT apply to:

- A. Ordinary school district contracts of employment, including extra duties such as bus driving, sponsorships, working at school activities, etc.; or
- B. Reimbursement of proper work-related expenses.

Act 1599 only applies to non-employment related transactions where the EMPLOYEE is financially interested in the transaction.

Financially interested means:

- A. Ownership of more than 5% interest;
- B. Holding a position as an officer, director, trustee, partner, or other top level management; or
- C. Being an employee, agent, independent contractor, or other arrangement where the individual's compensation is based in whole or in part on transactions with the public educational entity.

Financial interest does NOT include ownership of stock or other equity holdings in any publicly held company and does NOT include clerical or other similar hourly compensated employees.

EMPLOYEES

If YOU have a financial interest in a covered transaction with the district where you are employed, you have an affirmative obligation under Act 1599 to disclose the transactions before the district enters the contract or the services are performed. Disclosure should be made to the superintendent of the district.

Technology employees who establish specifications or approve purchases of technology equipment, and involving their family members, must disclose and obtain appropriate approval before the district may enter technology transactions with the technology employee or a family member.

Act 1599 does NOT, per se, prohibit such transactions, but requires proper disclosure and approval of the transactions at an open board meeting, and in some instances, independent approval by the State Department of Education.

Your failure to do so could result in criminal felony charges being brought against you. A copy of Act 1599 is available in my office if you wish to review the law.

CHAPTER IV

CLASSIFIED PERSONNEL

The Marion School District shall maintain a staff of employees engaged in school plant services and services not instructional, i.e., school secretaries, maintenance employees, custodians and bus drivers.

CLASSIFIED EMPLOYMENT

1. Persons desiring employment shall file a written application at the office of the superintendent.
2. Pre-Employment Criminal Background Checks: A competent and respected work force is a source of pride to the school board and its community. To those ends it shall be a goal of the district to employ persons of good character to work with the district's children and its employees. It shall be the policy of the district to conduct pre-employment criminal background checks on all persons recommended for employment.

The administration is directed to develop procedures to carry out this policy. All of the district's applications shall provide notice to potential employees of the district's intention to conduct the background check. At no time shall a person be recommended to the board for employment without this documented background check being completed.

It is the policy of the Marion School District to pay the fee required for the Criminal Record Check required before employing a new classified employee. A.C.A. 6-17-414

3. It shall be the duty of the superintendent to recommend the employment of the individual members of the non-instructional staff to the school board for employment. The superintendent shall consider as much as possible the wishes of the employees' placement and assignment. The employees may be assigned, reassigned, or transferred by decision of the superintendent.
4. Wages or salaries will be commensurate to the duties performed, experience, and ability, according to the classified salary schedule.
9. The payroll department will keep on file the classification status of each employee as either "Exempt" or "Non-exempt" under the overtime provisions of the Fair Labor Standards Act. Other employee information as required by the Act will also be retained.
6. All employees are covered by Social Security and Arkansas Teacher Retirement. Cafeteria workers, janitors, and bus drivers employed prior to July 1989 are covered by the Arkansas Public Employees Retirement system.
7. In case of absence from duty, the employee is to telephone the principal or supervisor at the earliest possible time, preferably the day before the expected absence. The principal or supervisor of the school shall be informed daily relative to continued absence by the employee.

Selection of substitutes for temporary replacement of an absent employee will be made by the principal or supervisor.

OVERTIME, LEAVE OR ABSENCE AND COMPENSATORY PAY UNDER THE FLSA

Purpose

The purpose of this policy is to ensure that the Marion School District (the "District") complies with the minimum wage, overtime pay, compensatory pay, and record keeping requirements of the Fair Labor Standards Act (FLSA) of the United States. The FLSA requires that overtime be paid to non-exempt employees either in the form of monetary compensation or compensatory time at the rate of 1.5 times the regular hourly rate of pay for the number of hours worked in *excess of 40 hours per week*.

Exempt Employees

Certain employees are exempt from coverage under the FLSA and are not subject to compensation for overtime work. Exempt employees include executive, administrative, and professional employees such as teachers, counselors, supervisors, and administrators. Employees or supervisors who are unsure if an employee is exempt from coverage shall consult with the District's Administration.

Covered Employees

All employees in the job classifications listed below are non-exempt employees and are therefore covered under the FLSA:

- Assistant Teachers (Aides)
- Bookkeepers
- Bus Drivers
- Custodians
- Food Service Workers
- Maintenance Personnel
- Receptionists
- Secretaries
- Transportation Staff
- Non-Teaching Staff (no teaching certificate required)

Some employees who work in the above areas may be exempt from coverage if they have supervisory responsibilities or if they are otherwise exempt under the FLSA.

Employment Relationships

An employment relationship is not created between student teachers or students and the District.

An employment relationship is not created between the District and individuals who volunteer or donate their time to the District as a public service without contemplation of pay.

The hiring of off-duty policemen or deputies on a part-time basis by the District for crowd control or for security purposes does not create a joint employment relationship between the District and the employer of the policemen or deputies. The District is separate and distinct and acts entirely independent of other governmental entities.

A joint-employee relationship does not exist between the District and any entity contracted to provide transportation services, security services or other services.

Hours Worked

The workweek for the District begins on Monday and ends on Sunday. Each employee subject to the FLSA shall be paid for all hours worked. Compensable time includes all time that an employee is required to be on duty.

Hours worked shall be accurately recorded by each employee in the manner provided by the District. Employees shall record the exact time of arrival and departure from work. Employees are expected to arrive and depart at/or about the time specified by the district unless requested to work overtime by his or her immediate supervisor. All overtime shall be recorded by each employee by time sheet or by time clock.

They will sign in at the first site where they begin working and sign out at the end of the day at the last site where they are working. They will also sign out for meal periods and other instances in which they are not working.

Supervisors and building-level principals shall review and approve each time record or sign-in sheet weekly.

All employees must sign in for themselves. Any employee who clocks in or out or signs in or out for another employee will be dismissed. Any employee who asks another employee to clock in or out or sign in or out for

him or her will be dismissed.

Every non-exempt (classified) employee will review and report any discrepancies in their time records. They are required to sign the time sheet verifying that the time sheet reflects a true and accurate record of hours worked that pay period. The end date for payroll each month will be the 5th of the month.

Breaks and Meal Periods

The District is not obligated or required to provide meal periods, but will provide two (2) fifteen minute breaks per day for employees who work more than twenty (20) hours per week.

Meal periods in which employees are not relieved of duty are compensable. Those employees with bona fide meal periods shall be completely relieved of duty for the purpose of eating a regular meal and shall be free to leave the work site during this period. Employees having bona fide meal periods may eat in a school cafeteria or in a break area at a work site; however, the employee shall not engage in any work for the District during this period except for a rare and infrequent emergency.

Basic Monetary Requirements

Employees subject to FLSA shall be paid not less than the current minimum wage.

Overtime Pay

Generally, employees subject to FLSA shall be paid not less than 1.5 times his or her regular rate of pay for all hours worked over 40 in a workweek. The employee shall be paid one-half of the blended hourly rate times the number of hours worked over 40.

Overtime pay due an employee shall be computed on the basis of the hours worked in each workweek and the overtime compensation earned by an employee shall be paid on the next regular payday for the workweek in which the overtime was worked. Overtime or compensatory pay may not be waived by an agreement between employer and employees.

The granting of compensatory time off in lieu of paying overtime is permitted provided compensatory time is awarded on a one-and-one-half time basis for each hour of overtime worked. The District reserves the right to grant compensatory time in lieu of paying employees monetary compensation. The supervisor and employee must have a written agreement or understanding that the employee will receive compensatory time before the work is performed. *The employee may accumulate a maximum of 40 compensatory time hours.* The employee must take the compensatory time when it is agreeable with the supervisor.

Adopted 6-28-2008

Regular Rate of Pay

Any overtime pay will be based on the employee's regular rate for the job performed when the overtime occurred. For those employees paid a simple hourly rate, the overtime will be based on that hourly rate. For those employees paid on a salary basis, the monthly salary will be reduced to its hourly rate equivalent. Employees shall be paid for each and every hour worked.

Adopted 6-28-2008

Authorization for Overtime Work Required

Each District employee responsible for the supervision of employees subject to the FLSA shall, prior to permitting any overtime work, receive authorization from the Supervisor.

Non-exempt employees who work overtime/compensatory time without prior approval must be allowed to claim the hours worked in accordance with the FLSA. If the supervisor determines that the work was unforeseen or emergency in nature, it should be approved. If the supervisor determines that the performance of the work was unnecessary at the time it was performed, the hours worked must be paid to the employee, but disciplinary action must be taken for failure to follow established policy.

Record Keeping

The Superintendent shall require all records on wages, hours, and other items listed in the record keeping regulations (29 CFR Part 516) to be kept by the business office for the time specified by the FLSA.

The Superintendent or his or her designee shall secure a sufficient quantity of the minimum wage posters. One poster shall be displayed in each District work site.

Enforcement

District employees shall, at all times, cooperate with authorized representatives of the Department of Labor who may visit a work site for the following reasons:

1. to investigate and gather data concerning wages, hours, and other employment practices;
2. to enter and inspect premises and records;
3. to question employees to determine whether any person has violated any provision of the FLSA.

District employees responsible for supervising employees subject to FLSA who willfully violate the terms of this policy shall be subject to disciplinary action by the District.

Leave Requests

Non-exempt employee leave requests

All non-exempt (classified) employees are required to submit a leave form when they are absent from work. The leave form must reflect the reason for the absence and it must fall within current Marion School District Board Policy. Any leave outside of board policy requires prior approval of the board. It is the responsibility of the employee to submit a leave form, prior to the requested leave if possible, or in the event of an unforeseen or emergency leave, the form is to be completed the day the employee returns to work.

All payment for leave is entered into the time records (non-worked hours) from the leave forms. If an employee fails to submit a leave form or is late submitting the form, it could delay or cause payment for the leave not to occur. The employee is responsible for submitting leave forms to his/her supervisor.

Adopted 6-28-2008

ANNUAL FINANCIAL INTEREST DISCLOSURE

A.C.A. 6-24-101 to 119 requires school board members, administrators, and school employees to disclose personal financial interest they or their family members may have with the Marion School District. Such disclosure applies to transactions with the school district outside the ordinary employment contract. Failure to disclose such interests could result in criminal felony charges being brought against you. Copies of A.C.A. 6-24-101 to 119 are available in the superintendent's office.

Family Member: an employee's spouse, children – including step-children, parents of the employee or spouse, brothers and sisters, anyone living in the same household with the individual or his or her spouse, and anyone serving as an agent for an individual.

Financial Interest: ownership of more than a 5% interest, holding a position as an officer, director, trustee, partner or other top level management, or having one's compensation based in whole or in part by transactions with the school district.

If the contract, or transaction or a series of transactions is less than \$10,000 in a fiscal year, the approval process used by the school board is open disclosure, resolution, and board action stating that entering into such a contract or transaction(s) is in the best interest of the Marion School District.

If a contract or transaction(s) is \$10,000 in a fiscal year, as specified in the law, the independent approval process shall be directed to the Commissioner of the Arkansas Department of Education. Upon completion of

this process as set out in law, the contract shall be reviewed and approved by the school board.

All employees shall complete a district-provided form to indicate receipt of Act 1599's requirements. This form shall be signed by the employee and shall be placed in the employee's personnel file.

CLASSIFIED EMPLOYEE ATTENDANCE

Employees are expected to observe the following rules regarding attendance:

1. Employees are expected to attend promptly all meetings designed for them.
2. Employees are expected to report on time.
3. Employees shall not leave the building or grounds during school hours without clearing such absences with the principal or supervisor.

CLASSIFIED SICK LEAVE POLICY (excluding bus drivers)

For the purpose of this policy, the following definitions apply:

1. School employee - the term "school employee" shall include any employee of local school district who works not less than 20 hours per week and who is not compelled by law to secure a teaching license from the State Board of Education as a condition precedent to employment. This Act covers those employees who are normally and usually designated as classified employees.
2. Sick leave - Shall mean absence with full pay from one's duties in a public school for the reason of personal illness or illness in his immediate family.
3. Immediate family - Shall be defined to include husband, wife, children, father, mother, mother-in-law, father-in-law, sister, brother, sister-in-law, brother-in-law, grandfather, grandmother, grandchild, son-in-law, daughter-in-law, and/or members of the family living in the same household of the employee.
4. Accumulated sick leave - shall mean the total number of hours or days of unused sick leave that a school employee has to his credit.

Sick leave will accumulate at the rate of one (1) day per month or its hourly equivalent. Such accumulation shall begin with the first month or major portion thereof beginning with the first day of employment with the district.

An employee shall be entitled to such leave only for reason of personal illness or illness of his immediate family. (See exceptions in Items b, c & d below.)

Use of Sick Leave: Classified employees' sick leave will be credited at the beginning of each school year based on the number of months the employee is on contract. Sick leave will be prorated for employees who do not finish their contract. Employees who terminate employment before contract ending are subject to being charged for unearned sick leave days or their hourly equivalent.

- a. In case of absences resulting from being required to serve jury duty or as an election official, the policy will be applied to result in no loss of pay to the employee. The time spent on jury duty will not count against sick leave.
- b. In case of death in the immediate family, a total of five days sick leave will be allowed.
- c. Two (2) days of sick leave time will be allowed annually for the purpose of attending a funeral of family or close friends who do not meet the definition of immediate family.
- d. Two (2) days per year of the absentee allowance (sick leave days) may be taken for personal reasons with fifty percent (50%) of the day's pay or \$62.00, whichever is the lesser amount of the salary being

deducted for the time absent.

5. Two (2) days per year will be allowed which will not result in financial loss to the employee nor will the days be deducted from sick leave time. These unused personal leave days (two (2) free personal days) are not accumulative as personal days but may be accumulated and carried over as accumulated sick days. The total of four (4) days described are provided for in case of domestic or personal needs and should be used with discretion.

Free and personal days must be taken in one-half (1/2) or whole day increments, not pro-rated portions.

Personal days taken during the time of critical operation of the school district will have to be approved by the building level principal or supervisor. Times of critical operation may include early days of school opening, test days, days before and after school closings, or other times as identified by the building principal or supervisor.

6. Absence for any other reasons beyond the provisions of this policy will result in the loss of all pay for days taken and will require the consent of the school administration, which will be given only in case of conspicuous hardship.
7. To qualify for supplemental pay for unused sick days, an employee must first have accumulated ninety (90) days or its hourly equivalent of unused leave. Beginning with the school year following the one in which the maximum ninety (90) days of allowable sick leave is reached, payment will be made for any days beyond the ninety day (90) carry-over limit. This payment will be made at the end of the year, at the rate of forty percent (40%) of an eight-hour day up to a maximum of \$62.00 per day. The ninety (90) day base must be maintained at all times in order to qualify for pay for unused sick leave. This policy applies to all non-licensed employees excluding bus drivers.
8. Marion School district will pay any retiring classified employee up to forty percent (40%) of an eight hour day not to exceed a maximum of \$62.00 per day for all accumulated sick leave up to a maximum of ninety (90) days. Payment under this policy shall not apply to non-retirement resignations or terminations. Payment shall apply for individuals completely processed for retirement by ATRS but who will continue to work under the permissive provisions of A.C.A. 24-7-702(a) or 24-7-502 and 708. To receive payment under this policy, the employee must be eligible for retirement under the current retirement laws of Arkansas. Payment will occur after the retirement papers are sent for processing and the employee has worked the last day of his/her contract.
9. Any classified employee absent more than 90 days or its hourly equivalent for medical reasons may be replaced and offered the next available job s/he is qualified to perform. Refusal of the first job offered ends any obligation by the school district.

Revised May 18, 2015

Revised: 6-25-2009

DONATED SICK LEAVE POLICY (Classified)

The purpose of this policy is to assist a fellow classified employee needing to be off work for an extended period because of some extreme personal or family medical circumstance. All full-time classified Marion School District employees may share in this policy. Full-time is defined as working 900 hours per year minimum, the same standard used statewide to qualify one to purchase medical insurance, if desired.

The donation of one's sick days or their hourly equivalent to another Marion School District classified employee shall be on a voluntary basis. Persons wishing to donate sick days must do so in writing directed to the payroll department. On a district-developed form, the donating employee will identify the recipient of the donated days, will indicate the number of donated days, and will sign and date the form. The donor and the number of days donated will be kept anonymous by the district. Donated days will be used in the order first received to last received.

An employee is not deemed eligible to make application to receive donated days until he or she has used all previously accumulated leave (i.e. sick, free, or personal) hours and has used 10 additional days (or its hourly equivalent) beyond sick leave. The request to receive donated days shall be made in writing to the superintendent. Accompanying this request shall be a doctor's certification stating the reason for the

requested extended absence.

Upon receipt of the doctor's certification, the superintendent shall confer with the individual to determine what information he or she wants shared with the classified staff. The superintendent shall notify all classified staff members of the request via written communication.

The number of days donated shall be kept confidential – both to the donor and to the recipient. Neither shall be told the number of days donated to date. When the number of donated days is only two (2) or is reduced to two (2), the superintendent shall notify the affected employee. With the employee's permission, the superintendent shall communicate the need a second time.

Donated days not used will be returned to the donor's accumulated sick leave prior to the end of the school year. Donated days cannot be carried forward from one school year to another by the recipient.

The limit on the number of donated days shall be sixty (60) days. This policy is not to supplement the Family Medical Leave Act (FMLA), but will be in lieu of it. If less than 60 days or twelve weeks is used under this donated policy, the balance can certainly be requested under terms of the FMLA at the employee's discretion.

A classified employee suffering a Workman's Compensation injury is ineligible to receive donated days under this policy because sick leave is not charged to the employee and remuneration is received from the state.

CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE

Definitions:

Covered active duty means:

- (A) in the case of a member of a **regular** component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country; and
- (B) in the case of a member of a **reserve** component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country under a call to order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

Covered Service Member is:

- (A) a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- (B) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Eligible Employee: is an employee who has been employed by the district for at least twelve (12) months and for 1250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave. Full time, licensed teachers are considered to have met the 1250 hour requirement for eligibility.

Health Care Provider: is a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices. It also includes any other person determined by the U.S. Secretary of Labor to be capable of providing health care services.

Instructional Employee: is a teacher whose principal function is to teach and instruct students in a class, a small group, or an individual setting and includes: athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include administrators, counselors, librarians, psychologists, or curriculum specialists who are included under the broader definition of "eligible employee" (to the extent the employee has been employed for 12 months).

Next of Kin: used in respect to an individual, means the nearest blood relative of that individual.

Outpatient Status: used in respect to a covered service member, means the status of a member of the Armed Forces assigned to

- A) a military medical treatment facility as an outpatient; or
- B) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Qualifying Exigency: Issues that arise due to covered active duty or a call to covered active duty of an employee's spouse, son, daughter, or parent. Examples include issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other activities as defined by federal regulations.¹

Parent: is the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or a daughter.

Serious Health Condition: is an injury, illness, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

Serious Injury or Illness:

- (A) in the case of a member of the Armed Forces, including the National Guard or Reserves, it means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- (B) in the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during a period as a covered service member defined in this policy, it means a qualifying (as defined by the U.S Secretary of Labor) injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Year: for leave **other than** to care for the serious injury or illness of a covered service member, the twelve (12) month period of eligibility shall begin on the first duty day of the school year.

Year: for leave to care for the serious injury or illness of a covered service member, the twelve (12) month period begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

Policy

The provisions of this policy are intended to be in line with the provisions of the FMLA. If any conflict(s) exist, the Family Medical Leave Act of 1993 as amended shall govern.

Leave Eligibility

The district will grant up to twelve (12) weeks of leave in a year in accordance with the Family Medical Leave Act of 1993 (FMLA) as amended to its eligible employees for one or more of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
2. Because of the placement of a son or daughter with the employee for adoption or foster care;
3. To care for the spouse, son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition; and
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

5. Because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.
6. To care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury.

The entitlement to leave for reasons 1 and 2 listed above shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a **covered service member** shall be entitled to a total of 26 weeks of leave during one 12-month period to care for the service member who has a serious injury or illness as defined in this policy. An eligible employee who cares for such a covered service member is limited for reasons 1 through 5 listed above to a total of 12 weeks of leave during a year as defined in this policy. For example, an eligible employee who cares for such a covered service member for 16 weeks during a 12 month period could only take a total of 10 weeks for reasons 1 through 5.

If husband and wife are both eligible employees employed by the district, the husband and wife are entitled to a total of 26 weeks of leave during one 12-month period to care for their spouse, son, daughter, parent, or next of kin who is a **covered service member** with a serious injury or illness as defined in this policy. A husband and wife who care for such a covered service member is limited for reasons 1 through 5 listed above to a total of 12 weeks of leave during a year as defined in this policy. For example, an eligible employee who cares for such a covered service member for 16 weeks during a 12 month period could only take a total of 10 weeks for reasons 1 through 5.

District Notice to Employees

The district shall post, in conspicuous places in each school within the district, where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor.

Employee Notice to District

Foreseeable:

When the need for leave is foreseeable for reasons 1 through 4 or 6 listed above, the employee shall provide the district with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave for the specified reason, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

When the necessity for leave for reason 5 listed above is foreseeable, whether because the spouse, son, daughter, or parent of the employee is on covered active duty, or because of notification of an impending call or order to covered active duty, the employee shall provide such notice to the district as is reasonable and practicable.

When the need for leave is for reasons 3, 4, or 6 listed above, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the district subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

Failure by the employee to give thirty (30) days notice may delay the taking of FMLA leave until at least thirty (30) days after the date the employee provides notice to the district.

Unforeseeable:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the district notice of the need for leave as soon as practicable given the facts and circumstances of the particular case.

Ordinarily, the employee shall notify the district within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, telegraph, fax, or other electronic means.

Medical Certification

When the need for leave is for reasons 3, 4, or 6 listed above, the employee should provide a medical certification from a licensed, practicing health care provider supporting the need for leave at the time the notice for leave is given, but must provide certification at least fifteen (15) days prior to the date the leave is to begin. The certification shall include the date on which the serious health condition began, the probable duration of the condition, and the appropriate medical facts within the knowledge of the health care provider regarding the condition. Leave taken for reason 3 listed above, must include certification that the eligible employee is needed to care for the son, daughter, spouse, or parent and an estimate of the amount of time the employee is needed to provide the care. For reason 4 listed above, the certification must include a statement that the employee is unable to perform the required functions of his/her position.

If FMLA leave is to be taken on an intermittent or reduced work schedule basis for planned medical treatment, the certification shall include the dates on which such treatment is expected to be given and the duration of such treatment.

Second Opinion: In any case where the district has reason to doubt the validity of the certification provided, the district may require, at its expense, the employee to obtain the opinion of a second health care provider designated or approved by the employer. If the second opinion differs from the first, the district may require, at its expense, the employee to obtain a third opinion from a health care provider agreed upon by both the district and the employee. The opinion of the third health care provider shall be considered final and be binding upon both the district and the employee.

Recertification: The district may request the employee obtain a recertification, at the employee's expense, no more often than every thirty (30) days unless one or more of the following circumstances apply;

- a. The employee requests an extension of leave;
- b. Circumstances described by the previous certification have changed significantly; and/or
- c. The district receives information that casts doubt upon the continuing validity of the certification.

The employee must provide the recertification in no more than fifteen (15) calendar days after the district's request.

No second or third opinion on recertification may be required.

Sick Leave and Family Medical Leave Act (FMLA) Leave

When an employee takes sick leave, the district shall determine if the leave qualifies for FMLA leave. The district may request additional information from the employee to help make the applicability determination. If the leave qualifies under the FMLA, the district will notify the employee, either orally or in writing, of the decision within two workdays. If the leave is intermittent or on a reduced schedule as defined in this policy and the circumstances of the leave don't change, the district is only required to notify the employee once of the determination regarding the applicability of sick leave and/or FMLA leave. To the extent the employee has accrued paid leave, any leave taken that qualifies for FMLA leave shall be paid leave and charged against the employee's accrued leave.

Concurrent Leave

The district requires employees to substitute any applicable accrued leave for any part of the twelve (12) week period of FMLA leave. All FMLA leave is unpaid unless substituted by applicable accrued leave.

Workers Compensation: FMLA leave may run concurrently with a workers' compensation absence when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation

benefits and FMLA leave run concurrently, the employee will not be charged for any paid leave accrued by the employee. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a "light duty job," but is unable to return to the employee's same or equivalent job, the employee may decline the district's offer of a "light duty job." As a result, the employee may lose his/her workers' compensation payments, but for the duration of the employee's FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

Health Insurance Coverage

The district shall maintain coverage under any group health plan for the duration of FMLA leave the employee takes at the level and under the conditions coverage would have been provided if the employee had continued in active employment with the district. The employee remains responsible for any portion of premium payments customarily paid by the employee. When on unpaid FMLA leave, it is the employee's responsibility to submit his/her portion of the cost of the group health plan coverage to the district's business office on or before it would be made by payroll deduction.

If an employee gives unequivocal notice of intent not to return to work, or if the employment relationship would have terminated if the employee had not taken FMLA leave, the district's obligation to maintain health benefits ceases.

If the employee fails to return from leave after the period of leave to which the employee was entitled has expired, the district may recover the premiums it paid to maintain health care coverage unless:

- a. The employee fails to return to work due to the continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under reasons 3 or 4 listed above; and/or
- b. Other circumstances exist beyond the employee's control.

Circumstances under "a" listed above shall be licensed by a licensed, practicing health care provider verifying the employee's inability to return to work.

Reporting Requirements During Leave

Employees shall inform the district every two weeks during FMLA leave of their current status and intent to return to work.

Return to Work

Medical Certification: An employee who has taken FMLA leave under reason 4 stated above shall provide the district with certification from a health care provider that the employee is able to resume work.

Return to Previous Position: An employee returning from FMLA leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An equivalent position must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, and authority. The employee may not be restored to a position requiring additional licensure or certification.

Failure to Return to Work: In the event that an employee is unable or fails to return to work, the superintendent will make a determination at that time regarding the documented need for a severance of the employee's contract due to the inability of the employee to fulfill the responsibilities and requirements of their contract.

Intermittent or Reduced Schedule Leave

Eligible employees may only take intermittent or reduced schedule leave for reasons 1 and 2 listed above if the district agrees to permit such leave upon request of the employee.

Eligible employees may take intermittent or reduced schedule leave due to reasons 3, 4, and 6 listed above if they have:

- (A) made a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee, as appropriate; and
- (B) provided the employer with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subparagraph, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

Eligible employees requesting intermittent or reduced schedule leave that is foreseeable based on planned medical treatment may be transferred to an alternative position for which the employee is qualified with equivalent pay and benefits that better accommodates the employee's intermittent or reduced schedule leave.

If an eligible employee who meets the definition of an instructional employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the district may require the employee to elect either

- a. to take medical leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
- b. to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee.

Leave taken by eligible instructional employees near the end of the academic term

Leave more than 5 weeks prior to end of term

If the eligible, instructional employee begins leave, due to reasons 1 through 6 listed above, more than 5 weeks prior to the end of the academic term, the district may require the employee to continue taking leave until the end of such term, if

- (A) the leave is of at least 3 weeks duration; and
- (B) the return to employment would occur during the 3-week period before the end of such term.

Leave less than 5 weeks prior to end of term

If the eligible, instructional employee begins leave, due to reasons 1, 2, 3, or 6 listed above during the period that commences 5 weeks prior to the end of the academic term, the district may require the employee to continue taking leave until the end of such term, if

- (A) the leave is of greater than 2 weeks duration; and
- (B) the return to employment would occur during the 2-week period before the end of such term.

Leave less than 3 weeks prior to end of term

If the eligible, instructional employee begins leave, due to 1, 2, 3, or 6 listed above, during the period that commences 3 weeks prior to the end of the academic term and the duration of the leave is greater than 5 working days, the agency or school may require the employee to continue to take leave until the end of such term.

Approved by Licensed PPC: March 16, 2010

Approved by Classified PPC: March 17, 2010

Approved by School Board: May 27, 2010

LEAVE OF ABSENCE FOR BONE MARROW OR ORGAN DONATION

In keeping with A.C.A. 21-4-215, in any calendar year, a public school employee is entitled to the following leave in order to serve as an organ donor or as a bone marrow donor: No more than seven (7) days to serve as a bone marrow donor; and, no more than thirty (30) days to serve as an organ donor.

To qualify for this leave, one must identify the appropriate leave in writing to the superintendent. Second, the employee must provide written verification to the employer from the physician that he/she has been selected for the donation and the approximate date of the expected donation. Finally, after the donation, the employee must provide written verification from the physician to the employer that the employee completed the donation.

A school employee may use the leave provided in this policy without loss or reduction in pay, leave, or credit for time of service.

LEAVE OF ABSENCE FOR PERSONAL INJURY FROM ASSAULT OR OTHER VIOLENT CRIMINAL ACT

The Board of Education of the Marion District shall grant any employee of the district leave at full pay for absence due to personal injury caused by either an assault or other criminal act committed against the employee in the course of his/her employment.

The leave shall not exceed one (1) year from the date of injury and shall not be charged to the sick leave of the employee.

The principal and the superintendent in writing to the board shall verify the verification of the employee's status as far as being on duty during the time of the incident.

The assault or criminal act must be verified by the proper authority, *i.e.*, Police, etc.

The employee must present a statement from a medical doctor as to the condition of the employee's ability to work during this period of time. The school board may request that a medical doctor of the board's choosing to verify work ability examine the employee. If there is a disagreement between the employee's doctor and the board's doctor, a third opinion shall be requested from someone that both the employee and the board agree upon and the opinion from the agreed upon doctor shall be the decision from which the board and the employee shall abide.

The employee shall not draw worker's compensation or hold any other job during the time the board is paying full salary under the conditions of this policy and act.

The decision of the school board shall be final, and that decision shall not be subject to appeal through any administrative proceeding, including district grievance policy.

WORKERS' COMPENSATION INJURIES AND SICK LEAVE COORDINATION

In an effort to minimize the potential loss of wages to an injured employee, Marion School District will allow the employee to coordinate workers' compensation benefits with his/her accumulated sick leave.

If an employee chooses to use this benefit, he/she must notify the central office of their request to coordinate these benefits. The employee must have accumulated sick leave to cover chosen payroll deductions.

The district bookkeeper will establish the amount paid by workers' compensation to the injured employee and calculate the amount the employee would have been docked. The difference between the workers' compensation wages and the docked amount will be charged against the employee's accumulated sick leave at the employee's rate and method of pay. The docked amount will be rounded to the nearest half-day or hour depending on how the employee's leave is recorded.

Under this policy, an employee may not receive more pay while on leave than they would have been paid for time worked

CLASSIFIED ABSENCE FOR CHILD ADOPTION

When an infant child (up to three years) is adopted, the mother of the child may use up to four weeks of accumulated sick leave for home arrangements related to the needs of the child. If the child is beyond the age of three, the use of one week of accumulated sick leave will be permitted. If medical needs of the child require additional time, documentation from the pediatrician or family physician will justify use of accumulated sick leave for "immediate family".

VACATIONS (Classified)

1. All twelve (12) month full-time employees will be given one week paid vacation after the completion of one (1) year of employment with the Marion School District. All twelve (12) month full-time classified employees will be given two (2) weeks' paid vacation after the completion of five (5) years' employment with the Marion School District if they have accumulated 24 days of sick leave effective June 30 of the current school year.
2. The following days will be given for twelve (12) month custodial, maintenance, and transportation employees: July 4th, Thanksgiving, Christmas Eve and Christmas Day, New Years Day, Martin Luther King Holiday, and one day before or after Easter, if school is out for Easter break at that time, or one day during the school spring break if school is dismissed at another time for spring vacation. If there is no spring vacation, this day will be arranged for employees during the summer. Vacation may be prorated for a new employee for the portion of the year completed by the employee.
3. The superintendent may give Memorial Day and Labor Day as holidays.
4. The sequence of vacations taken must be approved by the superintendent.
5. Vacations and holidays are for twelve (12) month employees of the district. Cafeteria employees and bus drivers generally work the days that school is in session. Martin Luther King Holiday will be paid to cafeteria workers.

PUBLIC OFFICE (Ability of school employees to hold)

All employees of the Marion School District are free to exercise their rights as citizens and run for or accept appointment to public office if they so desire. However, employees should understand the following:

1. By law, a school board member may not work for the school district which he or she services.
2. School districts may not grant any employee paid leave for the purpose of permitting the employee to engage in public service or related activities.
3. Employees may use their personal days and vacation days to engage in public service or related activities, with the prior approval of their building principal/immediate supervisor.
4. In addition, upon request to the school board, a maximum of five additional days of unpaid leave may be granted to the employee for the purposes of engaging in public service or related activities. If the employee's services can be replaced by the district, the employee will be responsible for reimbursing the district for the expense of a substitute employee.
5. Employees who attempt to use sick leave days fraudulently for any purpose, including to engage in public service or related activities, will face disciplinary action up to and including nonrenewal or termination. A.C.A. 6-17-414

CLASSIFIED PERSONNEL TERMINATION AND NON-RENEWAL

For procedures relating to the termination and non-renewal of classified employees, please refer to the Public School Employee Fair Hearing Act. The Act specifically is not made a part of this policy by this reference.

A copy of the code is available in the office of the principal of each school building.

Approved by School Board: April 26, 2012

CLASSIFIED PERSONNEL EVALUATIONS

Classified personnel may be periodically evaluated.

Any forms, procedures or other methods of evaluation, including criteria, are to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

Approved by School Board: April 26, 2012

CLASSIFIED PERSONNEL CELL PHONE USE

The use of cell phones or other electronic communication devices by a school's classified employees during work times is strictly forbidden unless approved in advance by the building principal or their designees. Classified workers such as teacher aides, paraprofessionals, clerks, secretaries, cooks, custodians, may use cell phones on breaks or at lunch when not in the presence of students. Supervisors required to carry a district phone are exempted from this policy.

CLASSIFIED PERSONNEL REDUCTION IN FORCE

The School Board acknowledges its authority to conduct a reduction in force (RIF) when a decrease in enrollment or other reason(s) make such a reduction necessary or desirable. A RIF will be conducted when the need for a reduction in the work force exceeds the normal rate of attrition for that portion of the staff that is in excess of the needs of the district as determined by the Superintendent.

In effecting a reduction in force, the primary goals of the school district shall be to maintain accreditation in compliance with the Standards of Accreditation for Arkansas Public Schools and/or other applicable accreditation associations and the needs of the district. A reduction in force will be implemented when the Superintendent determines it is advisable to do so and shall be effected through non-renewal, termination, or both. Any reduction in force will be conducted by evaluating the staffing needs for each occupational category on a district-wide basis.

If a reduction in force becomes necessary, the RIF shall be conducted separately for each occupational category of classified personnel identified within the district on the basis of each employee's years of service in the Marion School District (years of experience will not transfer from one occupational category to another). The employee within each occupational category with the least years of experience in the district will be laid off first. The employee with the most years of employment in the district as compared to other employees in the same given occupational category shall be laid off last. In the event that employees within a given occupational category have the same length of service to the district, the one with the earlier hire date, based on date of board action, will prevail.

All credited years of service must be verified by documents on file with the district by October 1 of the current school year. All classified employees shall receive a listing of the personnel within their category with corresponding point totals (1 point for each year of service). Upon receipt of the list, each employee has ten (10) working days within which to appeal his or her assignment of points with the Superintendent.

Total years of service to the district shall include non-continuous years of service; in other words, an employee who left the district and returned later will have the total years of service counted, from all periods of employment. Less than 120 days in any contract year does not count as a year of service. Length of service in a licensed position shall not count for the purpose of length of service for a non-licensed position. There is no right or implied right for any employee to "bump" or displace any other employee.

If an employee is non-renewed or terminated under this policy, he or she shall be offered an opportunity to fill a vacancy for which he or she is qualified for a period of up to two (2) years. The employee shall be recalled for a period of two (2) years in reverse order of the layoff to any position for which he or she is qualified. Notice of vacancies to employees shall be by licensed mail, and they shall have 10 working days from the date that the

notification is received in which to accept the offer of a position. It is the responsibility of the employee to keep the Superintendent's office notified of his/her current address for recall. A lack of response or an employee's refusal of a position shall end the district's obligation to replace the laid-off employee.

All fringe benefits to which an employee was entitled at the time of RIF, including sick leave, personal business days, etc. will be restored to him/her upon returning to full-time employment with the Marion School District. No benefits will accrue during the RIF leave status.

SECTION TWO

The employees of any school district which annexes to, or consolidates with, the Marion School District will be subject to dismissal or retention at the discretion of the school board, on the recommendation of the Superintendent, solely on the basis of need for such employees on the part of the Marion School District, if any, at the time of the annexation or consolidation, or within one hundred twenty (120) days after the effective date of the annexation or consolidation. The need for any employee of the annexed or consolidated school district shall be determined solely by the Superintendent and School Board of the Marion School District.

Such employees will not be considered as having any seniority within the Marion School District and may not claim an entitlement under a reduction in force to any position held by a Marion School District employee prior to, or at the time of, or prior to the expiration of one hundred twenty (120) days after the consolidation or annexation, if the notification provision below is undertaken by the Superintendent.

The Superintendent shall mail or have hand-delivered the notification to such employee of his intention to recommend non-renewal or termination pursuant to a reduction in force within one hundred twenty (120) days of the effective date of the annexation or consolidation in order to effect the provisions of this section of the Marion School District's reduction-in-force policy. Any such employees who are non-renewed or terminated pursuant to Section Two are not subject to recall. Any such employees shall be paid at the rate for each person on the appropriate level on the salary schedule of the annexed or consolidated district during those one hundred twenty (120) days and/or through the completion of the reduction-in-force process.

This subsection of the reduction-in-force policy shall not be interpreted to provide that the Superintendent must wait one hundred twenty (120) days from the effective date of the annexation or consolidation in order to issue notification of his intention to recommend dismissal through reduction-in-force, but merely that the Superintendent has that period of time in which to issue notification so as to be able to invoke the provisions of this section.

Pursuant to any reduction in force and as a part of it, the salaries of all employees will be brought into compliance, by a partial RIF if necessary, with the Marion School District's salary schedule and further adjustments made if length of contract or job assignments change.

The intention of this section is to ensure that those Marion School District employees who are employed prior to the annexation or consolidation shall not be displaced by employees of the annexed or consolidated district by application of the reduction-in-force policy.

A.C.A. § 6-17-2407
Date Adopted: May 14, 2009

MILITARY LEAVE

1. All teachers, administrators, and non-licensed personnel employed by Marion School District who desire to take a leave of absence for the purpose of participating in military training programs or other official duties made available by the Arkansas National Guard or of the reserve branches of the armed forces and all teachers, and administrators employed by Marion School District who desire to take a leave of absence for the purpose of participating in the civil defense and public health training programs made available by the United States Public Health Service shall be entitled to such a leave of absence for a period of fifteen (15) days, plus necessary travel time, in any fiscal year. To the extent that this leave is not used in a fiscal year, it will accumulate for use in the succeeding fiscal year until it totals fifteen (15) days at the beginning of a fiscal year.

2. (a) Whenever any teacher, administrator, or non-licensed employee is granted a leave of absence under the provisions of this section, he shall be entitled to his regular salary during the time he is away from his duties during such leave of absence.
- (b) The teacher or administrator will be responsible for paying for the cost of any substitute employed in the teacher's or administrator's absence.
- (c) Such leave of absence shall be in addition to the regular vacation time allowed the employee.
3. Teachers, administrators, and non-licensed personnel called to duty in emergency situations by the Governor or by the President shall be granted leave with pay not to exceed thirty (30) working days, after which leave without pay will be granted. This leave shall be granted in addition to all other leave to which the teacher, administrator, or non-licensed person shall be entitled.
4. "Emergency situations" shall have the same meaning as it is defined in § 21-4-212(e).
5. (a) During a leave of absence, teachers, administrators, and non-licensed personnel shall be entitled to preserve all seniority rights, efficiency or performance ratings, promotional status, retirement privileges, life and disability insurance benefits, and any other rights, privileges, and benefits to which they have become entitled.
- (b) The period of military service shall, for the purposes of computations to determine whether such persons may be entitled to retirement under the laws of the State of Arkansas, be deemed continuous service, and the teacher, administrator, or non-licensed employee shall not be required to make contributions to any retirement fund.
- (c) The school district shall continue to contribute its portion of any life and disability insurance premiums during the leave of absence on behalf of the teacher, administrator, or non-licensed employee, if requested, so that continuous coverage may be maintained.
6. The maximum number of military leave days available in any one (1) calendar year or fiscal year shall be thirty (30) days.

Act 724 of 1989
at A.C.A. § 6-17-306

DISTRICT RETIREMENT RECOGNITION

A retiree will receive a plaque from Marion School District if the retiree is eligible for benefits under the Arkansas Teacher Retirement System. This recognition shall not apply to employees whose contract is terminated by the district.

Revised March 19, 2015.

CLASSIFIED PERSONNEL CONTRACT – RETURN

An employee shall have thirty (30) days from the date of the receipt of his contract for the following school year in which to return the contract, signed, to the designated office. The date of receipt of the contract shall be presumed to be the date of a cover memo which will be attached to the contract.

Failure of an employee to return the signed contract to the designated office within thirty (30) days of the receipt of the contract shall operate as a resignation by the employee. No further action on the part of the employee, the Superintendent, or the School Board shall be required in order to make the employee's resignation final.

Legal Reference: A.C.A. 6-17-1506 (c)(1)

DRUG FREE WORKPLACE (Licensed and Classified)

The conduct of district staff plays a vital role in the social and behavioral development of our students. It is equally important that the staff have a safe, healthful, and professional environment in which to work. To help promote both interests, the district shall have a drug free workplace. It is, therefore, the district's policy that district employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol, as well as inappropriate or illegal use of prescription drugs. Such actions are prohibited both while at work or in the performance of official duties while off district property; violations of this policy will subject the employee to discipline, up to and including termination.

Compliance with the standards of conduct stated in this policy is mandatory of all employees. Violations of any part of this policy may result in disciplinary action, including suspension and termination. If the situation warrants, the superintendent shall communicate all available information promptly to the proper law enforcement agency and offer full cooperation of the Marion School District in an investigation. Employees are encouraged to seek treatment and/or counseling for drug problems. The Marion School District will not assume any expenses incurred in counseling or attendance in a drug/alcohol program. Information about drug and alcohol counseling, rehabilitation and re-entry programs shall be available in the drug education coordinator's office at the district office.

The following are available for drug abuse and addiction information and treatment:

Parkwood Hospital 901-521-1400	Lakeside Hospital 1-800-232-5253	St. Francis Hospital – West Memphis Office Addictive Disease Unit Manager # 732-2300
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Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance, whether or not engaged in any school or school-related activity, and the behavior of the employee is such that it is inappropriate for a school employee, in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination. This policy also applies to those employees who are under the influence of alcohol while on campus or at school-sponsored functions, including athletic events.

Possession, use or distribution of drug paraphernalia by any employee, whether or not engaged in school or school-related activities, may subject the employee to discipline, up to and including termination. Possession in one's vehicle or in an area subject to the employee's control will be considered to be possession as though the substance were on the employee's person.

It shall not be necessary for an employee to test at a level demonstrating intoxication by any substance in order to be subject to the terms of this policy. Any physical manifestation of being under the influence of a substance may subject an employee to the terms of this policy. Those physical manifestations include, but are not limited to: unsteadiness; slurred speech; dilated or constricted pupils; incoherent and/or irrational speech; or the presence of an odor associated with a prohibited substance on one's breath or clothing.

Should an employee desire to provide the District with the results of a blood, breath or urine analysis, such results will be taken into account by the District only if the sample is provided within a time range that could provide meaningful results and only by a testing agency chosen or approved by the District. The District shall not request that the employee be tested, and the expense for such voluntary testing shall be borne by the employee.

Any employee who is charged or convicted with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive, excluding holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately. If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.

Any employee so charged is subject to discipline, up to and including termination. However, the failure of an employee to notify his supervisor or the Superintendent of having been so charged shall result in that employee being recommended for termination by the Superintendent.

Any employee convicted of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances, or of drug paraphernalia, shall be recommended for termination.

Any employee who must take prescription medication at the direction of the employee's physician and who is impaired by the prescription medication such that he cannot properly perform his duties shall not report for duty. Any employee who reports for duty and is so impaired, as determined by his supervisor, will be sent home. The employee shall be given sick leave, if owed any. The District or employee will provide transportation for the employee, and the employee may not leave campus while operating any vehicle. It is the responsibility of the employee to contact his physician in order to adjust the medication, if possible, so that the employee may return to his job unimpaired. Should the employee attempt to return to work while impaired by prescription medications for which the employee has a prescription, he will, again, be sent home and given sick leave, if owed any. Should the employee attempt to return to work while impaired by prescription medication a third time, the employee may be subject to discipline, up to and including a recommendation of termination.

Any employee who possesses, uses, distributes or is under the influence of a prescription medication obtained by a means other than his own current prescription shall be treated as though he were in possession, possession with intent to deliver, or under the influence, etc., of an illegal substance. An illegal drug or other substance is one which is (a) not legally obtainable; or (b) one which is legally obtainable, but which has been obtained illegally. The District may require an employee to provide proof from his physician and/or pharmacist that the employee is lawfully able to receive such medication. Failure to provide such proof, to the satisfaction of the Superintendent, may result in discipline, up to and including a recommendation of termination. Note: Bus drivers are also subject to the DOT rules and regulations.

Legal References: 41 USC § 702, 703, and 706
Date Adopted: February 24, 2011

TOBACCO USE (Licensed, Classified and Student)

Smoking or the use of tobacco, or products containing tobacco in any form, in or on any property owned or leased by the district, including buses or other school vehicles, is prohibited.

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.

Revised May 18, 2015
Approved by School Board: April 26, 2012
Legal Reference: A.C.A. § 6-21-609

PERSONNEL POLICIES COMMITTEE FOR CLASSIFIED PERSONNEL

Marion School District shall maintain a set of written personnel policies, including the salary schedule, for each classified employee. Marion School District shall also have a committee on personnel policies for classified personnel. A "classified employee" is an employee who is not required to hold a teaching license issued by the State Board of Education as a condition of employment. A "classified administrator" means any classified or licensed employee who evaluates non-management classified employees or any classified employee who supervises but does not evaluate other classified employees.

Personnel policies of concern to the classified policies committee shall include: (1) Salary schedule, fringe benefits, and other compensation issues; (2) Annual school calendar, including work days and holidays; (3) Evaluation procedures; (4) Leave; (5) Grievance procedures; (6) Termination, non-renewal, or suspension; (7) Reduction in force; and (8) Assignments.

The composition of the committee will consist of one (1) non-management classified representative from each of the following five (5) classifications: (A) Maintenance and Operations, (B) Transportation, (C) Food Service, (D) Secretarial and Clerical; and (E) Aides and Paraprofessionals. At the discretion of the committee, all other job classifications of classified employees not identified in the five (5) classifications may be grouped together and added as an at-large classification and shall have at least one (1) non-management classified

representative on the committee on classified personnel policies. In addition, there shall be no more than three (3) classified employee administrators on the committee, one of whom may be the superintendent of schools. The classified employee administrators on the committee shall be appointed by the school board or is designee, the superintendent.

The classified members of the committee shall be elected by a majority of the classified personnel voting by secret ballot. The election shall be solely and exclusively conducted by the classified personnel, including the distribution of ballots to all classified personnel. The voting and counting of ballots shall be conducted by the classified personnel policy committee. The election shall be conducted by mid-October.

The classified personnel policies shall be considered to be incorporated as terms of the classified employees' contracts and shall be binding upon the classified contracts until the next fiscal year. Any changes or additions to the personnel policies shall not be considered a part of the classified employee contracts until the next fiscal year.

The committee shall organize itself in October, elect a chairman and secretary, and develop a calendar of meetings throughout the year to review the district's personnel policies to determine if additional policies or amendments to existing policies are needed.

Minutes of each committee meeting shall be promptly reported and distributed to members of the school board and posted in the worksites of the district including administrative offices.

Either the committee or the board of directors may propose new personnel policies or amendments to existing policies, if the proposals by the board have been submitted to the committee at least ten (10) working days prior to the presentation to the board. The superintendent may recommend any changes in personnel policies to the board of directors or the personnel policies committee. The recommendations shall become proposals if adopted by either the board or committee. The chair of the committee or a committee member designated by the chair shall have the opportunity to present orally the committees proposed policies or amendments to existing policies to the board of directors. After presentation to the board, final action shall be taken no later than the next regular board meeting. The board shall have the authority to adopt, reject, or refer back to the committee on personnel policies for further study and revision of any proposed policies or amendments to existing policies that are submitted to the board for consideration.

Each classified employee being employed by the school district for the first time shall be given a copy of the district's personnel policies in effect at the time of his or her employment. A hard copy of all classified policies shall be available at each work location. Each classified employee shall be furnished a copy of any amendments to the personnel policies within thirty (3) days after approval of the amendments by the board of directors of the district.

EFFECTIVE DATE OF POLICY CHANGES:

All personnel policy changes enacted during one fiscal year (July 1-June 30) will become effective on the first day of the following fiscal year, July 1, unless voted on, by secret ballot, and approved by a majority of the licensed staff to be effective in the current fiscal year. This specifically includes any changes made between May 1 and June 30 to ensure compliance with state or federal laws, rules, or regulations or the Arkansas Department of Education Commissioner's Memos. In addition, changes to policies to maintain compliance with state or federal laws, rules, regulations, or Commissioner's Memos that are after June 30 but are adopted within ninety (90) days from the effective date of the legal change that created the need for the policy adoption shall become effective on the final date of adoption. (Act 835 of 2015).

Legal Reference: Act 835 of 2015
Approved by School Board: May 18, 2015

GRIEVANCE POLICY FOR EMPLOYEES (Licensed and Classified)

Purpose

To provide an orderly process for employees to resolve, at the lowest possible level, their concerns related to the personnel policies or salary payments of this district.

Definitions

Grievance: a claim or concern related to the interpretation, application, or claimed violation of the personnel policies, including salary schedules, federal or state laws and regulations, or terms or conditions of employment, raised by an individual employee of this school district. Other matters for which the means of resolution are provided or foreclosed by statute or administrative procedures shall not be considered grievances.

A group of employees who have the same grievance may file a group grievance.

Group Grievance: A grievance may be filed as a group grievance if it meets the following criteria: (meeting the criteria does not ensure that the subject of the grievance is, in fact, grievable)

5. More than one individual has interest in the matter; and
6. The group has a well-defined common interest in the facts and/or circumstances of the grievance; and
7. The group has designated an employee spokesperson to meet with administration and/or the board; and
8. All individuals within the group are requesting the same relief.

Employee: any person employed under a written contract by this school district.

Immediate Supervisor: the person immediately superior to an employee who directs and supervises the work of that employee.

Day: a calendar day, unless otherwise specified.

Working day: a day in which a majority of the employees of the same job classification as the employee with a grievance is scheduled to work.

Representation: Employees have the right to be represented by a person of their own choosing, but not by a member of a party's immediate family at any level of the grievance procedure process. A teacher shall be entitled to and shall be offered the opportunity to have a witness or representative of the teacher's choice during any disciplinary or grievance matter with any administrator.

Process

Level One: An employee or group of employees who believes that he/she/they has/have a grievance shall inform that employee's immediate supervisor of the potential grievance and discuss the matter with the supervisor within five working days of the occurrence of the grievance. (The five-day requirement does not apply to grievances concerning back pay.) If the grievance is not advanced to Level Two within five days following the conference, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

A determination by the principal, supervisor, or superintendent that the concern expressed by the employee(s) is not a grievance may be appealed to the school board for a final decision.

If the grievance cannot be resolved by the immediate supervisor, the employee(s) can advance the grievance to Level Two. To do this, the employee(s) must complete the top half of the Level Two Grievance Form within five working days of the discussion with the immediate supervisor, citing the manner in which the specific policy was violated that has given rise to the grievance, and submit the Grievance Form to his/her immediate supervisor. The supervisor will have ten working days to respond to the grievance using the bottom half of the Level Two Grievance Form which he/she will submit to the building principal, or, in the event that the employee's immediate supervisor is the building principal, the superintendent.

Level Two: Upon receipt of a Level Two Grievance Form, the building principal or superintendent (hereinafter "recipient") will have ten working days to schedule a conference with the employee(s) filing the grievance. After the conference, the recipient will have ten working days in which to deliver a written response to the grievance to the employee(s). If the grievance is not advanced to Level Three (if appropriate) or appealed to the Board of Education within five days of the conference, the matter will be resolved and the employee(s) shall have no further right with respect to said grievance.

Level Three: If the proper recipient of the Level Two Grievance was the building principal, and the employee(s) remains unsatisfied with the written response to the grievance, the employee(s) may advance the grievance to the superintendent by submitting a copy of the Level Two Grievance Form and the principal's reply to the superintendent within five working days of his/her receipt of the principal's reply. The superintendent will have ten working days to schedule a conference with the employee(s) filing the grievance. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee(s).

Appeal to the Board of Directors: Employees who remain unsatisfied by the written response of the superintendent may appeal the superintendent's decision to the Board of Education within five working days of his/her receipt of the superintendent's written response by submitting a written request for a board hearing to the board president, with a copy sent to the superintendent. If the grievance is not appealed to the Board of Directors within five days of his/her receipt of the superintendent's response, the matter will be considered resolved and the employee(s) shall have no further right with respect to said grievance.

The school board will address the grievance at the next regular meeting of the school board, unless the employee agrees in writing to an alternate date for the hearing. At the hearing, the employee(s) shall have an adequate opportunity to present the grievance but no less than ninety (90) minutes, unless a shorter period is agreed to by the employee, and all parties shall have the opportunity to present and question witnesses. After reviewing the Level Two Grievance Form and the superintendent's reply, the board will decide if the grievance, on its face, is grievable under district policy. If the Board rules the grievance not to be grievable, the matter shall be considered closed. If the Board rules the grievance to be grievable, they shall immediately commence a hearing on the grievance. All parties have the right to representation by a person of their own choosing at the appeal hearing before the Board of Directors. The hearing shall be open to the public unless the employee requests a private hearing. If the hearing is open, the parent or guardian of any student under the age of eighteen years who gives testimony may elect to have the student's testimony given in closed session. At the conclusion of the hearing, if the hearing was closed, the Board of Directors may excuse all parties except board members and deliberate on the hearing. A decision on the grievance shall be announced no later than the next regular board meeting.

Records

Records related to grievances will be filed separately and will not be kept in, or made part of, the personnel file of any employee.

Reprisals

No reprisals of any kind will be taken or tolerated against any employee because he/she has filed or advanced a grievance under this policy.

Board approved: April 17, 2014

SEXUAL HARASSMENT POLICY (Licensed, Classified & Student)

1. Purpose

It is the policy of the Marion School District to maintain a learning and working environment that is free from sexual harassment.

2. Authority

It shall be a violation of this policy for any member of the District's staff to harass a student through conduct or communications of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students or staff members through conduct or communications of a sexual nature as defined. Also prohibited is discrimination between employees based on their submission to or cooperation in sexual harassment.

3. Definitions

Unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, or physical contact of a sexual nature when made by a member of the school staff or when made by any student to

another student or staff member shall constitute sexual harassment when:

- a. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment;
- b. submission to or rejection of such conduct is used as a basis for academic decisions affecting that individual; or
- c. such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive academic or work environment.

Sexual harassment, as defined above, may include but is not limited to the following:

- a. verbal harassment or abuse;
- b. pressure for sexual activity;
- c. repeated remarks to a person, with sexual or demeaning implications;
- d. unwelcome touching;
- e. suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

4. Procedures

Any person who alleges sexual harassment by any staff member or student in the District may use the District's Grievance Procedure or may complain directly to the school's principal or the district's equity coordinator.

Proper steps for reporting complaints for sexual harassment are:

- a. Step One - The complainant shall state in writing the basis for the complaint, the names of the persons involved, and the dates of any specific incidents. This complaint shall be presented to the principal or equity coordinator within forty-five (45) days of the alleged incident(s).
- b. Step Two - All complaints are to be investigated immediately and thoroughly. The right to confidentiality, both of the complainant and the accused, will be respected consistent with the district's legal obligations. The administrator will report his findings of his/her investigation and the action taken in writing to the complainant within fourteen (14) calendar days of the receipt of the complaint, either hand-delivered or by licensed mail. Upon completion of the investigation, the administrator will take any corrective action (s) necessary.
- c. Step Three - Should the complainant feel that the action is insufficient, the initial report shall be sent to the district Superintendent. A summary of any previously proposed resolutions shall be included, along with a statement of the reasons why the proposed resolution is deemed insufficient. The complaint shall be investigated immediately and the conclusion of such investigation and the action taken will be reported in writing to the complainant within fourteen (14) calendar days, either hand-delivered or by licensed mail.
- d. Step Four - If the problem is still unresolved after Step 3, the complainant may make a request in writing to the superintendent for a hearing before the Board of Education at the next regularly scheduled board meeting.

5. Disciplinary Action

A substantiated charge against a staff member in the district shall subject such staff member to disciplinary action, including suspension or discharge. A substantiated charge against a student in the school district shall subject that student to disciplinary action including suspension or expulsion.

Legal References: Title IX, 20 U.S.C., Section 1681 et seq.; 1993, EEOC 29 CFR 1604.11

The Sexual Harassment Complaint Form is to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

SPONSORS OF NON-SANCTIONED TRIPS/TOURS (Licensed and Classified)

A Marion School District faculty or staff member organizing a tour or trip, inside Arkansas or outside the state, that involves any of the districts's students and/or parents or other adults must assume all legal responsibility and applicable liability. The district assumes no such responsibility. Trips or tours that have not been sanctioned by the Arkansas Activities Association or approved by the school board shall not be covered by the district's liability insurance policy. No teacher or staff member shall use the school or district name for the event or in its billing.

ASSIGNMENT OF TEACHERS AIDES

The work of teachers aides, also known as "teaching assistants" or "paraprofessionals" is instrumental in assisting the District's students toward the various learning and social objectives. The assignment of teacher aides shall be made by the principal or the appropriate federal or special programs supervisor in concert with the principal. Changes in the assignments may be necessary due to changes in the student population, teacher changes, and to best meet the varying educational needs of the students.

VIDEO SURVEILLANCE (Licensed, Classified and Student)

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 rooms 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 surveillance cameras and equipment shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Adopted 6-28-2007

OPENING OF SCHOOL BANK ACCOUNTS (Licensed and Classified)

No Checking or Savings Account may be opened or Certificates of Deposit purchased by any school employee for any school purpose without the prior written authorization by the school principal and the Superintendent.

If prior to the effective date, an employee has an account or CD opened for a school purpose, such must be reported immediately to the Superintendent, for immediate corrective actions.

A reminder that all monies received from students or received by the school office, including donations, are considered state funds and are subject to all internal controls that the Division of Legislative Audit and the Board of directors of Marion School District expect.

Failure to comply with this rule will result in discipline sanctions. If misconduct of such an account is determined, it could result in a recommendation for termination of employment and possible prosecution.

Adopted 6-28-2008

CLASSIFIED PERSONNEL WHO ARE MANDATORY REPORTERS DUTY TO REPORT CHILD ABUSE, MALTREATMENT OR NEGLECT

It is the statutory duty of classified school district employees who are mandatory reporters and who have reasonable cause to suspect child abuse or maltreatment to directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. Failure to report suspected child abuse, maltreatment or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Notification of local or state law enforcement does not satisfy the duty to report; only notification by means of the Child Abuse Hotline discharges this duty.

The duty to report suspected child abuse or maltreatment is a direct and personal duty for statutory mandatory reporters, and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment or neglect has occurred, or to rule out such a belief². Employees and volunteers who call the Child Abuse Hotline in good faith are immune from civil liability and criminal prosecution.

By law, no school district or school district employee may prohibit or restrict an employee or volunteer who is a mandatory reporter from directly reporting suspected child abuse or maltreatment, or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline.

Notes: ¹ For a listing of who qualifies as mandatory reporters refer to A.C.A. § 12-18-402(b).

Legal References: A.C.A. § 12-18-107
 A.C.A. § 12-18-201 et seq.
 A.C.A. § 12-18-402

CLASSIFIED PERSONNEL COMPUTER USE POLICY (Licensed and Classified)

The Marion School District provides computers and/or computer Internet access for many employees to assist employees in performing work related tasks. Employees are advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that under Arkansas law both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act. Consequently, no employee or student-related reprimands or other disciplinary communications should be made through email.

Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software

designed to prevent users from accessing material that is harmful to minors. The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.

Detailed guidelines describing use of district technology are to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

Approved by School Board: April 26, 2012

Legal References: Children's Internet Protection Act; PL 106-554
 20 USC 6777
 47 USC 254(h)
 A.C.A. § 6-21-107
 A.C.A. § 6-21-111

CLASSIFIED SALARY SCHEDULE

Years of Experience	Paras Aides Category 1	Comp./ Office Aides Category 2	Building Secretary Category 3	High School/ CO Secretary Category 4	Custodian	Maint.	Cafeteria
0	10.92	11.66	13.03	13.99	9.40	9.40	8.48
1	11.04	11.79	13.17	14.17	9.40	9.40	9.29
2	11.16	11.92	13.31	14.35	9.40	9.40	9.29
3	11.28	12.05	13.45	14.53	10.34	10.34	9.29
4	11.40	12.18	13.59	14.71	10.34	10.34	11.24
5	11.52	12.31	13.73	14.89	10.34	10.34	11.24
6	11.64	12.44	13.87	15.07	10.88	10.96	11.24
7	11.76	12.57	14.01	15.25	10.88	10.96	11.24
8	11.88	12.70	14.15	15.43	10.88	10.96	11.24
9	12.00	12.83	14.29	15.61	10.88	10.96	11.71
10	12.12	12.96	14.43	15.79	11.25	11.43	11.71
11	12.24	13.09	14.57	15.97	11.25	11.43	11.71
12	12.36	13.22	14.71	16.15	11.25	11.43	11.71
13	12.48	13.35	14.85	16.33	11.25	11.43	11.71
14	12.60	13.48	14.99	16.51	11.65	11.85	12.07
15	12.72	13.61	15.13	16.69	11.65	11.85	12.07
16	12.84	13.74	15.27	16.87	11.65	11.85	12.07
17	12.96	13.87	15.41	17.05	11.65	11.85	12.07
18	13.08	14.00	15.55	17.23	11.95	12.21	12.33
19	13.20	14.13	15.69	17.41	11.95	12.21	12.33
20	13.32	14.26	15.83	17.59	11.95	12.21	12.33
21	13.44	14.39	15.97	17.77	11.95	12.21	12.33
22+	13.56	14.52	16.11	17.95	12.21	12.47	12.59

Cafeteria **Head Cook +.35**
 Stock Clerk +.35

Records Clerk +.35

Mgr. Trainee +.60

Manager +1.10 + .30 per grade at their school

PPC Approval: 3/17/2010

Board Approval: 3/31/2010

Non-categorical - Salary set by Superintendent and Board

Maximum # of increments = 22

**Financial Transactions with Marion School District (Licensed and Classified)
By EMPLOYEES**

Act 1599 of 2001 requires full, open disclosure and appropriate approval before a school district employee may sell, lease, provide services, or enter other transactions with the employing school district.

Act 1599 does NOT apply to:

- A. Ordinary school district contracts of employment, including extra duties such as bus driving, sponsorships, working at school activities, etc.; or
- B. Reimbursement of proper work-related expenses.

Act 1599 only applies to non-employment related transactions where the EMPLOYEE is financially interested in the transaction.

Financially interested means:

- C. Ownership of more than 5% interest;
- D. Holding a position as an officer, director, trustee, partner, or other top level management; or
- E. Being an employee, agent, independent contractor, or other arrangement where the individual's compensation is based in whole or in part on transactions with the public educational entity.

Financial interest does NOT include ownership of stock or other equity holdings in any publicly held company and does NOT include clerical or other similar hourly compensated employees.

EMPLOYEES

If YOU have a financial interest in a covered transaction with the district where you are employed, you have an affirmative obligation under Act 1599 to disclose the transactions before the district enters the contract or the services are performed. Disclosure should be made to the superintendent of the district.

Technology employees who establish specifications or approve purchases of technology equipment, and involving their family members, must disclose and obtain appropriate approval before the district may enter technology transactions with the technology employee or a family member.

Act 1599 does NOT, per se, prohibit such transactions, but requires proper disclosure and approval of the transactions at an open board meeting, and in some instances, independent approval by the State Department of Education.

Your failure to do so could result in criminal felony charges being brought against you. A copy of Act 1599 is available in my office if you wish to review the law.

CHAPTER V

AUXILIARY SERVICES

SCHOOL FOOD SERVICE

1. School Food Service is one of the nation's largest segments of the food service industry. The purpose of school food service is twofold:
 - a. To provide nutritious meals to the nation's students.
 - b. To teach the importance of eating a variety of foods and developing sound food habits.

The National School Lunch Act of 1946 established school food service as a vital part of the educational process. National nutritional standards, as well as guidelines, are established.

The total program is directed and supervised by the Food Service Director and staff at the Central Office. Centralized business functions include menu planning, purchasing of food and supplies, selection of personnel, administration of the food service payroll, and auditing of each school's food service operation.

It is the objective of the Food Service Department of the Marion Public Schools to provide school children meals of maximum nutritive value at the lowest possible cost. These meals are prepared under sanitary conditions and served in attractive surroundings.

The Food Service Department is self-sustaining. Expenses and operating costs are paid from the sale of food. Operating costs not only include the purchase of food, supplies, and payment of salaries, but also maintenance, repairs, and replacement of equipment.

2. A copy of the schools' Free Lunch Policy will be kept on file in each principal's office and the Food Service Director's office.
3. The Marion School District will implement rules and regulations to comply with The National School Lunch Guidelines and sound business practices.

TRANSPORTATION

1. Buses shall be routed to provide the best service for the greatest number of pupils. However, routes shall be planned to provide the most economical operation of buses with distance, road conditions, and type of bus being the criteria for economical routing. Bus routes will be planned to get within reasonable distance of the home location of each pupil.
2. The superintendent is authorized to plan bus routes within the policies of the school board.
3. Students are allowed to ride to and from home or to and from a "before and after school care arrangement". This arrangement must be the regular destination for the child. A student may ride a different bus morning and afternoon but the pick-up and destination must be on an established route.
4. In the event of a family emergency, the Marion School District will transport a child to a temporary destination and from a temporary pick-up point, provided the following conditions are met:
 - a. The additional student does not overload the bus she/he requests to ride.
 - b. A note is received from the parent documenting the emergency and the dates involved.
 - c. The student's principal approves the request and completes a bus pass for the student.
 - d. The requested destination is on an established route at an established stop.

BUS DRIVER PHYSICALS

The district will require all new drivers to undergo a physical examination by a licensed physician or advanced practice nurse prior to transporting students. All drivers must also have an annual physical exam (no more than 2 years between exams) by a licensed physician. The Arkansas Department of Education requires the district to maintain records of the physical examinations in the Central Administrative Office.

BUS DRIVER DRUG AND ALCOHOL TESTING

SUBJECT: SUPPLEMENT SUBSTANCE POLICY ADOPTED TO MEET FEDERAL REQUIREMENTS FOR SAFETY-SENSITIVE POSITIONS

PURPOSE: The purpose of this policy is to establish a safe work environment free from the unlawful use or possession of alcohol and drugs for the employees of Marion Public Schools. It is the intent of this school to promote motor vehicle safety that ensures the health and safety of our employees and the public. Moreover, because Marion Public Schools is subject to the provisions of the "Omnibus Employee Testing Act of 1991" and regulations promulgated thereunder, the following Policy incorporates the requirements of that act.

OBJECTIVE: This policy was developed to eliminate the abuse of drugs and illegal use or possession of alcohol in the workplace.

AUTHORITY: The authority for drug and alcohol testing of all employees holding safety-sensitive positions is defined in 49 CFR, Part 382 and 49 CFR, Part 40. Some provisions of this policy are also based upon 49 CFR, Part 383, 391, 392, and 395. The Marion Public Schools hereby adopt the following policy.

DRUG AND ALCOHOL TESTING PROGRAM: This policy establishes a drug and alcohol testing program known as the Marion Public Schools Drug and Alcohol Program and hereinafter referred to as the program. This program does not affect the relationship between Marion Public Schools and individual employees and does not create an expectancy of continued employment under any circumstances. Marion Public Schools continues to be an employment-at-will organization and specifically reserves the right to terminate any employee at any time. The address of the program shall be the same as the administrative offices of Marion Public Schools. Doyle Jones shall be the administrator of this program and is designated to answer questions about the policy. REFERENCE materials of detailed regulations not included in the body of this policy shall be provided with the Employee Educational Handbook and pamphlets. A signed receipt is required for these materials before testing is initiated. Let it be known, this policy serves as written notice of the availability of educational materials and other information concerning the Federal Regulations.

APPLICATION: The elements of the program are mandated by federal law for employees holding a commercial drivers license (CDL). Drug testing for other employees is not governed by this policy. All covered employees ("drivers") are expected to adhere to this program during on-duty time of a safety-sensitive position. Safety-sensitive functions include those set forth in the definition of On-Duty Time outlined in 49 CFR, PART 395.2. Drivers are also subject to the provisions set forth in Marion Public Schools drug free workplace policy.

PROHIBITED CONDUCT: Subpart B of 382, Part 392, and Sec. 391.95 contain the federal regulations of prohibitions. The program enhances prohibitions above minimum federal regulations. Conduct prohibited by this policy are as follows:

Alcohol - (1) No drivers shall possess, use, or be under the influence of any alcoholic beverage while performing a safety-sensitive function or while on or in property controlled by Marion Public Schools. Refer to 49 CFR, 382 and 392.5. (2) No drivers shall report to duty with an alcohol concentration of 0.04 or greater. An employee with an alcohol concentration greater than 0.02 but less than 0.04 will be removed from a safety-sensitive position for a period of twenty-four hours. (3) No drivers subject to a post-accident breath alcohol test shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test. (4) No drivers shall refuse to take a required alcohol test. Not cooperating with the Breath Alcohol Technician (BAT) will be considered a refusal. (5) No person subject to a required breath alcohol test shall adulterate or attempt to adulterate the test. (6) No employee shall consume or use alcoholic beverages within four hours of coming on duty. Drugs - (1) No drivers shall possess, use, or be under the influence of a controlled substance (marijuana, cocaine, opiates, amphetamines, phencyclidine and all controlled substances in schedules I

through V of section 202 of the Controlled Substances Act (21 U.S.C. sec 812) and as further defined by regulation at 21 C.F.R. 1308.11-1308.15). Possession or use of medication obtained by prescription is not prohibited so long as it remains in the original container in which it was delivered; however, no employee is authorized to operate a motor vehicle owned or controlled by Marion Public Schools while taking such medication unless a physician has advised in writing that such use will not impair or affect the ability to operate a motor vehicle. (2) No drivers shall test positive for drugs. (3) No drivers shall refuse to take a required substance test. Not cooperating with the collection site personnel will be considered a refusal. Refusals will be considered a positive test result.

Other - (1) Failure to report an accident to a supervisor responsible for initiating the testing process is prohibited. (2) Responding to "on-call" job related functions when in violation of any provision of this policy is prohibited. (3) Any abusive language or physical abuse displayed before, during, or after testing is prohibited.

CONSEQUENCES: Any employee subject to the Federal Motor Carrier Regulations employed by this school who violates any provision of 49 CFR Part 382 and/or 391 or any provision of this policy as related to prohibited conduct of drug use or alcohol misuse shall be subject to disciplinary actions up to and including termination. Minimum DOT requirements for a prohibited conduct violation is immediate removal from safety-sensitive positions, evaluation, and treatment by a Substance Abuse Professional (SAP), and a negative return-to-duty test before the employee can return to a safety-sensitive position. The employee is also subject to a minimum of six unannounced follow-up tests in a twelve-month period. The superintendent will be responsible for determining disciplinary actions. The employee will be relieved of duty without pay during the time between a positive result and a decision on disciplinary action. Refusal to comply with any decision will result in immediate termination. A confirmed positive test without adequate explanation will result in termination. All cost associated with evaluation and treatment will be the responsibility of the employee, also all cost of return-to-duty test and follow-up test including lab fees, collection fees, MRO, and breath alcohol fees are the responsibility of the employee, except that any such employee may use any available medical or health insurance provided by Marion Public Schools if such treatment or participation is covered by such medical or health insurance.

TESTING REQUIREMENTS: Employees will be tested for the following substances: (1) Marijuana, (2) Cocaine, (3) Opiates, (4) Amphetamines, (5) Phencyclidine. Employees will also be tested for alcohol while performing, immediately prior to performing, or immediately after performing a safety-sensitive function.

TYPES OF TESTS CONDUCTED: The following tests will be conducted:

(1) Pre-employment: Pre-employment testing applies to new hires and to transfers from non-safety sensitive positions to safety-sensitive positions for controlled substances. Prior to employment an applicant is required to sign a request/consent form releasing substance and alcohol records from previous employers of the past two years.

(2) Post-accident: Post-accident testing applies as soon as possible following an accident involving a commercial motor vehicle. The employee will be tested if the accident involved the loss of human life, a person requires medical attention away from the scene or if one or more vehicles required towing from the scene. The employee must notify appropriate management and remain available for testing following an accident. NOTE: Nothing in this program shall be construed as to require the delay of necessary medical attention for injured people following an accident. Marion Public Schools may substitute a test administered by on-site police or public official using procedures required by their jurisdictions.

TIME FRAME FOR POST-ACCIDENT TESTING: ALCOHOL - EIGHT HOURS

SUBSTANCE - THIRTY-TWO HOURS

(3) Random: Drivers are subject to random testing at any time at a 50% rate for substance testing and a 25% rate per year for alcohol.

(4) Reasonable Suspicion: Drivers will be subjected to testing when a supervisor determines there is a reasonable suspicion to test the employee based on specific, contemporaneous, articulable observations concerning the employees appearance, behavior, speech, or body odors.

(5) Return to Duty: Before a driver is allowed to return to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by 49 CFR Part 382, Subpart B, the driver shall undergo a return to duty alcohol test with a result indicating an alcohol concentration of less than 0.02 and return to duty

controlled substance test with a verified negative result. (382.309) All subject employees will comply with the above ruling before reinstatement to his/her job function.

(6) Follow-up Testing: In the event an employee is allowed to return to duty following a policy violation, he/she must undergo a minimum of six unannounced substance and alcohol test in a twelve month period. If required by SAP, additional tests may be included.

SUPERVISORS: Supervisors and other designated officials responsible for Reasonable Suspicion testing will be trained according to the two hour mandated Federal Regulations which include physical, behavioral, speech, and performance indicators of probable alcohol or drug use.

COLLECTION AND ANALYSIS: National Medical Test, Inc. has been designated to manage this programs implementation and maintenance. It is also the primary collection site. This firm will contract with collection sites that conform to the Federal Regulations. The program will use Advanced Toxicology Network for the analysis of urine specimens. This laboratory is a DHHS Certified Lab, which is located at 3560 Air Center Cove, Suite 101, Memphis, TN 38118.

MEDICAL REVIEW OFFICER (MRO): Dr. Dennis W. Luter, M.D., located at 1303 Stone Street, Jonesboro, Arkansas 72401 is appointed as the MRO service for this program. The MRO shall make the final decision as to positive vs. negative test results in accordance with the provisions of 49 CFR, Part 40.

DUE TO CONSTANT CHANGES IN FEDERAL REGULATIONS AND CHANGES IN COMPANY POLICY, THIS PROGRAM RESERVES THE RIGHT TO ADD AMENDMENTS AT ANY TIME. THESE AMENDMENTS WILL BE DISTRIBUTED TO EVERY EMPLOYEE WITH A SIGNED RECEIPT BEFORE IMPLEMENTATION INTO THIS PROGRAM.

Transportation – Cellular or Mobile Phones

District provided Phones on the buses are for School Business use only.

The phones are set up to answer automatically when receiving a call. Drivers are to ensure phones are in place and turned on when the bus is in operation.

Phones may be picked up and returned to the bus shop office or the driver may keep the phone. If the driver chooses to keep the phone they are responsible for the replacement cost of the phone and to return the phone before any route that they are going to miss.

Phones are not to be left on the bus. Settings are not to be changed, and the cameras if any on the phone are not to be used.

Phones are not to be used while operating a bus. The bus must be stopped, transmission in neutral and the parking brake set before using the phone.

The driver is to report any phone malfunctions to the bus shop immediately after their route.

Personal cell phones are not to be used by the bus driver while the bus is in operation.

The driver is responsible for the use, care, and security the assigned phone.

Transportation Pre-trip and Post-trip Inspections

Drivers are responsible for completing an inspection before and after each trip. Inspections will be completed using the district supplied form. The driver must also check for students who have remained on the bus, check for seat damage, and any articles left on the bus at the completion of each trip.

OVERNIGHT FIELD TRIPS AND BUS DRIVING PAY

Bus drivers driving on overnight bus trips will be on the clock, i.e. on duty, no more than 14 hours per day.

"On duty" is defined as any time the driver is away from the motel such as waiting for the group at a school, an activity, or when actually driving the bus. The driver is also considered to be "on duty" if he/she is not free to pursue his/her own interests in blocks of time of at least 3 hours when away from the team or school group. Time less than the 3 hours minimum will be paid as "on duty".

VOLUNTEER PROGRAM POLICY

The Marion School District encourages the schools of the District to use selected volunteers to assist students and teachers. Anyone who enjoys working with children and has a genuine interest in the education of children could be an asset to the district's educational program.

Volunteer services that can be helpful are many and varied. The interests and abilities of the volunteers are also to be considered. General areas for volunteer assistance may include:

- Tutoring individuals or small groups
- General classroom assistance
- Library work
- Office help
- Lunchroom duty
- Playground monitoring
- Constructing educational games
- Art and music experiences
- Special education for gifted and/or learning-disability children
- Tutoring English as a second language
- Helping with special projects and activities
- Chaperoning field trips
- Enriching the curriculum as a resource volunteer.

The volunteer's many and varied experiences and skills should significantly enrich the school curriculum and will also expand community participation in public education which will help build understanding and better communication between the school and the public.

The principal of each school will be responsible for the recruitment and selection of volunteers for his/her school. Each school will conduct volunteer in-service training. (Guidelines may be found in the Early Prevention of School Failure, EPSF, Program Manual.)

CHAPTER VI

INSTRUCTIONAL PROGRAM

GRADE LEVEL ORGANIZATION

1. The organization of the Marion School District is on a 2-2-2-2-3 plan. In keeping with the philosophy and general objectives of the school, the district will maintain the best schools possible under that organization.
2. All activities under the auspices of the school and approved by the school board which contribute to the overall development of the child are a part of the curriculum.

ELEMENTARY DAILY SCHEDULE

Each principal will provide the superintendent a copy of the instructional activities of each teacher in his/her school.

1. The daily schedule in the elementary school is usually developed by the principal and teacher. In general, there is a standard schedule for all the pupils in the class with few exceptions. The elementary teacher should consider the following factors in developing a daily schedule:
 - a. That sufficient time be provided in the program to instruct the pupils adequately the courses required.
 - b. That the schedule be sufficiently flexible to provide for adequate ability level grouping at various grade levels as well as within each group.
 - c. There are days when the daily program must be changed by the classroom teacher for special events or activities.
2. The high school schedule shall meet the requirements of the North Central Association of Colleges and Secondary Schools with reference to time, offerings, and teacher load.

CURRICULUM

The superintendent, the assistant superintendent of curriculum and instruction, and the principal will be responsible for the development of the school curriculum, subject to approval of the school board. This development and maintenance should be done in cooperation with the faculties of the schools involved. All curriculum development shall be within the boundaries of the state accreditation requirements and the North Central Association-Accreditations for Schools and Colleges.

EIGHTH (8th) GRADE ALGEBRA I FOR CREDIT

Eighth (8th) grade students at Marion Jr. High School who meet certain specific requirements may take Algebra I for high school credit. Such students shall complete any required state testing for Algebra I.

Marion School District shall accept credit for Algebra I taken in the 8th grade by all students transferring to the district.

STUDENT PERFORMANCE GRADING: Parents or guardians shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation which may enhance the probability of the student succeeding. More frequent communication is required with the parent(s) or guardian(s) of students not performing at the level expected for their grade. The school shall also send timely progress reports and issue grades for each nine-week grading period to keep parents/guardians informed of their student's

progress.

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

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

S – Satisfactory = 80 – 100

N – Need Improvement = 70 – 79

U – Unsatisfactory = 69 and below

The grading scale for grades 1-12 in the district shall be as follows:

A = 100 – 90

B = 89 – 80

C = 79 – 70

D = 69 – 60

F = 59 and below

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

A = 4 points

B = 3 points

C = 2 points

D = 1 point

F = 0 points

The grade point values for Advanced Placement, International Baccalaureate, and all Arkansas Department of Education-approved honor courses shall be counted as one point greater than for regular courses, with the exception, that an F shall still be worth 0 points. This same basis of credit shall apply to all students transferring into the Marion School District with Advanced Placement, International Baccalaureate or A.D.E. approved honor courses.

A.C.A. § 6-15-902

Board Approval 2/12/09

Revised: 11/13/08

Revised: 3/28/13

5.16.1—GRADUATION REQUIREMENTS FOR THE CLASS OF 2013-14 AND ALL CLASSES THEREAFTER (Replaces 5.16)

The number of units students must earn to be eligible for high school graduation are 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 Arkansas Department of Education, the district requires an additional 2 units to graduate for a total of 24 units. The additional required units may be taken from any electives offered by the district.¹ There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements. The provisions of a student's Individualized Education Plan (IEP) serve as his/her graduation plan. Additionally, unless exempted by a student's IEP, all students must successfully pass all end-of-course (EOC) assessments they are required to take or meet the remediation required for the EOC assessment to receive academic credit for the applicable course and be eligible to graduate from high school.²

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.)

- Algebra I or Algebra A & B* which may be taken in grades 7-8 or 8-9
 - Geometry or Investigating 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.
- Algebra II
 - Choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III, or an Advanced Placement math
(Comparable concurrent credit college courses may be substituted where applicable)

Natural Science: three (3) units with lab experience chosen from

- Physical Science
- Biology or Applied Biology/Chemistry
- Chemistry
- Physics or Principles of Technology I & II or PIC Physics

Social Studies: three (3) units

- Civics one-half ($\frac{1}{2}$) unit
- World History - one unit
- U. S. History - one 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.¹⁰

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.

The Smart Core and career focus units must total at least twenty-two (22) units to graduate. Additionally, the district requires 2 units for a total of 24 units to graduate which may be taken from any electives offered by the district.¹

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)

*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

- at least one (1) unit of biology or its equivalent
- one (1) unit of a physical science

Social Studies: three (3) units

- Civics one-half (1/2) unit
- World history, one (1) unit
- U.S. history, one (1) unit

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

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

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

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.³

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

CAREER FOCUS: - Six (6) units

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

The Core and career focus units must total at least twenty-two (22) units to graduate. Additionally, the district requires 2 units for a total of 24 units to graduate which may be taken from any electives offered by the district.¹

Notes: ¹ The Standards of Accreditation Unit has objected to the policy's previous implication (if you substituted a number greater than 22) that the ADE was requiring more than 22 units to graduate. Therefore, this sentence is necessary if your district requires more than 22 units. If you have specific requirements for the additional units, change the new sentence's wording to reflect those requirements.

² Students **not** in grades 10, 11, or 12 in the 2009-10 school year who have taken Algebra I but not received proper academic credit on their transcript for the course are now required to take the **high stakes** Algebra I test before they can receive academic credit for the course. Consult policy 5.11 for additional information.

³ The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

Cross Reference: Policy 4.45.1 SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2013-14 AND ALL CLASSES THEREAFTER

Legal Reference: State Board of Education; Standards of Accreditation 14.02

Date Adopted: 3/28/13

BENCHMARK ASSESSMENTS AND ACADEMIC IMPROVEMENT PLANS

Marion School District students in grades 3 through grade 8 are required to complete the State's Benchmark Assessment tests annually. The state shall annually set the satisfactory pass levels for each level of exam.

Each student identified as not meeting the satisfactory pass level in the immediate previously administered benchmark assessment shall have an individualized educational academic improvement plan developed by the school using the Benchmark data provided. The academic improvement plan (A.I.P.) shall include remediation activities focused on those areas which the student failed to pass. Each student who did not meet the satisfactory pass score shall participate in his or her remediation activities beginning in the school year the assessment results are reported.

School Districts and individual schools shall notify the student's parent, guardian, or caregiver via student handbooks of the parent's role and responsibilities as well as the consequences for the student's failure to participate in the plan.

ACADEMIC IMPROVEMENT PLAN: CONSEQUENCES OF FAILURE TO PARTICIPATE

As required by Act 2243 of 2005 "beginning with the 2005-2006 school year, students in grades three through eight (3-8) identified as not passing a benchmark assessment and who fail to participate in the subsequent A.I.P. SHALL BE RETAINED and shall not be promoted until: 1. the student is deemed to have participated in an A.I.P.; or 2. the student passes the benchmark for the current grade level in which the student is retained."

PROMOTION/RETENTION/ FOR GRADES 3-8 AND GRADE 11 LITERACY

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. Each school in the Marion School District shall include in the student handbook, the criteria for promotion of students to the next grade as well as the criteria for being required to retake a course, if applicable. Parents or guardians 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.

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 their required retaking of a course, a conference between the parents/guardians, teacher(s), other pertinent personnel, and principal shall be held before a final decision is made. 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, the final decision to promote or retain shall rest with the principal or his/her designee.

Students who do not score proficient or above on their grade level Benchmark Exams shall be required to participate in an individualized Academic Improvement Plan (AIP). Each AIP shall be developed by school personnel and the student's parents and shall be designed to assist the student in attaining the expected achievement level. The AIP shall also state the parent's role as well as the consequences for the student's failure to participate in the plan, which shall include retention in grade.

In addition to the Benchmark Exam requirements for students in grades 3-8, students who do not meet the satisfactory passing level on the End-of-Course tests or on the Grade 11 Literacy test shall successfully participate in the remediation program identified in their AIP before they can receive credit for the course. The lack of credit could jeopardize their grade promotion or classification due to insufficient credits to qualify for the next grade.

Promotion/retention or graduation of students with an Individual Educational Plan (IEP) shall be based on their successful attainment of the goals set forth in their IEP.

Note: While the law and the Rules require beginning in 2009-2010, that students actually pass the EOC test to receive credit for the course, there is no reason to put that into policy at this point. It is not the class of 2009-2010, but rather the year 2009-2010 that this requirement goes into effect.

Legal References: A.C.A. § 6-15-402
A.C.A. § 6-15-1602
A.C.A. § 6-15-2001
A.C.A. § 6-15-2005
Adopted by Board 2-12-09

SPECIAL EDUCATION CURRICULUM PLAN

1. Admissions: Children who qualify for Special Education services are those who experience physical, mental, emotional or learning disabilities, or combinations of such disabilities to the extent that they cannot adequately grow and develop without special help. Categories of disability contained in the implementing regulations of I.D.E.A. are listed below:
 - a. Mentally retarded
 - b. Emotional disturbance
 - c. Specific learning disability
 - d. Speech/language impairment
 - e. Hearing impaired (including deafness)
 - f. Orthopedic impairment
 - g. Visual impairment (including blindness)
 - h. Traumatic brain injury
 - i. Autism
 - j. Other Health Impaired
 - k. Multiple disabilities
 - l. Deaf-blindness

Special education is designed to deliver to these children the extra help needed to overcome or alleviate the learning difficulties posed by the presence of such disabilities. Special Education consists of a series of strategies by which individual learning needs are assessed and services planned and carried out to meet these needs. The form that Special Education takes depends on the individual child.

Referral of a child with a suspected disabling condition is made to the principal of the school in which the child is enrolled. Written referral may be made by the child's teacher, other school or district educational personnel, the child's parent, or any other person with relevant knowledge about the child. Any information which would assist in determining the nature of the child's learning problems and which is presently available should be included with the Referral Form. Such information in district files may include the screening inventory; home or classroom behavior scales; existing medical, social, educational data; and/or samples of the child's work.

Within seven (7) calendar days of receipt of the referral, the principal or principal's designee sets a date for a referral conference and sends a written notification of referral and referral conference date to the parents. Referral conference must be held within the maximum of twenty-one days from the receipt of referral. At the referral conference, parents must be informed of their rights in relation to procedural safeguards and will be asked to assist the referral committee in filling out a social history of their child.

1. Possible outcomes of the referral conference are:
 - a. Evaluation (in accordance with Program Standards and Eligibility Criteria for Special Education)
 - b. Specialized evaluation
 - c. No evaluation (remain in regular classroom with or without other types of program modification)
 - d. Evaluation and temporary placement in special education for no more than sixty (60) calendar days during which the evaluation must be completed.

2. Within thirty (30) calendar days following the completion of all formal evaluation activity, the Evaluation/Programming Conference must be held. Parent notification should precede this conference by a minimum of seven (7) calendar days.

After reviewing all the data, the persons attending the Evaluation/Programming Conference will:

- a. Determine whether the student is disabled according to Program Standards and Eligibility Criteria for Special Education. If the child does not meet the eligibility criteria, the decision of the committee will be that no special education services are needed.
- b. Specify the disabling condition if the student is determined to be disabled.
- c. Design an Individual Education Plan (IEP).
- d. Determine appropriate placement for implementation of the Individual Educational Plan.

All decisions made at the Evaluation/Programming Conference are recorded on the appropriate form and signed by those in attendance. Parents/guardians must be provided a copy of the decision at the conference or within seven (7) calendar days if they are not present. Parental consent must be obtained before initial placement of a disabled student in a program providing special education and related services.

Except for evaluation and initial placement, consent may not be required as a condition of any benefit to the parent or child. Continuation of placement in the same setting does not require an annual consent form. Parental agreement to the annual review and acceptance of the IEP thereafter signifies consent. However, should a change in placement occur, consent must be obtained. The parent/guardian understands that the granting of consent is voluntary on part of the parent/guardian and may be revoked at any time.

Within thirty (30) calendar days following parental notification of the Evaluation/Programming Conference decision, the recommended service shall be provided, unless the parent/guardian objects to the placement. If such an objection is received prior to the expiration of the thirty (30) calendar day period, the student shall remain in the then current educational placement pending the outcome of the appropriate review procedures.

3. Curriculum Plan: Students in the Special Education Department will follow a planned instructional program in accordance with school requirements to qualify for the regular diploma or certificate. Service settings will be arranged for disabled students according to individual needs.

Revised: 4/22/2010

ALTERNATIVE EDUCATION, GRADES 7-12

Alternative Learning Environment

An "Alternative Learning Environment" (ALE) is a student intervention program developed in compliance with A.C.A 6-18-508 and 509. The ALE shall not be primarily punitive but seeks to provide the guidance, counseling, and academic support to enable students to continue to make progress toward educational goals. The instructional setting of the ALE will feature highly qualified licensed teachers and supervisors for these qualifying students. Computer programs will supplement the teachers' instruction.

Marion School District and West Memphis School District shall form a cooperative arrangement to serve the qualifying students of both districts in grades 7-12. Students with disabilities will be served by a fully-qualified special education teacher, subject to the individual educational plan's approval of alternative placement. Marion School District will administer the program,

Alternative Education Placement Team

Student placement into the ALE shall be determined by a team to include: the school counselor, the ALE Director or the school's principal, a parent or legal guardian, and a regular classroom teacher. Placement will not be based on academic problems alone. Qualifying students must exhibit two (2) or more of the characteristics outlined in this section.

Qualifying Characteristics

- Disruptive behavior
- Drop-out from school
- Recurring Absenteeism
- Transition to or from a residential program
- Personal or family problems or situations to include but not limited to:
 - o Abuse: physical, mental or sexual
 - o Frequent relocation of residency
 - o Homelessness
 - o Inadequate emotional support
 - o Mental/physical health problems
 - o Pregnancy
 - o Problems arising from difficulties of single parenting

Agreement Outlining Responsibilities

Once there is an agreed placement into the ALE, a written agreement shall be developed involving the parent or guardian, the teacher or the ALE Director, and the student that outlines the responsibilities of each party: the ALE, the parent, and the student.

Exit Criteria

While placement into the ALE is expected to be at least a semester in length, in a few instances it could be less. However, at no time shall a student be served less than twenty (20) days. Placements for some students shall be for the entire year if so ordered by the school board. Exiting the program can be initiated by the ALE itself, by request of a parent, guardian, or the student, if age eighteen (18). Adequate progress must be documented by the ALE administrator before approval of exiting the program and a return to the regular school program will be granted.

INSTRUCTIONAL SERVICES FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY LIMITED ENGLISH PROFICIENCY (LEP)

The terms “limited English proficiency” and “limited English proficient,” when used with reference to an individual, means an individual –

(A) Who—

- (i) was not born in the United States or whose language is a language other than English and comes from an environment where a language other than English is dominant, or
- (ii) is a Native American or Alaska Native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English language proficiency; or
- (iii) is a minority and whose native language is other than English and comes from an environment where a language other than English is dominant; and

(B) who has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of instruction is English or to participate fully in our society.” (Office of Bilingual Education and Minority Language Affairs)

1. Home Language Survey

All enrolling students will answer Home Language Survey questions to establish (1) the language spoken most frequently at home, (2) the language spoken most frequently by the student, and (3) the language most frequently spoken by the parent to the student.

2. Language Minority Students

Language minority students (LMS) are students whose primary or home language is a language other than English. Many LMS students are proficient in both English language (reading, writing, listening, and speaking) and grade-level academic performance. Language minority students are not performing on grade level will complete a Language Minority interview and an English language assessment (either the LAS or the MACII assessment) within their first month of enrollment unless prior assessment information is provided. Counselors will confer with parents in order to gain permission for testing.

3. LEP Identification and Planning

- a. Students may present LEP records from another school or institution for the immediate development and implementation of an LEP plan.
- b. Students may also be identified as LEP as a result of on-site English language assessment with results that are below proficient.
- c. Counselors and teachers of students identified for LEP services will write an educational plan to shelter instruction for the remainder of the school year. Parents and the student will be included in the process. The plan will be updated annually.
- d. Exit from LEP Services: All LEP students will take the Arkansas administration of the ELDA (English Language Development Assessment) each spring. No students will be exited from LEP services in the spring semester prior to ELDA testing.

The following criteria will be used for exit and reclassification of LEP students:

MINIMUM CRITERIA FOR EXIT AND RECLASSIFICATION OF LEP STUDENTS ENROLLED IN ESL PROGRAMS AND REQUIRED ELEMENTS FOR LANGUAGE PLACEMENT AND ASSESSMENT COMMITTEE (LPAC) AND PARENT NOTIFICATION FORMS

Approved by the Arkansas Board of Education, August 14, 2006

1. Student Information

- School and District
- First Name
- Last Name
- Grade
- Identification Number

2. Spring English Language Proficiency Assessment (ELPA) Scores and Proficiency Levels

- Speaking Raw Score and Level
- Listening Raw Score and Level
- Reading Raw Score and Level
- Writing Raw Score and Level
- Comprehension (Listening and Reading) Raw Score and Level
- *Student must score proficient or above in all five sections of the spring English Language Proficiency Assessment (ELPA).

3. Previous Year's Grades for:

- English Language Arts
- Mathematics
- Social Studies
- Science
- *Student must earn a grade of "C" or above in all core subject areas.

4. Standardized Achievement Scores

- CRT Literacy and Mathematics or NRT

*Student must score Proficient or Advanced on the CRT (Arkansas Benchmark or End of Course Exams) or score at or above the 40th percentile on the NRT.

5. Recommendations for exit or reclassification from current teachers

*At least two current teachers recommend exit or reclassification based on the criteria above.

6. The decision to exit or reclassify the LEP student from the ESL program must be made on an annual basis by the Language Placement Assessment Committee (LPAC) following a review of spring ELPA results.

NOTE: Documentation is required on all LEP students during enrollment in the ESL program and for two years after exiting the ESL program. Each student's progress should be reviewed and documented on a yearly basis by the school's LPAC.

Districts are required to monitor and to provide assistance to English language learners for two years after exiting the ESL program, according the Federal Law under Title III of NCLB.

Exited students' ELPA test scores may be banked and included in a school's spring ELPA test score report for a maximum of two years.

All exemptions, modifications, and accommodations for instruction/testing must be written in the student's LEP plan.

Approved 6-25-02

Revised 6-11-09

GIFTED AND TALENTED PROGRAM DESCRIPTION TALENT ENRICHMENT AND ACCELERATION - MARION (TEAM)

The Marion School District is in compliance with the Arkansas State Guidelines for Gifted and Talented Education. The TEAM Program (Talent Enrichment and Acceleration at Marion) identifies students and provides services to them according to the Arkansas state definition:

Gifted and talented children and youth are those of high potential or ability whose learning characteristics and educational needs require qualitatively differentiated educational experiences and/or services.

Possession of these talents and gifts, or the potential for their development, will be evidenced through an interaction of:

1. Above average intellectual ability
2. Task commitment and/or motivation
3. Creative ability

At present, identified students in TEAM classes receive instruction through a curriculum that is differentiated in content, process, and product, emphasizing critical thinking, creative thinking, personal growth, and research skills in the following program provisions:

KINDERGARTEN – THIRD GRADE: (Not identified) All students receive differentiated instruction for a minimum of 30 minutes per week for lessons and mini-units, designed and taught by a licensed GT teacher and by regular classroom teachers in conjunction with the GT licensed teacher. This TEAM teacher provides technical assistance, staff development opportunities, and assists in documenting activities which promote critical and creative thinking. The TEAM teacher also collects data for future identification purposes. A carefully documented scope and sequence is on file in the coordinator's office.

In addition, a battery of assessment instruments is administered to all first, second, and/or third grade children to identify students for special services, whether or not they are offered for GT services.

1. GIFT (creativity survey)

2. RAVEN (nonverbal I. Q. test)
3. State-wide Achievement Battery
4. COGAT (group I.Q. test)

The TEAM coordinator may ask parents to give written permission to administer additional tests, such as the Slosson individual I.Q. test, the KAUFMAN BRIEF INTELLIGENCE TEST, and/or the Wechsler Intelligence Scale for Children – III, to provide a more complete picture of students whose subjective and objective information do not seem to agree.

FOURTH - FIFTH GRADE MULTIPLE SERVICES: Students who are identified for multiple services are placed in heterogeneously grouped home-based classrooms. For approximately two or three hours during the day, these students leave the home-base to receive services through homogeneous grouping in a TEAM classroom where content, process, and product are differentiated in basic subject areas of reading/language arts, math, science and/or social studies. Students may be identified for multiple services (all areas) or any combination of these services. Content area enrichment activities are provided as needed in the home-base classroom for the remainder of the day. Curricular areas may be compacted to allow for moderate acceleration and/or combined to allow for the holistic development of broad concepts rather than the parts. Students are encouraged to explore their own interests in both the basic and the special curricular units developed for them by their teachers. TEAM teachers (3-6) are licensed by the state to teach gifted and talented students or are working on certification by taking six semester hours of gifted and talented education per year.

FOURTH - FIFTH GRADE CONTENT AREA DIFFERENTIATION: Students who are identified as having special needs in one or two content areas are placed in heterogeneously grouped home-based classrooms. In the home-based classroom with consultation or in the TEAM classroom with direct services from the TEAM teacher, these students receive at least 150 minutes per week of subject area enrichment/acceleration where content, process, and product are differentiated. Emphasis on open-ended activities and multi-optional products allow students to develop concepts holistically rather than concentrating on sequential parts and structured outcomes. Students are encouraged to explore their own interests in the special curricular units developed for them by their teachers.

SIXTH - TWELFTH GRADE Pre AP, or AP ENGLISH, MATH, SOCIAL STUDIES, AND SCIENCE: Students who are identified as having above average ability, above average creativity, and above average task commitment are identified for TEAM multiple services or specific content areas. These students are served in heterogeneously grouped classes at each grade level. Students may elect to take Pre AP and/or AP class work in English, Science, Math, and/or Social Studies. A list of secondary courses considered advanced for each grade level can be obtained by calling the GT Coordinator or the counselor at the school. Teachers of these classes have attended Pre AP training or a 5-day AP College Board Institute every five years. The curriculum is differentiated by the process skills of critical thinking, independent research, and personal growth deemed appropriate for identified gifted and talented students.

GIFTED AND TALENTED (TEAM) IDENTIFICATION PROCEDURE

1. Referral

Students may be referred by any of the following individuals: parents, teachers, administrators, peers, students themselves. ANYONE MAY REFER A STUDENT FOR THE TEAM PROGRAM. Referrals are actively sought regardless of race, sex, economic status, and/or disabling condition. Because the identification process is lengthy, referrals must be turned in by March 1. Those received after March 1 will be processed the next school year.

2. Permission

The parent will be notified that the student has been referred (except for first grade schoolwide screening) and will be asked to sign a permission form to allow special testing to provide the necessary information for placement by the staffing committee. Only students enrolled and in attendance in the Marion School District will be tested.

3. Evaluation (Objective)

The student will participate in a variety of the following evaluations:

- Slosson Individual I.Q. (2-12) (optional)
- COGAT IQ
- GIFT Creative Survey (1-2)
- Torrance Figural Creativity (2-12)
- Torrance Verbal Creativity (3-12) optional test
- Regular schoolwide achievement battery
- RAVEN (spatial ability) (1-2)
- KAUFMAN Brief Intelligence Test (1-12) optional test
- Other assessments as needed

4. Evaluation (Subjective)

The student profile will also show the results of the following subjective information:

- Renzulli-Hartmann Rating Scale
 - Learning
 - Creativity
 - Motivation
- Parent referral
- Teacher referral
- Peer referral
- Self-referral
- Renzulli-Hartman Early Childhood Check list (optional)

5. Grades

Student grades are used as indicators of task commitment to regular classroom objectives and activities. Grade information is requested only when the staffing committee is unable to determine the student's motivational level. Since grades are an indication of how the student functions in a nondifferentiated classroom, they are not considered an indicator of how well the student will perform in a differentiated classroom.

6. Preparation for Identification

Student information is gathered and recorded on individual profiles which are numbered to match the named folders. The profile sheet does not have a name. The student evaluation results are placed in the folder to provide documentation for the profile and to serve as a reference during staffing, conducting parent conferences, or planning differentiated services for the student.

Because the identification process is lengthy, it is strongly urged that referrals for the next school year be turned in to the school counselor no later than the first of March. Referrals received after this date will be processed during the next school year..

7. Staffing

A committee of educators in all areas and across all grade levels is gathered. At least one person on the committee is a licensed gifted and talented teacher. Copies of all profiles are stacked for identification by grade level. NO MATRIX IS USED. THERE IS NO CUT-OFF SCORE FOR ANY ABILITY AREA. A list of names and corresponding numbers and the student folders for each grade level are held by the TEAM Coordinator until the identification process is complete. If questions are raised about missing information, dates of testing, or incongruities in information, the coordinator reports necessary details without revealing the identity of the student. After the recommendations for appropriate services are made, the entire committee records service codes on individual profiles and matches the codes, the identification numbers and the names on the master lists.

8. Parent Notification

As soon as the staffing committee decisions have been recorded, parents are notified of placement decisions by mail and permission slips are returned to the office, allowing students to be identified for TEAM services. Without a response from the parent, the student may not be placed in any TEAM provision. Students who are not placed in a TEAM provision may remain in the referral pool for three years for further evaluation and consideration by the staffing committee. Parents are notified again only if future placement decisions by the staffing committee change. At the end of three years, the student's folder is moved to the inactive file to await referral by anyone. A parent or student who does not wish to be considered may withdraw the folder at any time.

9. Folder Documentation

Copies of signed letters and permission slips are placed in the students' folders. Program placement forms are also added to give a history of TEAM provisions in which the student has been served. Principals, counselors, and teachers are given rolls of TEAM classes and/or TEAM students and the placement decisions. Although this process takes place initially in the spring, special staffing sessions allow new students to be considered throughout the year. No student is placed, however, without parental permission, and recommendations are based on staffing committee decisions involving what is considered best for the student's total development.

10. Re-evaluation

Student Evaluation is an on-going process. Each spring teachers complete an Annual Student Evaluation form on every student identified for TEAM services in grades 3-12 to report on each student's progress. This form is kept on file in the student's GT folder. Each year, new standardized test results and other information are added to the student's GT file. Any time a TEAM teacher determines that a previously identified GT student would benefit from less/more services, a meeting of a school-based committee consisting of the student's parents, teachers, school counselor, and the GT coordinator, may be called to discuss such changes. Students who have made an F for two consecutive grading periods in a given subject or students who do not function well in the TEAM program provision, (documented by the TEAM teacher) can be exited, as can students already returned to the regular classroom, with parent notification and an opportunity to request a meeting with the school-based committee. (See Appeals below.)

11. Sharing Information

Any information that is gained through the staffing procedure which is considered instructionally useful is communicated to the appropriate members of the instructional staff regardless of final placement.

12. Appeals

To appeal a student placement decision, a parent may file a formal appeal with the TEAM Coordinator within two weeks following the date of placement. The appeal process involves a second serious review of the student's case study, including any additional information that can be added, by the staffing committee and culminates in a formal report to the parents and superintendent. In cases where no resolution has been reached, the district procedure for appeals will be followed.

13. Student's Records

The student's report card and official transcript will indicate placement in GT.

Student's G/T records will be kept on file in the G/T coordinator's office for 5 years after a student become inactive.

14. Confidentiality of Information

With the exception of certain individuals (school officials, for example, and teachers with legitimate education interests), no one may see a child's records unless parents/guardians give their written permission.

15. G/T Transfer Students

Transfer students who have been identified for G/T services in their previous school will be staffed by a school site staffing committee composed of the following people: G/T coordinator, school counselor, licensed G/T teacher, and regular classroom teacher(s). Prior to staffing, identified elementary G/T transfer students will have been placed in the cluster grouping for a nine-week period. Secondary G/T transfer students will have attended classes in the Marion School District for a nine week period. During this time period, data will be collected for placement view. Data to be reviewed will include information from the sending school such as G/T testing, achievement test scores, grades, and samples of the student's class work collected at our school site during the nine-week period.

GIFTED AND TALENTED (TEAM) PROGRAM EXIT POLICY

1. Because of the new thinking process skills being exercised through differentiated instruction, it is important that students feel comfortable and secure in the TEAM Program. Threat of failure will not motivate success in a program where increased self-confidence and self-motivation are the focus. However, since students are identified as high ability, task committed individuals, the following exit policy will be followed:
2. Before exiting the GT program, the campus GT committee will develop an improvement plan to provide the student with guidance in ways to improve. The parent will be involved in the improvement plan. A timeline will be created for the student to follow. A conference will be held at the conclusion of the timeline to determine the final placement.

The campus GT committee makes the final decision regarding the exiting of students from the program because of educational, psychological and/or personal reasons after consultation with both the student and the parent(s). Such exit procedure decisions may be based on the following information:

- Teacher recommendations based on observations of student behavior, performance and products
 - Counselor recommendations based on interview(s) and observations
 - Student academic performance
3. If a student and his/her parent agree for any reason that the student should be moved from the TEAM program, a conference will be held with teacher(s), counselor, coordinator, and parents. If the student is exited from the TEAM program at this conference, he/she may be referred for future placement at another time. Previous staffing in the TEAM program is neither an advantage nor a disadvantage for future placement. The staffing committee considers all information in the case study when making a placement decision.
 4. Students in grades 6-12 must select at least one class considered advanced for the grade level each year. Failure to enroll in at least one advanced class each year (10-12) or be enrolled in at least one concurrent credit course will exit a student from the program. Upon request, counselors and/or the gifted coordinator will help students with choosing appropriate advanced coursework. If a student is exited from the TEAM program, s/he may be referred or self-refer for future placement at another time.

5.14—HOMEWORK

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

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

1.Elementary homework and independent study: The Marion School District considers homework to be an essential part of the instructional program. Teachers will assign appropriate and reasonable amounts of homework on a regular basis. Homework assignments will be checked.

The District supports homework as being an independent activity that requires the learning previously taught. Homework is to be a follow-up to the lesson as opposed to an introduction to a lesson. Guided activities are to be utilized within the class period. Independent activities are to be used outside the class.

Homework assignments in grades 1 - 5 should be coordinated so that the average student will not spend more than one hour on combined assignments. Assignments for Kindergarten are as the teacher deems necessary. Homework assignments should be restricted to Monday through Thursday whenever possible.

Long-range assignments should be made far enough in advance so that students with good work habits can complete the assignment without undue interference with other class work.

2. Secondary homework and independent study: The Marion School District considers homework to be an essential part of the instructional program. Teachers will assign appropriate and reasonable amounts of homework on a regular basis. Homework assignments will be checked.

The District supports homework as being an independent activity that reinforces the learning previously taught. Homework is to be a follow-up of the lesson as opposed to an introduction to the lesson. Guided activities are to be utilized within the class period. Independent activities are to be used outside the class.

When assigning homework, teachers will consider that students have several disciplines that stress homework and will be prudent when making independent homework assignments that require excessive time.

Long-range assignments should be made far enough in advance so that students with good work habits can complete the assignments without undue interference with other class work.

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

Legal Reference: State Board of Education Rules & Regulations: Accreditation Standards 10.07
Date Adopted: 3/28/13

HOMEBOUND INSTRUCTION

When a child is out of school because of illness, and the principal determines that he/she will be out for a minimum of two weeks, the principal may recommend to the superintendent the need for homebound instruction.

The parents must contact their physician, receive written confirmation of the illness, and present this confirmation to the principal before homebound instruction can begin. The doctor may restrict the length/frequency of instruction. The letter submitted by the doctor shall be filed in the building principal's office. The principal will then make arrangements, on an hourly basis, for a homebound instructor, preferably the child's teacher or another teacher in the building. Before receiving compensation for these services, the instructor will present to the principal official weekly timesheets, documenting homebound teaching time.

When the building principal determines that the physician's requirement for home restriction as ended, the principal may terminate homebound instruction and require the pupil to return to school.

Homebound instruction will be available to the extent that funds are available.

Homebound students are not allowed to participate in extra-curricular activities while homebound.

Revised 5/20/2010.

STUDENT AND FACULTY HANDBOOKS

Subject to approval of the school board, the administration and principals will be responsible for the development of faculty and student handbooks that will accommodate the daily operation of the schools.

STUDENT WORK LOAD (High School)

All students at Marion High School who are not scheduled to graduate at the end of the current school year will be required to take a minimum of five (5) subjects.

PHYSICAL EDUCATION

All pupils in grades 9-12 will be required to complete one half credit of physical education unless they have a doctor's permit to be excluded. This permit must be placed on file in the principal's office.

SUMMER SCHOOL CREDIT

Marion High School students may complete a summer school course or an approved adult or extended day class to gain credit for a class failed at Marion High School, provided they were enrolled in the failed class during the complete time period it was offered at Marion High School. Additionally, summer school may or may not be available to school age residents of the Marion School District within the district, depending on the availability of funding. If students attend summer school in another accredited school district, the credit will be accepted.

CORRESPONDENCE COURSE CREDIT

Credits may be earned through a correspondence course from institutions that have been registered and approved by the State Board of Education. Students must get a course approved by the high school principal, who is charged with ascertaining that the correspondence course adequately meets our course description. Correspondence courses for credit may not be taken instead of any of our high school offerings. A correspondence course will be accepted only after the student has failed the class at Marion High School. If a senior is taking the correspondence course to meet graduation requirements, it must be completed within nine (9) months following the final year in high school

TRANSFER BETWEEN SCHOOLS

The following guidelines shall be used when students are transferring to Marion School District from accredited, non-accredited, and home schools:

1. Any student transferring from a school accredited by the Department of Education to Marion School District shall be placed in the same grade in which the student would have been placed had the student remained in the former school.
2. Any student transferring from a home school or from a school that is not accredited by the Department of Education shall be evaluated for grade and subject placement by the school's staff and/or building principal.
3. Students transferring from home schools or from non-accredited schools who receive credit will not have the letter grades recorded on permanent records. The name of the subject followed by the words "Home School Instruction" or "Non-accredited Instruction" followed by CR (credit) will be recorded on the student's permanent record.
4. Grade point average will be computed using only grades earned at an accredited school.
5. Students must attend the two consecutive semesters of their senior year to be eligible to graduate from Marion High School.
6. Students in grades 9-12 from home schooling or non-accredited schools must provide the school with their

most recent standardized achievement test scores. Students scoring below the 50th percentile in a given achievement area shall be subject to testing by the school's designee. Such a student must score 60% or more on a school-designed test for each subject in which the student wishes to receive academic credit. For performance type courses, the school may designate auditions in lieu of written examinations whenever appropriate. Subject area examinations will be developed from the state approved frameworks.

7. In situations where a student is transferring from a non-accredited school or a home school and where local testing is required, every effort will be made to expedite a student's placement. However, the school reserves the right to withhold final placement until such time as testing and placement recommendations are complete.

Students transferring to the Marion Senior High School from other accredited high schools where credit has been accepted in transfer from a non-accredited schools/approved home schooling will be accepted.

Students transferring in grades K-8 from non-accredited schools/approved home schooling will be evaluated for grade placement by the school counselor and the building principal.

Adopted 6-29-2004

CONCURRENT COLLEGE CREDIT WHILE IN HIGH SCHOOL

Students in grades 9-12 who successfully complete a course(s) offered by a publicly supported community college or four-year college or university are entitled to receive both college and high school credit, including credit toward high school graduation, according to the regulations specified in A.C.A. 6-18-223. College credit may be used as high school elective credit and, in some instances, the college course may substitute for a high school requirement. Three semester hours of college credit taken by students in grades 9-12 shall be the equivalent of one-half unit of high school credit.

Adopted July 1989

Revised July 1998

GRADUATION (MATH AND SCIENCE SCHOOL SENIORS)

Students who attended school at the Marion School District prior to acceptance to the Arkansas School for Mathematics and Sciences may elect to participate in graduation activities the year they graduate, including supply list of graduation activities in district: prom, senior breakfast, senior banquet, senior trip and all graduation activities.

Students attending the Math and Science School will be sent a questionnaire at the beginning of their fourth year of high school in which they are to indicate which activities they plan to attend. The questionnaire will be sent to the last address of record in school district records. Failure to return the questionnaire by October 1 will constitute a waiver of the election to participate. Students who will graduate early and who intend to participate in any activities must notify the senior high principal in writing by October 1 that they will graduate early and plan to participate in graduation activities.

Math and Science students will be responsible for the costs of these activities to the same extent as Marion students, and agree by participating to abide by the Student Handbook of the Marion School District at these functions. Math and Science students who violate provisions of the student handbook at senior activities may be barred from attending one or more future events upon recommendation of the senior high school principal, subject to appeal to the superintendent, whose decision shall be final.

Math and Science students who participate in the graduation ceremony are not eligible to be recognized as valedictorian or salutatorian, but upon presentation of an official transcript from the Math and Science School by May 1 will be recognized as honor graduates if appropriate and based on the criteria of the Marion School District for honor graduates. Math and Science students who choose to participate in graduation ceremonies will not receive diplomas issued by the Marion School District, but will instead be presented with certificates of recognition. A.C.A. 6-42-201

SELECTION POLICY FOR INSTRUCTIONAL MATERIALS

1. Philosophy and Objectives

- a. It is the function of the school to provide books, periodicals, audiovisual materials, and other resource materials necessary for the fulfillment of the curriculum and for independent study and recreational reading of the students.
- b. The selection of books and materials shall be guided by the following high principles expressed in the American Association of School Librarians' School Library Bill of Rights:
 - (1.) To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the pupils served.
 - (2.) To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
 - (3.) To provide a background of information which will enable pupils to make intelligent judgments in their daily lives.
 - (4.) To provide materials representative of the many religious, ethnic and cultural groups and their contributions to our American heritage.
 - (5.) To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the user.

2. Selection of Materials

- a. Responsibility for selection: The Marion Board of Education is legally responsible for all matters relating to the operation of the Marion Public Schools. The responsibility for the selection of instructional materials is delegated to the professionally trained personnel. The suggestions of the administration, faculty, students, and parents will be considered in the selection process. Final decision on purchase rests with the professional personnel in accordance with the formally adopted policy.
- b. Contents of the existing collection and needs of the curriculum are to be considered in planning for purchase of materials. Reputable, unbiased, professionally prepared selection aids shall be consulted as guides. Recognized reviewing sources shall be utilized as available. No one publication need determine selection, and the critical opinions of reviewers should be checked against each other. Examination of books and previewing of audio-visual materials should be utilized whenever possible. In the absence of reviews, the judgment of professional personnel shall be the basis of decision. The word materials, as used in this policy statement, includes: books, periodicals, pamphlets, pictures, maps, films, recordings, and other materials which are used by the pupils and staff in fulfilling the curriculum requirements of the school.

In selecting materials, the following evaluation criteria may be considered:

- (1.) The needs of the professional staff, the school and the community
- (2.) The needs of the individual students by providing a wide range of materials on all appropriate levels of difficulty with a diversity of appeal
- (3.) The content and value of the work as a whole, using the following criteria:
 - (a.) Overall purpose
 - (b.) Timeliness of purpose
 - (c.) Importance and suitability of subject matter
 - (d.) Quality of the writing or production
 - (e.) Readability and potential user appeal

- (f.) Authoritativeness
- (g.) Reputation and significance of the author/artist/composer/ producer/publisher, etc.
- (h.) Validity, accuracy and objectivity
- (i.) Format and price

3. Procedure Concerning Challenged Materials

Review of questioned materials should be treated objectively, unemotionally, and routinely. If any material is challenged by an individual or a group and cannot be resolved verbally between the parties involved at the time the objection is registered, the following procedure shall be used:

- a. The person who received the verbal objection shall notify the principal of the school.
- b. If the objection cannot be resolved verbally by the principal, a Request for Review Form shall be completed by the complainant, if s/he elects to pursue the objection further.
- c. Upon presentation of the completed review form, a committee to re-evaluate the materials shall be appointed by the superintendent. It shall consist of one teacher of the subject concerned, one media center director, one building level administrator, one parent of a student in the school involved and one district level administrator.
- d. The committee shall:
 - (1.) Read and review all materials that are questioned.
 - (2.) Check the general acceptance of the materials by reading reviews.
 - (3.) Weigh values and faults against each other and form opinions based on the materials as a whole and not on passages pulled out of context.
 - (4.) Discuss the material and make a decision regarding its future status which will be one of the following:
 - (a.) Return material to circulation.
 - (b.) Limit availability of the material.
- (c.) Withdraw the material from circulation.
- (d.) Provide provision for appeal.

SELECTION OF LIBRARY/MEDIA CENTER MATERIALS

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

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

Selection Criteria

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

- 1. Support and enhance the curricular and educational goals of the district;
- 2. Are appropriate for the ages, learning styles, interests, and maturity of the schools' students, or parents in the case of parenting literature;
- 3. Contribute to the examination of issues from varying points of view and help to broaden students understanding of their rights and responsibilities in our society;

4. Help develop critical thinking skills;
5. Are factually and/or historically accurate, in the case of non-fiction works and/or serve a pedagogical purpose;
6. Have literary merit as perceived by the educational community; and
7. Are technically well produced, physically sound (to the extent appropriate), and represent a reasonably sound economic value.

Retention and Continuous Evaluation

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

Gifts

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

Challenges

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

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

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

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

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

If the decision is to not remove the material, the complainant may appeal the committee's decision to the district Board of Directors by filing a written appeal to the Superintendent within 5 working days of the committee's decision or of written receipt of the decision. The Superintendent shall present the original complaint and the committee's decision along with the summary of its reasons for its position plus a

recommendation of the administration, if so desired, to the Board within 15 days of the committee's decision. The Board shall review the material submitted to them by the Superintendent and make a decision within thirty (30) days of receipt of the information. The Board's decision is final. The Request for Reconsideration of Library/Media Center Material can be found in the office or each principal on the MSD website.)

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

Approved by School Board: April 28, 2011

ATHLETIC POLICY

1. **Athletic Philosophy:** The Marion School District is committed to the manifest values of a well-developed athletic program. We believe that athletics are a vital part of the educational program. Athletics and athletic departments of the school are of such nature and importance that the operation, administration, and supervision of these activities will require close cooperation of all coaches and administration.

The Marion School Board will determine the school's inclusion of particular sports after receiving recommendations from the school administration. The administration and supervision of the athletic program will be under the direction of the athletic director, who will, in turn, give accountability to the superintendent.

2. **End of Season Report:** At the end of each sport season, the Head Coach will complete an End of the Season Report. This report should be completed within 3 weeks of the season end. It will include: a complete inventory, budget request, summary of season, list of those receiving letters and other accolades, suggestions for program improvement and evaluations for each subordinate.
3. **Purchase of equipment:** There will be no athletic purchases unless a purchase order is issued by the athletic director. There are no exceptions. Requests for purchase of equipment will originate with the respective head coaches and will be approved by the athletic director.
4. **Inventories:** As part of the end of season report, the senior head coach shall be responsible for keeping an accurate inventory of all equipment and materials for his sports. Each head coach should prepare three copies of his inventory: one for himself, one for the principal, and one for the athletic director.

When new equipment is received, the head coach will record it on his inventory before he stores or issues it to the players. He shall also notify the athletic director that the equipment has been received. This will allow the athletic director to record it on his inventory and to authorize payment of the invoice.

No coach may give away or sell any item of equipment that has been purchased by the athletic fund, unless approved by the athletic director.

5. **Issuing Equipment:** The coach will see that the equipment issued is charged to the student on the check-out sheet. Equipment lost because of negligence is to be paid for by the student. Students will have their school records attached until the debt is paid.
6. **Care and Storage of Equipment:** The head coach will see that all equipment issued is clean and stored in a designated area when his season ends. The coach will also arrange for necessary repairs on equipment.
8. **Athletic Facility Management:** All supplemental personnel necessary for the operation of the football field or gymnasium will be procured by the junior high or high school principal in charge, in cooperation with the athletic director. This includes gatekeepers, concession stand operators, clock operators, chain gang and announcers. The principal's office will arrange for police and other personnel not directly involved in the athletic event.
9. **Policies and Procedures:**
 - a. The building principal and athletic director along with the other coaches will establish practice hours for all sports.

- b. Only those persons directly concerned and those directly responsible for athletic events involved will be excused from the regular school schedule to attend athletic events and conferences.
 - c. Absences from school for athletic purposes will require approval of the building principal.
 - d. The junior high and high schools will have separate cheerleading squads sponsored by a member of their respective school staff.
 - e. Pep rallies will require prior approval of the building principal.
 - f. School administrative officials will arrange for police protection for each home athletic event, when necessary.
 - g. All persons except pre-school children must have an official pass or price of admission before they will be admitted to any of the home athletic events.
 - h. Transportation for athletic events will be arranged by the coach of the sport through the athletic director.
 - i. A player must attend school the day of the game or he cannot play that night. He cannot miss school all day and practice with the team that afternoon. Exceptions to the rule may be made when previous arrangements are made with the principal.
 - j. The off-season program will be coordinated by the athletic director and the coaches with the approval of the principal involved.
10. **Unbecoming Player Conduct Affecting a Team:** Athletic participation is not a right; further, athletic participation is not required for graduation. The Board wishes to support its coaches in disciplining players who may become engaged in conduct detrimental to the coach's goals for his/her team. A coach should describe in written form the types of proscribed conduct that players are not to engage in and the consequences. Such a copy should be given to players and parents before the season begins. A coach may remove a player from a team temporarily or permanently if he/she believes it to be in the best interest of the team.

Adopted 6-28-2008

11. **Coaches Clinic.** Coaches are expected to attend at least one professional development opportunity per year. Clinics, conferences, etc. must first be approved by the Head Varsity Coach and then the Athletic Director.

12. **Awards, Letters, Etc.:**

A. **Senior High**

- 1. Coaches will determine athletic awards based on the following:
 - a. A player must be in good standing relative to the Marion School District Policy and specific Sport Criteria.
 - b. Junior Varsity/ "B" games are not considered when calculating "letterman" awards.
 - c. A player who quits or does not finish the season because of discipline, academics, or failure to adhere to District Policy is not eligible for Athletic Awards.
 - d. A player who, in the Coach's judgment is bound to letter but does not meet the criteria because of injury may receive a letter if he remains in good standing in all other regards.
 - e. Students who transfer into Marion School District having lettered in their previous schools are eligible for Marion Athletic Awards.

- f. Athletes who do not meet the sports specific criteria for a letter but have met all other requirements may be awarded a participation letter – “M” without bar.
2. Patriot Awards
- a. 1st year award – A Marion “M” letter patch. Students will be allowed to purchase a jacket selected by the school administration in the school’s colors.
 - b. 2nd year award – a Marion “M” with appropriate bars and symbols
 - c. 3rd year (senior) award - blanket
 - d. It is possible for 9th graders to letter in varsity sports that are not provided at the junior high level, (i.e. baseball, softball, etc.) Should this happen they will receive a 3rd “M” with appropriate bars and symbols.
 - e. Conference Champion and State Champion patches will be provided by the District.
3. Sports Criteria for letterman awards
- a. Volleyball – participate in 1/5 total gamers, not matches
 - b. Football – participate in ½ of total in season quarters
 - c. Golf – qualify for conference tournament
 - d. Tennis – win three conference matches or qualify for the District tournament
 - e. Cross Country – place in conference meet
 - f. Basketball – participate in ½ of total in season quarters
 - g. Track – average one point per meet
 - h. ball – participate in 1/5 of the total innings played in season
 - i. ftball – participate in 1/5 of the total innings played in season
 - j. Soccer – participate in ½ of the in season games

B. Junior High

Junior High athletes receive one participation letter. They are allowed to purchase a jacket selected by the school administration.

Adopted 6-28-2008

RETIRING ATHLETIC JERSEYS

The Marion School Board shall consider requests to retire athletic jerseys of former Marion High School athletes. For serious consideration by the board to retire a jersey, the individual nominated must first have distinguished himself/herself with proven recognition in national level professional sports such as the NBA, NFL, etc. Second, the individual must be a good role model for Marion students and citizens in character and leadership.

QUITTING A TEAM DURING A SEASON

Any athlete that quits a sport while that sport is "in season" (season is defined as anytime between the first contest and the last) will be assigned to study hall for the remainder of that season. The athlete will not be allowed to participate in the scheduled practices for an upcoming sport until the current sport that he/she quit is completed.

CHAPTER VII

PUPIL PERSONNEL ADMINISTRATION

ENROLLMENT REQUIREMENTS

A.C.A. 6-18-208 clarifies documents required for a child to be admitted to public school.

1. Social Security Numbers at enrollment

Social Security Numbers are not required to be able to enroll in Marion School District. However, as a part of enrollment procedures, a school shall ask the parent, guardian or other responsible person if they wish to give the child's social security number explaining that the Social Security Number is optional. If the parent or guardian or otherwise responsible person does not wish to do so they may request that the school district assign the child a nine (9) digit number designated by the Department of Education.

Assurance: Neither the school district or any of its schools will use, display, or print a student's social security number on any report, identification card, identification badge or any document that will be made available or released to the public, to a student, or a student's parent or guardian without the express written consent of the student's parent, if the student is a minor, or the student, if the student is eighteen (18) years of age or older. Neither shall the student's social security number be made available by reading the magnetic strip or other encoded information on the student's identification card.

This assurance shall not apply to educational records having a student's social security number on his records that are transferred to another school district or to the Department of Education or to other governmental agencies as allowed or required by federal law, state law, or State Board of Education rule.

Prior to a child's admission to an Arkansas public school, a school district shall request the parent, guardian or other responsible person to furnish the child's social security number and shall inform the parent, guardian, or other responsible person that, in the alternative, they may request that the school district assign the child a nine (9) digit number designated by the Department of Education.

A.C.A. 6-18-208 (a)
Adopted July 1991
Revised 2-12-09

2. Proof of Age

Prior to a child's admission to an Arkansas public school, the parent, guardian, or responsible person shall provide the school 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 baptism certificate;
- d. a passport;
- e. an affidavit of the date and place of birth by the child's parent or guardian;
- f. previous school records; or
- g. a military identification card

3. Enrollment in Kindergarten

A.C.A. 6-18-207 (a) The minimum age for student enrollment in public school: For the 2009-2010 school year, students may enter kindergarten in public schools if they will attain the age of five (5) years on or before September 1, 2009. For the 2010-2011 school year, students may enter kindergarten if they will attain the age of five (5) years on or before August 15, 2010. For the 2011-2012 school year and afterwards, students may enter kindergarten if they attain the age of five (5) years on or before August 1 of the year in which they are seeking initial enrollment.

Any student who has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60) days, who will become five (5) years old during the year in which he is enrolled in kindergarten and who

meets the basic residency requirement for school attendance, may be enrolled in kindergarten upon written request to the school district.

A.C.A. 6-18-207(a)
Approved 2-12-2009

4. Age for Attending Public School – Between Ages 5 and 21

The public schools of any school district in this state shall be open and free through completion of the secondary program to all persons between the ages of five (5) and twenty-one (21) years who are residents in the district and to all persons between those ages who have been legally transferred to the district for educational purposes. Any person eighteen (18) years or older may establish a residence separate and apart from his or her parents or guardians for school attendance purposes.

A.C.A. 6-18-202 (b) (1)
Approved 2-12-2009

5. Immunizations

The child shall be age appropriately immunized from poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, rubella, and other diseases as designated by the State Board of Health, or have an exemption issued by the Arkansas Department of Health. Proof of immunization shall be by a certificate of a licensed physician or a public health department acknowledging the immunization. Exemptions are also possible on an annual basis for religious reasons from the Arkansas Department of Health. To continue such exemptions, they must be renewed at the beginning of each school year. A child enrolling in a district school and living in the household of a person on active military duty has 30 days to receive his/her initial required immunizations and 12 months to be up to date on the required immunizations for the student's age.

6. Grade Level Assignments for new students

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. Home-schooled students shall be evaluated by the District to determine their appropriate grade placement.

7. Enrolling a Student under Expulsion

The parent, guardian, or other responsible person 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. The student cannot be enrolled until the board gives the student a hearing to determine whether to enroll the student.

8. Immigration Status

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. The U.S. Supreme Court has ruled that public schools may not use immigration status as a criterion for admitting and educating students.

Legal References: A.C.A. § 6-18-201 (c)
A.C.A. § 6-18-207
A.C.A. § 6-18-208
A.C.A. § 6-18-702
A.C.A. § 6-15-504 (f)
A.C.A. § 6-27-102, 105
A.C.A. § 9-27-103
Plyler v Doe 457 US 202,221 (1982)
Adopted July 1999
Revised 2-12-09

COMPULSORY ATTENDANCE REQUIREMENTS

Every parent, guardian, or other person having custody or charge of any child age five (5) through seventeen (17) years on or before August 1 of that year who resides 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 .
2. The child is being home-schooled and the conditions of policy (ENROLLMENT IN HOME SCHOOLS) 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, guardian, or other person having custody or charge of the child elects not to have him/her attend kindergarten. A kindergarten wavier form prescribed by regulation of the Department of 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 Reference: A.C.A. § 6-18-201
A.C.A. § 6-18-207

Board Approved: 1-24-13

RESIDENCY REQUIREMENTS

Definitions:

“Reside” means to be physically present and maintain a permanent place of abode for an average of not less 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 legal, lawful control of the student under court order, or persons standing in loco parentis reside in the school district.

“Residential address” means the physical location where the student’s parent, legal guardian, person having legal lawful control of the student under order of a court, or person standing in loco parentis resides. A student may use the residential address of a legal guardian, a person having legal, lawful control of the student under order of a court, or person standing 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 public schools of any school district in this state shall be open and free through completion of the secondary program to all persons between the ages of five (5) and twenty-one (21) years who are residents in the district and to all persons between those ages who have been legally transferred to the district for educational purposes.

Any person eighteen (18) years or older may establish a residence separate and apart from his or her parents or guardians for school attendance purposes.

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District’s schools separate and apart from his or her parents, guardians, or other persons having

lawful control of him or her under an order of a court, the person must actually 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 leave may continue to attend district schools.

In accordance with Arkansas Statute, 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 one thousand dollars \$1,000.(A.C.A. 6-18-202).** The Marion School District will consider the prosecution of those who present fraudulent addresses.

The school district will give consideration to the enrollment of students when documentation is given supporting compelling domestic reasons related to the child's welfare while living apart from parents or legal guardians. Further, documentation of compelling domestic reasons will be accepted from the Crittenden County Social Services.

When the construction of a new home or real estate closing delays the occupation of residence within the district for not more than three weeks after the opening of school, the school district will enroll the students while they temporarily live out of district. The documentation of the occupation date must be identified by the realty or construction company on a form supplied by the district.

When any person who owns a tract of land on which the person resides and which tract of land is located partially in one school district and partially in another, the school-age children of that person shall attend school in the school district in which the residence is located.

A.C.A. 6-18-202,203
Approved 7-1-1999
Revised 6-23-2005
Revised 6-11-2009
Revised 4-26-12

ENROLLMENT WHEN LIVING WITH RELATIVES OR FRIENDS

The Marion School Board and administration does not accept affidavits as a method to assert residency. Affidavits accepted in past years will no longer be valid.

Emergency circumstances in life may make it necessary for one's family to live with others who do reside within the boundaries of Marion School District.

Those living with relatives or friends within our district-but who are unable to document residency-must now begin with the attendance officer's office at Marion Administrative Offices, 200 Manor St. in August annually. Other times the office will be located in Marion Intermediate School, at 100 L.H. Polk Drive in Marion. Parents/Guardians of potential enrollees must be interviewed by the district's attendance officer PRIOR to attempting to enroll in any district schools.

Still having utilities on in one's name at the former address at the time of interview/verification could stop the placement attempt until this is resolved by the attendance officer.

Further, a written *Notice to Proceed with Enrollment* will **not** be issued by the attendance officer to the school(s) until verification from the former school district that the family is no longer physically present in their district is verified. Finally, a home visit by the attendance officer at the new address given IS REQUIRED to verify adequate proof of actual residency. Only after these verifications are satisfied, shall the attendance officer personally issue the "*Notice to Proceed with enrollment*" form to the principal or enrollment designee at the appropriate school(s).

Any enrollment subsequent to this process may be considered temporary. An updated verification call or conference could be expected prior to allowing continued enrollment in an ensuing semester. The school board directs the superintendent to pursue prosecution of adults who in the interview/ verification process have

provided fraudulent information to the attendance officer.

Adopted 6-28-2007
Approved 6-11-2009

EXCEPTIONS TO THE RESIDENCY REQUIREMENT

Exceptions to this policy are:

1. Those previously approved by copy of the superintendent's official school choice notification,
2. Those attending based on a court-approved legal guardianship record in the school's file,
3. Those attending because of a Court Order in providing a foster home,
4. Those attending because of the residency within the Marion School District of one biological parent,
5. Those children attending of employees of the school district or educational cooperative as allowed under law;
6. A student enrolled in kindergarten through grade eight whose qualifying parent or guardian has a change in employment status with the district shall be entitled to continue attending school in the enrolled school district, until the end of the school year if 1) the parent or guardian was employed by the school district for a minimum of one hundred twenty (120) days before leaving employment and 2) the student maintains uninterrupted enrollment in the school district and 3) the student is not expelled after the parent or guardian of the student is no longer employed by the school district.
7. A student enrolled in grade nine through twelve (9-12) whose qualifying parent or guardian has a change in employment status with the district shall be entitled to continue attending school in the enrolled school district, through the completion of the secondary program, if 1) the parent or guardian was employed by the school district for a minimum of three consecutive contract years, with a minimum of one-hundred twenty (120) contract days each year, before leaving employment; and, 2) the student maintains uninterrupted enrollment in the school district and, 3) the student is not expelled after the parent or guardian of the student is no longer employed by the school district.
8. Those homeless children who qualify under the McKinney-Vento law as meeting the homeless criteria.

Adopted 6-28-2007
Act 1368 of 2009
Revised 6-11-09
Revised 4-26-12

ENROLLMENT OF A NONRESIDENT STUDENT UNDER SCHOOL CHOICE

If a non-resident student desires to attend school in the Marion School District, the student's parent shall submit a school choice application, on a form approved by the Arkansas Department of Education, to the Marion School District Central Office which must be postmarked or hand delivered on or before May 1 preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications as they are received in the District's central office. Applications postmarked on or hand delivered after May 2 will not be accepted.

The District shall review and make a determination on each application in the order in which the application was received by the District. By July 1, the superintendent shall notify the parent and the student's resident district in writing as to whether the student's application has been accepted or rejected. If the application is rejected, the superintendent shall state in the notification letter the reason(s) for the rejection.

If the application is accepted, the superintendent shall state in the notification letter 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.

Students whose applications have been accepted and who have enrolled in the District are eligible to continue their enrollment 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.

A student who accepts a public school choice transfer may return to their resident district during the school year. Any student, who chooses to return to their resident district, enrolls in another school or home schooling, 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.

The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the Marion School District where the transfer student is enrolled.

Marion School District will accept all credits toward graduation that were awarded and/or honored by the resident district and shall award a diploma to the non-resident student who meets Marion School District's graduation requirements.

A student's application may be denied for any of the following reasons:

- Lack of capacity in a program, class, grade level, or school building, defined as 90% or more of the maximum authorized student population in a program, class, grade level, or school building;
- A conflict between the provisions of a desegregation plan or court order and the provisions of the Public School Choice Act of 2015 (Act 560 of 2015);
- The resident school district has reached the maximum number of student transfers that may occur in a school year, which is capped at 3% of the enrollment that exists in the resident district as of October 15 of the immediately preceding school year. For the purpose of determining this percentage, siblings who are counted in the numerator as transfer students shall count as one (1) student;
- The District is not required to accept any application that would cause it to add teachers, staff, or classrooms, or in any way exceed the requirements and standards established by law.
- An application may be rejected or revoked if:
 - False information is submitted that impacts the placement decision
 - Misleading information is submitted that impacts the placement decision
 - Important information is omitted that impacts the placement decision

Reasons for rejection shall not include academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included under Arkansas Code 6-18-510.

Priority will be given to an applicant who has a sibling or stepsibling who resides in the same household and is already enrolled in the district by school choice. However, the capacity in a program, class, grade level or school building, could cause future siblings applications to be denied. For the purpose of this policy "sibling" means each of two (2) or more children having a parent in common by blood, adoption, marriage, or foster care. Statutorily, preference is required to be given to siblings (as defined in this policy) of students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the applications' date and time stamp.

Legal Reference: Act 560 of 2015
Approved by School Board: May 18, 2015

ENROLLMENT OF A NONRESIDENT

A.C.A. 6-18-203 allows non-resident student enrollment as follows: The children or wards of any person who is an employee of a public school in one (1) school district in this state, or is employed full time by an educational cooperative, and is a resident of another school district in this state shall be entitled to be enrolled in and to attend school in either the district in which the parent or guardian resides, the district in which the parent or guardian is an employee of a public school, or any district located in the county in which the main office of the educational cooperative is located.

ENROLLMENT IN HOME SCHOOLS

Parents or guardians wishing to home school their children must give written notice to the local superintendent of such intent and must sign a waiver acknowledging that the State of Arkansas is not liable for the education of their child during the time the parent chooses to home school: at the beginning of each school year but no later than August 15; or, by December 15 for parents who decide to start home schooling at the beginning of the spring semester. A.C.A. 6-15-503(a)

No public school student can enroll in home school if the student is currently under disciplinary action for violation of a written school policy, including, but not limited to, excessive unexcused absences. The exceptions to this are that the superintendent or local school board chooses to allow the child to enroll in a home school or that the disciplinary action has been completed or will be completed by the end of the school semester, or the student has been expelled.

ENROLLMENT OR RE-ENROLLMENT OF DISTRICT RESIDENTS FROM HOME SCHOOLING

The Marion School District shall assess any home-schooled student who is permitted to enroll in the district in order to determine proper educational placement. The district shall use the state-approved norm-referenced test or other state-approved assessment instrument to aid in determining the appropriate grade level placement as indicated by test results. A.C.A. 6-15-504

Any home-schooled student who enrolls or re-enrolls in a local school district must attend classes for at least nine (9) months immediately prior to graduation before the student can become eligible to receive a high school diploma from Marion High School. A.C.A. 6-15-504

STUDENT RECORDS POLICY

SECTION 1. Student records are records that are directly related to a student and are maintained by the school to be passed from person to person. These data may be recorded in any medium, but not limited to handwriting, print, tapes, film, microfilm and microfiche. They will include name, address, telephone number, date of birth, ability data, achievement data, health information, discipline and attendance information and "directory information".

This term does not include records of instructional, supervisory, and educational personnel, which are accessible to only the maker of these records and his/her substitute.

This district shall publish directory information for school events, such as athletic contests, school sponsored plays, musical performances and activities associated with graduation exercises. The information to be published will include: name, class, height, weight, position or role, and awards and honors received. Parents of students or eligible students have the right to refuse publication of any or all categories of personally identifiable information to be presented in a school directory. The objection to this is responsible for the event no later than twenty (20) working days prior to that event.

The term "parent" includes a parent, a guardian, or any individual acting as a parent of a student in the absence of a parent. The intent of this policy is to establish procedures for granting requests of eligible

persons to have access to records for the proper use of these data and to facilitate their transmittal within a time period of not more than forty-five (45) days.

SECTION 2. Responsibility for Records

- a. The building principal of each school shall have the responsibility for the proper maintenance and use of student records, as described in this policy, Laws of the State of Arkansas and HEW regulations.
- b. Any person not presently in attendance at this school and wishing to review students records should make his/her request in writing to the principal of the building last attended.

SECTION 3. Access to Records

- a. The parent, as previously defined, will have access to these records upon written request to the principal maintaining those records within this school system. If the student is 18 years old or older, only that student has the right to determine who, outside the school system, has access to his/her records. (See SECTION 4-1 below). Those eligible persons will, upon written request, have the opportunity to receive an interpretation of those records, have the right to question those data, and if a difference of opinion is noted, shall be permitted to file a letter in said record stating his/her position. If further challenge is made to the record, the normal appeal procedure established by school policy will be followed.
- b. School personnel having access to these data are defined as any person or persons under contract to the district and directly involved in working toward either the affective or cognitive goals of the district.
- c. Eligible persons have the right to obtain copies of student records where failure to provide the copies would effectively prevent them from exercising the right to inspect and review the educational records.
- d. Either parent will have access to student records unless the district has been provided evidence that there is a court order restricting parental access.
- e. Each request for disclosure of personally identifiable information shall contain as a minimum the following: (a) the data to be released, (b) the purpose for the disclosure, (c) to whom the disclosure is to be made, (d) the date of the disclosure, (e) the signature of the parent or eligible student. Upon request by the authorizing person, the school shall provide a copy of the record which is disclosed to the parent of the student or the eligible student, or to the student who is not an eligible student, if so requested by the student's parents. This request will be filed in and become a part of that student's record.
- f. This policy shall not be construed to preclude this district from according to student's rights in addition to those accorded to parents of students.

SECTION 4. Release of Information Outside the School System

Prior consent for the release of personally identifiable information is not required under the following:

- a. To the parent of a student who is not an eligible student or the student if he/she is eligible.
- b. To other school personnel as described in Section 3 b. of this policy.
- c. To officials of another school or school system in which the student intends to enroll upon request from said school. Upon request, a copy of these records will be made available to the eligible party and the procedures for a hearing will be explained if needed.

- d. Personally identifiable information may be released under certain conditions to the following:
 - 1. The Comptroller General of the United States
 - 2. The Secretary
 - 3. The Commissioner, the Director of the National Institute of Education or the Assistant Secretary for Education
 - 4. State Education Authorities
- e. In connection with financial aid for which a student has applied or which a student has received. This information may be released for the purposes of determining the eligibility for, the amount of, the conditions for and the enforcement of terms or conditions of a financial agreement.
- f. To state and local officials or authorities to whom information is specifically required to be reported or disclosed.
- g. To organizations conducting studies for this district for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction. This may be permitted if the studies are conducted in a manner which will not permit the personal identification (either statistical data, physical or behavioral characteristics) of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for purposes for which the study was conducted.
- h. To accrediting agencies.
- i. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954.
- j. To comply with a judicial order or lawfully issued subpoena, provided the persons responsible for the release of information makes a reasonable effort to notify the parent of the student or the eligible student of the order or subpoena in advance of compliance.
- k. To appropriate parties in a health or safety emergency. This information may be released to protect the health and safety of the student or others. Some of the factors to be considered prior to releasing the data are:
 - 1. The seriousness of the situation
 - 2. The need for the information
 - 3. Whether the parties asking for the information are in a position to deal with the emergency
 - 4. The extent to which time is of the essence in dealing with the emergency

SECTION 5. Cost of Transcripts and Copies of Records.

- a. Each graduate of this district shall have one free transcript. Additional copies will be available at a cost of fifty cents (\$0.50) if picked up or one dollar (\$1.00) if mailed. Copies referred to in SECTION 4. c. shall be available at no charge to the student unless they are mailed to post-secondary institutions. In such instances they will be paid for at the same rate as a transcript.
- b. Copies made of student records, other than transcripts, will be charged at the rate of fifteen cents (\$0.15) per sheet picked up. For those records being mailed, an additional fifty cents (\$0.50) per packet will be charged.

(HIPAA) HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT PRIVACY POLICY FOR MEDICAID PURPOSES.

The Director of Special Services for the Marion School District acts as the Privacy Official. This person is responsible for implementing the privacy requirements as determined by the needs of Marion School District.

The privacy official ensures that employees and contracted services personnel are trained on the district's privacy policy.

Data Back-up procedures: Data is backed-up on a weekly basis to a back-up tape and stored in a secure fire-proof cabinet in the special services building. Data is archived on a bi-weekly basis.

Access Controls: The administrative assistant to the Director uses one computer to access private health information. This individual alone has the password enabling her to enter the program on the Microsoft Windows XP computer. For security reasons, the password is changed monthly. Notice is posted on the computer as to who may have access for monitoring log-ins, file access, and data modification.

Internal Audit Procedures: Internal audit procedures are imbedded in the computer's operating system.

Discipline for employees who violate this security policy: Employees will be disciplined up to and including termination for violations. Contracted professionals who violate this policy will receive a termination of their contract with the district.

Training on the Security Policy: Employees or contractors shall be given a written overview of this privacy information regarding to the implementation of these HIPAA regulations. These individuals must pass a test of HIPAA terminology and regulations and sign a receipt for a copy of the overview. The Director of Special Services shall keep such acknowledgements of test results in the secured cabinet.

The district's technology coordinator is the designated Security Official as required. He shall be responsible for providing all media to the Director of Special Services for all secure storage and/or disposal. These media shall include software, hardware, data and other media. Backup tapes and other electronic data will be physically destroyed upon request of the Director of Special Services.

Physical access to areas housing public health information records shall be physically secured. Only posted authorized personnel may access them.

The Director of Special Services will monitor all log-ins, file accesses to files, and data modification on an "as needed" basis

STUDENT MEDICATIONS

Prior to the administration of any medication to any student under the age of eighteen (18), written parental consent is required. The consent form shall include authorization to administer the medication and relieve the Board and its employees from civil liability for damages or injuries resulting from the administration of medication to students in accordance with this policy.

Unless authorized to self-administer, students are not allowed to carry any medications while at school. The parent or legal guardian shall bring the student's medication to the nurse, or in the absence of the nurse, to the principal's office. The student shall bring the student's medication to the nurse if accompanied by a written authorization from the parent or legal guardian. Medications, including those for self-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, especially if particular times of the day are specified. Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as storage requirements) or warnings.

Students who have written permission from their parent or guardian and a licensed health care practitioner to self-administer either an asthma inhaler or auto-injectable epinephrine, or both, and 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. Students are 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 an asthma inhaler or auto-injectable epinephrine, or both does not require him/her to have such on his/her person. The parent or guardian of a student who chooses to not carry an asthma inhaler or auto-injectable epinephrine, or both on

his/her person shall provide the school with the appropriate medication which shall be immediately available to the student in an emergency.

Nonprescription medications may be given to students upon the decision of the principal or nurse. Such medications must be in the original container, clearly labeled and accompanied by a written authorization from signed by the parents or legal guardians that includes the student's name, the name of the medication, the dosage, and instructions for administration of the medication (including times).

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 destroyed by the nurse with a witness present.

Legal references: AR State Board of Nursing: School Nurse Roles and Responsibilities
A.C.A. § 6-18-707

SURVEYS OR QUESTIONNAIRES ADMINISTERED TO STUDENTS ORGANIZATIONS

Marion School District will not administer or permit to be administered a questionnaire or survey that requests or requires a student to supply any personal identifying information unless written permission is obtained from the student's parent or legal guardian prior to the administration of the questionnaire or survey.

Personal identifying information includes a student's name, the parent's name or any name of a family member, the address, phone number or email address of the student or his family, a personal identification number such as social security number, driver's license number or student identification number.

STUDENT ORGANIZATIONS

Students have the right to join existing school clubs and shall not be restricted from membership on the basis of race, sex, national origin or other arbitrary criteria. The administration of each school shall review requests to begin new student organizations. Such organizations must support a tenet of the school's purpose and will not be approved if organized for any unlawful purpose. The potential organization must secure a sponsor, must submit a list of initial members, and must provide a constitution and bylaws. If the new organization is affiliated with any off-campus organization, the constitution and bylaws of that organization must also be submitted. The Marion School Board shall review and sanction all new student organizations.

UNLAWFUL ORGANIZATIONS

Secret societies and organizations that foster undemocratic practices and that have selective membership other than free choice by any pupil are considered unlawful. Therefore, it shall be unlawful for members of school fraternities, sororities, secret societies, and gangs to solicit membership from among the student body or to wear and display any insignia of such groups while in or attending Marion School District. The school board shall suspend or any pupil who participates in the purposes of such organizations of school property. (A.C.A. 6-18-601)

GANGS AND GANG ACTIVITY

Gangs, secret societies, or other similar groups, whether organized in the community or in other settings, are prohibited on the school grounds and campus and at any school-sponsored activity. Gang-related activity--whether genuine or a pretense--that is identified by school officials will result in a minimum five (5) day out-of-school suspension up to a maximum of expulsion for the remainder of the semester. A second offense of gang-related activity will result in a recommendation of expulsion for the remainder of the semester, the remainder of the school year, for one calendar year, or permanently.

Students who are arrested for gang-related offenses, regardless of where the offense may have occurred, may

be expelled for the remainder of the semester, for the remainder of the school year, for one calendar year or permanently, depending on the circumstances of the arrest. Gang-related activities include but are not limited to such activities as wearing apparel associated with gangs, displaying gang insignia, "throwing signs" or other gestures or language (however expressed) associated with gangs, intimidation, and threats. (Act 1108 of 1997)

STUDENT ACTIVITIES POLICY

1. **PHILOSOPHY:** The Marion School District provides a variety of extra-curricular and non-instructional activities. Students are encouraged to participate in these activities. We believe there is a positive correlation between student participation in a wide-range of activities and improvement in scholarship, attendance, and school spirit. Through participation in activities, students develop skills in democratic behavior and personal relationships, and learn to apply skills acquired in classes. The objectives of the Student Activities Program at the Marion Schools are to teach the student to:
 - develop responsibility and become increasingly self-disciplined.
 - work harmoniously with others.
 - use leisure time constructively
 - develop leadership and followership traits
 - attain competence in parliamentary procedures
 - develop acceptable audience habits
 - dedicate oneself to the service of others
 - further present avocational interests and develop new ones
 - maintain and further good physical and mental health
 - understand and practice commonly accepted social usages and customs
 - develop worthy personality traits (poise, self-confidence, etc.)
2. No group shall be entitled to use the name of the public school or department of the school without having first obtained the consent and then accepted the supervision of the principal or a teacher designated by him.
3. **Eligibility to Participate in Extracurricular Activities:** School activities outside of classroom instruction should serve specified curricular purposes. In grades K-6, there are no eligibility requirements to meet in order to benefit from participation in extra-curricular activities such as intramurals, field trips, etc. In an effort to control interruptions and maintain balance, extracurricular events will be kept to a minimum. No more than 5 class periods per week may be used for extracurricular purposes. All such activities will require the approval of the building principal. In grades 7-12, many extra-curricular activities are also free from academic grade point requirements for participation. However, honor societies and certain academic clubs may require specified published requirements for eligibility. Marion School District is a member of the Arkansas Activities Association and has agreed to adhere to its bylaws that pertain to age, participation, duration of eligibility, residence requirements, and scholastic standing.
4. **Athletics:** Students participating in school athletic contests must: a) ride school transportation to and from the event. b) attend school a minimum of 5 periods on the day of the event. c) not participate in a contest while under school suspension.
5. **Assemblies:** Students, as well as staff, should be involved in the planning and selection of programs. Outside speakers and programs may be recommended by both students and faculty. However, the principal must give the final approval, including time and place. Assembly programs will be educational in nature. Outside speakers for classroom presentations must have prior approval of the building principal.
6. **Bands:** The bands are subject to the by-laws of the Arkansas Activities Association pertaining to eligibility and participation.
7. **Cheerleaders:** Cheerleaders must be under the direction of a teacher/sponsor. Rules and regulations for their eligibility, selection, and conduct will be established in advance by the sponsor and the principal.
8. **Clubs:** School clubs should be educational in character. Membership in these clubs is open to any student who qualifies under individual club guidelines. Each club must have a faculty sponsor and have

its charter on file in the principal's office. The charter must contain the purposes, goals, and organizational guidelines of the club. Membership in academic clubs is contingent on meeting specific academic guidelines. Class-related clubs must outline specific course prerequisites prior to admission. Fees and dues must be approved by the principal and all monies deposited in the school activity account. Sororities, fraternities, and secret societies are forbidden by the policy of the Marion Board of Education.

9. Elections: All student elections should be based on established democratic principles. Procedures for the election should be set well in advance and not changed prior to the election (without approval of the principal).

Students meeting the publicized qualifications for the positions must be eligible to hold office regardless of race, sex, religion, nationality, or economic status.

10. Proms and Dances: The only school-sponsored dances are the Senior Prom and the Homecoming Dance. The Prom is a "closed" prom, open only to seniors and their dates. The prom is scheduled to occur during the last weekend of April each year, between the hours of 9:00 p.m. and 12:00 midnight at a site approved by the board of education.

11. School Newspapers and Official Publications: School newspapers and official district publications shall be sponsored by school personnel. The district may regulate the time, place and manner of distribution of student publications. While students may exercise their right of expression, they are to recognize that truth, fairness, accuracy, and responsibility are essential to the practice of journalism. A.C.A. 6-18-1203-1204 describes four types of publications that are unauthorized and, thus, do not qualify for distribution: "(1) publications that are obscene as to minors, as defined by state law; (2) publications that are libelous or slanderous; (3) publications that constitute an unwarranted invasion of privacy; or (4) publications that so incite students as to create clear and present danger of the commission of unlawful acts on school premises or the violations of lawful school regulations or the material and substantial disruption of the orderly operation of the school."

12. Student Council: Student councils provide for student activities and provide a training experience for both leaders and members. The councils are a legitimate and responsive channel for motivating change and for insuring that students participate in the decision-making process of the school.

13. Trips: All school-sponsored field trips must be educational in nature. They must be relevant to the curriculum being taught in a specific course or grade. Parental permission slips are required of all participating students. Prior approval of the principal is necessary. Transportation will be a district responsibility.

14. Supervision of School Activities: A teacher or teachers shall accompany pupils whenever the pupils participate in school sponsored activities off campus or on campus during regular school hours or otherwise.

15. Time/Participation Restrictions: All activities involving two or more school districts must be scheduled to begin after 3:30 p.m. and prior to 9:00 p.m. on a school day or anytime on Saturday. This means that any scheduled meeting, contest, clinic, game, match, meet, tournament, etc., (junior or senior high) must meet this guideline. An exception to this rule can only be made for a district, region, conference, or state event of a state-wide affiliated student organization, or AAA sponsored activities and then only when extenuating circumstances that can be documented prove the necessity for a loss of school time. There will be no exception made for invitational events. Any event or activity included in the NASSP Advisory List of National Contests and Activities shall be automatically approved by the AAA Executive Director. Regarding academic competition in the areas of mathematics, science, social studies, language arts, or foreign language, if the competition involves two or more of these areas, the director may make an exception to this requirement provided that no student shall be permitted to engage in such competition more than one school day (6 hours) per school year.

Vocational activities are subject to these guidelines.

EARLY DISMISSAL/COOPERATIVE EDUCATION

Marion High School provides two cooperative education programs: General Cooperative Education (GCE) and Coordinated Career Education (CCE). Both programs are designed for general employment through a cooperative agreement with a local employer. Admission into these programs is subject to the approval of the program coordinator, who will review school attendance, academic, and discipline records. Students will receive three (3) credits through enrollment in a cooperative program: one (1) credit for the related class and two (2) credits for the employment. Employment is considered the equivalent of periods six (6) and seven (7) for cooperative education students. Students enrolled in cooperative education receive academic grades from both the work coordinator and their employer. General Cooperative Education and Coordinated Career Education are programs approved by the Arkansas Department of Vocational and Technical Education.

Graduation Candidate - Students who are taking a sufficient number of credits to graduate by the end of the current school year may be dismissed at the end of their last class each day.

Only cooperative education students or graduation candidates electing early dismissal will be permitted to alter their schedules to accommodate a job during school hours.

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 14th 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.

Board Approved: 7-19-11

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 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.

Unless prior arrangements have been made with the school's principal, Arkansas law provides that 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.

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 Department 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, 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, guardian, custodian, 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, or other person having lawful control by court order, or person acting 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.

Board Approved: 7-19-11

TOBACCO USE (Licensed, Classified and Student)

Smoking or the use of tobacco, or products containing tobacco in any form, in or on any property owned or leased by the district, including buses or other school vehicles, is prohibited.

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.

Revised May 18, 2015
Approved by School Board: April 26, 2012
Legal Reference: A.C.A. § 6-21-609

COMPLAINT POLICY FOR PARENTS

Constructive criticism of the schools is welcomed by the Board of Education whenever it is motivated by a sincere desire to improve the quality of the educational program or to equip the schools to do their tasks more effectively. However, the board has confidence in its professional staff and desires to support their actions in order that they be free from unnecessary, spiteful or negative criticism and complaint. Therefore, any complaint directed to the Board as a whole or to a board member as an individual, whether in verbal or written form, should be referred without judgment to that school's administration for study and possible solution.

The Board advises the public that the proper channeling of complaints involving instruction, discipline, or learning materials is as follows:

1. Teacher
2. Principal
3. Director of Education
4. Superintendent

Equity complaints may begin with the district's equity coordinator:

EQUITY COORDINATOR: Dr. Robin Catt (Grades K-5)
Mr. Hugh Inman (Grades 6-12)
Marion School District
200 Manor Street
Marion, AR 72364

Revised: April 26, 2012

SEXUAL HARASSMENT POLICY (Licensed, Classified and Student)

1. Purpose

It is the policy of the Marion School District to maintain a learning and working environment that is free from sexual harassment.

2. Authority

It shall be a violation of this policy for any member of the District's staff to harass a student through conduct or communications of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students or staff members through conduct or communications of a sexual nature as defined. Also prohibited is discrimination between employees based on their submission to or cooperation in sexual harassment.

3. Definitions

Unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, or physical contact of a sexual nature when made by a member of the school staff or when made by any student to another student or staff member shall constitute sexual harassment when:

- a. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment;
- b. submission to or rejection of such conduct is used as a basis for academic decisions affecting that individual; or
- c. such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive academic or work environment.

Sexual harassment, as defined above, may include but is not limited to the following:

- a. verbal harassment or abuse;
- b. pressure for sexual activity;
- c. repeated remarks to a person, with sexual or demeaning implications;
- d. unwelcome touching;
- e. suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

4. Procedures

Any person who alleges sexual harassment by any staff member or student in the District may use the District's Grievance Procedure or may complain directly to the school's principal or the district's equity coordinator.

Proper steps for reporting complaints for sexual harassment are:

- a. Step One - The complainant shall state in writing the basis for the complaint, the names of the persons involved, and the dates of any specific incidents. This complaint shall be presented to the principal or equity coordinator within forty-five (45) days of the alleged incident(s).
- b. Step Two - All complaints are to be investigated immediately and thoroughly. The right to confidentiality, both of the complainant and the accused, will be respected consistent with the district's legal obligations. The administrator will report his findings of his/her investigation and the action taken in writing to the complainant within fourteen (14) calendar days of the receipt of the complaint, either hand-delivered or by licensed mail. Upon completion of the investigation, the administrator will take any corrective action (s) necessary.
- c. Step Three - Should the complainant feel that the action is insufficient, the initial report shall be sent to the district Superintendent. A summary of any previously proposed resolutions shall be included, along with a statement of the reasons why the proposed resolution is deemed insufficient. The complaint shall be investigated immediately and the conclusion of such investigation and the action taken will be reported in writing to the complainant within fourteen (14) calendar days, either hand-delivered or by licensed mail.
- d. Step Four - If the problem is still unresolved after Step 3, the complainant may make a request in writing to the superintendent for a hearing before the Board of Education at the next regularly scheduled board meeting.

5. Disciplinary Action

A substantiated charge against a staff member in the district shall subject such staff member to disciplinary action, including suspension or discharge. A substantiated charge against a student in the school district shall subject that student to disciplinary action including suspension or expulsion.

Legal References: Title IX, 20 U.S.C., Section 1681 et seq.; 1993, EEOC 29 CFR 1604.11

The Sexual Harassment Complaint Form is to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

VIDEO SURVEILLANCE (Licensed, Classified and Student)

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 rooms 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 surveillance cameras and equipment shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Adopted 6-28-2007

CHAPTER VIII

STUDENT DISCIPLINE, HEALTH, AND SAFETY

DISCIPLINE

The Marion School District recognizes that discipline in the public schools can only be maintained through the cooperative efforts of the community, especially parents, educators, and students. Each has a right to expect a wholesome atmosphere that is conducive to learning. Such a climate can best be created where respect and consideration of the rights of others prevail.

Counseling often results in improving student behavior. The teacher/administrator should have a conference with the student when undesirable behavior occurs. Conferences that involve various combinations of the student/teacher/counselor/administrator/parent offer promises of assistance in correcting discipline problems.

It is the desire of the Marion School District that the policies for the removal of a student from school never have to be applied. However, to maintain a learning atmosphere, it may be necessary to remove students that exhibit disruptive or disturbing behavior.

Teachers, principals, administrators and security officers have the authority to take customary and reasonable measures to maintain proper control and discipline among students placed under their care and supervision. Such measure may include the use of reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order. In regard to the pupil, school authority begins when the pupil enters the bus, or if walking or driving, arrives at school and the authority continues until the pupil leaves the campus or bus. This also applies to ball games and other assemblies being sponsored by the school.

The school will have full authority over all pupils who represent it or accompany representative groups on all athletic trips or any trip in which school personnel is involved. All rules of safety and good conduct are to be observed.

Pupils riding the school buses on any of the above trips will be expected to return on the buses unless accompanied by their parents. Only in emergencies will an exception be made and then the person in charge must give consent and assume responsibility.

SCHOOL AUTHORITY

1. A student may be suspended or expelled for immorality, refractory conduct, insubordination, infectious disease, habitual uncleanliness, or other conduct that would tend to impair the discipline of the school or harm the other pupils, regardless of whether the student's conduct occurs on or off campus and during or between school terms and regardless of whether a specific prohibition of the conduct is contained in this student handbook. A.C.A. 6-18-507
2. The school will have full authority over all pupils who represent it or accompany representative groups on all athletic trips or any trip in which school personnel is involved. All rules of safety and good conduct are to be observed. A.C.A. 6-18-507
 - a. Pupils riding the school buses on any of the above trips will be expected to return on the buses unless accompanied by their parents.
 - b. Only in emergencies will an exception be made and then the person in charge must give his consent and assume responsibility.
3. Lockers and/or storage space utilized by the students will be subject to search by school administrators or faculty.

PARENTAL NOTIFICATION

The principal or designee shall make a reasonable good faith effort to get a message to the parent at a daytime telephone number or after hours number on file under these circumstances: (1) when the school calls the police because of a student's misconduct; (2) when the school has granted access to a student by law enforcement personnel at the school; or (3) when a student has been taken into custody by law enforcement personnel during the school day or while under school supervision. Act 1217 of 2001

DISCIPLINE FOR ELIGIBLE STUDENTS WITH DISABILITIES

Under the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973.

Students with disabilities who engage in misconduct are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to a free appropriate public education (FAPE).

1. Where in-school discipline or short-term suspension (10 school days or less) is involved, the school may remove a student with disabilities for a disciplinary infraction without it being considered a change of placement.
2. If the student has been subjected to a series of removals that constitute a pattern because the series totals more than 10 school days in a school year, the school determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.
3. After a student with a disability has been removed from his/her current placement for more than 10 school days in the same school year, during any subsequent days of removal, the school must provide services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting IEP goals.
4. The Gun-Free School Act (GFSA) applies to students with disabilities. However, this Act must be implemented consistent with (IDEA) Individuals With Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973.
5. For students with disabilities who are not eligible for services under IDEA, but who are covered by Section 504 and are expelled in accordance with the GFSA, educational services may be discontinued during the expulsion period if non-disabled students in similar circumstances do not receive continued educational services.

Revised: April 22, 2010

STUDENT BEHAVIOR CODE

All students are expected to conduct themselves at all times in a manner that will contribute to the best interest of the school system and not infringe on the rights of others. The following activities are considered improper conduct and will subject the student to disciplinary action including, but not limited to, suspension or expulsion from school. A violation of the rule will occur when the conduct takes place on the school grounds at a school activity, function, event or en route to and from schools.

RULE 1. ABUSE OF STUDENTS

A student shall not cause or attempt to cause physical injury or behave in such a way as could reasonably cause physical injury to another student. Violence will not be tolerated under any circumstances and will be reported to the superintendent and the appropriate law enforcement agency. A.C.A. 6-17-113

RULE 1. MAKING THREATS

"Threat" is defined as a serious expression of intent to harm or assault. Since in the school environment anger management is the responsibility of the individual student, threatening other students with intent to extort or make others physically afraid will not be tolerated.

RULE 1, THREATS THAT DISRUPT THE SCHOOL/BOMB THREATS

Threats by telephone, email or in written form that would upset students, parents or employees and that create fear in reasonable persons, shall be immediately reported to the police department and shall be prosecuted to the fullest extent allowable by school authorities.

RULE 1. BULLYING

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.

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;

Electronic Act means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone, or other wireless communication device, computer, or pager that results in the substantial disruption of the orderly operation of the school or educational environment.

Electronic acts of bullying are prohibited whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose;

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;

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.

Students are encouraged to report behavior they consider to be bullying to their teacher or the building principal, including a single action which, if allowed to continue, would constitute bullying. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed, that a student 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 principal. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the principal. A school principal or his or her designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

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

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 behavior code which may have simultaneously occurred. For example: a student might be disciplined both for bullying and fighting; or bullying and sexual harassment; or, bullying and assault.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for student who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, and school bus. Parents, students, school volunteers, and employees shall be given copies of the notice.

Copies of this policy shall be available upon request. Adopted 6-28-2007

Board Approved: 6-28-07
Revised: 7-19-11

RULE 1. FIREWORKS

A student shall not possess, handle, or store fireworks or devices commonly referred to as fireworks that could reasonably be a danger to himself/herself or to other students, or that could cause damage to school district property or that could be disruptive to the educational process.

RULE 1. DISRUPTION AND INTERFERENCE WITH SCHOOL

Any student removed from class by the teacher two times in a nine-week period for interference with the ability of the teacher to teach or with the ability of fellow classmates to learn shall be subject to possible placement in another setting by the principal or his designee. This second offense shall trigger a conference of required parties as per A.C.A. 6-18-511.

No student shall:

1. Occupy any school building or properties with intent to deprive others of its use or where the effect thereof is to deprive others of its use.
2. Block the doorway or corridor of any school building or property so as to deprive others of access thereof.
3. Prevent or attempt to prevent the convening or continued functioning of any school class, activity, or lawful meeting.
4. Prevent students from attending a class or school activity.
5. Block normal pedestrian or vehicular traffic on the school campus or adjacent grounds unless under the direction of a school administrator.
6. Continuously and intentionally make noise or act in any other manner so as to interfere seriously

- with the teacher's ability to conduct the class or any other school activity.
7. In any manner, by the use of violence, force, noise, coercion, threat, intimidation, harassment, fear, passive resistance, or any other conduct to intentionally cause the disruption of any lawful function.
 8. Refuse to identify himself/herself on request of any teacher, principal, superintendent, school bus driver, school security officer, or any other school personnel.
 9. Encourage any other students to violate any rule or school board policy.
 10. Video or take pictures of any student or students in or around a locker-room and/or dressing facility.
 11. Video or take pictures of any event on campus without specific permission from a teacher or administrator.

RULE 1. PAGERS, COMMUNICATION DEVICES, LASER POINTERS

Marion School District students may not possess electronic paging devices, beepers or electronic communications devices on school property during the school day. Cell phones and pagers will be allowed at extracurricular events. (A.C.A. 6-18-502b) For indoor performances requiring quiet, patrons will be asked to turn off such devices. Uncooperative patrons will be asked to leave the event.

RULE 2. THEFT, DAMAGE OR DESTRUCTION OF SCHOOL PROPERTY

A student shall not cause or attempt to cause damage to school property or steal or attempt to steal school property. The school district will attempt to recover damages from the student destroying school property. Parents of any minor student under the age of 18, living with the parents, may be liable for damages caused by said minor in an amount not to exceed \$2000.00.

RULE 2. VANDALISM

Willful or malicious destruction, defacement or damage of public school grounds, equipment, vehicles, or buildings will not be tolerated. Students who vandalize school property will be required to bear the cost of repair or replacement of damaged property, as determined by school authorities, in addition to specified policy punishments. Restitution will include labor and materials.

Adopted 6-28-2007

RULE 3. THEFT, DAMAGE OR DESTRUCTION OF PRIVATE OR PUBLIC PROPERTY

A student shall not cause or attempt to cause damage or steal or attempt to steal private or public property.

RULE 4. PHYSICAL ABUSE OR ASSAULT BY A STUDENT ON A SCHOOL EMPLOYEE OR A PERSON NOT EMPLOYED BY THE SCHOOL

A student shall not cause or attempt to cause physical injury or behave in such a way as could reasonably cause physical injury to a school employee, fellow student or any other individual. Violence will not be tolerated under any circumstances and will be reported to the appropriate local law enforcement agency. (A.C.A. 6-17-113)

Insult or abuse of teacher.

- a. 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/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; (c) arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation. A person who violates this section shall be guilty of a misdemeanor and upon conviction be liable for a fine of not less than one hundred dollars (\$100) nor more than one thousand five hundred dollars (\$1,500). A.C.A. 6-17-106(a)
- b. Each school district shall report to the Department of Education any prosecutions within the

school districts under this section. A.C.A. 6-17-106

c. Reporting a Felony

Whenever the principal, or other person in charge, of a public school has direct knowledge or has received information leading to a reasonable belief that a student enrolled in the public school has committed a felony on school property, or while under school supervision, or has committed any other violent criminal act against a teacher, school employee or student, the principal, or person in charge, shall immediately report the incident to the appropriate local law enforcement agency for investigation and to the appropriate school district for resolution. A.C.A. 6-17-113

- d. Similarly, a principal or his/her designee shall report all incidents of violence or threats of violence on school property, which is to include school bus stops and school buses, to the superintendent or his designees and to law officials. The superintendent shall notify school board members of such threats or actions.

RULE 5. CHEATING

Cheating is copying or duplicating, in some manner, the answers or responses of another during a test or exam or formal exercise designed by a teacher. Cheating does not have to be merely copying or speaking answer, but may appear in ever-changing forms, such as texting via cell phones. The texting during an exam or test, even if accomplished out of sight and through clothing, will be considered to be cheating. Others complicit in allowing the specific cheating to occur are also subject to disciplinary action.

Adopted 6-28-2007

RULE 5. PLAGIARISM

Plagiarism is using someone else's work in a written assignment without properly acknowledging the person's efforts. It may take the form of representing as one's own someone else's work.

Adopted 6-28-2007

RULE 6. NARCOTICS, BEVERAGES CONTAINING ALCOHOL, AND DRUGS

A student shall not possess, sell, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or controlled substances defined by Schedules I-Iv, by the Arkansas Dept. of Health. (A.C.A. 5-64-201) Neither shall a student possess, sell, use, transmit or be under the influence of any beverage containing alcohol or intoxicants. Penalties for violating this policy shall range from a parent conference to possible expulsion.

Additionally, students are not to use or distribute to others prescription medication or non-prescription items that are not in conformity with the district's rules and regulations concerning the dispensing of medicines. Further, the sniffing, injecting, or ingesting of any other items not approved by a doctor shall also be considered a violation of this policy. The penalties for violating this policy can range from a warning to expulsion.

The Dispensing of Medicines

District schools will assist parents with medication schedules prescribed by doctors for their children. The district asks parents to bring such medications to school with specific directions for dispensing. If this is not possible, the district urges parents to send such medications and instructions in tamper-resistant packaging or containers. Such medications will be stored in a secure location designated by the principal. The dispensing and ingesting of medicines by students shall be under the direct supervision of the school principal, school nurse, or the principal's designee. A record of the dispensing of the medication will be kept on file in the principal's office. Any other dispensing/ingesting of medicines or items purported to be medicines by students is unauthorized and will lead to disciplinary actions ranging from a warning up to, and including, expulsion.

RULE 7. WEAPONS, DANGEROUS INSTRUMENTS, AND CONTRABAND

A student shall not possess, handle, or transmit a knife, razor, ice pick, explosive, pistol, rifle, shotgun, pellet gun, or any other object that can reasonably be considered a weapon, or dangerous instrument or any contraband materials. In accordance with A.C.A. 6-18-503, a student in possession of any firearm or other weapon prohibited upon the school campus by law will be expelled from school for a period of not less than one (1) year with the superintendent's discretion to modify such expulsion requirement for a student on a case-by-case basis.

Revised 4-22-2010

RULE 8. DISREGARD OF DIRECTIONS OR COMMANDS

A student shall not fail to comply with reasonable directions or commands of teachers, student teachers, substitute teachers, teacher aides, principals, administrative personnel, superintendent, school bus drivers, school security officers or other authorized school personnel. Such behavior will be considered an act of insubordination and will not be tolerated.

RULE 9. PUBLIC DISPLAY OF AFFECTION/IMMORALITY

Public display of affection includes but is not limited to kissing, hugging, sitting, or standing extremely close to one another, or provocative touching. It is inappropriate for students to sit in one another's lap.

A student shall abstain from indecent and immoral acts in school vehicles, at school activities, in the district's buildings or on the district's grounds. Evidence or corroboration of a possible violation of this state's laws on such misbehavior will be turned over to the police authorities in addition to the school's stated punishments.

Adopted 6-28-2007

RULE 10. GAMBLING

A student shall not participate in any activity which may be termed gambling or wagering where the stakes are money or any other object or objects of value.

RULE 11. BEHAVIOR NOT COVERED ABOVE

The school district reserves the right to punish behavior which is subversive to good order and discipline in the schools, even though such behavior is not specified in the preceding written rules.

RULE 12. DISTRICT AND SCHOOL I.D. BADGES

The wearing of faculty, staff and student I.D. badges is required during the school day at participating schools. Refusal to wear the I.D. badge is insubordination and stated penalties shall apply. The card is district property. Defacing or altering the card is considered damage to school property. The user will be required to replace any damaged card (currently \$5.00). Other penalties may apply for repeated damages.

RULE 13. RANDOM CHEMICAL SCREEN TEST POLICY

Random Chemical Screen Test Policy For The Marion School District Grades 7-12

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

Purpose of a Chemical Abuse Policy:

1. To inform the students of the Marion School District that the school is concerned about their total well being.

2. To assist students of Marion schools to resist the peer pressure that directs them toward abuse or misuse of chemical substances.
3. To establish standards of conduct for the students of Marion Schools who are considered leaders among their peers.
4. 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.
5. To work cooperatively with parents by assisting them in keeping their children free from mood-altering chemicals.
6. To assist students who need to be referred for assistance or evaluation regarding their use of illegal drugs.
7. To deter chemical abuse or misuse by all students through random drug testing.

Scope

The provisions of this policy apply to all Marion Students, grades 7 through 12, who participate in extracurricular activities and/or park a vehicle on school campus. For the purpose of this policy, extracurricular activities are defined as any activity that requires registration with the Arkansas Activities Association and/or involves out of class participation, travel and/or occurs outside the regular curriculum (i.e. band, choir, clubs, student government, athletics, cheer, etc.) **Positive screening results are cumulative and will follow the student for duration of enrollment in the Marion School District.**

Consent Forms

Students desiring to try-out for or participate in any of the activities described above or who wish to receive a parking pass must sign a consent form agreeing to comply with the provisions of the Marion School District's random drug testing program. The consent form must also be signed by the student's parents or legal guardians prior to participation in an activity or prior to receiving a parking pass. Students who fail to submit the required consent form(s) will not be allowed to participate in any extracurricular activity or park a vehicle on campus.

Confidentiality

The Marion School District will make every effort to protect the privacy rights of the students and to insure the confidentiality of the drug test results. All drug screens will be administered on the campus at a controlled site by a contracted drug-testing agent. The results will be conveyed only to the parent/guardian, the activity sponsor and the Superintendent or his designee. In addition, the records will not be maintained in the student's regular file, and only the superintendent or designee will have access to the files. The files on each student will be destroyed upon graduation or two years after termination of enrollment. A student and the student's custodial parent/legal guardian may obtain a copy of his chemical abuse testing record upon written request.

Cost

The cost of the initial random drug screen will be the responsibility of the school district. The student and legal guardian are responsible for any additional cost including affirmation test, test to regain eligibility for school activities and parking privileges, professional treatment, counseling, etc.

Prescription Medications / Over-the-Counter Medications

The existence of lawfully prescribed medication in a student's sample is not a violation of this policy. Also, some over-the-counter medications may have similarities to unlawful drugs when tested. Students must disclose this information to the testing agent prior to providing the sample. Students who do not give this information before providing the sample and test positive or fail to provide verification that they are taking physician prescribed medication will be subject to the actions specified in this policy for "positive test."

General Information

- A. Students will be selected at random by an outside drug-testing agency.
- B. There will be a minimum of four random tests during each school year, at various times of the school day and with varying intervals between tests.
- C. Up to 25% of the students included in the testing pool will be selected during each random testing period.
- D. Students selected will be delivered to a site on campus prepared by the contracted drug testing agent. The screen will be administered by the professional who will supervise the collection and assure a legal "chain of custody" of the sample.
- E. If the initial screen is positive, a second test of the original sample may be administered to confirm the results. The legal guardian may request an additional test (at their expense) of the district's approved vendor within 24 hours of notification of positive results.
- F. Students who refuse to participate in the process will be treated as having received a positive drug screen.
- G. Students who are absent when "called" or cannot participate because of state mandated test, etc. will be tested at another time.

District Action for a Positive Drug Screen

- A. First Positive Screen
 - 1. The student will be suspended from participation in school activities and lose parking privileges for minimum of 10 "school" days from the date of notification.
 - 2. A negative confirmation test will immediately return all privileges.
 - 3. Students must re-test (at their own expense) and be "clean" before privileges are returned. The contracted vendor will work with the school to establish a time and place for the re-test. Only the school's approved vendor may administer the re-test.
 - 4. The school may waive 5 of the suspension days for students who present evidence of attendance and successful completion in a school approved drug abuse-counseling program.
- B. Second Positive Screen
 - 1. The student will not be allowed to attend or participate in any extracurricular activities or to park on campus for one calendar year from the date of notification.
 - 2. After the calendar year the student may re-test (at his own expense) at a time and place specified by the school. Should the results be negative all privileges will resume.
- C. Third Positive Screen
 - 1. The student will be suspended from attending or participating in any school activity or parking on campus for the remainder of the student's enrollment.
 - 2. The third positive screen could come from random pool selection or be the result of a rescreen following a probationary period.

Each school has its student discipline policy and/or student handbook available for student/parent information.

Fighting

When two or more students fight, it becomes not only a danger to the students, but also to others. From our earliest grades, we insist that a student tell an adult if another is trying to get him or her to fight. A "fight" is defined as when students intentionally throw blows or slaps or kicks at another student. Two students pushing one another but not coming to blows will not be considered a fight for that which follows. The term "self-defense" is defined as removing one's self from the situation as soon as possible.

After students fight, following discussions with the principal or his/her designee, students in violation of this policy may be hand-cuffed by the School Resource Officer and taken to the Detention Center for processing. Families should expect to pay some court or other costs.

MINIMUM AND MAXIMUM
DISCIPLINE PENALTIES
Grades K-12

****The Marion School District and its individual schools reserve the right to punish behaviors not covered in the chart which follows. This chart is not meant to be a completely exhaustive list.**

Offense	Grade Level	Minimum Penalty	Maximum Penalty
Rule1 Abuse of students Verbal or physical (See also sexual harassment.)	K-3 4-7 8-12	Warning Warning/parent contact Warning	Expulsion Expulsion Expulsion
Rule 1 Making Threats	K-3 4-7 8-12	Warning Warning/parent contact Warning	Expulsion Expulsion Expulsion
Bomb Threats	K-3 4-7 8-12	Parent conference Out-of-school suspension 10-day suspension	Expulsion Expulsion Expulsion
Rule 1 Bullying/ Cyberbullying	K-3 4-7 8-12	Warning Warning/Parent Contact Warning	Expulsion Expulsion Expulsion
Rule1 Fireworks	K-3 4-7 8-12	Warning/confiscation/parent contact Warning/confiscation/parent contact Saturday School or corporal punishment w/confiscation/parent contact	Expulsion Expulsion Expulsion
Rule1 Disruption or interference with school	K-3 4-7 8-12	Warning Office conference/ parent contact Warning	Expulsion Expulsion Expulsion
Rule 1 Pagers, communication devices, laser pointers	K-3 4-7 8-12	Confiscation/parent contact	Expulsion

Rule 2 & 3 Damage to school property and private property				
Accidental	K-12	Payment for cost of replacement or repair and parent contact	Payment for cost of replacement or repair and parent contact	
Vandalism	K-7	Repair or replacement, incl. labor and materials, Parent contact	Police prosecution/Expulsion	
	8-12	Repair or replacement, incl. labor and materials, suspension	Police prosecution/Expulsion	
Rule 2 & 3 Theft				
	K-7	Return or replace property and parent contact	Expulsion with police contact	
	8-12	Corporal punishment/ Saturday School Suspension	Expulsion with police report	
Rule 4 Abuse of staff				
Verbal	K-3	Warning	Expulsion	
	4-7	Warning/parent contact	Expulsion with police contact	
	8-12	Suspension	Expulsion	
Physical	K-3	Warning	Expulsion	
	4-7	Suspension	Expulsion with police contact	
	8-12	Suspension	Expulsion with police report	
Rule 5 Cheating				
	K-3	Counsel/warning/parent contact	Grade zero/suspension	
	4-7	Zero on the activity/parent notified	Suspension added	
	8-12	Zero on activity	Suspension/Expulsion	
Rule 5 Plagiarism				
	K-3	Counsel/warning/parent contact	Short-term suspension	
	4-7	Zero on activity/parent notification	Suspension	
	8-12	Warning or zero on activity	Suspension/Expulsion	
Rule 6				
Possession of Alcohol/Drugs				
	K-3	Parent conference	Expulsion	
	4-7	Suspension	Expulsion	
	8-12	Suspension (10-days)*	Expulsion	

The principal or designee has the authority to defer 5 of the 10 days

provided that the student enrolls in, and completes, a drug counseling program. This is voluntary. If the student enrolls during the 10-day suspension period, the balance after 5 days will be deferred. If the student stops attending the program, the balance of the suspension will be automatically served. Once the student completes the program, the 5 days deferred will be waived.

*The second offense will result in an automatic recommendation for expulsion.

Use of Alcohol/Drugs	K-3	Parent conference	Expulsion
	4-7	Suspension	Expulsion
	8-12	Suspension (10-days)*	Expulsion

The principal or designee has the authority to defer 2 of the 10 days provided that the student enrolls in and completes a drug counseling program. This is voluntary. If the student enrolls during the 10-day suspension period, the balance after 8 days will be deferred. If the student stops attending the program, the balance of the suspension will be automatically served. Once the student completes the program, the 2 days deferred will be waived.

*The second offense will result in an automatic recommendation for expulsion.

Sale of Alcohol/Drugs	8-12	Automatic recommendation of expulsion.	
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Possession or use of Tobacco	K-3	Parent conference	Suspension
	4-7	Confiscation/parent contact	Suspension
	8-12	Possession: confiscation/parent contact	Suspension
		Use: Saturday School	Expulsion

Rule 7			
Possession of firearms	K-3	Confiscation/parent contact	K-12: One-year expulsion with superintendent's discretion. A.C.A. 6-18-502. Students expelled for firearms possession will be reported to the Arkansas Dept. of Education's registry. Act 1150 of 1999.
	4-7	Confiscation/parent contact/report to police and superintendent (case by case)	
	8-12	Confiscation/suspension (10-day)/report to police and superintendent (case by case)	

Rule 7			
Possession of weapons	K-3	Confiscation/parent contact	K-12: One-year expulsion with superintendent's discretion A.C.A. 6-18-502
	4-7	Confiscation/parent contact	
	8-12	Confiscation/suspension report to superintendent	

Other Items used as weapons	6-12	Confiscation/Suspension with Report to Superintendent	One-year suspension with Superintendent discretion A.C.A. 6-18-502
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Rule 8			
Disregard of directions	K-3	Warning	Expulsion
	4-7	Office conference/parent contact	Expulsion
	8-12	Warning	Expulsion
Rule 9			
Public display of Affection	K-3	Parent conference	Expulsion
	4-7	Parent conference/parent contact	Expulsion
	8-12	Warning	Expulsion
Immorality	K-3	Parent conference	Expulsion
	4-7	Office conference/parent contact	Expulsion
	8-12	Warning	Expulsion
Rule 10			
Gambling	K-3	Warning	Expulsion
	4-7	Warning/parent contact	Expulsion
	8-12	Warning	Expulsion
Rule 11			
Rough-housing	K-3	Warning	Suspension
	4-7	Warning	Detention
	8-12	Warning	Suspension
Fighting	K-3	Warning	Expulsion
	4-7	Paddling or in-school suspension	Suspension/expulsion
	8-12	3-day suspension	Expulsion
Tardiness	K-12	Warning	Suspension
Skippping class (remaining on campus)	8-12	Saturday School	Suspension
Leaving campus without permission	8-12	Saturday School	Suspension
Forgery/erasures on Attendance Forms			
Modifying attendance forms	10-12	In-school suspension (3 days)	Suspension (10 days)
Transportation	K-12	Warning conference	Denial of transportation for balance of year
Sexual Harassment	K-12	Warning conference	Expulsion
Gang-related Activity (genuine or pretense)	K-12	5-day out-of-school suspension	Expulsion (balance of semester)

		Expulsion (end of semester)	Expulsion (balance of semester or permanent) A.C.A. 6-15-1005
Internet or Technology Violations	K-12	Warning	Expulsion (balance of school year) A.C.A. 6-21-107
Rule 12 District and School I.D. Badges (Middle, Junior High, High)			
First I.D.		Warning	
Second I.D.		Warning-note to parent	
Third I.D.		Call to parent	
Fourth I.D.		Saturday School	
Fifth I.D.		Saturday School	
Sixth I.D.		three days In-School Suspension	
I.D. violations in excess of six times each nine week period will result in a three (3) days Out of School Suspension from school each occurrence.			
Rule 13			
Chemical Drug Screen	7-12	Suspension from parking and activity for 5 school days if enrolled in school-approved drug abuse counseling course	Suspension for attending and participating in the activity and/or parking on campus for remainder of school enrollment
Violations of Appearance Code	K-5	Warning/change of garments	Suspension
	6-12	Warning/change of garments	Expulsion
Parking/driving Violations			
Parking space violation	10-12	Warning/Saturday School	Loss of parking/driving Privilege
Reckless driving on campus	10-12	Warning/Saturday School	Loss of driving privilege
Unauthorized Cell Phone Use			
Unauthorized cell phone use during school day	6-12	Confiscated parent/guardian pickup	Expulsion for repeated noncompliance

SERIOUS DISCIPLINARY PROBLEMS AND ALTERNATIVE SCHOOL PLACEMENT

Under guidelines approved by the Arkansas Department of Education, students may not be placed into an alternative school for academic problems alone but must have other specific behavior or social qualifiers as listed in the published Rule. Serious disciplinary infractions and the personal or social causes behind such infractions are among these other qualifying characteristics. Placement into the Alternative School related to misbehavior is envisioned for the more serious and egregious offenses.

Students expelled for possession of weapons or the selling of drugs will not be assigned to the Alternative School without school board approval.

ASSERTIVE DISCIPLINE

"Teachers have a right to teach; students have a right to learn."

The district believes all students can behave at school, and have a responsibility to behave in a manner which allows teachers to teach and students to learn, and which does not violate the best interest of any person in the school community.

The district believes pupil conduct should be controlled with procedures which will advance the purposes of education while remaining consistent with applicable state law and established board of education policy.

In order to provide students a calm, safe, secure environment for education, this district practices Assertive Discipline.

RIGHTS OF TEACHERS

1. To be provided with a classroom atmosphere most conducive to learning.
2. To ask for help from parents, the principal, and other school personnel when assistance is needed for a student.

RIGHTS OF STUDENTS

1. To be provided with a classroom atmosphere most conducive to learning.
2. To have a teacher who will provide positive support for a student's appropriate behavior.

PROTECTED STUDENT HEALTH INFORMATION

The Marion School District School Health Program is under the direction of the Health Services Team. The team acts as a liaison between home, school, and the community. The team consists of two registered nurses, three licensed practical nurses, and a physician.

Health history and medical information obtained concerning students or staff will be kept in confidence. For the sake of ensuring an optimal learning and safe environment, some information relating to the health and safety of a student may be shared with other faculty members and emergency personnel on a need-to-know basis as deemed necessary by the Health Services Team and administration.

Health records once received by the school district may not be protected by the HIPPA Privacy Rule, but will become educational records protected by the Family Educational Rights and Privacy Act.

Annually as a part of each school's student handbook, parents or guardians will be given the above guidelines. If there is any objection with health information being shared on a student, that parent or guardian must put such an objection in writing and give it to their child's school.

DISCIPLINE POLICY BY SCHOOL SITE

The following materials represent the policy and structure for a unified disciplinary procedure to be used in the Marion School District. Its purpose is to satisfy needs in the following areas:

1. Practical alternatives to the use of the paddle and suspensions. (The paddle and suspensions will not be eliminated, but it is hoped that other alternatives will be of value.)

2. Greater consistency and uniformity among all teachers and students in disciplinary matters.
3. More equity as provided by the certainty of consequences of misconduct in the classroom.

It is emphasized that the disciplinary procedures described are designed primarily for classroom management. Consequences for misconduct in areas such as hallways, cafeteria, school assemblies, playgrounds, and school activities will continue to be subject to responses by school authorities as discretion demands.

Classroom teachers will be expected to use classroom time for teaching. Teachers are advised not to penalize the learning activities of the majority with time spent responding to misconduct within the classroom.

The teacher is expected to teach continually to the needs of learning process in the time segment of the class period.

The following is an expression of five (5) basic rules for all students in the Marion School District. (Moderation in Grades K-3).

1. Be in assigned seat, ready to work when the bell rings.
2. Have paper, pencils, books, and completed assignments necessary for classroom activities.
3. Keep hands, feet, books, and other objects to self.
4. No talking out of order, teasing, swearing, rude gestures, or other put-downs.
5. Follow directions of the teacher.

The following composition should be modified to fit the disciplinary actions as prescribed by the principal and faculty of the individual schools of the district.

When the teacher observes a violation of the rules, the student's name will be written on the chalkboard. This is to be done without verbal interaction with the student.

The second notice of misconduct by the teacher requires a check mark under the name of the student.

The third notice, a check mark.

The fourth notice, a check mark.

The fifth notice, a fourth check mark. The fourth check will initiate the SEVERE CLAUSE, which will be explained in item 5.

The negative consequences related to the check marks are as follows and may vary from school to school:

Avondale and Marion Elementary Schools:

1. Name on board - Warning (Name read to child if s/he cannot read.)
2. Name and one check - In-room consequences. Teacher must notify principal of the usual in-room consequences that she will use with the students. These will be filed in the office with the disciplinary plan. The in-room consequences are determined by the classroom teacher and approved by the principal.
3. Name and two checks - In-house detention. Detention requires that students will go to a specifically designated classroom with an aide in attendance. Students will remain seated and will not be allowed to talk to anyone during this period of time.
4. Name and three checks. - Phone call to parents and note sent home to restate consequences for four

checks.

5. Name and four checks - Paddling or suspension.
Severe clause - Severe misbehavior (fighting, vandalism, defying a teacher or in some way stopping the entire class from functioning) calls for an immediate consequence that will remove the student from the classroom.

Marion Middle and Marion Intermediate Schools:

Negative consequences for a student who chooses to break the rules are determined by his/her classroom teacher, approved by the principal, and signed by the parent.

Marion Junior High School:

1. Name on board
2. Name on board and 1 check - 20 minutes after school.
3. Name on board and 2 checks - 30 minutes after school and call to parents.
4. Name on board and 3 checks - 20 minutes after school and conference with parents before the student is readmitted.
5. Name on board and 4 checks - student severed from classroom and conference with parent before the student is readmitted.

Teachers may "drop-down" on students who repeatedly violate classroom rules. Changes in individual discipline plans must be approved by the building principal.

Severe Clause: Conduct beyond the last check will require the teacher to notify the principal. The required trip to the principal's office will always involve a parent conference after corporal punishment, suspension, etc.

The following is a listing of behavior that will require immediate use of the "severe clause".

1. Commits or threatens physical harm to another student or adult.
2. Destroys or in any way abuses school or student property.
3. Refuses to participate in assigned work.
4. Engages in any behavior that keeps the class from functioning.
5. Demonstrates open defiance of adult authority.

Detention time, after school hours, will always be on the day following the offense. Time must be allowed for students and parents to arrange transportation after school. The school will not provide alternate transportation.

When transportation arrangements are not made by the parent and student, the student shall be delivered to the sheriff's office.

The discipline policy should be strongly supported by the use of frequent positive reinforcement by teachers. Students should receive immediate negative consequences for unacceptable behavior and noticeable reinforcement for commendable behavior.

Four concepts to remember in deciding on what positive reinforcement to use are:

1. Use frequent praise (written, verbal, public, private, etc.).
2. Choose rewards students like.

3. Choose rewards you are comfortable using.
4. Never take rewards away as punishment.

Marion High School:

Response to office referrals for classroom misbehavior is determined by the severity and frequency of the misbehavior. Disciplinary responses include student conferences, parent conferences, corporal punishment, and suspension from school. Serious incidents requiring immediate removal from the classroom are reported to the office with a "red card". Teachers may refer students for general misbehavior by completing a referral form and submitting it to the office during the school day or at the end of the school day. The assistant principal or principal will respond to these referrals immediately and notify the parent and teacher of the referral and disciplinary action taken. (For a complete text of the high school disciplinary policy, pursuant to A.C.A. 16-18-501 to 506, refer to the high school student handbook.)

Crittenden PREP Alternative School

Rules of Conduct and Dress

1. Students will bring paper and pencils to school daily
2. All students are required to go to group Counseling unless there are circumstances known by the principal for alternative counseling.
3. All students will go through a metal detector when entering the School and will be searched with the student's permission when reasonable suspicion of contraband exists. Such permitted searches will be done in confidence by the Alternative School Staff. At no time will strip searches be used.
4. Students will be required to have shirts tucked in and a belt shall be worn. No sagging of pants will be allowed.
1. Students shall be required to wear school-appropriate clothing. No tank tops are permitted, no apparel that shows the midriff shall be permitted; no pajamas or house slippers are permitted; clothing with inappropriate advertising or inflammatory or derogatory messages will not be permitted. This list is not exhaustive but is indicative of prohibited clothing.
6. Hats, do-rags, and headbands will not be allowed.
7. Gang signs are not to be worn on clothing; are not to be displayed or written while at school, on school buses or on school property.
8. Students will not be allowed to use the school's telephone except in emergency situations.
9. Student absences beyond four (4) absences will be counted as unexcused unless there is a note from the doctor or a letter documenting a required court attendance.
10. Students are not permitted to bring candy, gum, snacks or drinks to school. The school provides free and reduced lunches to qualifying students. A student who is not a free or reduced lunch student and desires to bring his/her lunch may store it before the start of the school day in a location selected by the principal.
11. Restroom breaks will be limited to two in the morning and two in the afternoon unless documentation of a current or chronic medical necessity is provided.
12. If a student elects to bring a book bag to school, it must be a transparent or clear book bag.

Punishments that will be used at the Alternative School

Those punishments set out in policy by the Board of Education that can be incorporated at the Alternative School site will be used in discipline matters: warning by counseling, the use of corporal punishment, suspensions--in keeping with the seriousness and frequency of infractions, recommendation for expulsion to the home district of the student, and up to and including being placed under arrest for extreme insubordination involving threats, or physical abuse or battery. For Special Education students, discipline will follow district policies as provided for in the Behavior Management Plan. If the school is not yet in receipt of the Behavior Plan for a recently entering student, the Director of Special Services of the sending district will be contacted prior to finalizing the necessary punishment.

Signatures below do not necessarily indicate agreement with the above. However, it does indicate receipt of the discipline policies in use at Crittenden Prep Alternative School.

Parent Signature: _____ Date: _____

Student Signature: _____ Date: _____

Alternative School Administrator _____ Date: _____

All schools:

Classroom rules must be on file in principal's office, sent home, signed, and returned.

CORPORAL PUNISHMENT

1. Corporal punishment should be used with great discretion. Care is to be exercised, so that this punishment is not used in the presence of anyone other than staff or parents of the child concerned.
2. It is recognized that this type of punishment is sometimes very effective, but should not be used so frequently that its effectiveness is lost. This policy has been adopted for the protection of the teacher as well as the child.
3. Striking or slapping a child on any part on his body other than the buttocks is prohibited.
4. Corporal punishment will be administered only by teachers and administrative staff and will be witnessed by a school administrator or his/her designee who shall be a teacher or an administrator. (A.C.A. 6-17-112)

IN-SCHOOL SUSPENSION

Marion High School, Junior High, and Middle School will maintain an In-School Suspension program. Students will be assigned up to 5 days. Students who break ISS rules may be assigned additional days. A student must complete all assigned days before readmission to the regular classroom. Assignments will be sent to the ISS director who will facilitate the completion of assigned work. Students will receive credit for work done while "in" ISS. Should a student choose not to follow ISS rules, he/she will be suspended from school and no work will be made up. Students assigned ISS who are checked out before the end of the day must complete the time lost upon returning to school. There is a maximum of three ISS assignments per semester.

SUSPENSION

Students 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; 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.

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

1. The student shall be given written notice or advised orally of the charges against him/her;
2. 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;
3. If the principal or designee finds the student guilty of the misconduct, he/she may be suspended.

When possible, notice of the suspension, its duration, and any stipulations for the student's re-admittance to class will be given to the parent(s), legal guardian(s), or to the student if age 18 or older at the time of the decision of the suspension. Such notice shall be provided to the parent(s), legal guardian(s), or to the student if age 18 or older or mailed to the last address reflected in the records of the school district.

If 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 opportunity to discuss the same with the principal or designee should follow as soon as practicable.

It is the parents' or legal guardians' responsibility to provide current contact information to the district which the school shall use to immediately notify the parent or legal guardian upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority as required by law:

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

The district shall keep a log of contacts attempted and made to the parent or legal guardian.

During the period of suspension students shall not be permitted on campus, for any purpose except to attend student/parent/administrator conference.

In-school suspension shall be treated as if the student was present at school.

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.

Adopted 6-28-2007

CONCURRENT MHS STUDENTS AND SUSPENSION

Suspension from MHS will not affect attendance status at MSCC. Likewise, suspensions from MSCC will not affect attendance status at MHS.

Adopted 6-28-2007

EMERGENCY SUSPENSIONS

Notwithstanding the policy concerning suspension and expulsion procedure, students may be suspended indefinitely without notice, hearing, and the other rights provided herein being first given where the school is undergoing a violent upheaval or where orderly educational processes have otherwise been substantially disrupted. This would apply only in rare instances, such as when riots are taking place, and where emergency circumstances make it unreasonable for the administration and board to consider the case under their usual time. In all such cases, notice, hearing and other rights shall be provided in accordance with the normal provisions at the earliest practical date that the restoration of order permits.

ALTERNATIVE DISCIPLINE

Saturday School is a program designed to discipline students without causing them to miss classes. It is a four-hour session held each Saturday in the high school study hall from 8:00 A.M. to 12:00 P.M. Students will be placed in Saturday School for infractions such as missing detention hall, excessive tardies, I.D. violations, cell phone violations, and other nuisance offenses to be determined by the building principal. Failure to attend Saturday School will result in a two-day Out-of-School Suspension. Three Saturday School assignments are the maximum per semester.

school principals' offices.

EXPULSION

1. Students may be expelled only by an act of the school board.
2. Expulsion will be identified as a dismissal from school for more than ten (10) days. Expulsion will normally be for a period of time extending no more than one term (1 semester). The Board may permanently expel a student when his or her conduct is of such grave nature that his or her presence is disrupting to the school and detrimental to the safety or morale of the student body. However, in keeping with A.C.A. 6-18-503, a student in possession of any firearm or other weapon prohibited upon the school campus by law will be expelled from school for a period of not less than one (1) year with the superintendent's discretion to modify such expulsion requirement for a student on a case-by-case basis.
3. Recommendations for expulsion will come to the school superintendent from the principal. Prior to the recommendation to the superintendent, the principal will give the student a complete hearing on the details of the offense, at which time the student will be given a complete understanding relative to the charges against him. At the same time the principal gives the superintendent a recommendation for expulsion, he shall also notify the parent or legal guardian of his decision by licensed mail at the address on file in the principal's office. A copy of that letter will also be made available to the student. If the superintendent supports the recommendation of the principal, the superintendent will notify the parent or legal guardian by licensed mail. The superintendent's letter will give reference to the principal's recommendation and announce the date and the time for the school board meeting to be held to consider the expulsion recommendation. The superintendent will then proceed to present to the school board the recommendation which will be supplemented by supportive data as provided by the school principal.

APPEARANCE CODE (Grades 6-12)

Marion School District expects its students to dress appropriately while attending school. Students will be asked to use the following principles to guide them in choosing apparel. Student clothing must not disrupt the educational process. One's clothing must not be personally hazardous in activities such as shop, lab work, physical education, art, and on-the-job training. Students must not wear immodest or profane clothing that shocks the conscience or wear clothing in an immodest manner. Students must refrain from wearing clothing that is made of see-through materials. Each school's principal or designee is charged with determining if a student's clothing is provocative in some way this resulting in a disruption to the educational process. Since clothing styles are ever-changing, each school's administration is charged with providing updated and specific examples of proscribed clothing.

The Marion School District expects more of students with regard to appearance when representing their school or the district in interscholastic competitions, whether during the school day or after school hours. Facial jewelry may not be worn by students during such times. This shall include tongue piercings. Ear wear is excluded from this policy.

Students are prohibited from wearing pants, shorts, or jeans with holes, rips, or tatters. Students may not wear leggings or patches underneath holes, rips, or tatters to cover the exposing of skin.

Regarding head attire, at no time shall doo rags or sweatbands be worn by students during school or school activities. Hats, caps or sunglasses may not be worn inside the building. If worn correctly, hats, caps, ear warmers, toboggans, and sunglasses may be worn outdoors; not indoors unless there is documented medical necessity.

Young men will wear pants or appropriate length shorts that approach the knee, i.e. longer than mid-thigh. Both pants and such shorts must have belt loops. Shirt tails are to be tucked in completely around the waist and a belt must be worn correctly and must be visible. Except in physical education class or athletic practices, belts are to be worn at all times by male students. This means that basketball shorts or other athletic shorts may not be worn outside of P.E. or the athletic period. Additionally, shirts worn by male students must have short sleeves at a minimum.

For female students, Starter© shorts, gym shorts, knit pants or spandex or clingy, immodest spandex-like materials worn as pants are not appropriate as school attire. However, leggings or spandex can be worn under a garment that otherwise meets our appearance code. Shorts and skirts worn must be of a length that approaches the knee, i.e. longer than mid-thigh. Additionally, the guideline of at least a 3 inch one piece shoulder covering is clarified to mean that straps must be three fingers wide. This clarification is to mitigate against any unnecessary showing of cleavage and/or one's undergarments.

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

No seasonal adjustments will be made.

1st Offense—Warning

2nd Offense—Suspension at the end of day; pending a parent conference

3rd Offense—1 day Saturday School

Marion Middle School does not have Saturday School, so the 3rd offense will be 1 day in in-school suspension.

4th Offense—2 days In-School Suspension

5th Offense—5 days In-School Suspension

6th Offense—3 days Out-of-School Suspension

7th Offense—5 days Out-of-School Suspension

8th Offense—10 days Out-of-School Suspension

Next Offense—Recommendation to superintendent for Expulsion

Students violating the appearance code policy at any extracurricular school activity will be asked to comply immediately with policy or leave the event (no refund for gate admission).

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.

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 will **not** be accepted.

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of ten (10) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal. Excuses for five (5) days missed due to illness may be by a parent note; after five such parent notes, a doctor's note is required which is to include the name of the student, the date and time of the visit or the treatment received, and the length of time the student is to be excused. These notes for illness must be presented to the principal's office on the first day the student returns to school.
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. Lice Referral: one day maximum excused per episode.

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.

It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Excessive absences may, however, be the basis for the denial of course credit, promotion, or graduation.

Unexcused Absences

Absences not defined above or not having an accompanying note from the parent or legal guardian, presented in the timeline required by this policy, shall be considered as "unexcused absences". Students with ten (10) unexcused absences in a course in a semester shall 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 accumulated excessive unexcused absences equal to one-half (1/2) of the total number of unexcused absences permitted by semester under the school district's policy, his/her parents, guardians, or persons 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. For students in grades 6-12, the total number of unexcused absences per semester is ten (10). Since grades K-5 do not operate on a semester basis, the total number of unexcused absences before credit or promotion could be denied is twenty (20).

Whenever a student exceeds ten (10) unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, guardian, or persons in loco parentis shall be subject to a civil penalty as prescribed by law.

At any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, guardian, or person 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, guardian, or person 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.

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.

Applicants for an instruction permit or for a driver's license by persons less than eighteen (18) years old on October 1 of any year are required to provide proof of a high school diploma or enrollment and regular attendance in an adult education program or a public, private, or parochial school prior to receiving an instruction permit. To be issued a driver's license, a student enrolled in school shall present proof of a "C" average for the previous semester or similar equivalent grading period for which grades are reported as part of the student's permanent record.

Legal References: A.C.A. § 6-4-302

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. § 7-4-116
A.C.A. § 9-28-113(f)
A.C.A. § 27-16-701

Date Adopted: 6/27/13

MAKE-UP WORK

Students who miss school shall be allowed to make up the work they missed in accordance with the regulations approved by the building principal.

Board Approved: 7-19-2011

USE OF CELL PHONES BY STUDENTS, OTHER DEVICES FOR GRADES 6-12

Use and misuse of cell phones have become a serious problem that threatens the ability of the district's schools to properly and efficiently operate its education program. The school board believes it is necessary to restrict student use and possession of cell phones, other electronic communication devices, cameras, MP 3 players, I-pods, and other portable music devices so that the opportunity for learning in the district's schools may be enhanced.

At the same time, cell phones and other electronic communication devices can, in controlled situations, offer a means to enhance student learning through their ability to access expanded sources of information. Teachers have the authority to permit student use of their cell phones for specific classroom lesson plans or projects. Students must abide by the guidelines the teacher gives for any such authorization. Students who fail to do so will be subject to the provisions of this policy governing misuse of cell phones.

For the purpose of this policy, the use of a cell phone, Bluetooth-type technology or other communication device includes any incoming call, text message, message waiting, or any other audible sound possible from the phone or device.

The student and/or the student's parents or guardians expressly assume any risk associated with students' owning or possessing such technology equipment.

Cell phone use by students while riding Marion School Buses to and from school is forbidden. In addition to the penalties listed below, bus riding privileges could also be removed.

Unless otherwise permitted in this policy, from the time of the first bell until after the last bell, students are forbidden from using cell phones, any paging device, beeper, Bluetooth-type receivers or similar electronic communication devices. When not permitted to be in use such devices may be stored in the student's book bag, locker or vehicle in an off or silent mode of operation. At prohibited times cell phones are not to be answered. Exceptions may only be made by the building principal or his/her designee for health or other compelling reasons.

Before and after normal school hours, possession of cell phones, any paging device, beeper, or similar electronic communication devices, cameras, MP 3 players, I-Pods, and other portable music 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.

Students using cell phones or other portable music devices after the first bell and before the last bell shall have them confiscated. This means the complete phone including the SIM card. Confiscated cell phones and other electronic communication devices may be picked up at the school's administration office by the student's parents or guardians as set forth below.

These consequences shall accumulate throughout the school year:

First Offense: Warning

Second Offense: Student conference with parent notification

Third Offense: Suspended at the end of the day pending parent conference

Fourth Offense: Saturday School and call to parent

Fifth Offense: Saturday School and call to parent
Sixth Offense: Three (3) days of In-School Suspension and call to parent
Seventh Offense: Five (5) days of In-School Suspension and call to parent
Eighth Offense: Three (3) days Out-of-School Suspension
Ninth Offense: Five (5) days Out-of-School Suspension – even possible expulsion for non-compliance of the board's policy.

High School Only

The principal will establish zones on the school campus that are designated as areas where the use of cell phones is permitted. These zones will not include classrooms, and the zones will be opened on a weekly basis when the previous week's discipline goals are met.

Adopted 6-26-08

Revised 6-15-09

Revised 7-19-11

Revised 6-28-2012

STUDENTS' VEHICLES

Students who have completed the required office documentation for driving and parking a vehicle on campus, may drive their vehicle(s) to school. Vehicles driven to school shall be parked in the area designated for student parking.

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

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

Adopted 6-28-2008

STUDENT TRANSPORTATION K-12

Students who live more than 2 miles from the school they attend may be transported by bus to school. **RIDING THE BUS IS A PRIVILEGE!** Students may lose this privilege for misconduct. It becomes the parents' responsibility to transport students who have been suspended from the bus. When a student is suspended from a bus, the student has lost riding privileges from all district school buses. Remember that it is a privilege to ride the school bus.

In general, the time students spend on the school bus is an extension of the school day and all school rules and regulations which pertain to student conduct are applicable to student conduct on the bus. The following rules are specific guidelines for appropriate behavior on the bus. These rules concerning riding the bus are posted on all district school buses.

1. Observe the same conduct as in the classroom.
2. Be courteous; use no profane language.
3. Do not eat or drink on the bus.
4. Keep the bus clean.
5. Cooperate with the driver.
6. Do not smoke.
7. Do not be destructive.
8. Stay in your seat.
9. Keep head, hands, and feet inside the bus.
10. The bus driver is authorized to assign seats.

DON'T LOSE YOUR RIDING PRIVILEGE, FOLLOW THESE RULES!

The bus driver is at all times in charge of his/her bus.

The bus driver is obligated to report any misconduct to the building principal and/or assistant principal.

Due to traffic, construction, weather, mechanical break downs, and trains, precise bus stop times are not possible. Buses should arrive at bus stops at a given time each day give or take five minutes either way. Early in the school year, bus stop times can vary until the route is established by knowing which students will ride the bus.

Students are to be at the bus stop when the bus arrives. The only exception would be in situations of inclement weather. Inclement weather is defined as temperatures at freezing (32 degrees or below) or rain (not sprinkles). In situations of inclement weather, the bus will stop at all bus stops and look to see if any student is approaching the bus. If students are not approaching the bus, the bus will continue to the next bus stop. When loading a bus, there should be a single file line and no crowding. Students should stand back at least ten feet from the bus until the loading door is opened. Students should load in an orderly and quick manner.

Students who habitually delay the bus by not being at the bus stop when the bus arrives or shows up late at the bus stop and the bus must wait on the student after loading other students will be reported to their school. This behavior delays the bus and causes the bus to be late at other stops and getting to school.

Students are not permitted to have multiple bus stops. A student is allowed one bus stop in the morning and one bus stop in the afternoon. These sites may only be changed in cases of extreme emergency or if a family moves to a new address. Permanent changes may be made by calling the school office or sending a note to the student's teacher. In the case of a true emergency, a bus pass must be issued by the student's school to ride another bus. Notes handed to bus drivers are not acceptable.

Parents must provide transportation for **students going home with someone else or spending the night with someone else.** This policy is in place to try to control loads on buses as to not create an overload.

Cell phone use is prohibited on the bus. All cell phones should be in the student's pocket or in their back packs.

Dress Code for students riding school buses is the same as the dress code for the student's school.

All students are to identify themselves when requested by the bus driver. Failure to respond to the driver's request or giving the driver a fictitious name can result in a bus suspension.

Students are not to bring objects of objectionable or injurious nature upon the bus. Examples: Animals or insects dead or alive. Balloons or flowers. Skateboards, roller blades, balls, or bats. (Bus transportation for school projects will need to be approved by the school through the transportation office.)

Students are not allowed to go to their mail boxes in the afternoons as soon as they get off the bus. They will need to step away from the bus a minimum of fifteen feet and allow the bus to leave the area before going to the mail box. This is a safety requirement for all students riding the school bus.

Parents having a problem with a bus driver should not confront the driver at the bus stop. It is unlawful in the state of Arkansas for any person or persons to threaten, curse, or use abusive language to a school bus driver in the presence of students (Act 247 of 2005). If you have a problem with the bus, driver, student conduct, scheduling, etc., please contact the principal of the school your child attends or the bus shop at 870 739-5190.

Students are not permitted to get on or off the bus except at the regular stop.

Students are only allowed to ride the bus to which they are assigned.

Misconduct on the bus will be reported to the principal and/or assistant principal by the bus driver. Such misconduct may result in the suspension of bus riding privileges for a specified period of time. Bus misconduct consequences for students are:

First report of misconduct: Warning

Second report of misconduct: Probation

Third report of misconduct: Three (3) school days bus suspension

Fourth report of misconduct: Five (5) school days bus suspension

Fifth report of misconduct: Ten (10) school days bus suspension

Sixth report of misconduct: Suspension from bus for the remainder of the semester or Forty-five (45) school days whichever is greater. This suspension can carry over into the next school year.

Seventh report of misconduct: Suspension from bus for the remainder of the school year or Ninety (90) school days whichever is greater. This suspension can carry over into the next school year.

SEVERE CLAUSE Serious misbehavior on the school bus may result in an immediate bus suspension and may result in a suspension from school.

BUS DAMAGE LIABILITY Students and parents will be held accountable for any damages to the school bus responsible by the student. The student will receive a bus suspension under the severe clause and will not regain riding privileges until restitution is made to the school for the damage.

Students attending the Marion School District through **School Choice** are not eligible for school bus transportation.

For Additional Information Contact:

MARION SCHOOL DISTRICT

200 Manor Street

Marion, AR 72364

Doyle Jones, 739-5190

EXCUSING PUPILS DURING SCHOOL HOURS

Pupils shall not be permitted to leave school during school hours until the principal has been in direct communication with the parents or legal guardians. The principal shall "double check" telephone calls and written requests to be certain that requests are authentic. An exception shall be that student who is required to take a limited number of courses in order to graduate at the end of the current school year.

STUDENT SAFETY AND PROTECTION

1. All pupils in elementary schools shall have supervised play.
2. All school-sponsored activities shall be properly chaperoned.
3. Monthly fire drills and inspection reports by fire marshals shall be made according to law. All doors and exits are to be unlocked during school hours.
4. Disaster drills shall be held regularly.
5. School Bus Emergency Evacuation Drills shall be held at least twice a year on school campuses for all students.

CUSTODY - A.C.A. 9-13-104 states that:

1. In order to avoid continuing child custody controversies from involving public school personnel, and to avoid disruptions to the educational atmosphere in our public schools, the transfer of a child between the child's custodial parent and non-custodial parent, when both parents are present, is prohibited from taking place on the real property of a public elementary or secondary school on normal school days during normal hours of school operations.
2. The provisions of this act shall not prohibit one parent (custodial or non-custodial) from transporting the child to school and the other parent (custodial or non-custodial) from picking the child up from school at pre-arranged times on pre-arranged days if prior approval has been made with the school's principal.

STUDENT ACCIDENT INSURANCE

The Marion School District provides limited student accident insurance for injuries that occur during the school day or at school-sponsored events. Excluded from this policy's coverage are transportation injuries

and sicknesses or illnesses that are not the result of an accident.

DISTRIBUTION OF LITERATURE

School newspapers and official district publications shall be sponsored by school personnel. The district may regulate the time, place and manner of distribution of student publications. While students may exercise their right of expression, they are to recognize that truth, fairness, accuracy, and responsibility are essential to the practice of journalism. A.C.A. 6-18-1203 to 1204 describes four types of publications that are unauthorized and, thus, do not qualify for distribution: "(1) publications that are obscene as to minors, as defined by state law; (2) publications that are libelous or slanderous; (3) publications that constitute an unwarranted invasion of privacy; or (4) publications that so incite students as to create a clear and present danger of the commission of unlawful acts on school premises or the violations of lawful school regulations or the material and substantial disruption of the orderly operation of the school."

SEARCH AND SEIZURE

A search of a student's person should be limited to a situation in which the administration has a reasonable belief that the student is concealing evidence of an illegal act, contraband, or has violated a school rule. Dangerous items (such as firearms, weapons, knives), controlled substances as defined by A.C.A. 5-64-201 to 608, as amended, and other items which may be used to disrupt substantially the educational process will be removed from the student's possession and will be reported and transmitted to the proper authorities.

The following procedure will apply to personal searches:

1. An adult witness will be present when a personal search is conducted.
2. Students should be asked for their consent prior to a personal search. A search warrant should be obtained if a student objects to a personal search, unless there is reasonable cause to believe that a dangerous weapon such as a gun or knife is being concealed.
3. A pat-down search of a student's person should be done by a school official of the same sex and with an adult witness present.

METAL DETECTORS

Based upon reasonable suspicion that (a) weapon(s) may be on school property, the principal or his designee(s) may require persons entering/departing school district buildings, rooms, buses, or extracurricular events to submit to examination by the use of a metal detector scanning device. Refusal to submit to such metal detection scanning by a student shall be grounds for suspension and possible search by school and/or policy authorities. Random, rotating schedules of scanning of all persons of a class or activity can occur if safety conditions warrant such use.

All school property shall be subject to search including school lockers and school "cubbies". Personal vehicles on school property may be subject to personal search if there is reasonable suspicion that illegal drugs or contraband could be found. In cooperation with local police authorities, school officials will periodically use sniff dogs to check out school property including lockers. At no time shall the sniff dogs sniff students in these drug surveillance activities.

BEEPERS, PAGERS AND OTHER COMMUNICATION DEVICES

Students of the Marion School District may not possess electronic paging devices, beepers, or electronic communications devices on school property during the school day. An exemption to possess such devices shall be granted only by the Marion School Board. The minimum penalty shall be confiscation of such devices with parental contact; the maximum penalty can be expulsion. Cell phones and pagers will be allowed at extracurricular events, A.C.A. 6-18-502(b). For indoor performances requiring quiet, patrons will be asked to turn off such devices. Uncooperative patrons will be asked to leave the event.

INTERNET/TECHNOLOGY USE BY STUDENTS

Students may have the opportunity to use a variety of technologies at school, including computers and the Internet. Students are to use this technology as directed by the staff in conformity with school curriculum. Students who use any technology in an inappropriate manner and/or not as directed by the school are in violation of school policy and subject to discipline, up to and including the loss of the right to use the technology (which may involve loss of credit if the technology use was course work). Students who violate technology user agreements are also subject to the penalties outlined in the agreement.

Students who use technology to violate other policies will be subject to discipline for misuse of technology as well as the policy violation. Example: A student sends a threatening E-mail message to another student. This student would be disciplined for misusing technology as well as threatening another student.

Penalties: Minimum: Warning
 Maximum: Expulsion by school board for balance of school year

INFECTIOUS DISEASE MANAGEMENT PLAN

SCHOOL HEALTH MANAGEMENT TEAM

School Nurse
Principal
Superintendent

CONFIDENTIALITY: Information relating to students with communicable diseases other than childhood diseases will be confidential. The number of personnel needing to be aware of a student's condition will be kept to a minimum. The school health management team will determine which personnel need to be informed. The name of infected students will not be revealed by the school district to the public.

SHORT- TERM INFECTIOUS DISEASE: Students suspected of having an infectious disease of short duration will be evaluated by the principal and the school nurse to determine possible temporary exclusion from and return to school. Examples of short-term infectious diseases include but are not limited to chicken pox, mumps, roseola, and head lice. The superintendent will be included as a part of the health management team to make short-term decisions as the need arises. If necessary, the family physician will be consulted to make a final determination of the duration of the child's absence from school.

LONG - TERM INFECTIOUS DISEASE: Students known to have chronic infectious diseases must be individually evaluated by the health management team to determine if their behavior and/or physical condition pose a risk of spread of disease. The health team will work with local, regional, or state health officials, the family physician, the student, the student's teacher, and the student's parents to establish the most appropriate education program for a student identified as having a chronic infectious disease. Every consideration will be given to students' rights to an appropriate education and to a safe classroom environment.

The school health management team and teaching staff will follow pages 2-13 and 19-20 (AIDS and ARC) of the **Arkansas School Infectious Disease Guidelines (1987)**.

HEAD LICE POLICY

Head lice is a condition of infestation of lice on the scalp. The presence of lice in the school environment poses a serious concern to fellow students, parents, and to school officials. For the well-being of all concerned, in accordance with school district policy, students with head lice will be excluded from school until properly treated and all nits have been removed.

At the first finding--a student is confirmed with head lice and sent home to be treated immediately. Nits must be removed before the student can return to school. Proof of treatment (i.e. the box top of the specialized shampoo) must be shown upon returning to school. If the student returns without being treated or returns with

nits still in the hair, he will be immediately sent home. If treated and nits remain, a note will be sent home by the school to parents stating that the nits must be removed by the next day or the student will not be allowed to return to school.

At the second finding--the student will be sent home to be treated and have all the nits removed. Before the affected student can return to his classroom, Marion School District will require two measures: (1) The parent or guardian must bring a note to the principal's office stating that the child was checked at the Crittenden County Health Department or at a physician's office, and, (2) All nits must be removed from the student's hair before the return to school.

HIV/AIDS POLICY

When a person with HIV/AIDS has been identified in a local school district, the current procedures will be followed:

1. The school superintendent or contact person must notify the director of the Arkansas Department of Education (ADE) before any action is taken by the school district.
2. The director of the ADE notifies the chairperson of the Arkansas AIDS Advisory Board. The director will give all pertinent information to the chairperson.
3. The chairperson of the AIDS Advisory Board will convene the Board when necessary. The Board consists of members from the ADE, Arkansas Department of Health, medical representatives and legal representatives.
4. The Advisory Board will interact directly with the local school administrators to develop a plan of action which maintains confidentiality.

MEDICALLY FRAGILE TREATMENT POLICY

The District will make reasonable accommodations for students who have special health care needs in order that they may attend school.

These accommodations may include:

1. The administration of medication during the school day: Designated school personnel may administer medication to students when the parent or guardian furnishes medication(s), completes an authorization form, and provides the student's medication in the current pharmaceutical container that has specific doctor's instructions on how and when the medication is to be administered.
2. Specialized medical and technical support required by a student under IDEA or 504 may be administered by designated school personnel as directed by a student's physician. School personnel will be provided with appropriate training and instruction.
3. School personnel may provide first aid or other emergency treatment when students are injured or become ill at school.

SALE OF SNACKS AND BEVERAGES IN ELEMENTARY SCHOOLS

In support of A.C.A. 6-17-119 and the nutrition and wellness efforts of Arkansas in combating obesity in young children, Marion School District prohibits student access to vending machines offering for sale food, candy, snacks, or beverages. Elementary school students are students in grades PK through five (5). Products known to possess high sugar, high fat content may not be sold by school employees from a school bookstore, portable carts or from any room within a school. Alternative products that support state

nutrition purposes may be sold pending a final review from the state health committee.

WELLNESS POLICY

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

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

Goals

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the district will adhere to the Arkansas Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools. Adhering to these Rules will include, but is not limited to district efforts to:

1. Appoint a district school health coordinator who shall be responsible for ensuring that each school fulfills the requirements of this policy;
2. Implement a grade appropriate nutrition program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
3. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
4. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
5. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12.
6. Not use food or beverages for academic, classroom, or sports performances;
7. Ensure that drinking water is available without charge to all students;
8. Establish class schedules and bus routes that don't directly or indirectly restrict meal access;
9. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
10. Establish no more than nine (9) school wide events which permit exceptions to the food and beverage limitations established by Rule. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar;
11. Abide by the current allowable food and beverage portion standards;
12. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;
13. Restrict access to vended foods, competitive foods, and foods of minimal nutritional value (FMNV) as required by law and Rule;
14. Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce district dependence on profits from the sale of FMNV;
15. Provide professional development to all district staff on the topics of nutrition and/or physical activity;
16. Utilize the School Health Index available from the Center for Disease Control (CDC) to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students;

Advisory Committee

To enhance the district's efforts to improve the health of our students, a district-wide School Nutrition and Physical Activity Advisory Committee (SNPAAC) shall be maintained. This committee shall establish subcommittees from the district committee that shall represent the appropriate age and grade configurations of

Marion School District. The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule. The overarching goal of the committee shall be to promote student wellness by monitoring how well the district is doing at implementing this policy. The SNPAAC shall use modules 1,2,3,4, and 8 of the CDC's School Health Index as a basis for assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in each school's ACSIP, provided to each school's principal and reported to the board.

Legal References: Richard B. Russell National School Lunch Act 42 U.S.C. § 1751 et seq.
Child Nutrition Act of 1966 42 U.S.C. § 1771 et seq.
ADE Rules Governing Nutrition and Physical Activity Standards in
Arkansas Public Schools
Allowable Competitive Foods/Beverages – Maximum Portion Size List for
Middle, Junior High, and High School Nutrition Standards for Arkansas
Public Schools (Commissioner's Memo FIN-06-106)

EQUAL EDUCATIONAL OPPORTUNITY

No student in the Marion School District shall, on the grounds of race, color, religion, national origin, sex, 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.

Approved by School Board: April 26, 2012

HOMELESS STUDENTS

The Marion School District will enroll homeless students in accordance with the rules and regulations of the McKinney Vento Act. If you have questions about homelessness or need assistance enrolling a homeless student in school contact Marion School District's Homeless liaison, at (870) 739-5100.

Approved by School Board: April 26, 2012

CHAPTER IX

FINANCIAL AND BUSINESS MANAGEMENT

BUDGET (Annual)

1. The superintendent shall present the ensuing year's budget to the school board for its approval. All expenditures shall be based upon the approved budget unless an authorized change is made by the school board.
2. The superintendent shall submit the proposed budget of expenditures and the millage rate for the second succeeding year so that the school board can approve it in ample time for publication as required by law before the annual school election.

BID SOLICITATION PROCEDURE

Pursuant to A.C.A. 6-21-304 and 6-21-305, the Marion School District adopts the following procedures regarding solicitation of bids have a value of \$10,000.00 or more.

1. The board designates the Superintendent of Schools or his designated representatives to be empowered to solicit bids for commodities as defined by Act. No. 639 on behalf of the Marion School District.
2. Solicitation of bids may be by phone, letter, or personal contact.
3. Solicitations shall describe the items for which bids are requested, specifications, quantities, time of delivery, warranties, if applicable, and terms of payment.
4. Documentation shall be maintained relative to the items for which bids were solicited and shall reflect the names, dates, and amounts of bids for solicited items.
5. The superintendent or his designated representatives shall be full right and power to reject any and all bids so received for any reason. In a situation where all bids are rejected, each responsible bidder submitting a bid shall be notified of the determination and shall be given a reasonable opportunity to negotiate.
8. The acceptance of any bid shall take into consideration the price, quantity, quality of products, availability of service upon such products, the reliability of the bidder, and uniformity of ownership of properties now owned and hereafter acquired by the district.
9. Solicitation of bids shall be made to not less than three entities.
10. Three (3) catalog prices shall be solicited in instances where no vendor or bidder is on the district's list of bidders.

The hereinafter listed commodities may be purchased without soliciting bids:

1. Commodities in instances of an unforeseen and unavoidable emergency. In such an instance a statement in writing shall be attached to the purchase order describing the emergency necessitating the purchase of such a commodity without competitive bidding.
2. Commodities only from the federal government.
3. Utility services whose rates are subject to regulations of a state or federal regulatory agency.
4. Used equipment and machinery.

EXPENDITURES AND FINANCIAL RECORDS

The superintendent, as ex-officio financial secretary, shall be bonded in the amount prescribed by law, and shall be responsible for the receipt and disbursement of all public school funds of the district. All public monies shall be deposited in depository as prescribed by law. The standard code forms approved for the financial records of all state schools shall be used. Statements shall be made to the school board as desired by the school board.

PURCHASES (Unauthorized)

All purchases made by anyone not authorized by the superintendent or school board become the personal responsibility of the persons making the purchase or purchases. The school board and superintendent will not under any circumstances be responsible For payment of new materials or supplies purchased by unauthorized individuals.

REIMBURSEMENTS

Reimbursements will be made in accordance with the school's annual budget. Non-contractual expenditures shall be based on valid invoices covering purchases made by authorized persons.

1. MEALS:
Reimbursements for meals will be paid based on valid receipts submitted. Tips will not be reimbursed unless they are a fixed gratuity required by the restaurant.
2. MILEAGE:
All mileage will be reimbursed at the per mile rate **established by the Arkansas Department of Education** and documented by beginning and ending (actual) mileage or customary map mileage (chart).
3. LODGING:
Expenses that will be reimbursed include room, meals, and parking. Other expenses must be paid by the employee or student.
4. ACSIP/NCA:
Per diem (evening) meal reimbursements for ACSIP/NCA visiting team members who spend the night away from home will be \$20.00. Breakfast and lunch will be provided by the individual schools.

Revised: April 26, 2012

ACTIVITY FUNDS

1. All activity funds shall be received and disbursed through the offices of the principals. All funds shall be deposited in the bank designated by the business manager and all expenditures shall be made by check. An audit will be made of all activity funds.
2. Any interest accrued on activity accounts must be receipted monthly by the school secretaries/bookkeepers.
3. Activity account funds can be spent only on items that pertain to students. Flower or "sunshine" funds to be spent on teachers, administrators or staff must be set up using donations provided by individual or corporate sponsors, without using school district monies.
4. At the end of the 2011-12 school year, all funds for the 2005-11 classes will be rolled into a special account to be spent as determined by the business manager and high school principal. Beginning with the 2012 graduating class, any remaining funds shall be rolled into a special account to be spent as determined by the business manager and high school principal (12-19-2011 school board meeting).

Revised: April 26, 2012

RECORDS RETENTION

All records for federal programs shall be retained for a period of five (5) years, as required by the State of Arkansas. These records are to include the approved application, all fiscal and related records, equipment inventories, and documentation on program area selection, comparability data, needs assessment, parental involvement, participation of private school children, evaluation and other related books, documents, papers or records.

FUND RAISING

A.C.A. 6-18-1101 to 1105 was enacted by the General Assembly to insure the well-being of public elementary students participating in school door-to-door fund-raising programs.

School(s) must provide written notification of the following to parents of all elementary school students who participate in fund-raising programs:

1. Student participation in fund-raising is voluntary;
2. Students who do not participate will not forfeit any school privileges;
3. Students may not participate in fund-raising programs without written parental permission returned to school authorities;
4. An elementary school student who sells fund-raising merchandise door-to-door must be accompanied by a parent or an adult; and
5. Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

Fund-raising companies shall incorporate a safety instructional component as part of all fund-raising programs used by schools. A fund-raising company shall have discretion in selecting the method(s) used to communicate safety.

Each school district shall certify to the Arkansas Department of Education, no later than June 15 of each year, a list of district schools and fund-raising companies in violation of this act.

Each school has forms for parent permission and notification and for reporting to the Department of Education fund-raising companies failing to comply with the safety component.

ENGLISH LANGUAGE LEARNERS

The district shall utilize the special needs funding it receives for identified English Language Learners on activities and materials listed in the ADE Rules Governing the Distribution of Student Special Needs Funding and Additional Teacher Pay.

The expenditures of ELL supplemental funding shall be evaluated at least annually to determine their overall effectiveness.

NATIONAL SCHOOL LUNCH ACT FUNDING EXPENDITURES

Funding received from the state based on the number of students eligible for free and reduced-priced meals under the National Student Lunch Act shall be expended in accordance with guidelines outlined in the ADE Rules Governing the Distribution of Student Special Needs Funding and Additional Teacher Pay.

The district shall be least annually evaluate programs supported by NSLA funds to determine the effectiveness of the programs and to ensure they are providing intervention/prevention services designed to increase student achievement.

CHAPTER X
BUILDINGS AND PROPERTY

BUILDINGS OPENED

1. School buildings shall be open to pupils only when the principal and/or teachers are on duty.
2. Buildings shall be open for pupils when the buses arrive. In case of inclement weather or an unusual circumstance, the principal may make special arrangements to open the building earlier.

BUILDING POLICIES

1. The principal shall have the total responsibility for enforcing all school board policies pertaining to his/her building.
2. The service custodians shall be under the direction of the principal. Any special service requests which may be needed from the custodian must be cleared through the principal.

BUILDING MAINTENANCE

1. All teachers and staff members shall at all times maintain high standards of good housekeeping.
2. Classrooms shall be kept clean and attractive at all times with teachers and pupils sharing this obligation and responsibility beyond the regular custodial service which shall be performed daily.
3. Teachers shall be responsible for seeing that furnishings are well cared for and effectively arranged from the standpoint of utility and good taste.
4. A genuine respect for public property and for maintaining clean and tasteful surroundings shall be developed and fostered in the habits and thinking of every pupil.
5. Teachers shall be responsible at all times for seeing that proper ventilation, light and heat are maintained in their classrooms.
6. Maintenance requests will be forwarded to the office of the Director of Auxiliary Services by the principal.

ASBESTOS MANAGEMENT (OPERATIONS AND MAINTENANCE)

1. Parent, employee, and student notification of the Asbestos Hazard Emergency Response Act:

The Marion School District has complied with the Asbestos Hazard Emergency Response Act and is required to notify all students, parents, and employees of this inspection. A management plan is available for public inspection at the Central Administrative Office during normal business hours.

2. Marion School District Operation and Maintenance Plan for Asbestos

- a. All procedures utilized by Marion School District will be based on the existence of asbestos as it is found on pipes, boiler room equipment, floor tile, and miscellaneous equipment. No other asbestos is present in Marion School District facilities. Asbestos is utilized as insulation on heating equipment in the following buildings:

- (1.) Marion Elementary School
- (2.) Marion Middle School
- (3.) Marion Elementary School 1912 Building and 1962 Annex
- (4.) Marion Elementary School Gymnasium

- b. Under no circumstance will Marion School Maintenance Personnel disturb asbestos for a measure of more than three linear square feet. All other disturbance of existing asbestos will involve only contracted firms who are authorized by the Environmental Protection Agency to render such service.
- c. Repair and maintenance procedures utilized by Marion School District personnel will be in keeping with the Asbestos Hazard Emergency Response Act (AHERA) found in the Federal Register dated October 30, 1988.

3. Emergency Response Procedure for Asbestos Hazard in School Buildings During School Day Conditions

In the event asbestos is disturbed, the following will be the response procedure for all maintenance and management personnel of the affected buildings:

- a. The janitor of each affected building will have available a 2 1/2 gallon plastic garden sprayer filled with water which contains a surfactant. The janitor will immediately spray the damaged area of asbestos insulation, the walls, and the floor in the event particles fall to the floor.
- b. The Building Maintenance Supervisor will immediately be notified. He will immediately proceed to the scene for removal and enclosure of asbestos, in accordance with the AHERA regulations.
- c. The area adjacent to the damaged asbestos will be thoroughly vacuumed by a HEPA vacuum cleaner. Additionally, the area will be wet-mopped.
- d. School children and staff will be admitted to the area only after air monitoring has granted clearance.
- e. Complete removal of the disturbed asbestos will be completed prior to occupation by school children on the following day.
- f. Removal of the disturbed asbestos will be in compliance with the Glove Bag Procedure as described in the Marion School District Operation and Maintenance Plan.
- g. Final disposal of the removed asbestos will be with written permission for dumping at an appropriate land fill area.
- h. Asbestos insulation will NOT be replaced in Marion School District facilities.

FACILITIES USE POLICY

- 1. Permission to use school buildings and property shall be obtained through the superintendent's office. Any usage of school properties shall not interfere with regular school activities or be in conflict with the purposes of the school.
- 2. The school instructional program holds first priority in the use of school facilities.
- 3. School activities shall have next priority at all times in the free use of school facilities.
- 4. School board meetings, pupil organizations and activities, teacher organizations, PTO, civic and other organizations devoted to the instruction of children or the well-being of the community will be given priority in permission of the use of the school facilities. School facilities will not be available for use by for-profit groups or agencies.
- 5. Requests for the use of school facilities by outside groups will be referred to the school board by the superintendent for approval and shall be confined exclusively to pre-designated or assigned space.

RESPONSIBILITY OF CONDUCT

When an organization or individual is granted the use of a public school building, grounds, or property, it/he assumes entire responsibility for the conduct of all persons, including children of school age, while they are in or about the building or in use of said property.

USE OF EQUIPMENT

School equipment of any kind shall not be loaned to outside agencies or individuals except through the special permission of the superintendent.

SALE OF USED EQUIPMENT PROCEDURE

The Marion School District recognizes the need for a procedure to dispose of furniture and/or equipment that is no longer needed by the district because of being broken, outdated or used to the point where it is more cost effective to discard or sell than to repair.

The determination of the salable condition of such excess equipment shall be that of the superintendent or his designee. Goods that are deemed to be in salable condition with a value above \$1,000 shall be advertised in a newspaper of general circulation and shall be available for public inspection. Items with a value of \$1,000 or less may be sold at the discretion of the superintendent or his designee.

Sale of said goods (over \$1,000 estimated) shall either be by public auction or by sealed bids. The best interest of the school district shall be the point of consideration when awarding a bid. The district reserves the right to reject any or all bids.

Equipment determined to have no salable value shall be discarded upon approval of the superintendent or his designee.

Careful attention will be given to documenting each transaction of sale or discard to keep the district's fixed assets inventory current and in auditable form.

Equipment sold will be reported to the school board each month.

MARION SCHOOL DISTRICT
2015-16 SCHOOL CALENDAR

August 6 - 14	Professional Development (7 days)
August 17	First Day for Students (1 st semester)
September 7	Labor Day Holiday
October 14	End First Quarter (42 days)
October 22	Parent/Teacher Conference
October 23	Professional Development
November 23 - 27	Thanksgiving Holiday
December 18	End Second Quarter (41 days)
December 19 – January 3	Christmas Holiday (Faculty & Staff)
December 19 – January 4	Christmas Holiday (Students)
January 4	Professional Development
January 5	1 st Day for Students (2 nd Semester)
January 18	Martin Luther King Holiday
February 15	Presidents' Day Holiday
March 15	End Third Quarter (49 days)
March 17	Parent/Teacher Conference
March 21 - 25	Spring Break/Good Friday
May 25	End Fourth Quarter (46 days)
May 26	Professional Development
May 26, 27 & 31 - June 1,2	Inclement Weather - Make Up Days

*If any make up days are used, professional development will be the day after last student day.

INDEX

Absence for Child Adoption.....	28, 64
Absences.....	148
Academic Improvement Improvement Plan: Consequences Of Failure To Participate	88
Activity Funds.....	160
Administrator Evaluator Certification.....	32
Alternative Education, Grades 7-12	90
Alternative Discipline.....	146
Alternative School Placement: Serious Disciplinary Problems	139
Appearance Code	146
Asbestos Management (Operations And Maintenance)	162
Assertive Discipline	140
Assignment of Teachers Aides	74
Athletic Policy	104
Attendance Requirements (compulsory).....	110
Authority Of The School Board Members	8
Auxiliary Services.....	79
Beepers, Pagers And Other Communication Devices	154
Benchmark Assessments And Academic Improvement Plans	88
Bid Solicitation Procedure	159
Board-Staff Relationship	10
Budget (Annual)	159
Building Maintenance.....	162
Building Policies	162
Buildings And Property.....	162
Buildings Opened	162
Bus Driver Drug And Alcohol Testing	80
Bus Driver Physicals	80
Calendar	165
Cell Phone Use (Licensed Personnel)	29
Cell Phone Use (Classified Personnel).....	66
Cell Phone Use (Students).....	150
Certificate Of Clinical Competence Stipend.....	31
Chemical Screen Test Policy, Grades 7-12 (Random).....	132
Child Abuse Or Neglect (Reporting).....	46, 76
Classified Absence For Child Adoption.....	63
Classified Employee Attendance	56
Classified Employment.....	52
Classified Personnel	52
Classified Personnel Evaluations.....	66
Classified Personnel Reduction in Force	66
Classified Personnel Termination and Non-renewal.....	65
Classified Salary Schedule	77
Classified Sick Leave Policy (Excluding Bus Drivers)	56
Classroom Supplies Reimbursement Policy For Teachers, Grades PK-6	45
Complaint Policy For Parents.....	122
Concurrent College Credit While In High School	100
Concurrent MHS Students and Suspension	145
Computer Use Policy (Licensed and Classified).....	46, 76
Contact with Students While at School	121
Contract Return - Licensed Personnel.....	38
Contract Return - Classified Personnel.....	68
Corporal Punishment	144
Corporate Name.....	8
Correspondence Course Credit	99

Curriculum	84
Custody	153
Disciplinary Problems and Alternative School Placement	139
Discipline	126
Discipline For Eligible Students With Disabilities	127
Discipline Penalties	135
Discipline Policies: Development	14
Discipline Policy by School Site	140
Distribution Of Literature	154
Donated Sick Leave Policy (Licensed and Classified)	20, 57
Drug Free Workplace (Licensed and Classified)	38, 69
Duty-Free Lunch Period: Thirty-Minute Uninterrupted	29
Early Dismissal/Cooperative Education	121
Eighth Grade Algebra I For Credit	84
Elementary Daily Schedule	84
Emergency Suspensions	146
English Language Learners	161
Enrollment Of A Nonresident	114
Enrollment When Living With Relatives Or Friends	111
Enrollment Of A Nonresident Under School Choice	112
Enrollment Or Re-Enrollment Of District Residents From Home Schooling	114
Enrollment Requirements	108
Equal Educational Opportunity	158
Excusing Pupils During School Hours	153
Executive Sessions Of The School Board	13
Expenditures And Financial Records	160
Expulsion	146
Facilities Use Policy	163
Family Medical Leave(Licensed Personnel)	21
Family Medical Leave (Classified Personnel)	58
Fighting	134
Financial And Business Management	159
Financial Interest Disclosure (Licensed)	18
Financial Interest Disclosure (Classified)	55
Financial Transactions With Marion School District	51, 78
Food Service	79
Fund Raising	161
Gangs And Gang Activity	118
Gifted And Talented (Team) Identification Procedure	94
Gifted And Talented (Team) Program Exit Policy	97
Gifted And Talented Program Description	93
Grade Level Organization	84
Graduation (Math And Science School Seniors)	100
Graduation Requirements for the Class of 2009and All Classes Thereafter	85
Grievance Policy For Employees	41, 71
Head Lice Policy	155
HIPAA Privacy Policy For Medicaid Purposes	116
HIV/Aids Policy	156
Home School Enrollment	114
Homebound Instruction	98
Homeless Students	158
Homework	97

Infectious Disease Management Plan	155
In-School Suspension	144
Instructional Materials: Selecton Policy	100
Instructional Program	84
Internet/Technology Use By Students	155
Leave Of Absence For Bone Marrow or Organ Donation (Licensed)	27
Leave Of Absence For Bone Marrow or Organ Donation (Classified)	63
Leave Of Absence For Personal Injury From Assault Or Other Violent Criminal Act (Licensed)	27
Leave Of Absence For Personal Injury From Assault Or Other Violent Criminal Act (Classified)	64
Library/Media Center Selection of Materials	102
Licensed Absence For Child Adoption	28
Licensed Benefits	31
Licensed Employment	17
Licensed Employment Requirements	17
Licensed Personnel	17
Licensed Personnel Dismissal and Non-Renewal	37
Licensed Personnel Evaluations	32
Licensed Personnel Employee Training	33
Licensed Personnel Records, Reports, and Final Pay Check	30
Licensed Personnel Reduction In Force	36
Licensed Salary Schedule	48
Licensed Sick Leave Policy	19
Limited English Proficiency Instructional Services	91
Make-up Work	150
Medically Fragile Treatment Policy	156
Mentor Policy	32
Metal Detectors	154
Military Leave (Licensed)	27
Military Leave (Classified)	67
Mission Statement	2
Money Received by the Teacher from Students	48
National School Lunch Act Funding Expenditures	161
NBPTS Supplement On Salary Schedule	31
Non-Instructional Duties	31
Operation Of Schools	13
Outside Employment	31
Overnight Field Trips And Bus Driving Driving Pay	82
Overtime, Leave Or Absence And Compensatory Pay Under The FLSA	52
Parental Notification	127
Personnel Policies And Personnel Policies Committee	40
Personnel Policies Committee For Classified Personnel	70
Placement of Multiple Birth Siblings	121
Personnel Employee Training - Licensed	33
Physical Education	99
Policy Changes Effective Date	41, 71
Professional Distance Between Teachers and Students	47
Promotion/Retention for Grades 3-8 and Grade 11 Literacy	88
Protected Student Health Information	140
Public Office (Ability Of School Employees To Hold)(Licensed)	31
Public Office (Ability Of School Employees To Hold)(Classified)	65

Public Participation In School Board Meetings	12
Pupil Personnel Administration	108
Purchases (Unauthorized)	160
Quitting A Team During A Season	106
Records Retention	161
Reduction In Force: Licensed Personnel	36
Reduction in Force: Classified Personnel	66
Reimbursements	160
Residency Requirements	110
Residency Requirement Exceptions	112
Responsibility Of Conduct	164
Retiring Athletic Jerseys	106
Retirement Recognition	38, 68
Rights Of Students	140
Rights Of Teachers	140
Rules And Regulations	14
Salary Payment Schedules	30
Salary Schedules And Regulations	30
Sale Of Snacks And Beverages In Elementary Schools	156
Sale Of Used Equipment Procedure	164
School Authority	126
School Bank Accounts, Opening	45, 75
School Board	8
School Board Agenda	12
School Board Duties	8
School Board Member Training	9
School Board Meetings	12
School Board Officers	8
School Board Officers Duties	8
School Choice	112
School Community Relations	14
Search And Seizure	154
Sexual Harassment Policy	43, 73, 123
Smart Core Curriculum	85
Special Education Curriculum Plan	89
Sponsors of Non-Sanctioned Trips	44, 75
Student Accident Insurance	153
Student Activities Policy	119
Student And Faculty Handbooks	98
Student Behavior Code	127
Student Discipline, Health, And Safety	126
Student Medications	117
Student Organizations	118
Student Performance Grading	84
Student Records Policy	114
Student Safety And Protection	153
Student Transportation	151
Student Vehicles	151
Student Work Load (High School)	99
Substitute Teachers	29
Summer School Credit	99
Superintendent Duties	16
Surveys Or Questionnaires Administered To Students Organizations	118
Suspension	144

Teacher Absences	19
Teacher Attendance	18
Teacher Classroom Doors and Windows In or Around the Doorway	45
Teacher Of The Year Election Guidelines	41
Teacher Placement	18
Teacher Salary Schedule	48
Tobacco Use	39, 70, 122
Transcripts and Payment for Graduate Hours or Degrees	30
Transfer Between Schools	99
Transportation	79
Trips/Tours: Sponsors of Non-Sanctioned	44
Unlawful Organizations	118
Use Of Equipment	164
Vacations (Licensed)	21
Vacations (Classified)	65
Video Surveillance	45, 75, 124
Volunteer Program Policy	83
Wellness Policy	157
Workers' Compensation Injuries And Sick Leave Coordination (Licensed)	28
Workers' Compensation Injuries And Sick Leave Coordination (Classified)	64

