

4.1—RESIDENCE REQUIREMENTS

Definitions

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

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

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

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

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

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

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

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

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

Children whose parent or legal guardian relocates within the state due to a mobilization, deployment, or available military housing while on active duty in or serving in the reserve component of a branch of the United States Armed Forces or National Guard may continue attending school in the school district the children were

attending prior to the relocation or attend school in the school district where the children have relocated. A child may complete all remaining school years at the enrolled school district regardless of mobilization, deployment, or military status of the parent or guardian.

Cross References: Policy 4.40—HOMELESS STUDENTS
 Policy 4.52—STUDENTS WHO ARE FOSTER CHILDREN

Legal References: A.C.A. § 6-4-302
 A.C.A. § 6-18-202
 A.C.A. § 6-18-203
 A.C.A. § 6-28-108
 A.C.A. § 9-28-113

Date Adopted: July 6, 2004

Last Revised: August 18, 2008, June 13, 2011, July 15, 2013, June 29, 2017, July 8, 2019, June 21, 2021

4.2—ENTRANCE REQUIREMENTS

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

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

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

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

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

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

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

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

1. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the Division of Elementary and Secondary education.

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

Uniformed Services Member's Children

For the purposes of this policy:

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

“Active duty” means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. §§ 1209, 1210, and 1211.

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

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

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

“Eligible child” means the children of:

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

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

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

"Transition" means the:

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

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

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

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

An eligible child as defined in this policy shall:

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

- to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
7. Be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
 8. Be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

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

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

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

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

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

Cross References: 4.1—RESIDENCE REQUIREMENTS
 4.4—STUDENT TRANSFERS
 4.5—SCHOOL CHOICE
 4.6—HOME SCHOOLING
 4.34—COMMUNICABLE DISEASES AND PARASITES
 4.40—HOMELESS STUDENTS
 4.52—STUDENTS WHO ARE FOSTER CHILDREN
 4.57—IMMUNIZATIONS

Legal References: A.C.A. § 6-4-302
 A.C.A. § 6-15-504
 A.C.A. § 6-18-201 (c)
 A.C.A. § 6-18-207
 A.C.A. § 6-18-208
 A.C.A. § 6-18-510
 A.C.A. § 6-18-702
 A.C.A. § 6-28-101 et seq.
 A.C.A. § 9-28-113
 DESE Rules Governing Student Discipline and School Safety
 Plyler v Doe 457 US 202,221 (1982)

Date Adopted: June 14, 2004

Last Revised: June 12, 2005, June 13, 2011, July 15, 2013, May 19, 2014, July 18, 2015, June 19, 2017, July 8, 2019, March 10, 2020, June 21, 2021

4.3—COMPULSORY ATTENDANCE REQUIREMENTS

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

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

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

Date Adopted: July 6, 2004

Last Revised: August 10, 2009, July 12, 2010, July 8, 2019, June 21, 2021

4.4—STUDENT TRANSFERS

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

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

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

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

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

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

Cross Reference: 4.6—HOME SCHOOLING

Legal References: A.C.A. § 6-15-504
 A.C.A. § 6-18-316
 A.C.A. § 6-18-317
 A.C.A. § 6-18-510
 A.C.A. § 9-28-113(b)(4)
 A.C.A. § 9-28-205

Date Adopted: August 10, 2009

Last Revised: July 28, 2015, June 19, 2017, July 8, 2019

4.5—SCHOOL CHOICE

Standard School Choice

Definition

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

Transfers into the District

Capacity Determination and Public Pronouncement

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

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

Application Process

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

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

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

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

No earlier than January 1 of each year, the Superintendent will consider all properly submitted applications for School Choice. By July 1, the Superintendent shall notify the parent and the student's resident district, in writing, of the decision to accept or reject the application.

Accepted Applications

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

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

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

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

Rejected Applications

The District may reject an application for a transfer into the District under Standard School Choice due to a lack of capacity. However, the decision to accept or reject an application may not be based on the student's previous

academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings other than a current expulsion.

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

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

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

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

Transfers Out of the District

All Standard School Choice applications shall be granted unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) of more than three percent (3%) of the average daily membership on October 1 of the immediately preceding year. By December 15 of each year, DESE shall determine and notify the District of the net number of allowable choice transfers. Students are not counted for the purpose of determining the three percent (3%) cap if the student transfers:

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

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

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

Facilities Distress School Choice Applications

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

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

Opportunity School Choice

Transfers Into or Within the District

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

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

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

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

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

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

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

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

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

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

Transfers out of, or within, the District

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

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

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

Unsafe School Choice Program

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

Legal References: A.C.A. § 6-1-106
 A.C.A. § 6-13-113
 A.C.A. § 6-15-2915
 A.C.A. § 6-18-227
 A.C.A. § 6-18-233
 A.C.A. § 6-18-320
 A.C.A. § 6-18-510
 A.C.A. § 6-18-1901 et seq.
 A.C.A. § 6-21-812
 DESE Rules Governing Public School Choice

Date Adopted: July 6, 2004

Last Revised: August 18, 2008, August 10, 2009, June 13, 2011, July 15, 2013, May 19, 2014, July 28, 2015, June 19, 2017, July 8, 2019, March 10, 2020, June 21, 2021

4.5F—SCHOOL CHOICE CAPACITY RESOLUTION

Whereas:

- The Board of Directors of the Smackover-Norphlet School District has approved by a vote of the Board, the following capacity resolution for school choice applicants for the 2015-2016 school-year under the provisions of policy 4.5—SCHOOL CHOICE and applicable Arkansas law.
- Applicants, whose applications meet the provisions of policy 4.5—SCHOOL CHOICE, will be sent a provisional acceptance notification letter which will give instructions on the necessary steps and timelines to enroll in the District. Provisional acceptance shall be determined prior to July 1 with a final decision to be made by July 1 based on the district's available capacity for each academic program, class, grade level, and individual school.
- Applications will not be accepted if the applications:
 - Are not received or postmarked on or before May 1, unless the application is from a student who has a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base and the application is received within the fifteen (15) day period and accompanied by relevant documentation;
 - Are to a student's resident district that has declared itself exempt due to an existing desegregation order; or
 - Would exceed the applicant's resident district's statutory limitation on student transfers out of its district, unless the application is part of sibling pair and the other sibling's application was the application that reached the district's statutory limit.
- The district reserves to itself the ability to determine, based on an examination of student records obtained from the prior district, and other information, whether any student would require a different class, course or courses, program of instruction, or special services than originally applied for. If such an examination determines that capacity has been reached in the appropriate class, course or program of instruction, or that additional staff would have to be hired for the applicant, the District shall rescind the original provisional acceptance letter and deny the Choice transfer for that student.
- The district reserves to itself the ability to decline to accept under school choice any student whose acceptance would require the district to add additional staff, for any reason.

THEREFORE, let it be resolved that these shall constitute the School Choice openings at the beginning of the School Choice enrollment period for the school-year 2020-2021.

Board President

Board Secretary

Date

Date

4.5F2--SCHOOL CHOICE PROVISIONAL ACCEPTANCE LETTER

Dear Parent's name,

The application you submitted for student's name has been provisionally accepted. While the school's name looks forward to welcoming student's name as a student, to further the application process and to better assist the district in determining the proper placement of student's name, please submit the information listed below to district or school's address by enter date. Failure to submit the information requested by the date specified shall void and nullify this letter's provisional acceptance. In addition to the information you submit, records may be requested from the student's current district/school, and final acceptance may depend on the content of those records as to appropriate grade placement, program placement or services required. A student who has not previously attended an Arkansas public school or did not attend an Arkansas public school in the previous academic year may be evaluated by the district prior to final acceptance, and the results of that evaluation could impact final acceptance.

1. For students applying to enroll in first grade or higher: a copy of the student's transcript from the last school where the student is currently enrolled. The student's permanent record, including the original transcript, will be requested from the school immediately following the student's actual enrollment in our district.
2. Proof of the student's age; This can be a 1) birth certificate; 2) A statement by the local registrar or a county recorder certifying the child's date of birth; 3) An attested baptismal certificate; 4) A passport; 5) An affidavit of the date and place of birth by the child's parent or guardian; 6) United States military identification; or 7) Previous school records.
3. The student's health care needs at school.
4. Student's name age appropriate immunization record or an exemption granted for the previous school-year and a statement of whether or not the parent is intending to continue the exemption for the upcoming school year.

After reviewing the submitted documentation the District will determine if the applicant meets the District's capacity standards and notify you of its decision by insert date. Please note that the acceptance of an application can be reversed if it is determined that the application is in violation of student's name's resident district's limitation cap for available school choice transfers or if the resident district has reached its statutory cap for transfers out of its district.

Respectfully,

Insert name

Insert position/title

4.5F3—SCHOOL CHOICE ACCEPTANCE LETTER

Dear Parent's name,

I am pleased to inform you that the application you submitted for student's name has been accepted pending enrollment of student's name by insert date, however, failure to enroll student's name by this date will render this offer of acceptance null and void.

I look forward to welcoming student's name as part of the school or District's name and/or mascot.

Once your child has enrolled in school with us this coming school-year, student's name will be eligible to continue enrollment in the district until completing high school or is beyond the legal age of enrollment provided the student meets the applicable statutory and District policy requirements all other District students must meet (with the exception of residency in the District) to continue District enrollment. This information is contained in the student handbook.

Please Note: The "insert District's name" has no control over when a student's resident district might reach its statutory limit on allowable transfers out of its district. While we consider it unlikely, there is always the possibility that we could be forced to withdraw this acceptance if the resident district determines it reached its statutory cap for transfers out of its district prior to your student's application date to our District. You will be notified immediately should that rescission of acceptance be necessary. We apologize for this unavoidable uncertainty.

Respectfully,

Insert name

Insert position/title

4.5F4--SCHOOL CHOICE REJECTION LETTER

Dear Parent's name,

I am sorry, but the application you submitted for student's name has been rejected for the following reason(s).

____ Your child's resident district has declared itself exempt from the provisions of the School Choice Law due to it being under an enforceable desegregation order.

____ Your child's resident district has reached its limitation cap for allowable transfers and we cannot accept any additional school choice transfers from that district.

____ Your child does not meet the openings identified for the coming school-year identified in the Board of Directors Resolution adopted on insert date.

The specific reason for rejection is that acceptance would cause the district to have to add:

____ Staff

____ Teachers

____ classroom(s)

____ the insert the name of the program, class, grade level, or school building's capacity

As noted in your original application, you have ten (10) days from receipt of this notice in which to submit a written appeal of this decision to the State Board of Education.

Respectfully,

Insert name

Insert position/title

4.6—HOME SCHOOLING

Enrollment in Home School

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

1. At the beginning of each school year, but no later than August 15;
2. Five (5) school days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive absences) and at the beginning of each school year thereafter; or
3. Within thirty (30) calendar days of the parent or legal guardian establishing residency within the district during the school year.

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

- Electronically, including without limitation by:
 - Use of the Division of Elementary and Secondary Education's (DESE) online system;
 - Email; or
 - Facsimile;
- By mail; or
- In person.

The notice shall include:

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

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

A student who has been temporarily issued items, resources, supplies, materials, or other property belonging to the District is eligible for enrollment in a home school during the school year after:

- The items, resources, supplies, materials, or other property belonging to the District have been returned to the District;
- The items, resources, supplies, materials, or other property belonging to the District have been paid for; or
- The semester has ended.

The superintendent or the board of directors may waive the required five (5) school day waiting period for a student's enrollment in home school during a semester if the superintendent or the board of directors is satisfied with the return of temporarily issued items, resources, supplies, materials, or other District property.

Enrollment or Re-Enrollment in Public School

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

- A transcript listing all courses taken and semester grades from the home school;
- Score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and
- A portfolio of indicators of the home-schooled student's academic progress, including without limitation:
 - Curricula used in the home school;
 - Tests taken and lessons completed by the home-schooled student; and
 - Other indicators of the home-schooled student's academic progress.

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

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

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

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

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

Legal References: A.C.A. § 6-15-503

A.C.A. § 6-15-504
A.C.A. § 6-41-103
DESE Rules Governing Home Schools

Date Adopted: June 19, 2017

Last Revised: September 21, 2020, June 21, 2021

4.7—ABSENCES

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

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

Absences for students enrolled in synchronous digital courses shall be determined in the same manner as for District students attending courses in person.

Excused Absences

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

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.
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;
7. Participation in an FFA, FHA, or 4-H sanctioned activity;
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.

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.

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

- a. Bring a written statement to the principal or designee upon the student's return to school from the student's parent or legal guardian stating the reason for the student's absence; or

- b. If the student is attending the District's courses digitally, upload a written statement from the student's parent or legal guardian stating the reason for the student's absence through the District's digital course management platform for review by the principal or designee.

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

Unexcused Absences

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

When a student has (*insert number equal to 1/2 above number*) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

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

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

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

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

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

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

Legal References: A.C.A. § 6-4-302
 A.C.A. § 6-18-209
 A.C.A. § 6-18-213
 A.C.A. § 6-18-220
 A.C.A. § 6-18-222
 A.C.A. § 6-18-229
 A.C.A. § 6-18-231
 A.C.A. § 6-18-507(g)
 A.C.A. § 6-18-702
 A.C.A. § 6-28-114
 A.C.A. § 7-4-116
 A.C.A. § 9-28-113(f)
 A.C.A. § 27-16-701
 Division of Elementary and Secondary Education Rules Governing Distance and
 Digital Learning

Date Adopted: July 6, 2004

Last Revised: December 12, 2010, June 13, 2011, August 13, 2013, June 16, 2014, July 28, 2015, June 20,
2106, July 8, 2019, June 21, 2021

4.8—MAKE-UP WORK

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

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

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

Work for students serving an out-of-school suspension or expulsion shall be in accordance with the District's programs, measures, or alternative means and methods to continue student engagement and access to education during the student's period of suspension or expulsion, including offering an expelled student an opportunity for enrollment in digital learning courses or other alternative educational courses that result in the receipt of academic credit that is at least equal to credit the expelled student may have received from the District if the student had not been expelled.

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

Cross References: 4.7—ABSENCES
 4.30—SUSPENSION FROM SCHOOL
 4.31—EXPULSION
 4.57—IMMUNIZATIONS

Legal References: A.C.A. § 6-16-1406
 A.C.A. § 6-18-502
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004

Last Revised: August 10, 2009, June 13, 2011, July 28, 2015, March 10, 2020

4.9 - TARDIES

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

Tardiness to school or to individual classes is subject to penalty as outlined in the student/parent handbook of each school.

Date Adopted: July 6, 2004

Last Revised:

4.10 – CLOSED CAMPUS

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

Date Adopted: July 6, 2004

Last Revised:

4.11—EQUAL EDUCATIONAL OPPORTUNITY

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

Inquiries on non-discrimination may be directed to Equity Coordinator, who may be reached at: 112 East 8th Street, Smackover, AR 71762, Phone, 870-725-1212, or email at equity.coordinator@smackover.net.

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, telephone number, or email address provided above. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.

For further information on notice of non-discrimination or to file a complaint, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Legal References:	A.C.A. § 6-10-132
	A.C.A. § 6-18-514
	28 C.F.R. § 35.106
	34 C.F.R. § 100.6
	34 C.F.R. § 104.8
	34 C.F.R. § 106.8
	34 C.F.R. § 106.9
	34 C.F.R. § 108.9
	34 C.F.R. § 110.25

Date Adopted: July 6, 2004

Last Revised: July 28, 2015, June 19, 2017, March 13, 2018, September 21, 2020

4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS

Non-curriculum-related secondary school student organizations wishing to conduct meetings on school premises during non-instructional time shall not be denied equal access on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Such meetings must meet the following criteria.

1. The meeting is to be voluntary and student initiated;
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
3. The meeting must occur during non-instructional time;
4. Employees or agents of the school are present at religious meetings only in a non-participatory capacity;
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
6. Non-school persons may not direct, conduct, control, or regularly attend activities of student groups.

All meetings held on school premises must be scheduled and approved by the principal. The school, its agents, and employees retain the authority to maintain order and discipline, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.

Fraternalities, sororities, and secret societies are forbidden in the District's schools. Membership to student organizations shall not be by a vote of the organization's members, nor be restricted by the student's race, religion, sex, national origin, or other arbitrary criteria. Hazing, as defined by law, is forbidden in connection with initiation into, or affiliation with, any student organization, extracurricular activity or sport program. Students who are convicted of participation in hazing or the failure to report hazing shall be expelled.

Legal References: A.C.A. § 6-5-201 et seq.
 A.C.A. § 6-10-132
 A.C.A. § 6-18-601 et seq.
 A.C.A. § 6-21-201 et seq.
 20 U.S.C. 4071 Equal Access Act
 Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990)

Date Adopted: July 6, 2004

Last Revised: July 12, 2010, June 13, 2011, July 28, 2015, June 19, 2017

4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION

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

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

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

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

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

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

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

The District discloses PII from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other

individuals. The superintendent or designee shall determine who will have access to and the responsibility for disclosing information in emergency situations.

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

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

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

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

Unless the parent or guardian of a student (or student, if above the age of eighteen [18]) objects, "directory information" about a student may be made available to the public, military recruiters, post-secondary educational institutions, prospective employers of those students, as well as school publications such as annual yearbooks and graduation announcements. "Directory information" includes, but is not limited to, a student's name, address, telephone number, electronic mail address, photograph, date and place of birth, dates of attendance, his/her placement on the honor role (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of

accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user.

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

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

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

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

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

Cross References: Policy 4.34—Communicable Diseases and Parasites
 Policy 5.20—District Web Site
 Policy 5.20.1—Web Site Privacy Policy
 Policy 5.20F1—Permission to Display Photo of Student on Web Site

Legal References: A.C.A. § 9-28 -113(b)(6)
 20 U.S.C. § 1232g
 20 U.S.C. § 7908
 34 CFR 99.3, 99.7, 99.21, 99.22, 99.30, 99.31, 99.32, 99.33, 99.34, 99.35,
 99.36, 99.37, 99.63, 99.64

Date Adopted: July 7, 2004

Last Revised: July 2, 2007, August 10, 2009, June 13, 2011, July 28, 2015, March 10, 2020

4.13F – OBJECTION TO PUBLICATION OF DIRECTORY INFORMATION

(Not to be filed if the parent/student has no objection)

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

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

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

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

Deny disclosure to military recruiters;

Deny disclosure to Institutions of post-secondary education; Deny disclosure to potential employers;

Deny disclosure to all public and school sources

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

Deny disclosure to all public sources

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

Name of student (Printed)

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

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

4.14—STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE

The Superintendent and the student media advisors(s) shall jointly develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and the time(s), place(s), and manner(s) of the dissemination of student media, which shall include timelines for the review of materials.

Definitions

“School-sponsored media” means all student media that are:

- Supported financially by the school;
- Supported by the use of school facilities; or
- Produced in conjunction with a class.

“Student journalist” means a student who gathers, writes, edits, photographs, records, video tapes, or prepares information for dissemination in student media.

“Student media” means any means of communication that are:

- o Prepared, substantially written, published, or broadcasted by a student;
- o Distributed or generally made available, either free of charge or for a fee, to members of the student body; and
- o Prepared under the direction of a student media advisor.

“Student media” does not include media that is intended for distribution or transmission solely in the classroom in which it is produced.

“Student media advisor” means an individual who is employed, appointed, or designated by the District to supervise or provide instruction with respect to student media.

Student Media

While the District recognizes a student’s right of expression under the First Amendment of the Constitution of the United States, school-sponsored media does not provide an open public forum for public expression. Student media, as well as the content of student expression in school-sponsored activities, shall be subject to the editorial review of the District’s administration, whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations:

1. Advertising may be accepted for media that does not condone or promote products that are inappropriate for the age and maturity of the audience or that endorses such things as tobacco, alcohol, or drugs.
2. Media may be regulated to prohibit communications determined by the appropriate teacher, student media advisor, and/or administrator to be ungrammatical; poorly written; inadequately researched; biased or prejudiced; vulgar or profane; or unsuitable for immature audiences.
3. Media may be regulated to prohibit the dissemination of material that may reasonably be perceived to advocate drug or alcohol use; irresponsible sex; conduct that is otherwise inconsistent with the shared values of a civilized social order; or to associate the school with any position other than neutrality on matters of political controversy.
4. Prohibited media includes those that:
 - a. Are obscene as to minors;

- b. Are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, and made with knowledge of their falsity or a reckless disregard of the truth;
- c. Constitute an unwarranted invasion of privacy as defined by state law;
- d. Suggest or urge the commission of unlawful acts on the school premises;
- e. Suggest or urge the violation of lawful school regulations;
- f. Scurrilously attacks ethnic, religious, or racial groups; or
- g. Harass, threaten, or intimidate a student.

Student Media on School Web Pages

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

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

Student Distribution of Non-school Literature, Publications, and Materials

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

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

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

Students shall be responsible for the removal of excess literature that is left at the distribution point for more than five (5) days.

Cross References: 1.9—POLICY Formulation
 4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION
 4.43—BULLYING

Legal References: A.C.A. § 6-18-514
 A.C.A. § 6-18-1201 et seq.
 Tinker v. Des Moines ISD, 393 U.S. 503 (1969)
 Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)
 Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Date Adopted: July 6, 2004

Last Revised: October 12, 2009, July 8, 2019, March 10, 2020

4.15—CONTACT WITH STUDENTS WHILE AT SCHOOL

CONTACT BY PARENTS

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

CONTACT BY NON-CUSTODIAL PARENTS

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

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

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

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the 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. Except as provided below, other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen (18) years of age), or in response to a subpoena or arrest warrant.

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, ~~or other~~ person having lawful control of the student, or person standing in loco parentis. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, custodian, 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.

Contact by Professional Licensure Standards Board Investigators

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

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

Date Adopted: July 6, 2004

Last Revised: October 12, 2009, June 13, 2011, July 28, 2015, June 20, 2016, March 27, 2017, July 8, 2019, March 10, 2020

4.16 – STUDENT VISITORS

Student visitors in the classroom can be disruptive to the educational process; therefore, student visitation is prohibited on the Smackover-Norphlet School campuses. Exceptions to this may be made by the school's principal in unusual circumstances but such visitations must only occur during non-instructional times.

Cross References: For adult visits see Policy 4.15 – CONTACT WITH STUDENTS WHILE
AT SCHOOL and Policy 6.5 – VISITORS TO THE SCHOOLS

Date Adopted: July 6, 2004
Last Revised: August 10, 2009

4.17—STUDENT DISCIPLINE

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

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

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

The District shall incorporate the District's implementation of positive behavioral supports in accordance with Policy 4.60 in the application of student discipline.

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

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

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

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

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

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

Cross References: 1.9—POLICY FORMULATION
 4.60—STUDENT BEHAVIORAL INTERVENTION AND RESTRAINT

Legal References: A.C.A. § 6-17-113
 A.C.A. § 6-18-502
 A.C.A. § 6-18-514
 A.C.A. § 6-18-2301 et seq.
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004

Last Revised: August 18, 2008, July 8, 2019, June 21, 2021

4.18—PROHIBITED CONDUCT

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

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior that interferes with orderly school operations;
3. Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or stealing school property;
7. Possession of any paging device, beeper, or similar electronic communication devices on the school campus during normal school hours unless specifically exempted by the administration for health or other compelling reasons;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
10. Inappropriate public displays of affection;
11. Cheating, copying, or claiming another person's work to be his/her own;
12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, sexual orientation, gender identity, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying;
23. Operating a vehicle on school grounds while using a wireless communication device; and
24. Theft of another individual's personal property.

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

Cross References: Prohibited Conduct #2— Policy # 4.20
Prohibited Conduct #3— Policy # 4.21, 4.26
Prohibited Conduct #4— Policy # 4.22
Prohibited Conduct #5— Policy # 4.23
Prohibited Conduct #7—Policy 4.47
Prohibited Conduct #8— Policy # 4.24
Prohibited Conduct # 13— Policy # 4.25
Prohibited Conduct # 14— Policy # 4.21
Prohibited Conduct # 15— Policy # 4.7
Prohibited Conduct # 16 — Policy # 4.9
Prohibited Conduct # 17— Policy # 4.43
Prohibited Conduct # 20— Policy # 4.26
Prohibited Conduct # 21—Policy # 4.27
Prohibited Conduct # 22— Policy # 4.43
Prohibited Conduct # 23— Policy # 4.47

Legal References: A.C.A. § 6-5-201
A.C.A. § 6-15-1005
A.C.A. § 6-18-222
A.C.A. § 6-18-502
A.C.A. § 6-18-514
A.C.A. § 6-18-707
A.C.A. § 6-21-609
A.C.A. § 27-51-1602
A.C.A. § 27-51-1603
A.C.A. § 27-51-1609
DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004

Last Revised: July 2, 2007, August 10, 2009, July 12, 2010, July 28, 2015, July 10, 2018, July 8, 2019

4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY

The Smackover-Norphlet School District's Student Code of conduct applies to students while traveling to and from school or to and from a school activity to the same extent as if the students were on school grounds. Appropriate disciplinary actions may be taken against commuting students who violate the District's Student Code of Conduct.

The preceding paragraph also applies to student conduct while on school buses. Students shall be instructed in safe riding practices. The driver of a school bus shall not operate the school bus until every passenger is seated. In addition to other disciplinary measures provided for violations of the District's Student Code of Conduct, the student's bus transportation privileges may be suspended or terminated for violations of the Student Code of Conduct related to bus behavior.

Students are eligible to receive district bus transportation if they meet the following requirements. The transportation to and from school of students who have lost their bus transportation privileges is the responsibility of the student's parent or guardian.

Legal References: A.C.A. § 5-60-122
 A.C.A. § 6-19-119 (b)
 Ark. Division of Academic Facilities and Transportation Rules Governing
 Maintenance and Operations of Ark. Public School Buses and Physical Examinations
 of School Bus Drivers 4.0

Date Adopted: July 6, 2004

Last Revised: July 2, 2007, August 9, 2010, July 8, 2019

4.20—DISRUPTION OF SCHOOL

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

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

Legal References: A.C.A. § 6-18-511
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004

Last Revised:

4.21—STUDENT ASSAULT OR BATTERY

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

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

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

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

Legal References: A.C.A. § 6-17-106
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004
Last Revised: July 8, 2019

4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Definitions

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

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

“Weapon” means any:

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

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

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

If a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be considered to be in possession of a weapon unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student’s parent/legal guardian shall pick up the weapon from the school’s office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of one (1) year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.

Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws

prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The mandatory expulsion requirement for possession of a firearm does not apply to a firearm brought to school for the purpose of participating in activities approved and authorized by the district that include the use of firearms. Such activities may include ROTC programs; hunting safety or military education; or before or after-school hunting or rifle clubs. Firearms brought to school for such purposes shall be brought to the school employee designated to receive such firearms. The designated employee shall store the firearms in a secure location until they are removed for use in the approved activity.

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

Cross Reference: Policy 4.31—EXPULSION

Legal References: A.C.A. § 5-4-201
A.C.A. § 5-4-401
A.C.A. § 5-27-210
A.C.A. § 5-73-119(b) (e)(8), (9), (10)
A.C.A. § 5-73-133
A.C.A. § 6-18-502
A.C.A. § 6-18-507
A.C.A. § 6-21-608
DESE Rules Governing Student Discipline and School Safety
20 USC § 7961

Date Adopted: July 6, 2004

Last Revised: August 18, 2008, August 10, 2009, July 12, 2010, July 15, 2013, July 28, 2015, July 8, 2019

4.23 – TOBACCO AND TOBACCO PRODUCTS

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any real property owned or leased by Smackover-Norphlet School District, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

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

Legal Reference: A.C.A. § 6-21-609

Date Adopted: July 6, 2004

Last Revised: July 15, 2013

4.24.1- ALCOHOL/DRUG RANDOM TESTING POLICY

The Smackover-Norphlet 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 Smackover-Norphlet Board of Education is determined to help students by providing another option for them to say “No.” Chemical abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of legal drugs and medications.

Purpose of a Chemical Abuse Policy:

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

Scope:

The provisions of this policy apply to all students in Smackover-Norphlet Public School in grades seven through twelve who participate in any extracurricular or co-curricular activity. This policy in no way supersedes any existing policy!

General Provisions:

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

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

Any student undergoing medical treatment prescribed by a physician that includes the use of a drug or medication capable of affecting the student's mental or physical capabilities must notify the appropriate school official at the time of testing. If there is any doubt concerning the effects of the drug or medication, the appropriate school official should be notified. If a student fails to notify a school official, his doctor may be contacted.

Procedure:

Type of Testing: The District may require each student of Smackover-Norphlet Public Schools in grades seven through twelve who participates in any extracurricular or co-curricular activity to provide a urine specimen. Each specimen cup will have a number on it which will be assigned to the participant's name. Urinalysis will be the method utilized to test for the presence of chemicals in the body. All specimens will be tested using a rapid drug screen process with all positive results sent off for confirmation. All students selected must show up for providing urine samples to be taken at Smackover-Norphlet Public Schools or Smackover Family Practice Clinic.

Selection Process: While students are in school, they will be subject to random selection for testing. Each student will be assigned a number. Days will be selected for testing at random. The amount of numbers drawn will be fifteen percent (15%) of the students in grades seven through twelve who participate in any extracurricular or co-curricular activity. If any student whose number is drawn is absent on that day, the selection process will continue until the number of students selected for testing equals the number representing the percentage of students designated for random testing.

Refusal to Submit to Testing: Students not consenting to be tested (in the random pool) are not allowed to participate in any extracurricular or co-curricular activity. Any participant who refuses to submit to random drug testing will not be allowed to participate in any school activity for ninety (90) school days. Each student must consent by the beginning of the second semester in order to participate in second semester activities. The following is a list of activities that students not consenting (in the random pool) will not be allowed to participate in for the school year. Examples include:

Art Club, Band/Band Council, Baseball, Basketball, BSA, Cheerleaders, Clos Up, Drama Club, FBLA, FCA, FCCLA, Football, VFA, Golf, Homecoming Court, Jr/Sr Prom Committee, Media Club, Mu Alpha Theta, National Honor Society, Quill & Scroll, Science Club, Skills USA/VICA, Softball, Spanish Club, Student Council, Tennis, Track, Volleyball, Yearbook Staff/SPUR, and any other Extracurricular/Co-Curricular Activity.

Use of Positive Tests: Upon receipt of a positive test result for any student, a student may request a retest at his/her expense within a 24-hour period of a positive result. This specimen must be given at Smackover Family Practice Clinic.

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

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

Counseling/rehabilitation for the student will be strongly recommended for the student who tests positive.

Testing Procedure:

All drug testing will be conducted through the facilities of Smackover Family Practice Clinic. All samples forwarded to Smackover Family Practice Clinic will be only labeled with a control number (to protect confidentiality, no student names will be included on the sample or paperwork sent to the service). Results of the initial drug screen will be faxed to the Superintendent of Schools or his/her designee via secure FAX.

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

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

1. Positively identify the examinee.
2. The observer will ask the individual to remove any unnecessary outer garments (i.e., coat, jacket) that might conceal items or substances that could be used to tamper with or adulterate the urine specimen. All personal belongings (i.e., purse, briefcase, etc.) must remain with the outer garments. The observer will note any unusual behavior or appearance.
3. The student will be instructed to wash and dry his/her hands prior to providing the specimen. After washing his/her hands, the student will not be outside the presence of the observer and not have access to water fountains, faucets, soap dispensers, or cleaning agents until after the specimen has been provided and sealed. Only one person will be allowed at a time in the washroom and process area.
4. The student will be allowed to provide the specimen in a stall or other partitioned area that allows for individual privacy. After the specimen has been provided, the student should leave the stall.
5. At the collection site, toilet bluing agents will be placed in the toilet tanks, whenever possible. No other source of water will be available in the enclosure where urination occurs.

6. After the specimen has been provided to the observer, the observer will continue with chain of custody procedures and determine whether it contains at least 30 milliliters of urine. If there is not 30 milliliters, additional urine should be collected. The student may be given a reasonable amount of water for drinking. The student will have only two (2) hours to produce the 30 milliliters of specimen required. If the student fails for any reason to provide the necessary amount of specimen, the observer will contact the Superintendent or designee for guidance.
7. Should a specimen return labeled "Dilute Specimen," It will be the responsibility of the student to retest immediately at the students expense. The student will make arrangements to test at the Smackover Family Practice Clinic.
8. Immediately after collection the observer will check the temperature of the specimen and inspect the specimen for color and signs of contaminants.
9. Fresh specimens should be 90 to 100 degrees Fahrenheit.
10. If rapid drug screen is positive then the specimen will be sealed and labeled. Both the observer and the student being tested will keep the specimen in view at all times prior to being packaged for confirmation.
11. The student will observe the tamper-proof seal. The observer will place the identification label securely on the bottle.
12. The students and the observer will sign the chain of custody form.
13. The identification label on the specimen container will contain:
 - The date
 - The student's assigned number
 - The student's initials
 - All results will be recorded and initialed by the student.
14. The student will be asked to read and sign a certification statement regarding the urine specimen.
15. The Smackover-Norphlet School District reserves the right to test any student involved in extracurricular or co-curricular activity at any time should reasonable suspicion or probable cause exist.

RESULTS AND NOTIFICATION

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

Substances Tested

The substances for which students will be tested include but are not limited to the following:

Amphetamines, oxy, THC, PCP, cocaine, MDMA, Opiates, Benzodiazepines, Barbiturates, Methadone, Methamphetamine, Buprenorphine, Alcohol, Adulterants (additive to mask positive test results), Urine PH, Specific Gravity, and Creatinine Levels

Cut off levels used are determined by the National Institute on Drug Abuse.

Cost

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

Records

All records concerning chemical abuse testing will be maintained by the Superintendent or designee in a separate file under lock and key. The records will not be kept in a student's regular file. Only the Superintendent or his 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 their chemical abuse testing records upon written request.

Grievances

The procedure for appealing is found in the Smackover-Norphlet School District Student Handbook.

PROCEDURES IN THE EVENT OF A POSITIVE RESULT

FIRST POSITIVE RESULT:

For the first positive result, the student will be suspended from participation in all extracurricular or co-curricular activities for a period of NO LESS than ninety (90) school days from the date of testing. The DAPC (Drug Abuse Prevention Coordinator) will provide a risk assessment on the student along with Drug Abuse Prevention Education which may include additional drug testing. Drug Testing included in DAP Education is for monitoring purposes only and not subject to discipline. Drug Testing included in Education will be provided through funding or billable by insurance with no additional cost to the student.

SECOND POSITIVE RESULT:

For the second positive result, the student will be suspended from participating in all extracurricular or co-curricular activities NO LESS than one hundred seventy-eight (178) school

days from the date of testing. The DAPC will provide more intensive DAP Education which may include family counseling and/or more frequent drug testing.

THIRD POSITIVE RESULT:

For the third positive result, the student will be permanently suspended from participating in all extracurricular or co-curricular activities for the remainder of his or her enrollment with the school unless following suspension for all or part of three consecutive school years, the student requests reinstatement before the School Board, and the School Board approves reinstatement. DAPC may make further recommendations and any such costs will be the responsibility of the student.

NON-PUNITIVE NATURE OF POLICY:

No student shall be penalized academically for testing positive for drugs. The results of any drug test pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests may not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the District shall not solicit. In the event of service of any such subpoena or legal process the student and the student's custodial parent or legal guardian will be notified at least seventy-two hours before response is made by the District.

OTHER DISCIPLINARY MEASURES:

The District by adopting this policy is not precluded from utilizing other disciplinary measures set forth in the Student Handbook.

Date Adopted: July 6, 2004

Last Revised: August 21, 2017

NOTIFICATION OF VIOLATION OF CHEMICAL SCREEN TESTING POLICY

I, _____, am the custodial parent/guardian
of _____ a student in the Smackover-Norphlet School
District. I have been notified by officials of the Smackover-Norphlet School
District that _____ (Student's Name) has tested positive
During the chemical test administered under the Provisions set by the Smackover-Norphlet
School District.

The student is hereby referred to the Drug Abuse Prevention Coordinator.

Also, I have read and understand the rules of suspension from extracurricular activities for first,
second, and third offense positive test results.

Custodial parent/legal guardian

School Official

Date

4.24—DRUGS AND ALCOHOL

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

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

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

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

Cross Reference: 4.35—STUDENT MEDICATIONS

Legal References: A.C.A. § 6-18-502
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004

Last Revised: July 8, 2019, March 10, 2020

4.25 – STUDENT DRESS AND GROOMING

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

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

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

Legal References: A.C.A. § 6-18-502(c) (1)
 A.C.A. § 6-18-503(c)

Date Adopted: July 6, 2004
Last Revised: June 13, 2011

4.26—GANGS AND GANG ACTIVITY

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

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

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

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

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

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

Date Adopted: July 6, 2004

Last Revised: July 12, 2010, July 8, 2019, August 13, 2019

4.27—STUDENT SEXUAL HARASSMENT

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

The District believes the best policy to create an educational environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to students, parents/legal guardians/other responsible adults, and employees on sexual harassment. The informational materials and training on sexual harassment shall be age appropriate and, when necessary, provided in a language other than English or in an accessible format. The informational materials and training shall include, but are not limited to:

- o the nature of sexual harassment;
- o The District's written procedures governing the formal complaint grievance process;
- o The process for submitting a formal complaint of sexual harassment;
- o That the district does not tolerate sexual harassment;
- o That students can report inappropriate behavior of a sexual nature without fear of adverse consequences;
- o The supports that are available to individuals suffering sexual harassment; and
- o The potential discipline for perpetrating sexual harassment.

Definitions

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances where the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting an investigation of the allegation of sexual harassment.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee:
 - a. Conditions the provision of an aid, benefit, or service of the District on an individual's participation in sexual conduct; or
 - b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;
2. The conduct is:
 - a. Unwelcome; and
 - b. Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
 - c. Constitutes:
 - d. Sexual assault;
 - e. Dating violence

- f. Domestic violence; or
- g. Stalking.

“Supportive measures” means individualized services that are offered to the complainant or the respondent designed to restore or preserve equal access to the District’s education program or activity without unreasonably burdening the other party. The supportive measures must be non-disciplinary and non-punitive in nature; offered before or after the filing of a formal complaint or where no formal complaint has been filed; and offered to either party as appropriate, as reasonably available, and without fee or charge. Examples of supportive measures include, but are not limited to: measures designed to protect the safety of all parties or the District’s educational environment, or deter sexual harassment; counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or class locations; leaves of absence; and increased security and monitoring of certain areas of the campus.

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

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

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

Students who believe they have been subjected to sexual harassment, or the parent/legal guardian/other responsible adult of a student who believes their student has been subjected to sexual harassment, are encouraged to bring their concerns to **any** District staff member, including a counselor, teacher, Title IX coordinator, or administrator. If the District staff member who received a report of alleged sexual harassment is not the Title IX Coordinator, then the District staff person shall inform the Title IX Coordinator of the alleged sexual harassment. As soon as reasonably possible after receiving a report of alleged sexual harassment from another District staff member or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

- Discuss the availability of supportive measures;
- Consider the complainant’s wishes with respect to supportive measures;

- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- explain to the complainant the process for filing a formal complaint.

Supportive Measures

The District shall offer supportive measures to both the complainant and respondent that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party before or after the filing of a formal complaint or where no formal complaint has been filed. The District shall provide the individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary and non-punitive to the respondent. A complainant who initially declined the District's offer of supportive measures may request supportive measures at a later time and the District shall provide individualized supportive measures based on the circumstances when the subsequent request is received.

Formal Complaint

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email. Upon receipt of a formal complaint, a District shall simultaneously provide the following written notice to the parties who are known:

- Notice of the District's grievance process and a copy of the procedures governing the grievance process;
- Notice of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
 - ✚ The identities of the parties involved in the incident, if known;
 - ✚ The conduct allegedly constituting sexual harassment; and
 - ✚ The date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- That the parties may inspect and review evidence relevant to the complaint of sexual harassment; and
- That the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.

When investigating a formal complaint and throughout the grievance process, a District shall:

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties;

- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege or access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party unless the District obtains the parent, legal guardian, or other responsible adult of that party's voluntary, written consent or that party's voluntary, written consent if the party is over the age of eighteen (18) to do so for the grievance process;
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;
- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation ; this includes evidence:
 - Whether obtained from a party or other source,;
 - The District does not intend to rely upon in reaching a determination regarding responsibility; and
 - That is either Inculpatory or exculpatory; and
- Create an investigative report that fairly summarizes relevant evidence.

At least ten (10) days prior to completion of the investigative report, the District shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties shall have at least ten (10)³ days to submit a written response to the evidence. The investigator will consider the written responses prior to completion of the investigative report. All evidence subject to inspection and review shall be available for the parties' inspection and review at any meeting to give each party equal opportunity to refer to such evidence during the meeting.

After the investigative report is sent to the parties, the decision-maker shall:

- o Provide each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness;
- o Provide each party with the answers;
- o Allow for additional, limited follow-up questions from each party; and
- o Provide an explanation to the party proposing the questions any decision to exclude a question as not relevant. Specifically, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Following the completion of the investigation period, the decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility. The written determination shall include—

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including:
 - a. Any notifications to the parties;
 - b. Interviews with parties and witnesses;
 - c. site visits;
 - d. Methods used to gather other evidence,; and
 - e. Hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions imposed on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
6. The procedures and permissible bases for the complainant and respondent to appeal.

The written determination shall be provided to the parties simultaneously. The determination regarding responsibility shall become final on the earlier of:

- If an appeal is not filed, the day after the period for an appeal to be filed expires; or
- If an appeal is filed, the date the written determination of the result of the appeal is provided to the parties.

The District shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved; did not occur in the District's education program or activity; or did not occur against a person in the United States, then the District shall dismiss the complaint as not meeting the definition of sexual harassment under this policy. A dismissal for these reasons does not preclude action under another provision of the District's code of conduct.

The District may dismiss the formal complaint or any allegations therein, if at any time during the grievance process:

- o The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- o The respondent is no longer enrolled at the District; or
- o Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon the dismissal of a formal complaint for any reason, the District shall promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The District may hire an individual or individuals to conduct the investigation or to act as the determination-maker when necessary.

Appeals

Either party may appeal a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

- a. The existence of a procedural irregularity that affected the outcome of the matter;
- b. Discovery of new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- d. An appeal of the disciplinary sanctions from the initial determination.

For all appeals, the District shall:

1. Notify the other party in writing when an appeal is filed;
2. Simultaneously Provide all parties a written copy of the District's procedures governing the appeal process;
3. Implement appeal procedures equally for both parties;
4. Ensure that the decision-maker⁵ for the appeal is not the same person as the decision-maker that reached the original determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
5. Provide all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

Confidentiality

Reports of sexual harassment, both informal reports and formal complaints, will be treated in a confidential manner to the extent possible. Limited disclosure may be provided to:

- individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
- Submit a report to the child maltreatment hotline;
- Submit a report to the Professional Licensure Standards Board for reports alleging sexual harassment by an employee towards a student; or
- The extent necessary to provide either party due process during the grievance process.

Except as listed above, the District shall keep confidential the identity of:

-  Any individual who has made a report or complaint of sex discrimination;
-  Any individual who has made a report or filed a formal complaint of sexual harassment;
-  Any complainant;
-  Any individual who has been reported to be the perpetrator of sex discrimination;
-  Any respondent; and
-  Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

Emergency removal

The District may remove a respondent from the District's education program or activity on an emergency basis only after the completion of an individualized safety and risk analysis that determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. A removed student will be provided with notice and an opportunity to challenge the removal decision immediately following the removal.

Retaliation Prohibited

Students, or the parents/legal guardians/ other responsible adult of a student, who submit a report or file a formal complaint of sexual harassment; testified; assisted; or participate or refused to participate in any manner in an investigation, proceeding, or hearing on sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats; intimidation; coercion; discrimination; or charges for code of conduct violations that do not involve sex discrimination or sexual harassment, arise out of the same facts or circumstances as a report or formal complaint of sex discrimination, and are made for the purpose of interfering with any right or privilege under this policy. The District shall take steps to prevent retaliation and shall take immediate action if any form of retaliation occurs regardless of whether the retaliatory acts are by District officials, students, or third parties.

Disciplinary Sanctions

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following the completion of the District's grievance process, any student who is found by the evidence to more likely than not⁷ have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion. No disciplinary sanction or other action that is not a supportive measure may be taken against a respondent until the conclusion of the grievance process.

Students who knowingly fabricate allegations of sexual harassment or purposely provide inaccurate facts shall be subject to disciplinary action up to and including expulsion. A determination that the allegations do not rise to the level of sexual harassment alone is not sufficient to conclude that any party made a false allegation or materially false statement in bad faith.

Records

The District shall maintain the following records for a minimum of seven (7) years:

- Each sexual harassment investigation including:
- Any determination regarding responsibility;
- any disciplinary sanctions imposed on the respondent;
- Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
- Any appeal and the result therefrom;
- All materials used to train Title IX Coordinators, investigators, and decision-makers;
- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, which must include:
 - o The basis for the District's conclusion that its response was not deliberately indifferent; and
 - o Document:
 - If supportive measures were provided to the complainant, the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or

- If no supportive measures were provided to a complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Cross References: 3.26—LICENSED PERSONNEL SEXUAL HARASSMENT
 4.11—EQUAL EDUCATIONAL OPPORTUNITY
 5.20—DISTRICT WEBSITE
 7.15—RECORD RETENTION AND DESTRUCTION
 8.20—CLASSIFIED PERSONNEL SEXUAL HARASSMENT

Legal References: 20 USC 1681 et seq.
 34 C.F.R. Part 106
 A.C.A. § 6-15-1005
 A.C.A. § 6-18-502
 A.C.A. § 12-18-102

Date Adopted: September 21, 2020
Last Revised:

4.28—LASER POINTERS

Students shall not possess any hand held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; on route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event. School personnel shall seize any laser pointer from the student possessing it and the student may reclaim it at the close of the school year, or when the student is no longer enrolled in the District.

Legal References: A.C.A. § 6-18-512
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004

Last Revised: August 10, 2009, July 8, 2019, August 13, 2019

4.29— INTERNET SAFETY and ELECTRONIC DEVICE USE POLICY

Definition

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

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

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

Technology Protection Measures

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

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

Internet Use and Safety

The District is dedicated to ensuring that students are capable of using the Internet in a safe and responsible manner. The District uses technology protection measures to aid in student safety and shall also educate students on appropriate online behavior and Internet use³ including, but not limited to:

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

Misuse of Internet

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

Misuse of the Internet includes:

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

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

Date Adopted: July 6, 2004

Last Revised: August 18, 2008, August 10, 2009, May 19, 2014

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4.29F—STUDENT ELECTRONIC DEVICE and INTERNET USE AGREEMENT

Student's Name (Please Print) _____ Grade Level _____

School _____ Date _____

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

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

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

3. Penalties for Improper Use: If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action. **[Note: A.C.A. § 6-21-107 requires the district to have "...provisions for administration of punishment of students for violations of the policy with stiffer penalties for repeat offenders, and the same shall be incorporated into the district's written student discipline policy." You may choose to tailor your punishments to be appropriate to the school's grade levels.]**

4. "Misuse of the District's access to the Internet" includes, but is not limited to, the following:

- a. Using the Internet for other than educational purposes;
- b. Gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
- c. Using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- d. Making unauthorized copies of computer software;
- e. Accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
- f. Using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
- g. Posting anonymous messages on the system;
- h. Using encryption software;
- i. Wasteful use of limited resources provided by the school including paper;
- j. Causing congestion of the network through lengthy downloads of files;
- k. Vandalizing data of another user;
- l. Obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- m. Gaining or attempting to gain unauthorized access to resources or files;

- n. Identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- o. Invading the privacy of individuals;
- p. Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
- q. Using the network for financial or commercial gain without district permission;
- r. Theft or vandalism of data, equipment, or intellectual property;
- s. Attempting to gain access or gaining access to student records, grades, or files;
- t. Introducing a virus to, or otherwise improperly tampering with the system;
- u. Degrading or disrupting equipment or system performance;
- v. Creating a web page or associating a web page with the school or school district without proper authorization;
- w. Providing access to the District's Internet Access to unauthorized individuals;
- x. Failing to obey school or classroom Internet use rules;
- y. Taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools; or
- z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

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

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

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

8. Signatures: We, the persons who have signed below, have read this agreement and agree to be bound by the terms and conditions of this agreement.

Student's Signature: _____ Date _____

Parent/Legal Guardian Signature: _____ Date _____

4.30—SUSPENSION FROM SCHOOL

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

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

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

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

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

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

OSS shall not be used to discipline a student for skipping class, excessive absences, or other forms of truancy.

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; and
3. If the principal finds the student guilty of the misconduct, he/she may be suspended.

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

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

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

- A primary call number;
 - o 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, legal guardian, person having lawful control of the student, or person standing in loco parentis.

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

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

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

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.

Cross Reference: 4.7—ABSENCES

Legal References: A.C.A. § 6-18-507
DESE Rules Governing Student Discipline and School Safety
Goss v Lopez, 419 U.S. 565 (1975)

Date Adopted: July 6, 2004

Last Revised: July 2, 2007, June 20, 2016, June 19, 2017, July 8, 2019

4.31—EXPULSION

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

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

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

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

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

The hearing shall be conducted not later than ten (10) school days¹ following the date of the notice, except that representatives of the Board and student may agree in writing to a date not conforming to this limitation.

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

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

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

control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

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

Cross Reference: Policy 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Legal References: A.C.A. § 6-15-1406
 A.C.A. § 6-18-502
 A.C.A. § 6-18-507
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July 6, 2004

Last Revised: August 18, 2008, August 10, 2009, June 19, 2017, July 8, 2019

4.32—SEARCH, SEIZURE, AND INTERROGATIONS

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

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

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

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

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

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

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of a court with jurisdiction over a child with a court order signed by a judge. Upon release of the student, the principal or designee shall give the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis notice that the student has been taken into custody by

law enforcement personnel or a state's social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and an after-hours telephone number.

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

Date Adopted: July 6, 2004
Last Revised: June 13, 2011, July 28, 2015, July 8, 2019

4.33 – STUDENTS' VEHICLES

Smackover-Norphlet School District students who have presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive their vehicle 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 areas. Drivers of vehicles parked on a school campus will be held accountable for illegal substances or any other item prohibited by District policy found in their vehicle. Any student parking a vehicle on campus is granting permission for school or law enforcement authorities to search that vehicle.

Date Adopted: July 6, 2004

Last Revised: August 18, 2008

4.34—COMMUNICABLE DISEASES AND PARASITES

Students with communicable diseases or with human host parasites that are transmittable in a school environment shall demonstrate respect for other students by not attending school while they are capable of transmitting their condition to others. Students whom the school nurse determines are unwell or unfit for school attendance or who are believed to have a communicable disease or condition will be required to be picked up by their parent or guardian. Specific examples include, but are not limited to: Varicella (chicken pox), measles, scabies, conjunctivitis (Pink Eye), impetigo/MRSA (Methicillin-resistant *Staphylococcus aureus*), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis A, B, or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally).¹ A student who has been sent home by the school nurse will be subsequently readmitted, at the discretion of the school nurse, when the student is no longer a transmission risk. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.

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

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

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

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

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

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

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

Date Adopted: June 6, 2004

Last Revised: July 15, 2013, June 20, 2016, July 8, 2019, August 13, 2019

4.35 MEDICATION ADMINISTRATION

Smackover\Norphlet School District MEDICATION ADMINISTRATION POLICY

I. Introduction

In accordance to the Arkansas State Board of Nursing Practice Guidelines, a parent or guardian whenever possible should administer prescription or non-prescription medication required by a student at home. Medications prescribed three times a day or less should be given at home unless the practitioner has prescribed a specific time during school hours. For example, a medication such as an antibiotic that is to be administered three times a day can be taken before the child comes to school, as soon as he\she gets home and then before bedtime. This avoids unnecessary disruption of the student's school day. Morning medication should be given at home prior to the student arriving on campus so he\she is ready to learn. SNSD recognizes, however, that it may be necessary for a student to receive medication during school hours when home administration is not possible. In the absence of the school nurse, authorized SNSD staff may be delegated in the administration of medications to students during school hours after training and documentation of the unlicensed person's competency. In the absence of the school nurse, narcotic medication can be administered by a staff member that the parent\guardian delegates to do so. School nurses will act in compliance with the Nurse Practice Act (NPA) at all times and will not administer medication in a manner that conflicts with their professional duties and expectations under the Nurse Practice Act or SNSD policies.

II. Administration of Medications

- A. Only the school nurse should accept medications.
- B. The school shall not administer expired medications.
- C. All medication, prescription and over the counter, must have orders that are signed by a medical practitioner. These orders must be renewed annually at the beginning of each school year.
- D. Parental consent forms for the dispensation of all medication must be signed and are available in the nurse's office.
- E. Controlled substances will only be administered by the school nurse or a staff member that the parent\guardian has delegated to give.

- F. In the absence of a nurse, authorized SNSD staff may administer medications to students during school hours after training and documentation of the unlicensed person's competency.
- G. The five rights of medication administration will be followed at all times in order to reduce medication errors and harm.
The right student, the right drug, the right dose, the right route, and the right time.
- H. The initial dose of a new medication must be administered by the parents/guardian outside of the school setting.

III. Location/Storage for Medication

- A. All medication brought to school, including over-the-counter medications, shall be kept in the nurse's office in a locked cabinet. Controlled substances will be double locked in the nurse's office.
- B. A parent/guardian must pick up all medication after it is discontinued unless permission is given by parent/guardian to send home with student. Medications will be destroyed if not picked up on the student's last day of school.

IV. Self-Carry Asthma Inhalers, Auto-Injectable Epinephrine, and Diabetic Supplies

Student whose physician has diagnosed him/her with:

Asthma
Anaphylaxis
Diabetes

These students may be allowed to carry and self-administer medications prescribed for these conditions when an asthma, severe allergy, or diabetic treatment plan is received. These plans will include a written request and signature from the prescribing physician stating it is medically necessary for the student to have the medication prescribed for asthma or anaphylaxis.

- a. The parent/guardian and the physician's written request is valid for one school year and must be renewed at the beginning of each school year.
- b. The student must demonstrate to the health care practitioner who wrote the prescription the skill level and responsibility necessary to use and administer the asthma inhaler, auto-

injectable epinephrine or use of ordered diabetic supplies.

- c. The asthma inhaler, auto-inject epinephrine, and diabetic supplies will be supplied by the student's parent\guardian and should be stored and transported in its original prescription labeled container.
- d. SNSD reserves the right to require any medication to be kept in the Nurse's office. No school district, school district employee, or agent of a school district shall be liable for injury to student caused by his\her use of prescription inhaler or self-administration of medication.

V. Medication Container

Medication (prescription and non-prescription) that is brought to school must be in the original, properly labeled container.

- A. All medications must be in the original container with the student's name on the container. The container must specify special storage instructions if appropriate. Prescription medications should have a label that includes the student's name on record with the school, date it was filled, ordering practitioner's name, name of the medication, and the dose, route and frequency. All medications will be given according to labeling directions on the container unless written provider order states otherwise. The parents should request the pharmacist to dispense two labeled bottles of medication if the medication must be administered at school, one for home and one for school.
- B. Over-the-counter medication must be labeled with the student's name and have an expiration date listed on the bottle. The school will supply no over the counter medications.
- C. Medication in plastic baggies or other non-original containers will not be accepted.

VI. Transportation and Check-In Process

- A. Controlled Medications
 - 1. For the safety of your child and other children medications categorized as controlled substances are encouraged to be brought in by parents\guardians.
 - 2. The school nurse shall verify the amount of medication delivered by counting in the presence of either the person delivering it or another school personnel. This person shall document verification of the medication count by initialing the narcotic count form with the nurse.
 - 3. The controlled substance shall be counted weekly with verification by another school personnel. The amount of medication and initials of personnel who verified medication count shall be documented on the weekly narcotic count form.

B. Non-Controlled Medications

1. For student safety, it is encouraged that parents/guardians transport medications (controlled and non-controlled) to and from school.
2. The school nurse shall verify the amount of medication delivered and document this on the medication administration record.

VII. Documentation

- A. An individual medication administration record will be established for each student and will include the date, time, dosage, and initials of the individual administering the medication
- B. The nurse or designee shall record each dosage of medication administered and time it was administered on the student's individual medication administration form. They will put their initials beside the administration time and sign at the bottom.
- C. An incident report must be written for any medication error (e.g. frequently missed doses, incorrect medication, incorrect dosage, etc.). The nursing supervisor will review the incident report.

VIII. Medication on Field Trips or Athletic Trips

- A. Parents will be made aware of field trips. Parents may administer the medication on the trip to their student or they can delegate a SNSD staff member to do so if the medication is needed and the parent will not be attending.
- B. Any medication that must be sent on a field trip must be in the properly labeled container. The label should contain the name of the student, name of the medication, dose of the medication, time it is to be given, and any other instructions pertinent to the administration of the medication. The container should have only the required number of pills to be administered on the trip.
- C. A notebook with the medication administration record and signed practitioner orders and parental consents for the medications to be administered will be sent on the trip.
- D. The delegated staff member who will administer medications on a field trip will follow all SNSD policies and procedures for administering medications.

IX. Training

- A. The school nurse will train all school personnel who have been delegated to administer medication prior to their

administering any medication.

- B. The medication administration training checklist form will be filled out for each designee every year.

SKILLS CHECKLIST FOR MEDICATION ADMINISTRATION

Person trained:_____

School\Positon:_____

Instructor:_____

1. Identify the student
2. Check medication consent form for parent\guardian and practitioner signature.
3. Checks label of medication for name, time, dose, and route when picking \ up medication container. Checks for expiration date if it is on the medication.
4. Prepares the correct dosage of medication by pouring into lid cap and or directly into medicine cup.
5. Follow the 5 rights of giving medication:
Right student, right drug, right dose, right route, right time
6. Wash hands or use hand sanitizer prior to handling medications. Get correct amount of medication out and have, the student take it and drink water with it.
7. If the medication is an inhaler follow the directions in the front of the medication administration binder on the correct usage of an inhaler. Shake the inhaler first, have the student exhale, then insert the mouth piece or spacer in the student's mouth and either you or they will press the inhaler in a downward motion into the delivery device and then the student will inhale the medication and hold their breath for at least 10 seconds. If using a spacer then several breaths will need to be taken. Then shake the inhaler and repeat this times however many puffs are ordered. When done, have the student rinse their mouth with water.
8. If a student is having a seizure and has DIASTAT and the nurse is not present immediately call the other building nurse and have the nurse get there ASAP. A licensed nurse can only give DIASTAT. Time the seizure, it is very important. Practitioner orders may vary, but mostly only require medication if the seizure lasts for 5 minutes. Clear the area of any other students and if a towel or jacket is available have it ready as well. DIASTAT must be given rectally so privacy needs to be maintained

9. Most diabetics can usually check their own blood sugar. However, if student is unable to do so, assist them as necessary. If a student is a diabetic and is acting strange or feels they need to check it, let them do so. Look at the orders to see what to do next. Should they pass out and become unresponsive call 911 and the nurse.

10. Epi-pen and Epi-pen Jr. are to be given when signs and symptoms of anaphylaxis are present or exposure to known allergens that cause a student to have anaphylaxis occur. Signs and symptoms of anaphylaxis will be located in the front of the front medication administration binder. Epi-pens come in two strengths, 0.15mg and 0.3mg. The 0.15 mg dosage is the pediatric dosage and is usually used for a child 66 pounds or less. The 0.3mg dosage is the adult dose and is used for those 66 pounds and above. To administer Epi-pen or Epi-pen Jr. hold it firmly with the orange tip pointing downward (orange to thigh, blue to the sky). Remove the blue safety cap by pulling straight up. Then push the orange tip firmly into mid-outer thigh until you hear a click (can be done through clothes). Hold firmly in place for 3 seconds. Remove the auto injector from the thigh and massage the injection area for 10 seconds. After injection, the orange cover automatically extends to ensure the needle is never exposed. If an Epi-pen or Epi-pen Jr. has to be given, always call 911 immediately afterwards.

11. Document medication given in the on the medication administration record.

12. If you are not sure, stop and ask. Call a nurse. It is better to stop and ask then to make an error.

I have been trained by _____
to administer medications for SNSD and will abide by the 5 rights of administering medications and will use all safeguards and resources provided to me to ensure proper medication administration and documentation. I will report all medication errors to the nurse immediately.

Signature: _____

Date Adopted: August 17, 2020

Last Revised:

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Medication Administration Order

Smackover\Norphlet School District

☐ Nurse Michelle Martisek, RN Ph:870-725-1214 Fax:870-725-1260 Email: michelle.martisek@smackover.net
☐ Nurse Amy Jeffress, RN Ph:870-546-1014 Fax:870-546-1060 Email: amy.jeffress@smackover.net

Student Name: _____ Birth Date: _____ Grade: _____
Parent/Guardian Name: _____
Address: _____ Phone: _____

All Medications Must Be Completed And Signed By A Physician

Daily Medication: Diagnosis: _____

Medicine	Dosage	Route	Frequency	Duration	Time to give	Side Effects to report to Physician

PRN Medication: Administer for the following Symptoms: _____

Medicine	Dosage	Route	Frequency	Duration	Time to give	Side Effects to report to Physician

Circle all that apply &
initial in the box

☐

Student may carry (**rescue inhaler, epi-pen or equivalent**) and self- administer. I have determined along with the student and guardian that the student is responsible and knowledgeable enough to self-carry and self -administer any medication I have circled. I have encouraged the parent to provide a back-up for the school nurse.

I agree that the student's medications are reasonable and necessary to be administered during school hours in accordance with SNSD Medication Policy as listed below and as prescribed by myself.

Physician Name (please Print)

Physician Signature

Date

Address

Telephone

Medication Policy Guidelines

1. Medication must be in the original container with the student's name on prescription. Only one medication per bottle.
2. No medication to be given three (3) times daily or less will be administered at school if it can be administered before school or after school without interfering with the therapeutic effect, unless the physician specifies a time to be given that falls during the school day.
4. The consent form must be signed before any medication will be given at school.

PARENT PERMISSION FOR ADMINISTRATION OF MEDICATION

I hereby give my permission to the school nurses or authorized (trained) personnel of SNSD to give medication to my child in accordance with the Board of Education Policy. I agree to hold SNSD, its employees and agents who are acting within the scope of their duties harmless in any and all claims arising from administration of this medication at school. I hereby give permission to the school nurse to contact the child's physician if needed. I give consent for this information to be shared with staff members with an educational right to know. I agree to contact the school nurse if any changes occur with the above request. ***For Narcotics, in the absence of the nurse, I the parent/guardian, delegate** _____

_____ to
administer the medication.

Parent /Guardian Signature (Required)

Date

Dated Adopted: August 17, 2020
Last Revised:

4.36 – STUDENT ILLNESS/ACCIDENT

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

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

Date Adopted: July 6, 2004

Last Revised:

4.37—EMERGENCY DRILLS

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

The District shall annually conduct a lockdown drill at all schools in the District in collaboration with local law enforcement and emergency management personnel. The lockdown drill training will include use of the District's emergency communication method with law enforcement. Students will be included in the drills to the extent that is developmentally appropriate for the age of both the students and grade configuration of the school.

Drills may be conducted during the instructional day or during non-instructional time periods.

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

Legal References: A.C.A. § 12-13-109
 A.C.A. § 6-10-110
 A.C.A. § 6-10-121
 A.C.A. § 6-15-1302
 A.C.A. § 6-15-1303
 A.C.A. § 6-15-1304
 Ark. Division of Academic Facilities and Transportation Rules Governing
 Maintenance and Operations of Ark. Public School Buses and Physical Examinations
 of School Bus Drivers 4.03.1

Date Adopted: July 6, 2004

Last Revised: July 2, 2007, May 20, 2013, July 15, 2013, May 19, 2014, June 21, 2021

4.38—PERMANENT RECORDS

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

Legal References: A.C.A. § 6-18-901
 A.C.A. § 6-28-107
 DESE Rules Governing Student Permanent Records

Date Adopted: July 6, 2004
Last Revised: August 18, 2008, June 21, 2021

4.39—CORPORAL PUNISHMENT

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

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

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

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

Legal References: A.C.A. § 6-18-503(b)
 DESE Rules Governing Student Discipline and School Safety
 DESE Rules Governing Special Education and Related Services Section 11.00 -
 Discipline

Date Adopted: July 6, 2004

Last Revised: July 8, 2019

4.40—HOMELESS STUDENTS

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

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

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

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

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

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

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

- Continue the child's or youth's education in the school of origin for the duration of homelessness:
 - In any case in which a family becomes homeless between academic years or during an academic year; and

- o For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
- Enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

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

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

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

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

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

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

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

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

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

Date Adopted: July 6, 2004

Last Revised: June 20, 2016, March 13, 2018

4.41—PHYSICAL EXAMINATIONS OR SCREENINGS

The Smackover-Norphlet School District conducts routine health screenings such as hearing, vision, and scoliosis due to the importance these health factors play in the ability of a student to succeed in school. The intent of the exams or screenings is to detect defects in hearing, vision, or other elements of health that would adversely affect the student's ability to achieve to his/her full potential.

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

Except in instances where a student is suspected of having a contagious or infectious disease, parents shall have the right to opt their student out of the exams or screenings by using form 4.41F or by providing certification from a physician that he/she has recently examined the student.

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

Date Adopted: July 6, 2004

Last Revised: August 10, 2009, July 8, 2019, August 8, 2019

4.41F—Objection to Physical Examinations or Screenings

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby note my objection to the physical examination or screening of the student named below.

Physical examination or screening being objected to:

_____ Vision test

_____ Hearing test

_____ Scoliosis test

_____ Other, please specify _____

Comments:

Name of student (Printed)

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

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

4.42 – STUDENT HANDBOOK

It shall be the policy of the Smackover-Norphlet School District that the most recently adopted version of the Student Handbook be incorporated by reference into the policies of this District. In the event that there is a conflict between the student handbook and a general board policy or policies, the more recently adopted language will be considered binding and controlling on the matter provided the parent(s) of the student, or the student if 18 years of age or older have acknowledged receipt of the controlling language.

Date Adopted: July 6, 2004

Last Revised: July 2, 2007

4.43—BULLYING

Definitions

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

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

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

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

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

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

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

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

- a. Building a fake profile or website of the employee;
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;

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

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

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

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

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

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

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

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

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

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

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred. In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

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

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

Copies of this policy shall be available upon request.

Legal References: A.C.A. § 5-71-217
 A.C.A. § 6-18-514
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: June 8, 2019

Last Revised:

4.44—NATIONAL ANTHEM

Each school in the District shall broadcast The Star-Spangled Banner at:

- The commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the broadcast of The Star-Spangled Banner may be performed at only one (1) of the events; and
- At least one (1) time each week during school hours.

The broadcast of The Star-Spangled Banner shall be selected from any recording that adheres to the Division of Elementary and Secondary Education (DESE) Rules, or, when appropriate, performed from original sheet music that adheres to DESE rules by:

- A school-sanctioned band program;
- A school-sanctioned chorale program, vocal group, or vocalist; or
- The attendees of a school-sanctioned event led by a vocalist selected by the principal of the school hosting the school-sanctioned event.

Students shall not be compelled to participate in the performance of The Star-Spangled Banner, but students who choose not to participate in the performance of The Star-Spangled Banner shall not disrupt those students choosing to participate in the performance of The Star-Spangled Banner. Students choosing not to participate in the performance of The Star-Spangled Banner who do not disrupt the participation of performance of The Star-Spangled Banner shall not be subject to any comments, retaliation, or disciplinary action.

Legal Reference: A.C.A. § 6-10-135

Date Adopted: June 21, 2021

Last Revised:

4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2026 AND THEREAFTER

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process³ to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

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

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

GRADUATION REQUIREMENTS

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

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

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

Digital Learning Courses

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

Personal and Family Finance

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

Computer Science

All students shall earn one (1) unit of credit in a computer science course in order to graduate.

SMART CORE: Sixteen (16) units

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

Oral Communications: one-half (½) unit

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

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

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

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

3) Algebra II; and

4) The fourth unit may be either:

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

Natural Science: three (3) units

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

Social Studies: three (3) units

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

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

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

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

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

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

CAREER FOCUS: - Six (6) units

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.

CORE: Sixteen (16) units

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

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

Mathematics: four (4) units

- Algebra or its equivalent* - 1 unit

- Geometry or its equivalent* - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable concurrent credit college courses may be substituted where applicable)
- A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry

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

Science: three (3) units

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

Social Studies: three (3) units

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

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

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

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

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

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

CAREER FOCUS: - Six (6) units

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT
5.11—DIGITAL LEARNING COURSES
5.12—COMPUTER SCIENCE INTERNSHIPS AND INDEPENDENT STUDIES
5.16—COMPUTER SCIENCE COURSE PREREQUISITES AND PROGRESSION

Legal References: Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3
DESE Guidelines for the Development of Smart Core Curriculum Policy
DESE Rules Governing Distance and Digital Learning
Smart Core Information Sheet
Smart Core Waiver Form
Commissioner’s Memo LS-18-082
A.C.A. § 6-4-302
A.C.A. § 6-16-122
A.C.A. § 6-16-143
A.C.A. § 6-16-149
A.C.A. § 6-16-150
A.C.A. § 6-16-152
A.C.A. § 6-16-1406
A.C.A. § 6-28-115

Date Adopted: June 21, 2021
Last Revised:

4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2022, 2023, 2024, AND 2025

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

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

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

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

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

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

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

GRADUATION REQUIREMENTS

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation for a student participating in either the Smart Core or Core curriculum. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

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

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

Digital Learning Courses

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

Personal and Family Finance

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

SMART CORE: Sixteen (16) units

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

Oral Communications: one-half (½) unit

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

- 1) Algebra I or Algebra A & B* which may be taken in grades 7-8 or 8-9;
- 2) Geometry or Geometry A & B* which may be taken in grades 8-9 or 9-10;

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

- 3) Algebra II; and
- 4) The fourth unit may be either:
 - A math unit approved by DESE beyond Algebra II; or
 - A computer science flex credit may be taken in the place of a fourth math credit.

Natural Science: three (3) units

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

Social Studies: three (3) units

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

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

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

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

Economics – one half ($\frac{1}{2}$) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.⁸

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

CAREER FOCUS: - Six (6) units

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.

CORE: Sixteen (16) units

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

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

Mathematics: four (4) units

- Algebra or its equivalent* - 1 unit
- Geometry or its equivalent* - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable concurrent credit college courses may be substituted where applicable)
- A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry

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

Science: three (3) units

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

Social Studies: three (3) units

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

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

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

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

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

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

CAREER FOCUS: - Six (6) units

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT
5.11—DIGITAL LEARNING COURSES
5.12—COMPUTER SCIENCE INTERNSHIPS AND INDEPENDENT STUDIES
5.16—COMPUTER SCIENCE COURSE PREREQUISITES AND PROGRESSION

Legal References: Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3
DESE Guidelines for the Development of Smart Core Curriculum Policy
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A.C.A. § 6-4-302
A.C.A. § 6-16-122
A.C.A. § 6-16-143
A.C.A. § 6-16-149
A.C.A. § 6-16-150
A.C.A. § 6-16-1406
A.C.A. § 6-28-115

Date Adopted: June 19, 2017

Last Revised: July 10, 2018, February 12, 2017, July 8, 2019, September 21, 2020, June 21, 2021

4.46—PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance shall be recited:

1. During the first class period of each school day;
2. At the commencement of each school-sanctioned after-school assembly; and
3. At the commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the Pledge may be recited at only one (1) of the school-sanctioned sporting events.

Students choosing to participate in the recitation of the Pledge shall do so by facing the flag with their right hands over their hearts, or in an appropriate salute if in uniform, while reciting the Pledge. Students choosing not to participate shall either stand or sit quietly while the other students recite the Pledge.

Students shall not be compelled to recite the Pledge, but students who choose not to recite the Pledge shall not disrupt those students choosing to recite the Pledge. Students choosing not to recite the Pledge who do not disrupt those students who choose to recite the Pledge shall not be subject to any comments, retaliation, or disciplinary action.

Following the recitation of the Pledge, there shall be an observance of one (1) minute of silence. During the one (1) minute of silence, each student may reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Students who do not disrupt the one (1) minute of silence shall not be subject to any comments, retaliation, or disciplinary action.

Legal References: A.C.A. § 6-10-115
 A.C.A. § 6-16-108

Date Adopted: July 2, 2007

Last Revised: May 20, 2013, July 8, 2019, June 21, 2021

4.47— POSSESSION AND USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES

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

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

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

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

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

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

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

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

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

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

No student shall use any wireless communication device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle that is in motion and on school property. Violation may result in disciplinary action up to and including suspension.⁵

Legal References: A.C.A. § 6-15-2907
 A.C.A. § 6-18-515
 A.C.A. § 27-51-1602
 A.C.A. § 27-51-1603
 A.C.A. § 27-51-1609
 DESE Test Administration Manual
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: June 13, 2005

Last Revised: July 2, 2009, August 10, 2009, May 20, 2013, July 15, 2013, July 28, 2015, June 20, 2016, July 19, 2017, July 10, 2018, February 12, 2020, March 10, 2020

4.48—VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING

The Board of Directors 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, automatic identification technology, data compilation devices, and technology capable of tracking the physical location of district equipment, students, and/or personnel.

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

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. Other than video recordings being retained under the provisions of this policy's following paragraph, the district's video recordings may be erased any time greater than 45 days after they were created.

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

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

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

Date Adopted: July 2, 2007
Last Revised: August 18, 2008

4.49—SPECIAL EDUCATION

In accordance with the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and Arkansas Statutes, the Smackover-Norphlet School District shall provide a free appropriate public education and necessary related services to all children with disabilities who reside;

- Within the district boundaries; or
- Outside of the District boundaries but are enrolled in the District.

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

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

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

Cross Reference: 6.7—COMPLAINTS

Legal References: 34 C.F.R. part 300
 20 U.S.C. §1400 et seq.
 29 U.S.C. § 794
 42 U.S.C. §12101 et seq.
 A.C.A. § 6-41-102
 A.C.A. § 6-41-103
 A.C.A. § 6-41-201 et seq.

Date Adopted: August 18, 2008

Last Revised: August 10, 2009, June 19, 2017, March 10, 2020

4.50—SCHOOL MEAL MODIFICATIONS

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

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

The medical statement should include:

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

If the information provided in the medical statement is unclear, or lacks sufficient detail, the district's Director of Child Nutrition¹ shall request additional information so that a proper and safe meal can be provided.

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

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

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

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

Date Adopted: August 10, 2009

Last Revised: June 20, 2016, June 19, 2017

4.51—FOOD SERVICE PREPAYMENT

Meal Charges¹

Option 1: The district does not provide credit for students to charge for meals, a la carte, or other food and beverage items available for purchase in the school food service areas. Meals, a la carte, or other food and beverage items may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the District that may be charged for the items. Parents, or students choosing to do so, may pay in advance for meals, a la carte, or other food and beverage items through any of the following methods:²

- Submitting cash or check payment at _____³;
- Depositing funds through the District's online service;

A student's parents will be contacted by authorized District personnel regarding a student's prepaid account balance at the following times :⁴

Option 2: The District participates in _____⁵ and provides meals to all students at no charge. The District does not provide credit for students to charge for a la carte or other food and beverage items available for purchase in the school food service areas. A la carte or other food and beverage items may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the District that may be charged for the items. Parents, or students choosing to do so, may pay in advance for a la carte or other food and beverage items through any of the following methods:²

- Submitting cash or check payment to _____³;
- Depositing funds through the District's online service;

Unpaid Meal Access ~~Alternative Meals~~⁶

~~Option A: The District does not provide alternative meals for students.~~

~~Option B: The~~ In accordance with Arkansas law, the District ~~provides alternative meals at no cost to~~ allows students whose accounts do not have enough funds to purchase a meal to receive an unpaid reimbursable meal at no charge. ~~Alternative meals are available during _____⁷. A student may select an alternative meal up to _____⁸ times in a school year.~~ The District will notify a student's parents ~~when the student has:~~²

- 0 ~~_____⁹ alternative meal options remaining in the school year.~~ When the student's prepaid account balance has dropped to the point that the student will begin receiving unpaid meals; and
- 0 Each time the student receives the first unpaid meal after money has been deposited into the student's prepaid account; and
- 0 ~~No more alternative meals available for the school year.~~ After the student has received five (5) unpaid meals.

~~The alternative meals provided to students are available as _____¹⁰.~~ Students who have submitted proper documentation to receive a meal modification in accordance with Policy 4.50—SCHOOL MEAL MODIFICATIONS shall receive the same type of modification for an ~~alternative~~ unpaid meal.

Notes: This policy is similar to policy 7.17. If you change this policy, please review 7.17 at the same time to ensure applicable consistency between the two.

While districts have the option to allow students to charge for meals, ~~and~~ a la carte items, ~~and alternative meals~~, we have not provided any options that would allow students to do so because Chapter 3 of the federal Fair and Accurate Credit Transaction Act of 2007 (15 U.S.C. § 1681 *et seq.*), along with its accompanying regulations (16 C.F.R. part 681), requires “creditors” to implement an Identity Theft Protection Program. We see the establishment and maintenance of an identity theft protection program to be a financial and potentially time-consuming burden. Districts can avoid this burden by not having practices deemed to make them “creditors”, such as through the language in this policy.

A copy of this policy must be communicated in writing at least once to all households at the start of each school year and to households of students who transfer to the school during the school year. Some suggestions on communication methods are to include a copy of the policy in:

- Student enrollment materials;
- Print versions of student handbooks; or
- Notification methods on applying for free or reduced price meals.

The United States Department of Agriculture (USDA) does not consider providing a copy of this policy only in electronic format to satisfy the communication requirement.

A written copy of this policy must be provided to all staff responsible for policy enforcement. This includes:

- A. School food service professionals;
- B. Staff involved in notifying families of low prepaid account balances;
- C. School social workers;
- D. School nurses; and
- E. The LEA homeless student liaison.

¹ While the options provided in this section are written as though they will apply to the district as a whole and that you will only need to select one option, the circumstances at your district may require you to select an option at the individual school level. As an example: if your elementary and middle school both participate in the USDA’s Community Eligibility Provision (CEP) while the high school is a traditional school, then you would need to adopt Option 2 for both the elementary and middle school and Option 1 for the high school.

² Insert the methods here that parents and students may use to put money into the student’s account. If you do not have an online method for parents to place money in a student’s account, then remove it from this list. If you have an online prepayment system, the USDA requires that an option for the parent or student to provide funds through a cash or check system continue to be provided as not all families may have easy access to the internet. In addition, if there are any fees associated with your online prepayment system, or any other prepayment system, which are not covered by the district, you are required to inform district parents of the fees.

³ Insert the place where parents and students may go to submit money for the student’s account. Examples include, but are not limited to: the district’s central office, the school’s central office, or the food service office.

⁴ Insert the times and method an authorized person will attempt to contact a student's parents to inform them the student's account is low. As an example, you may choose to have the parents be contacted by phone when the student's account has five dollars (\$5) left and to send a letter along with a copy of the policy if the student's account becomes empty. The goal is to try and prevent a student from showing up with too few funds to purchase a meal.

⁵ Insert the applicable USDA Special Assistance Provision. Examples include, but are not limited to, the USDA's CEP or Provision 2.

⁶ While the ~~options~~ language provided in this section ~~are~~ is written as though ~~they will apply~~ it applies to the district as a whole ~~and that you will only need to select one option~~, the circumstances at your district may require you to ~~select an option~~ include or not include the language at the individual school level. As an example: if your elementary and middle school both participate in USDA's CEP while the high school is a traditional school, then you ~~should adopt Option A for both the elementary and middle school~~ would not need the language to be included in the handbooks for the elementary and middle schools ~~and could select either Option~~ but would need to include the language for the high school. ~~You are not required to offer alternative meals to students but need to indicate in this policy whether or not you will. We included the option for alternative meals to provide a method to attempt to prevent a student from going hungry due to lack of funds because we did not include a method for students to charge for meals.~~ The Hunger-Free Students Bill of Rights (A.C.A. § 6-18-715) requires that a student be allowed to receive the same reimbursable meal as other students even if the student has no funds in the student's prepaid account or is unable to pay at the time of service.

⁷ ~~Insert the meal(s) where alternative meals will be provided.~~

⁸ ~~Insert the number of times a student may receive an alternative meal in a school year due to the student not having payment in hand or enough funds in the prepaid account to purchase a reimbursable meal.~~

⁹ ⁷ Insert a number of ~~alternative~~ unpaid meals ~~remaining when~~ a student may receive before you will contact a student's parents ~~to inform them of the number of alternative meals the student is still eligible to receive during the school year. We recommend informing~~ Law requires that you inform the parents ~~when~~ that the student has received unpaid meals ~~half of the total number of alternative meals the student is eligible to receive during the school year~~ no later than when the student has received the fifth(5th) unpaid meal. While the only times we have ~~only~~ included in the policy ~~one time~~ for a student's parents ~~will~~ to be notified ~~as to how many alternative meals their student may receive before the student has used all of the student's alternative meals~~ that their student has received an unpaid meal to each time the student's prepaid account is low enough that a student ends up receiving an unpaid meal and after a student receives five (5) unpaid meals, you may add additional times the student's parents will be notified.

¹⁰ ~~Insert the type of alternative meal(s) that will be available to students. While the traditional alternative meal is a sack lunch, our understanding is that districts may provide a traditional or low cost reimbursable meal at no cost to the student instead; providing the reimbursable meal a limited number of times per year to students who are otherwise unable to pay has the benefits of ensuring the student receives a healthy meal while removing any possible stigma from not being able to pay and receiving a~~

~~noticeable sack lunch. For districts who provide the alternative meal as a sack lunch at no charge, the alternative meal provided is not required to meet the Federal Smart Snacks requirements or the Arkansas Nutrition Standards.~~

Legal References: Commissioner's Memo CNU-17-003
 Commissioner's Memo CNU-17-024
 [A.C.A. § 6-18-715](#)

Date Adopted:

Last Revised:

4.52—STUDENTS WHO ARE FOSTER CHILDREN

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

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

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

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

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

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

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

Foster Child School Choice

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

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

The District shall only reject a Foster Child School Choice application if:

1. The public school or District has reached the maximum student-to-teacher ratio allowed under federal law; state law; the standards for accreditation; or other applicable State rule or Federal regulation.

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

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

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

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

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

Cross References: 4.1—RESIDENCE REQUIREMENTS
 4.2—ENTRANCE REQUIREMENTS
 4.5—SCHOOL CHOICE
 4.7—ABSENCES

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

Date Adopted: June 13, 2011

Last Revised: July 28, 2015, June 19, 2017, July 8, 2019, March 10, 2020

4.53 – PLACEMENT OF MULTIPLE BIRTH SIBLINGS

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

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

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

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

Legal Reference: A.C.A. § 6-18-106

Date Adopted: June 13, 2011
Last Revised:

4.54 - STUDENT ACCELERATION

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

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

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

The District's Gifted and Talented (GT) Program Coordinator will create a written format to govern the referral and determination process, which shall be made available to any parent or staff member upon request.

The parents/guardians of any student whose request for acceleration has been denied may appeal the decision, in writing to the District's GT Coordinator¹. The District's GT Coordinator and the Acceleration Placement Committee will again thoroughly review the case study that was completed on the student. Upon completion of the review, the Committee will either request additional new testing be conducted to help the Committee make its determination or it will uphold the initial decision. The Committee's decision may not be further appealed.

Legal Reference: DESE Gifted and Talented Rules

Date adopted: March 10, 2020

Last Revised:

4.55—STUDENT PROMOTION AND RETENTION

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

At least once each semester, the Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis, and teacher(s) of a student in kindergarten through eighth (8th) grade shall be notified in writing of the student's independent grade-level-equivalency in reading.

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

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

- a. The building principal or designee;
- b. The student's teacher(s);
- c. School counselor;
- d. A 504/special education representative (if applicable); and
- e. The student's parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis.

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

Each student shall have a student success plan (SSP) developed by school personnel in collaboration with the student's parents and the student that is reviewed and updated annually. A student's SSP shall use multiple academic measures to personalize learning in order for students to achieve their grade-level expectations and individual growth. The SSP will identify if the student is in need of additional support or acceleration.

Academic measures to be used in creating and updating a student's SSP shall include, but are not limited to:

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

By the end of grade eight (8), the student's SSP shall:

- o Guide the student along pathways to graduation;
- o Address accelerated learning opportunities;

- o Address academic deficits and interventions; and
- o Include college and career planning components.

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

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

An SSP shall be created:

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

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

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

Cross References: 3.30—PARENT-TEACHER COMMUNICATION
4.56—EXTRACURRICULAR ACTIVITIES - SECONDARY SCHOOLS
4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: A.C.A. § 6-15-2001
A.C.A. § 6-15-2005
A.C.A. § 6-15-2006
A.C.A. § 6-15-2907
A.C.A. § 6-15-2911
A.C.A. § 9-28-205
DESE Rules Governing the Arkansas Educational Support and Accountability Act
DESE Rules Governing Grading and Course Credit
Murphy v. State of Ark., 852 F.2d 1039 (8th Cir. 1988)

Date Adopted: July 28, 2015

Last Revised: June 19, 2017, July 8, 2019, March 10, 2020

4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Definitions

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

“Field Trips” are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

“Interscholastic Activities” means athletic or non-athletic/academic activities where students compete on a school vs. school basis.

“Intrascholastic Activities” means athletic or non-athletic/academic activities where students compete with students from within the same school.

Extracurricular Eligibility

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments or other similar events excepted with approval of the superintendent. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

A student may lose his/her eligibility to participate in extracurricular activities when, in the opinion of the school’s administration, the student’s participation in such an activity may adversely jeopardize his/her academic achievement. Students may also be denied permission to participate in extracurricular activities as a consequence of disciplinary action taken by the administration for inappropriate behavior.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student’s failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

A student who enrolls in the district and meets the definition of “eligible child” in Policy 4.2—ENTRANCE REQUIREMENTS shall be eligible to try out for an extracurricular activity regardless of the date the student

enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
 4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Legal References: A.C.A. § 6-4-302
 A.C.A. § 6-15-2907
 A.C.A. § 6-16-151
 A.C.A. § 6-18-713
 A.C.A. § 6-28-108
 Commissioner’s Memo LS-18-015

Date Adopted: June 16, 2014

Last Revised: June 20, 2016, June 19, 2017, July 8, 2019, June 21, 2021

4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS

Home-schooled student means a student legally enrolled in an Arkansas home school and who meets or has met the criteria for being a home-schooled student, as established by A.C.A. § 6-15-503.

Interscholastic activity means an activity between schools subject to rules of the Arkansas Activities Association that is outside the regular curriculum of the school district, such as an athletic activity, fine arts program, or a special interest group or club.

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.

Home-schooled students whose parents or guardians are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone as permitted by this policy.

Home-schooled students whose parent or legal guardian are not residents of the school district will be permitted to pursue participation in an interscholastic activity in the District if the superintendent of the student's resident district and the superintendent of the District both agree in writing to allow the student to participate in interscholastic activities at the District.

Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in an interscholastic activities without discrimination. The District shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the home-schooled student is unable to meet because of his or her enrollment in a home school.

No student shall be required to pay for individual or group instruction in order to participate in an interscholastic activity.

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one course in the District's school where the student is intending to participate in an interscholastic activity.

The student shall regularly attend the class in which the student is registered beginning no later than the eleventh (11th) day of the semester in which the student's interscholastic activity participation is desired. The student must attend the practices for the interscholastic activity to the same extent as is required of traditional students.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

A home-schooled student who has met the try out criteria; and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:

- standards of behavior and codes of conduct;
- attend the practices for the interscholastic activity to the same extent as is required of traditional students;
- required drug testing;
- permission slips, waivers, physical exams; and
- participation or activity fees.

A home-schooled student who is not a resident of the District may begin participating in interscholastic activities:

- a. Immediately upon being approved for participation for all interscholastic activities other than athletic activities; and
- b. One (1) calendar year after being approved to participate in interscholastic activities that are athletic activities unless the approval is prior to July 1 of the school year the student would have been enrolled in seventh (7th) grade if the student were enrolled in public school.

A home-schooled student who is not a resident of the District and is prohibited under this policy from participating in an interscholastic activity that is an athletic activity for one (1) calendar year may immediately participate in rehearsals, tryouts, practices, auditions, classes, or other endeavors associated with the interscholastic activity.

Students who participate in extracurricular or athletic activities under this policy will be transported to and from the interscholastic activities on the same basis as other students are transported.

A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five days after the student withdraws from the member school.

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

Legal References: A.C.A. § 6-15-509
 A.C.A. § 6-16-151
 A.C.A. § 6-18-232
 A.C.A. § 6-18-713
 Arkansas Activities Association Handbook
 Commissioner's Memo COM-18-009
 Commissioner's Memo LS-18-015

Division of Elementary and Secondary Education Rules Governing Home Schools

Date Adopted: May 14, 2014

Last Revised: June 19, 2017, July 8, 2019

4.56.2F— HOME SCHOOLED STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT RESIDENT DISTRICT

Student's Name (Please Print) _____

Parent or Guardian's Resident Address

Street _____ Apartment _____

City _____ State _____ Zip Code _____

Student's date of birth ____/____/____ Last grade level the student completed _____

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test approved by the State Board of Education. _____

Name of test, Date taken, and score achieved _____

Extracurricular activity(ies) the student requests to participate in

Course(s) the student requests to take at the school _____

Proof of identity _____

Date Submitted ____/____/____

Parent's Signature _____

Date Adopted: July 28, 2015

Last Revised: June 19, 2017

4.56.2F2— HOME SCHOOLED STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT NON-RESIDENT DISTRICT

Student's Name (Please Print) _____

Parent or Guardian's Resident Address

Street _____ Apartment _____

City _____ State _____ Zip Code _____

Student's date of birth ____ / ____ / ____ Last grade level the student completed _____

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test approved by the State Board of Education.

Name of test, Date taken, and score achieved _____

Extracurricular activity(ies) the student requests to participate in

Course(s) the student requests to take at the school _____

Proof of identity _____

Date Submitted ____ / ____ / ____

Parent's Signature _____

As the superintendent of the above student's resident district, I agree that the above student may participate in extracurricular activities at _____ School District.

Resident Superintendent's Signature: _____

As the superintendent of the _____ School district, where the above student desires to participate in extracurricular activities, I agree to allow the student to participate in extracurricular activities at _____ School District.

Non-resident Superintendent's Signature: _____

Date Adopted: June 19, 2017

Last Revised:

4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Definitions:

“Academic Courses” are those courses for which class time is scheduled, which can be credited to meet the minimum requirements for graduation, which is taught by a teacher required to have State licensure in the course or is otherwise qualified under Arkansas statute, and has a course content guide which has been approved by the Division of Elementary and Secondary Education (DESE). Any of the courses for which concurrent high school credit is earned may be from an institution of higher education recognized by DESE. If a student passes an academic course offered on a block schedule, the course can be counted twice toward meeting the requirement for students to pass four (4) academic courses per semester as required by this policy.

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

“Field Trips” are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

“Interscholastic Activities” means athletic or non-athletic/academic activities where students compete on a school vs. school basis.

“Intrascholastic Activities” means athletic or non-athletic/academic activities where students compete with students from within the same school.

“Supplemental Improvement Program (SIP)” is an additional instructional opportunity for identified students outside of their regular classroom and meets the criteria outlined in the current Arkansas Activities Association (AAA) Handbook.

Extracurricular Eligibility

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted)². Additionally, a student’s participation in, and the District’s operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled

as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

A student who enrolls in the district and meets the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS shall be eligible to try out for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

Interscholastic Activities

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.

ACADEMIC REQUIREMENTS: Junior High

A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the first semester. The second semester eighth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The first semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The second semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed (4) academic courses the previous semester which count toward his/her high school graduation requirements.

Ninth-grade students must meet the requirements of the senior high scholarship rule by the end of the second semester in the ninth grade in order to be eligible to participate the fall semester of their tenth-grade year.

ACADEMIC REQUIREMENTS: Senior High

In order to remain eligible for competitive interscholastic activity, a student must have passed (4) academic courses the previous semester and either:

1. Have earned a minimum Grade Point Average (GPA) of 2.0 from all academic courses the previous semester; or
2. If the student has passed four (4) academic courses the previous semester but does not have a 2.0 GPA the student must be enrolled and successfully participating in an SIP to maintain their competitive interscholastic extracurricular eligibility.

STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM

In order to be considered eligible to participate in competitive interscholastic activities, students with disabilities must pass at least four (4) courses per semester as required by their individual education program (IEP).

ARKANSAS ACTIVITIES ASSOCIATION

In addition to the foregoing rules, the district shall abide by the rules of AAA governing interscholastic activities. AAA provides catastrophic insurance coverage for students participating in AAA governed extracurricular activities who are enrolled in school. As a matter of District policy, no student may participate in a AAA governed extracurricular activity unless he or she is enrolled in a district school, to ensure all students are eligible for AAA catastrophic insurance.

Intrascholastic Activities

AAA Governed Activities

Students participating in intrascholastic extracurricular activities that would be governed by AAA if they were to occur between students of different schools shall meet all interscholastic activity eligibility requirements to be eligible to participate in the comparable intrascholastic activity. The District will abide by the AAA Handbook for such activities to ensure District students are not disqualified from participating in interscholastic activities.

Non-AAA Governed Activities

Unless made ineligible by District policies, all students shall be eligible to participate in non-AAA governed intrascholastic extracurricular activities. Intrascholastic activities designed for a particular grade(s) or course(s) shall require the student to be enrolled in the grade(s) or course(s).

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
 4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: Arkansas Activities Association Handbook
 A.C.A. § 6-4-302
 A.C.A. § 6-15-2907
 A.C.A. § 6-16-151
 A.C.A. § 6-18-713
 A.C.A. § 6-28-108
 Commissioner's Memo COM-18-009
 Commissioner's Memo LS-18-015

Date Adopted: June 16, 2014

Last Revised: June 20, 2016, June 19, 2017, July 8, 2019, June 21, 2021

4.57—IMMUNIZATIONS

Definitions

“In process” means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional dose(s).

“Serologic testing” refers to a medical procedure used to determine an individual’s immunity to Hepatitis B, Measles, Mumps, Rubella and Varicella.

General Requirements

Unless otherwise provided by law or this policy, no student shall be admitted to attend classes in the District who has not been age appropriately immunized against:

- Poliomyelitis;
- Diphtheria;
- Tetanus;
- Pertussis;
- Red (rubeola) measles;
- Rubella;
- Mumps;
- Hepatitis A;
- Hepatitis B;
- Meningococcal disease;
- Varicella (chickenpox); and
- Any other immunization required by the Arkansas Department of Health (ADH).

The District administration has the responsibility to evaluate the immunization status of District students. The District shall maintain a list of all students who are not fully age appropriately immunized or who have an exemption provided by ADH to the immunization requirements based on medical, religious, or philosophical grounds. Students who are not fully age appropriately immunized when seeking admittance shall be referred to a medical authority for consultation.

The only types of proof of immunization the District will accept are immunization records provided by a:

- A. Licensed physician;
- B. Health department;
- C. Military service;
- D. Official record from another educational institution in Arkansas; or
- E. An immunization record printed off of the statewide immunization registry with the Official Seal of the State of Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating “up-to-date”, “complete”, “adequate”, and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted as a history of varicella disease must be documented by a licensed physician, advanced practice nurse, doctor of osteopathy, or physician assistant. Valid proof of immunization and of immunity based on serological testing shall be entered into the student’s record.

In order to continue attending classes in the District, the student must have submitted:

- 1) Proof of immunization showing the student to be fully age appropriately vaccinated;
- 2) Written documentation by a public health nurse or private physician of proof the student is in process of being age appropriately immunized, which includes a schedule of the student's next immunization;
- 3) A copy of a letter from ADH indicating immunity based on serologic testing; and/or
- 4) A copy of the letter from ADH exempting the student from the immunization requirements for the current school year, or a copy of the application for an exemption for the current school year if the exemption letter has not yet arrived.

Students whose immunization records or serology results are lost or unavailable are required to receive all age appropriate vaccinations or submit number 4 above.

Temporary Admittance

While students who are not fully age appropriately immunized or have not yet submitted an immunization waiver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1st is later in the current school year than the thirty (30) days following the student's admittance). No student shall be withdrawn and readmitted in order to extend the thirty (30) day period. Students may be allowed to continue attending beyond the thirty (30) day period if the student submits a copy of either number 2 or number 4 above.

Students who are in process shall be required to adhere to the submitted schedule. Failure of the student to submit written documentation from a public health nurse or private physician demonstrating the student received the vaccinations set forth in the schedule may lead to the revocation of the student's temporary admittance; such students shall be excluded from school until the documentation is provided.

The District will not accept copies of applications requesting an exemption for the current school year that are older than two (2) weeks based on the date on the application. Students who submit a copy of an application to receive an exemption from the immunization requirements for the current year to gain temporary admittance have thirty (30) days from the admission date to submit either a letter from ADH granting the exemption or documentation demonstrating the student is in process and a copy of the immunization schedule. Failure to submit the necessary documentation by the close of the thirty (30) days will result in the student being excluded until the documentation is submitted.

Exclusion From School

In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak. Students may be excluded for no fewer than twenty-one (21) days or even longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

Students who are excluded from school are not eligible to receive homebound instruction unless the excluded student had a pre-existing IEP or 504 Plan and the IEP/504 team determines homebound instruction to be in the

best interest of the student. To the extent possible, the student's teacher(s) shall place in the principal's office a copy of the student's assignments:

- for the remainder of the week by the end of the initial school day of the student's exclusion; and
- by the end of each school's calendar week for the upcoming week until the student returns to school.

It is the responsibility of the student or the student's parent/legal guardian to make sure that the student's assignments are collected.

Students excluded from school shall have five (5) school days from the day the student returns to school to submit any homework and to make up any examinations. State mandated assessments are not included in "examinations" and the District has no control over administering state mandated make-up assessments outside of the state's schedule. Students shall receive a grade of zero for any assignment or examination not completed or submitted on time.

Annually by December 1, the District shall create, maintain, and post to the District's website a report that includes the following for each disease requiring an immunization under this policy:

- The number of students in the District that were granted an exemption by the Department of Health from an immunization;
- The percentage of students in the District that were granted an exemption by the Department of Health from an immunization;
- The number of students within the District who have failed to provide to the public-school proof of the vaccinations required and have not obtained an exemption from ADH;
- The percentage of students within the District who have failed to provide to the public-school proof of the vaccinations required and have not obtained an exemption from ADH; and
- The percentage of a population that must receive an immunization for herd immunity to exist.

Cross References: 4.2—ENTRANCE REQUIREMENTS
 4.7—ABSENCES
 4.8—MAKE-UP WORK
 4.34—COMMUNICABLE DISEASES AND PARASITES

Legal References: A.C.A. § 6-4-302
 A.C.A. § 6-18-702
 A.C.A. § 6-28-110
 DESE Rules Governing Immunization Requirements in Arkansas Public Schools
 ADH Rules Pertaining to Immunization Requirements

Date Adopted: July 28, 2015

Last Revised: July 8, 2019, September 21, 2020, June 21, 2021

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

The District allows private school and home schooled students whose parents, legal guardians, or other responsible adult with whom the student resides are residents of the District to attend academic courses offered by the District. The District will place a list of courses that a private school or home schooled student may request to attend on its website by:

1. June 1 for courses to be offered during the Fall semester; and
2. November 1 for courses to be offered during the Spring semester.

A private school or home schooled student who desires to attend one or more of the available academic courses shall submit a written request to attend the academic course(s) to the superintendent, or designee, no later than:

- a. August 1 for Fall semester courses; or
- b. December 1 for Spring semester courses.

The superintendent, or designee, is authorized to waive the application deadline on a case by case basis.

The District permits a private school or home schooled student to attend a maximum of six (6) courses per semester.

The District may reject a private school or home schooled student's request for attendance if the District's acceptance would:

- Require the addition of staff or classrooms;
- Exceed the capacity of a program, class, grade level, or school building;
- Cost the District more for the student to attend the academic course than the District receives for the student's attendance;
- Cause the District to provide educational services the District does not currently provide at a financial burden to the District; or
- Cause the District to be out of compliance with applicable laws and regulations regarding desegregation.

Requests to attend an academic course will be granted in the order the requests are received. Upon the receipt of a private or home schooled student's request to attend academic course(s), the District will date and time stamp the request for attendance. If a private school or home schooled student is denied attendance based on a lack of capacity and an opening in the requested course occurs prior to the start of the course, the District will use the date and time stamp on the request for attendance to determine the private school or home schooled student who will be notified of an opening in the requested course.

As part of the request to attend academic courses in the District, a private school or home schooled student shall:

- o Indicate the course(s) the private school or home schooled student is interested in attending;
- o If the course(s) the private school or home schooled student is interested in attending is being offered by the District in both a physical and a digital format, whether the private school or home schooled student intends to attend the physical course or the digital course;
 - o Submit, along with the student's application, a copy of the student's transcript indicating that the student has received credit for the course(s), or equivalent course(s), that are a prerequisite to the course(s) the student desires to attend at the District;
- o Agree to follow the District's discipline policies; and

- o Submit immunization documentation required by Policy 4.57—IMMUNIZATIONS.

A private school or home schooled student who fails to attend an academic course by the eleventh (11) day of class or who is absent without excuse for eleven (11) consecutive days during the semester shall be dropped from the course; however, a private school or home schooled student shall not be considered truant for unexcused absences from the course(s) the student is attending at the District.

Private school or home schooled students shall receive a final grade and transcript for each academic course the student completes.

The responsibility for transportation of any private school or home schooled student attending academic courses in the District shall be borne by the student or the student's parents.

The opportunity provided to home schooled students under this policy is in addition to the opportunity provided in Policy 4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS.

Cross References: 4.6—HOMESCHOOLING
 4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME
 SCHOOLED STUDENTS
 4.57-- IMMUNIZATIONS

Legal References: A.C.A. § 6-15-509
 A.C.A. § 6-18-232
 A.C.A. § 6-18-702
 A.C.A. § 6-47-401 et seq.
 DESE Rules Governing Distance and Digital Learning
 DESE Rules Governing Kindergarten Through 12th Grade Immunization
 Requirements in Arkansas Public Schools
 Commissioner's Memo COM-19-021

Date Adopted: May 14, 2019

Last Revised: July 8, 2019

4.60—STUDENT BEHAVIORAL INTERVENTION AND RESTRAINT

Definitions

"Aversive behavioral intervention" means a physical or sensory intervention program that is intended to modify behavior through the use of a substance or stimulus that the intervention implementer knows will cause physical trauma, emotional trauma, or both, to a student, even when the substance or stimulus appears to be pleasant or neutral to others.

Examples of aversive behavioral interventions include, but are not limited to:

- Hitting;
- Pinching;
- Slapping;
- Using a water spray;
- Using noxious fumes;
- Requiring extreme physical exercise;
- Using loud auditory stimulus;
- Withholding meals; and
- Denying reasonable access to toileting facilities.

"Behavioral intervention" means the implementation of a service, support, or strategy to teach and increase appropriate behavior or substantially decrease or eliminate behavior that is dangerous, inappropriate, or otherwise impedes the learning of a student.

"Behavior Intervention Plan" (BIP) means a written plan that:

- Is developed by a problem-solving and intervention team and delineates emotional, social, or behavioral goals for a student and the steps that the school, student, parent of the student, and others will take to positively support the progress of the student towards the student's emotional, social, or behavioral goals;
- Is comprised of practical and specific strategies to increase or reduce a defined behavior or one (1) or more patterns of behavior exhibited by a student; and
- Includes the following at a minimum:
 - A definition or description of the desired target behavior or outcome in specific measurable terms;
 - A plan for preventing and eliminating inappropriate student behavior by changing a condition that is triggering, motivating, underlying, or supporting that behavior as determined through a FBA;
 - A plan for teaching a student to demonstrate appropriate social, emotional, or behavioral self-management, or a new method to address or meet the student's needs;
 - A description of how a specific incentive or consequence will be used as needed to decrease or eliminate inappropriate student behavior and increase appropriate behavior;
 - A plan for managing a crisis situation;
 - A system to collect, analyze, and evaluate data about the student;
 - The school personnel, resources, and training needed before implementation of the BIP; and
 - The timeline for implementing different facets of an intervention, including without limitation when the intervention will be formally reviewed.

"Chemical restraint" means the use of a drug or medication to control the behavior of a student or restrict the free movement of the student; however, chemical restraint does not include the use of medication that is

prescribed by a licensed physician, or other qualified health professional acting within the scope of the individual's professional authority under state law, for the standard treatment of a medical or psychiatric condition of a student and is administered as prescribed by the licensed physician or other qualified health professional acting within the scope of the individual's professional authority under state law.

"Crisis" means a situation in which a student engages in a behavior that threatens the health and safety of the student or others and includes without limitation a situation in which the student becomes aggressive or violent at school and is unable to regain self-control without posing a danger of injury to himself or herself or others.

"Crisis intervention" means the implementation of a service, support, or strategy to immediately stabilize a crisis and prevent the crisis from reoccurring after the crisis ends.

"Dangerous behavior" means the behavior of a student that presents an imminent danger of serious physical harm to the student or others; however, dangerous behavior does not include the following:

- Disrespect;
- Noncompliance;
- Insubordination; or
- Destruction of property that does not create an imminent danger.

"De-escalation" means the use of a behavior management technique that helps a student increase the student's control over the student's emotions and behavior and results in a reduction of a present or potential level of danger that in turn reduces the level of imminent danger of serious physical harm to the student or others.

"Emergency" means a serious and unexpected situation that requires immediate action and which may be dangerous.

"Functional Behavior Assessment" (FBA) means a problem analysis step that:

- Occurs within the context of data-based problem-solving and involves:
 - The review of existing records and other sources of information;
 - Diagnostic or historical interviews;
 - Structured academic or behavioral observations; and
 - Authentic, criterion-referenced, or norm-referenced tests; and
- Is performed with the goal of determining why a specific problem or situation is occurring in order to directly link a strategic intervention to an assessment and solve or resolve the specific problem or situation.

"Imminent danger" means an existing dangerous situation that could reasonably be expected to immediately cause death or serious physical harm.

"Mechanical restraint" means the use of a device or equipment to restrict the free movement of a student; however, mechanical restraint does not include a device that is used by trained school personnel or a student for a specific and approved therapeutic purpose or safety purpose for which the device was designed or prescribed or a vehicle safety restraint that is appropriately used in the manner for which it was designed during the transport of a student in a moving vehicle.

"Physical escort" means a temporary touching or holding of the hand, wrist, arm, shoulder, or back of a student for the purpose of redirecting or inducing the student to move to a safe location.

"Physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arm, leg, or head freely; however, physical restraint does not include a physical escort.

"Positive behavioral support" means the application of behavior analysis that:

- Is used to achieve socially important behavior change;
- Occurs at the:
 - Prevention level for all students in a school;
 - Strategic intervention level for a student who is not responding, from a social-emotional and behavioral perspective, to the prevention level; and
 - Intensive service or crisis-management level for a student who needs multifaceted or comprehensive behavioral or mental health services; and
- Involves a planned and collaborative school-wide approach that is implemented with a goal:
 - Of establishing a positive and supportive school environment that:
 - Teaches and reinforces prosocial behavior in a student;
 - Holds a student positively accountable for meeting an established behavioral expectation; and
 - Maintains a level of consistency throughout the implementation process; and
 - That is accomplished by using positive behavioral programs, strategies, or approaches.

"Prone restraint" means restraining a student in a face-down position on the floor or another surface and applying physical pressure to the body of the student to keep the student in the prone position.

"Serious physical harm" means bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

"Supine restraint" means the restraint of a student in a face-up position on the student's back on the floor or another surface and with physical pressure applied to the body of the student to keep the student in the supine position.

Positive Behavioral Supports

The District shall implement positive behavioral supports to be used at the:

1. Prevention level for each student in a school;
2. Strategic intervention level for a student who is not responding, from a social, emotional, or behavioral perspective, to the prevention level; and
3. Intensive service or crisis-management level for a student who needs multifaceted or comprehensive behavioral or mental health services.

The District's positive behavioral support shall include:

- a. The teaching and reinforcing of interpersonal, social, problem solving, conflict resolution, and coping skills to a student;
- b. Holding a student positively accountable for meeting an established behavioral expectation;

- c. Maintaining a high level of consistency through the implementation of the positive behavioral support process; and
- d. The following interrelated activities:
 -  Providing a school-wide approach to the discipline and safety of each student rather than an approach to only the behavior problem of a single student;
 -  Focusing on preventing the development and occurrence of problem behavior;
 -  Regularly reviewing behavior data to adapt the District's procedures to meet the needs of every student; and
 -  Providing a multitiered approach to academic and behavioral services and support to meet the academic and behavioral achievement needs of each student.

The following principles shall form the basis of the District's positive behavioral support system and conflict resolution or de-escalation approach:

- 1. A student has the right to be treated with dignity;
- 2. A student should receive necessary academic, social, emotional, and behavioral support that is provided in a safe and least-restrictive environment possible;
- 3. Positive and appropriate academic, social, emotional, or behavioral intervention, as well as mental health support, should be provided routinely to each student who needs the intervention or support;
- 4. Behavioral intervention should emphasize prevention as part of the District's system of positive behavioral support; and
- 5. Each student who exhibits an ongoing behavior that interferes with the student's learning or the learning of others, and who is nonresponsive to effectively implemented classroom or administrative intervention, should receive additional intensive behavioral intervention that is based on FBA and data-based problem solving.

Problem Solving and Intervention Team

A problem-solving and intervention team shall be established for each student who exhibits social, emotional, or behavioral difficulty that may escalate, if not addressed, to potentially dangerous behavior. The problem-solving and intervention team shall include at least one (1) member who is an academic and behavioral assessment and intervention professional.

A student's problem-solving and intervention team shall:

- a. Work with the teachers of a student to complete FBA of the student and an assessment of any problematic situations involving the student;
- b. Consider the need for a BIP with the goal of preventing or resolving the social, emotional, or behavioral difficulty of the student and developing a response that will de-escalate and stabilize a potential emergency situation that approaches the danger level; and
- c. Regularly review the data on incidents involving the use of physical restraint on the student and adjust, as necessary, the procedures concerning the use of physical restraint on the student.

Special education procedures shall be followed if a student is suspected of having a disability that relates to behavioral concerns.

Physical Restraint

Except in the case of a clearly unavoidable emergency situation in which a trained member of school personnel is not immediately available due to the unforeseeable nature of the emergency situation, the physical restraint of a student shall only be used by a member of school personnel who is appropriately trained to administer physical restraint.

When using physical restraint on a student, school personnel shall:

- use the least restrictive technique necessary to end imminent danger or serious physical harm to a student and others;
- Use the safest method available and appropriate to the situation;
- Consider the health and safety of a student, including without limitation whether the student has an existing medical condition that makes the use of physical restraint inadvisable;
- Not restrict the ability of a student to communicate unless the use of a less restrictive technique will not prevent imminent danger of serious physical harm to the student or others;
- Use only the amount of force that is reasonably necessary to protect a student or others from imminent danger of serious physical harm to the student or others;
- Not verbally abuse, ridicule, humiliate, taunt, or engage in any other similar action towards the student; and
- continuously and visually observe and monitor the student while the student is under physical restraint.

Physical restraint of a student shall only be used for a limited period of time and shall not be used:

- When imminent danger or serious physical harm to the student or others dissipates;
- If a medical condition occurs that puts the student at risk of harm;
- Unless the behavior of the student poses an imminent danger of serious physical harm to the student or others;
- After the threat of imminent danger of serious physical harm to the student or others dissipates; or
- In the following manner:
 - To punish or discipline the student;
 - To coerce the student;
 - To force the student to comply;
 - To retaliate against the student;
 - To replace the use of an appropriate educational or behavioral support;
 - As a routine safety measure;
 - As a planned behavioral intervention in response to behavior of the student that does not pose an imminent danger of serious physical harm to the student or others;
 - As a convenience for school personnel; or
 - To prevent property damage unless the act of damaging property committed by the student poses an imminent danger or serious physical harm to the student and others.

Even in an emergency, supine restraint shall not be used on a student except by a staff person who has been certified by a crisis intervention training program and the certified staff person determines that supine restraint is required to provide safety for the student and others.

At no time shall school personnel use the following on a student:

-  Mechanical restraint;

-  Chemical restraint;
-  Aversive behavioral interventions that compromise health and safety;
-  Physical restraint that is life-threatening or medically contraindicated; or
-  Prone restraint or other restraint that restricts the breathing of a student.

Following the first incident of physical restraint used on a student, an FBA shall be conducted unless a previous FBA was conducted for the same behavior that was at issue when the physical restraint was used.

The use of physical restraint on a student as a planned behavioral intervention shall not be included in a student's IEP, 504 Plan, BIP, individual safety plan, or other individual planning document but may be considered as a crisis intervention if appropriate for the student. A student's IEP team or 504 Plan team shall consider whether an FBA should be performed; if a BIP should be developed for the student or if a student's existing BIP should be revised; and if additional behavioral goals and interventions should be included in the student's existing IEP or 504 Plan.

Parents may submit complaints regarding an incident involving the use of physical restraint on their student. A complaint shall be referred for review to the appropriate school personnel:

- The student's problem-solving and intervention team;
- The student's IEP team; or
- The student's 504 Plan team.

A complaint by a parent shall be handled by the appropriate District staff in the same manner as a debrief following the use of physical restraint on a student.

Use of a physical restraint technique that is abusive shall be reported to the Child Abuse Hotline and law enforcement.

Reports and Debriefing

After the occurrence of an incident involving physical restraint of a student, the building principal, or the principal's designee, shall be notified of the incident as soon as possible but by no later than the end of the school day when the incident occurred.

The student's parent shall be notified of the incident of the use of physical restraint via verbal or electronic communication as soon as possible but by no later than the end of the school day when the incident occurred. In the event the student's parent is unable to be notified via verbal or electronic communication within twenty-four (24) hours after the incident occurred, then the parent shall be mailed written notification of the incident within forty-eight (48) hours after the incident occurred.

school personnel involved in the incident shall document the incident in a written report, which is to be completed within twenty-four (24) hours after the incident occurred. The written report of the incident shall:

1. Include all information contained in the Division of Elementary and Secondary Education (DESE) Physical Restraint or Seclusion Incident Record and Debriefing Report;
2. Be maintained in the student's education record; and
3. Be provided to the student's parent within one (1) school day of the completion of the report.

A debriefing meeting shall be held within two (2) school days after the incident occurred. The following school personnel shall be present at the debriefing meeting:

- a. A member of school personnel who was present during the incident;
- b. A member of school personnel who was in the proximity of the student on whom physical restraint was used immediately before and during the time of the incident;
- c. A school administrator; and
- d. Any other member of school personnel determined to be appropriate by the District.

The purpose of the debriefing meeting shall be to:

- Determine whether the procedures used during the incident were necessary;
- Evaluate the use of any behavioral supports and de-escalation techniques by school personnel before and during the incident;
- Evaluate the school district's positive behavioral supports system and prevention techniques in order to minimize future use of physical restraint; and
- If a trained member of school personnel was not immediately available due to the unforeseeable nature of the emergency situation when the incident occurred:
 - Reevaluate the training needs of school personnel;
 - Reevaluate the physical restraint policy and practices; and
 - Develop a plan to prevent a future incident.

At a debriefing meeting, school personnel shall:

1. Consider relevant information in the student's education record, including without limitation:
 - a. The concerns of the student's parent;
 - b. The student's social and medical history;
 - c. The student's FBA, if one exists; and
 - d. The student's BIP, if one exists;
2. Consider relevant information from the teachers, parents, and other District professionals;
3. Discuss whether positive behavior supports were appropriately implemented;
4. Discuss the duration and frequency of the use of physical restraint on the student;
5. Discuss appropriate action that may be taken to prevent and reduce the need for physical restraint;
6. Consider whether additional intervention and support is necessary for the student;
7. Consider whether additional intervention and support is necessary for school personnel; and
8. Consider how and when to debrief a person who was not present at the debriefing meeting, including without limitation:
 - a. The student;
 - b. The student's parent; and
 - c. Other school personnel or students who witnessed the incident.

DESE's Physical Restraint or Seclusion Incident Record and Debriefing Report, or an alternative report that includes the same information, shall be completed during the debriefing meeting. A copy of the report shall be:

- Submitted to the building principal;
- Mailed to the student's parent within two (2) days of the date on which the debriefing meeting was held; and
- Maintained as part of the student's education record along with other documents consulted during the debriefing meeting.

Legal Reference: A.C.A. § 6-18-2301 et seq.

Date Adopted: June 21, 2021

Last Revised: