

TABLE OF CONTENTS

SECTION 5—CURRICULUM AND INSTRUCTION

5.1—EDUCATIONAL PHILOSOPHY _____	1
5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT _____	2
5.3—CURRICULUM DEVELOPMENT _____	4
5.4—Policy Deleted - Language moved to 3.6 _____	5
5.5—SELECTION/INSPECTION OF INSTRUCTIONAL MATERIALS _____	6
5.6—CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS _____	7
5.6F—REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL OR SUPPLEMENTAL MATERIALS _____	9
5.7—SELECTION OF LIBRARY/MEDIA CENTER MATERIALS _____	11
5.7F—REQUEST FOR RECONSIDERATION OF LIBRARY/MEDIA CENTER MATERIALS _____	14
5.8—USE OF COPYRIGHTED MATERIALS _____	16
5.9—COMPUTER SOFTWARE COPYRIGHT _____	20
5.10—RELIGION IN THE SCHOOLS _____	21
5.11—DIGITAL LEARNING COURSES _____	23
5.12— Policy Deleted - Language moved to new policy 4.55 _____	26
5.13—SUMMER SCHOOL (option #1) _____	27
5.14—HOMEWORK _____	28
5.15—GRADING _____	29
5.16— Policy Deleted - Language moved to 4.45 _____	31
5.17—HONOR ROLL AND HONOR GRADUATES _____	32

5.17F— HONOR ROLL AND GRADUATE OPT OUT FORM _____	34
5.18—HEALTH SERVICES _____	35
5.19— Policy Deleted - Language moved to new policy 4.56 _____	36
5.20—DISTRICT WEBSITE _____	37
5.20 F1—PERMISSION TO DISPLAY PHOTO OF STUDENT ON WEB SITE _____	39
5.20.1—WEB SITE PRIVACY POLICY* _____	40
5.21—ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE, and HONORS COURSES _____	41
5.22—CONCURRENT CREDIT _____	43
5.23—EQUIVALENCE BETWEEN SCHOOLS #1* _____	45
5.23—EQUIVALENCE BETWEEN SCHOOLS #2* _____	46
5.24—STUDENT PARTICIPATION IN SURVEYS _____	47
5.24F1—OBJECTION TO PARTICIPATION IN SURVEYS, ANALYSIS, OR EVALUATIONS _____	49
5.24F2—PERMISSION TO PARTICIPATE IN A SURVEY, ANALYSIS, OR EVALUATION _____	50
5.25—MARKETING OF PERSONAL INFORMATION _____	51
5.26—ALTERNATIVE LEARNING ENVIRONMENTS _____	52
5.26.1—ALE PROGRAM EVALUATION _____	54
5.27—ENGLISH LANGUAGE LEARNERS _____	55
5.28—NATIONAL SCHOOL LUNCH ACT FUNDING EXPENDITURES _____	56
5.29—WELLNESS POLICY _____	57

CURRICULUM AND INSTRUCTION

5.1—EDUCATIONAL PHILOSOPHY

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

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

** These are sample core beliefs and should serve only as an example. Your district should create its own list of core beliefs.*

Date Adopted:

Last Revised:

5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT

Each school in the district shall develop a comprehensive school improvement plan to address deficiencies in student performance based on analysis of students' grade-level benchmark assessments and other relevant data. The purpose of each plan shall be to ensure that all students meet the state assessment standards established by the State Board of Education, as well as student achievement goals established by the District.¹ A cumulative review of all academic improvement plans shall also be part of the data used to develop the comprehensive school improvement plan. Each plan shall be developed with administrator, teacher, other school staff, parent, community, and student (when appropriate) input and shall have as one of its components a plan for a parental involvement program.² Professional development activities are to be designed to meet the needs identified in each schools' plan. Each plan is to be reviewed annually and revised to meet the changing needs reflected in student data.

Any school in the district identified by the Arkansas Department of Education (ADE) as failing to meet the established levels of academic achievement on the state's criterion-referenced tests shall revise its school improvement plan.³

The district shall develop, with appropriate staff and community input, a comprehensive district improvement plan. The plan shall coordinate the actions of the various comprehensive school improvement plans within the district. The district plan shall align district resources to help ensure all of its students attain proficiency on the Benchmark exams.⁴

Notes: Standards of Accreditation Checklist requires the board to approve the ACSIPs as evidenced in the board's minutes.

¹ Each school is required to hold at least an annual meeting to explain its goals, programs, and policies and to allow public input concerning the school's programs. (Standards 7.02.3)

² See A.C.A. § 6-15-1702 for a detailed listing of required components of the plan. The Model Policy Service has also provided a guide (See Supporting Information for Policies 6.11 and 6.12) for easier understanding of the language in the code. The Standards of Accreditation Checklist requires an annual meeting to be held to discuss student achievement and the "program."

³ For schools identified in school improvement, the revised plan must be filed with and approved by the ADE. (A.C.A. § 6-15-404(i)(2)(A)(i)(ii))

⁴ The school board is required to hold a public meeting by Nov. 15 of each year to discuss its "progress toward accomplishing its district's program objectives, accreditation standards, and proposals to correct deficiencies." (Standards 7.03.3.1)

Legal References:

A.C.A. § 6-15-404 (i)(1)
A.C.A. § 6-15-404 (i)(2)(B)
A.C.A. § 6-15-404 (i) (2)(A)(i)(ii)
A.C.A. § 6-15-419(2)(B)(iii)
A.C.A. § 6-15-419(9)
A.C.A. § 6-15-419(12)
ADE Rules Governing the ACTAAP and the Academic Distress Program 3.10, 3.16,
8.0 – 8.04, and 9.04
Arkansas Department of Education Rules for Governing Standards for Accreditation of
Arkansas Public Schools and School Districts 7.0, 8.01, and 16.0 – 16.03.5 (The old
Standards required the Student Services Plan be included in the ACSIP. While the new
Standards do not specifically require it to be included in your ACSIP, prudence would
still recommend it.)

Date Adopted:

Last Revised:

5.3—CURRICULUM DEVELOPMENT

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

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

Each school shall review each curriculum area annually to address the continued relevancy, adequacy, and cost effectiveness of individual courses and instructional programs and to ensure each area is aligned with the current curriculum frameworks and course content standards approved by the State Board of Education.¹ Each school's administration shall implement a monitoring process to ensure that the instructional content of each course offered is consistent with the content standards and curriculum frameworks approved by the State Board of Education.²

In addition to the requirements listed above, the district's administration³ shall work with staff as may be appropriate to ensure a successful transition to the implementation of the Common Core State Standards.

Notes: ¹ A.C.A. § 6-15-101 requires school boards to adopt and implement the academic standards and expected outcomes that have been defined by the State Board. The Standards Checklist requires the adoption be noted in the district's board minutes.

² A.C.A. § 6-15-1505(b) requires each district's superintendent to submit a letter of assurance to ADE by October 1 of each year that the content of each class and subject area is aligned to the content standards and curriculum frameworks developed by the state board under its plan developed pursuant to A.C.A. § 6-15-1502(a).

³ Insert the title of the staff person(s) who is/are responsible for the Common Core transition alignment.

Legal References: Standards of Accreditation 9.01.2, 7.04.2
ADE Rules Governing the ACTAAP and the Academic Distress Program 4.05
A.C.A. § 6-15-101
A.C.A. § 6-15-1505(a)

Date Adopted:
Last Revised:

5.4—Policy Deleted - Language moved to 3.6

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

5.5—SELECTION/INSPECTION OF INSTRUCTIONAL MATERIALS

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

All instructional materials used as part of the educational curriculum of a student shall be available for inspection by the parents or guardians of the student. For the purposes of this policy, instructional materials is defined as instructional content provided to the student regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats. The term does not include academic tests or academic assessments.

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

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

Note: This policy is to be developed in conjunction with parents.

Legal Reference: 20 USC § 1232h (a), (b), (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(C)(i)(ii), (2)(A)(i), (5)(B), (6)(A)(C)]

Date Adopted:

Last Revised:

5.6—CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS

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

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

Following the conclusion of the meeting, the principal shall have five (5) working days to submit a summary of the concerns expressed by the individual and the principal's response to those concerns to the Superintendent¹.

If the contesting individual is not satisfied with the principal's response, the individual may, after the five (5) working day period, request a meeting with the Superintendent where the individual shall present the same *Challenge to Instructional Material* form previously presented to the principal. The Superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.²

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

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

The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be the appropriateness of the material for its intended educational use.

Notes: ¹ If your district has a curriculum coordinator or education director you might choose to have the process proceed to him/her if not resolved by the principal to the satisfaction of the contestant before having the appeal proceed to the Superintendent.

² Because the removal of instructional material can involve First Amendment Free Speech issues, ASBA advises the district seek legal advice. This can be done at whatever challenge level you choose, but should certainly be done at least by the time it reaches the board.

Legal Reference: 20 USC 1232(h)(c)(C)

Date Adopted:

Last Revised:

5.6F—REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL OR SUPPLEMENTAL MATERIALS

Name: _____

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

Instructional material being contested:

Reasons for contesting the material (be specific):

What is your proposed resolution?

Signature of receiving principal _____

Signature of curriculum coordinator _____

Signature of Superintendent _____

Date Adopted:

Last Revised:

5.7—SELECTION OF LIBRARY/MEDIA CENTER MATERIALS

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

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

Selection Criteria

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

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

Retention and Continuous Evaluation

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

Gifts

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

Challenges:

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

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

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

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

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

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

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

Date Adopted:
Last Revised:

Date Adopted:
Last Revised:

5.8—USE OF COPYRIGHTED MATERIALS

Use of Copyrighted Work in Face-to-Face Classroom

The Board of Education encourages the enrichment of the instructional program through the proper use of supplementary materials. To help ensure the appropriate use of copyrighted materials, the Superintendent, or designee, will provide district personnel with information regarding the “fair use” doctrine of the U.S. Copyright Code as detailed in the “Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions with Respect to Books and Periodicals” and “Guidelines for Educational Uses of Music.”¹

Use of Copyrighted Works in Digital Transmissions

Definitions

“Class session”² means the length of time provided for students to access the materials necessary for the completion of course assignments and tests. Depending on the copyrighted work's overall importance to the course, which can vary from a single assignment to an entire course focusing on the copyrighted work, the class session will end on:

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

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

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

“Transmission” is the remote accessing, whether on or off campus, by students of a copyrighted work by means of a closed circuit television, an educational television channel, or in a digital format on a password protected secure webpage.³

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

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

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

1. The transmission of the copyrighted work is limited to only the students enrolled in the course;
 - Each student shall have a unique ID and password for accessing digital courses/materials⁴; or
 - Each course shall have a unique password to access course materials; and

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

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

- A. The use of the copyrighted work(s), whether in whole or in part, must be a part of regular classroom instruction and must be directly related and of material assistance to the course content;
- B. The extent of a copyrighted work that is used must comply with one or more of the following criteria:
- The entirety of a non dramatic literary or musical work may be used. A non dramatic literary work includes poems and short stories. A non dramatic musical work covers all music that is not part of an opera or musical and does not cover the use of the music video format of a song.
 - Dramatic literary and musical works as well as videos may only be used in limited portions. Dramatic literary and musical works may only be used in the same amount as set forth in the requirements for a face-to-face classroom while videos, including music videos, may only have the portion used that is directly related to the subject of the class session and may not be transmitted in their entirety.
 - Still images or slides that a teacher would have used in the ordinary course of a face-to-face classroom session on a projector or a transparency may be used in a transmission.
 - Works primarily produced or marketed for use in the digital education market may not be transmitted.
 - Works the teacher had knowledge or reasonably believes to be unlawfully made or acquired may not be used.
 - Mediated Instructional activities may not be transmitted.
- C. A statement that works may be subject to copyright shall be placed in at least one of the following areas to provide notice to students of copyright status:⁵
- Course syllabus;
 - Home webpage for the course;
 - Webpage for the particular class session; and/or
 - webpage with the copyrighted work.

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

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

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

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

¹ Copies of the documents are available by calling the ASBA office.

² No current law or regulation provides a definition for “class session”. Unfortunately, the traditional meaning of a class session or a class period is impossible to apply to digital courses. Students have the option to digitally access course materials anytime during the day, may not required to spend a certain period of time for a given course each day, and may complete course assignments at a time when the district is closed. Also, a class session cannot be based on a student's logging in to access course materials as there are many valid reasons that would require a student to log in multiple times to complete an assignment. For now, we don't know of any way to avoid the vagueness of the term and the intricacies of legally implementing it.

³ While we recognize the definition of “transmission” appears backwards from a traditional definition, it has been used in this policy because that is its statutory meaning. It actually refers to when students **access** something instead of referring to something being **sent** to students.

There is an important distinction in this policy between a **website** and a **webpage**. A website consists of one or more webpages all kept on the same domain while a webpage is a single place on a domain. Federal law requires reasonable measures be taken to prevent unauthorized access to copyrighted works. Therefore, districts have to ensure that any "transmission" in a digital format is by means of a password protected secure webpage. The easiest method for restricting access is by requiring users to enter a password; this does not mean that a password must be entered to access each copyrighted work. When the copyrighted work is accessed by selecting a particular webpage from a website, students should only be required to enter a password to access the website and not each individual webpage. If the webpage with the copyrighted work is reached from the district's website, then students should be required to enter a password to access the specific webpage. In short, the password should apply to the largest point of entry. Note that there are times when a non-district website would be a single webpage. Unfortunately, other than forbidding teachers from doing it, the district would have no control over the requiring of a password to access a website/webpage that is disconnected from both the district site and the digital course sites that is not a website created by the teacher. There would be nothing the school could do if someone disconnected from the school posted a copyrighted work to the web and the teacher provided a link to students.

⁴ This does not require students to have a different ID or password for each digital course the student is enrolled in.

⁵ It is not required that a posting of copyright notice appear in multiple places but is heavily recommended. The more times the notice appears the harder it is for someone to claim to not have seen it.

Cross Reference: 5.11—DIGITAL LEARNING COURSES

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

Date Adopted:

Last Revised:

5.9—COMPUTER SOFTWARE COPYRIGHT

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

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

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

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

Date Adopted:

Last Revised:

5.10—RELIGION IN THE SCHOOLS

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

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

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

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

A student or the student's parent can request the student's teacher accommodate the student's objection based on a religious belief to an instructional activity. Any such request must be made at least 25 school days prior to the assignment's due date. Any objection must be raised in accordance with this policy's requirements or it will not be considered.¹

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

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

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

Notes: The fourth, fifth, and sixth paragraphs in this policy are not required by law and can be deleted or amended as your district chooses. The goal, however, is to be proactive for the instances when such a request is made and to have established policy BEFORE the request.

¹ The goal of this paragraph is to keep a student from waiting until the last minute to make a request. For the timeline to be workable the teacher will obviously have to issue a class syllabus sufficiently far enough in advance to allow the time required for the appeal process to play out. The following are possible alternatives to the policy's suggested sentence. 1) Pick a number less than 5 for each phase of the appeal process. Be sure, however, that it allows sufficient time to realistically take place, but with five phases, a lesser number would certainly shrink its overall length. 2) "The request must be made at least five (5) days prior to when the assignment is due. In the event of an appeal, the student will be given additional time to complete the original or alternative assignment, if offered, with no loss of credit or penalty for late work, at the conclusion of the appeal process.

Legal Reference: A.C.A. § 6-10-115

Date Adopted:

Last Revised:

5.11—DIGITAL LEARNING COURSES

Definitions

For the purposes of this policy

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

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

“Highly Qualified Teacher” means a teacher who holds at least a Bachelor’s Degree and has demonstrated subject area competence in each of the core academic subjects in which the teacher teaches. A highly qualified teacher that delivers digital learning courses under these rules is not required to be licensed as a teacher or administrator by the State Board of Education. This definition, however, does not override the fact that Federal laws or regulations may require teachers in certain subject areas to hold a teaching license (e.g., special education teachers who teach core academic subjects).

"Instructional Materials" means:

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

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

Digital Course Offerings

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

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

As an approved digital learning provider, the District shall annually determine what District created digital learning courses it will provide to our students.¹ The District may also choose to provide digital learning courses by contracting with outside providers of such courses, who have been pre-approved by the Arkansas

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

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

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

Students may take _____ digital learning courses. Students must be physically present for _____ each digital learning class he/she takes.²

The District is responsible for providing all instructional materials for each student who enrolls in a District approved digital learning course.³

Regardless of any other provisions of this policy, the District may restrict a student's access to digital courses when the student's school principal determines the student's participation in such a course would not be academically appropriate based on the student's past performance in digital courses. Furthermore, the student's school principal may revoke a student's eligibility to continue taking a digital learning course if the student's performance during the semester indicates the student is not succeeding in the course.⁴

Notes: ¹ The district is NOT required to provide its own digital learning courses, but doing so affords the most oversight of what content such courses contain and how the courses are taught. Note that should the district choose to offer digital courses to non-district students, the district will have to go through the same provider approval process as is required for all "outside" providers.

² The statutes and Rules stipulate that the State Board of Education may not require the digital learning provider limit their delivery to districts that require a student's physical presence at a district school for successful completion of such a course nor place a limit on the number of digital learning courses a student may take for credit. While these limitations exist for the State Board, they do not exist for individual districts. There are MANY factors the school board may wish to consider when deciding whether to limit the number of such courses a student may take and/or how many of those will require the student's presence on campus and if so, for what percentage of the class time such presence is required. A partial listing of possible considerations include (It is not the intent of the list to sway a district's decision one way or another, but rather to help ensure that decisions are made after careful and deliberate consideration of the factors involved):

1. What are the effects on district staffing of digitally offering courses?
2. What does the definition of "Highly Qualified Teacher" do to your staffing needs?
3. What are the effects of using outside digital providers? How do these compare and relate to district provided courses?
4. What are the effects on district culture (staff, student, and parent) of "absentee" students and staff?

5. What are the effects on student learning from digital courses? Do the possible effects change as the number of courses are offered within the district?
6. What are the potential financial effects of digitally offering courses?
7. How many students might you lose or gain due to digital course offerings? How many of these might presently be home schooled? What does a "presence required" decision make on recruiting home schooled students?
8. What does digital learning do to your ability to pass a millage?
9. What does digital learning do to your need to pass a millage?
10. What are the effects on non-digitally offered courses due to the presence of digitally offered courses?
11. Will you require "seat time" for each course or for any course? Can a student take an EOC at any time?
12. How do your answers to question #10 affect your district's absentee policy? What does it do to your ADM and foundation funding?

³This sentence is based on the statutory definition of "instructional materials" that is included in the policy. The statute further provides that the instructional materials shall be provided at no cost to students for all subjects taught. This fundamentally effects how you approach the logistics of providing digital learning courses. How a student accesses a course and the student's potential for success in the course can significantly change depending on where the student physically takes the course and the resources available for each student. If you allow students to not be present on campus to take a course, some students will have better access to resources than other students. The result can be less opportunity/options for some students than for others. While this may not be a legal liability issue, it certainly is a fairness issue. Is it fair to establish course offerings in a manner that allow some students to be successful while not having to physically attend school while others are less likely to be successful due to a lack of access if they don't attend on campus?

⁴While digital learning offers great promise for engaging students, it also requires maturity and study skills that will not work for some students. The intention of the paragraph is to leave the initial digital enrollment open to previously poor and/or disengaged students who might thrive in a digital format, and yet still give the principal the authority to intervene when it's in the student's best interest.

Cross References: 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS
FOR THE CLASS OF 2018 AND THEREAFTER
4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS
FOR THE CLASSES OF 2015, 2016, AND 2017
5.8—USE OF COPYRIGHTED MATERIALS

Legal References: A.C.A. § 6-16-1401 et seq.
ADE RULES GOVERNING THE DIGITAL LEARNING ACT OF 2013

Date Adopted:
Last Revised:

5.12– Policy Deleted - Language moved to new policy 4.55

This policy has been combined with the previous version of 5.11, and moved to the student section as a new policy 4.55, which includes additional language relating to the pushback against the Common Core State Standards that did not lend itself to a Section 5 policy. The consolidation of the policies into the student section should also make it easier for districts to work from the policy manual when generating your student handbooks. We will retain the number 5.12 as a place holder for future model policy use.

5.13—SUMMER SCHOOL (option #1)

Students in kindergarten through third grade (K-3) not performing at grade level during the regular school year shall successfully participate in a summer school remediation program to be eligible for promotion to the next grade. Transportation to and from the school shall be the responsibility of the student’s parent or guardian.

Notes: Include your district’s summer school program (for all grades, not just K-3) in this policy. You could include your philosophy behind offering summer school and its eligibility guidelines.

A.C.A. § 6-16-706 permits your district to transfer students for summer school to another district upon agreement with that district. If your district enters such an agreement, include in your policy a sentence to that effect such as, “Summer school classes, for remediation purposes, shall be available from the _____ School District at no charge to the student.”

Legal Reference: A.C.A. § 6-16-705

Date Adopted:

Last Revised:

5.13—SUMMER SCHOOL (option #2)

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

Legal Reference: A.C.A. § 6-16-704

Date Adopted:

Last Revised:

5.14—HOMEWORK

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

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

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

Legal Reference: State Board of Education Rules & Regulations: Accreditation Standards 10.07

Date Adopted:

Last Revised:

5.15—GRADING

Parents or guardians shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation which may enhance the probability of the student succeeding. The school shall also send timely progress reports and issue grades for each nine-week grading period¹ to keep parents/guardians informed of their student's progress.

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

The grades of a child in foster care shall not be lowered due to an absence from school due to:²

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

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

A = 100 – 90

B = 89 – 80

C = 79 – 70

D = 69-60

F = 59 and below

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

A = 4 points

B = 3 points

C = 2 points

D = 1 point

F = 0 points

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

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

For example: The grading period had 40 days. A student transferred in with a grade of 83% earned in 10 days at the previous school. The student had a grade of 75% in our district's school earned in the remaining 30 days of the grading period. 10 days is 25% of 40 days while 30 days is 75% of 40 days. Thus the final grade would be $.25 (83) + .75 (73) = 75.5\%$.

Notes: ¹ For districts on a 4x4 block schedule the grading period should be adjusted.

² A.C.A. § 9-28-113(f) makes this requirement, but does not offer any statutory solution. Presumably, class work missed due to a foster child's absence for the listed reasons would fall under the same parameters for making up missed assignments or tests as any other absence. As such, a foster child's grades could be affected by how well the child does in making up their missed assignments or tests, but not merely because the child missed school for cause.

Legal References: A.C.A. § 6-15-902
 A.C.A. § 9-28-113(f)
 State Board of Education: Standards of Accreditation 12.02
 Arkansas Department of Education Rules and Regulations Governing Uniform
 Grading Scales for Public Secondary Schools

Date Adopted:

Last Revised:

5.16– Policy Deleted - Language moved to 4.45

In an effort to reduce duplicate policies, this policy has been deleted because it is covered by the student section policies 4.45 and the new 4.45.1. The consolidation of the policies into the student section should make it easier for districts to work from the policy manual when generating your student handbooks. We will retain the number 5.16 as a place holder for future model policy use.

5.17—HONOR ROLL AND HONOR GRADUATES

HONOR ROLL

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

Students in grades 7-12 who participate in the Smart Core Curriculum¹ and maintain a ___ GPA (select the GPA you desire) for the grading period will be recognized as honor roll students for that grading period. Semester grades will determine the honor roll at the end of each semester.

HONOR GRADUATES

Students who have successfully completed the minimum core of courses recommended for preparation for college as defined by the State Board of Higher Education and the State Board of Education and have a cumulative GPA of ___ (select the GPA you desire) will be designated as honor students.² The GPA shall be derived from courses taken in public schools in grades nine (9) through twelve (12).

VALEDICTORIAN AND SALUTATORIAN

The honor student with the highest GPA and who has been enrolled in public school in grades 9 through 12 and in _____ High School for his/her entire senior year shall serve as the valedictorian of his/her graduating class. Students who finished their 9th, 10th, or 11th grade year enrolled in a high school which has been closed due to consolidation/annexation with the _____ District shall be selected valedictorian on the basis of the criteria in existence in their high school at the time of the closure and their subsequent academic achievement in _____ High School. Their selection shall be separate from and in addition to selection of the valedictorian from non-consolidated/annexed students enrolled in _____ High School.³

The honor student with the second highest GPA and who has been enrolled in public school in grades 9 through 12 and in _____ High School for his/her entire senior year shall serve as the salutatorian of his/her graduating class. Students who finished their 9th, 10th, or 11th grade year enrolled in a high school which has been closed due to consolidation/annexation with the _____ District shall be selected salutatorian on the basis of the criteria in existence in their high school at the time of the closure and their subsequent academic achievement in _____ High School. Their selection shall be separate from and in addition to selection of the salutatorian from non-consolidated/annexed students enrolled in _____ High School.³

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

Notes: ¹ There is no law or Rule that stipulates the eligibility requirements for the honor roll. The caveat regarding students with IEPs in note #2 also applies here, but you may insert the requirements your district has in place of, or in addition to taking the Smart Core curriculum.

² Students with an IEP or §504 plan are included to the extent that the courses that they have taken and successfully completed meet the requirements of their IEP for graduation, regardless of whether or not they meet the course requirements established by the State Boards of Education and Higher Education for preparation for college.

³ You should consider including these two sentences only if your district is involved in a consolidation or annexation. This language is optional but we believe there is great potential for conflict and hurt feelings over this issue. Following the procedure we suggest may help defuse the issue. This procedure establishes a three- year transition process in which there will be more than one valedictorian and salutatorian. After the three-year period, there will only be one of each, because students eligible for graduation honors will have begun their high school careers under the merged school district.

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

Date Adopted:
Last Revised:

5.17F— HONOR ROLL AND GRADUATE OPT OUT FORM

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

Name of student (Printed)

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

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

5.18—HEALTH SERVICES

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

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

Date Adopted:

Last Revised:

5.19– Policy Deleted - Language moved to new policy 4.56

This policy, 5.19.1 and the 7/24/13 version of 5.19.2 have been moved to the student section as new policies 4.56, 4.56.1, and 4.56.2. Policies 4.56 and 4.56.1 include additional language relating to the pushback against the Common Core State Standards that did not lend itself to a Section 5 policy. The consolidation of the policies into the student section should also make it easier for districts to work from the policy manual when generating your student handbooks. We will retain the number 5.19 as a place holder for future model policy use but shall not retain the titles of 5.19.1 and 5.19.2 in the 2014 Master Manual.

5.20—DISTRICT WEBSITE

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

The _____ School District website shall be used for educational purposes only. It shall not create either a public or a limited public forum. Any link from any page on the District's site may only be to another educational site.¹ The website shall not use "cookies" to collect or retain identifying information about visitors to its website nor shall any such information be given to "third parties." Any data collected shall be used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.²

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

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

1. All pages on the District's website may contain advertising and links only to educational sources.
2. The District's home page shall contain links to existing individual school's web pages and the school home pages shall link back to the District's home page. The District's home page may also include links to educational extracurricular organization's web pages which shall also link back to the District's home page.
3. Photos along with the student's name shall only be posted on web pages after receiving written permission from the student or their parents if the student is under the age of 18.³
4. The District's web server shall host the _____ District's website.⁴
5. No web page on the District website may contain public message boards or chat rooms.
6. All web pages on the District website shall be constructed to download in a reasonable length of time.
7. The District's home page shall contain a link to a privacy policy notice which must be placed in a clear and prominent place and manner.⁵
8. With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by _____ School District.
9. Included on the District's web site shall be:⁶
 - a. Local and state revenue sources;
 - b. Administrator and teacher salary and benefit expenditure data;
 - c. District balances, including legal balances and building fund balances;
 - d. Minutes of regular and special meetings of the school board;
 - e. The district's budget for the ensuing year;
 - f. A financial breakdown of monthly expenditures of the district;
 - g. The salary schedule for all employees including extended contract and supplementary pay amounts;

- h. Current contract information (not including social security numbers, telephone numbers, personal addresses or signatures) for all district employees;
- i. The district's annual budget;
- j. The annual statistical report of the district;
- k. The district's personnel policies.

The information and data required in 9) above shall be the actual data for the previous two school-years and the projected data for the current school-year.

Note: ¹A link to either a non-educational website or advertising from non-educational sources establishes your web site as a limited open forum which would require you to allow links and advertising to other non-educational sources unless you could demonstrate that they could be disruptive to your educational environment.

²**Note:** Collection of data from individuals under the age of 13 makes compliance with the Children's Online Privacy Protection Act (COPPA) more difficult and cumbersome. It's simply easier to have your policy state that you will collect no data on site visitors.

³**Note:** This relates to the Family Educational Rights and Privacy Act (FERPA). Directory Information as defined by FERPA (see policy 4.13) allows for the release of a student's name, address, and phone number, but because of the potential for significantly greater exposure of the Internet than exists in print media, ASBA recommends limiting the release of Directory Information on the Internet to a student's photo along with their name **after** receiving written parental permission. Although it has not been definitively established by the U.S. Supreme Court, the vast increase in exposure offered by the Internet appears to dictate a more restrictive policy regarding the release of Directory Information as it relates to the Internet.

⁴**Note:** If you choose to have your district's website hosted by a server separate from your district make sure that they are willing to abide by the requirements of this policy, especially the advertising requirements.

⁵**Note:** See policy 5.20.1

⁶**Note:** a) through k) are required by A.C.A. § 6-11-129.

Legal References: A.C.A. § 6-11-129
 20 U.S.C. § 1232 g
 15 U.S.C. § 6501 (COPPA)

Date Adopted:
 Last Revised:

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

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

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

Name of student (Printed)

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

Signature of parent (required if student is under 18)

Date

5.20.1—WEB SITE PRIVACY POLICY*

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

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

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

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password protected communication between the District and its staff. ¹

¹**Note:** Include the portions of this paragraph that apply to your district.

***Note:** The language contained in both this Privacy Policy and the District Web Site policy has been carefully constructed with relation to the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Children’s Online Privacy Protection Act (COPPA). COPPA relates to the collection and dissemination of personally identifying information from children under the age of 13 from a website where such website or online service is operated for commercial purposes. The policies are also aimed at helping you avoid having your web site become a limited open forum. Establishing a limited open forum as it relates to the Internet would obligate your district to permit links from your site to essentially any other site unless you can demonstrate that a site could be disruptive to your educational environment. Before changing parts of either policy, ASBA urges you to call us for an opinion.

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

Date Adopted:

Last Revised:

5.21—ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE, and HONORS COURSES

Students in grades 7-12 who take advanced placement courses,¹ International Baccalaureate courses, or honors or concurrent credit college courses approved for weighted credit by the Arkansas Department of Education shall be graded according to the following schedule.

A = 100 – 90

B = 89 – 80

C = 79 – 70

D = 69-60

F = 59 and below

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

A = 5 points

B = 4 points

C = 3 points

D = 2 point

F = 0 points

For a student to be eligible to receive weighted credit for an AP, or IB course, the student's course must have been taught by an Arkansas licensed teacher who has received the appropriate training required by Arkansas statute and ADE Rule or, for an AP teacher, is in the process of completing an Additional Training Plan.

Additionally, for students taking AP or International Baccalaureate courses to receive weighted credit they must take the applicable AP or IB examination after completing the entire course . Credit shall be given for each grading period during the course of the year, but shall be retroactively removed from a student's grade for any course in which the student fails to take the applicable AP exam. Students who do not take the AP exam shall receive the same numeric value for the grade he/she receives in the course as if it were a non-AP course.²

"Honors Courses" are those courses that have been approved by a Department of Education Committee as honors courses. Honors courses must stress higher order learning and be offered in addition to curriculum offerings required by the Standards for Accreditation, Arkansas Public Schools.

Students who transfer into the district will be given weighted credit for the Advanced Placement courses, International Baccalaureate courses, honors courses approved by the Arkansas Department of Education, and concurrent college courses taken for weighted credit at his/her previous school(s) according to the preceding scale.

Notes: ¹ If your board chooses to adopt a policy allowing high school students to take college courses for weighted credit (as provided by A.C.A. § 6-15-902(c)(3)) insert “and concurrent college courses for weighted credit.”

² The Advanced Placement Rules (3.11) stipulate that students must take the applicable AP exam to receive weighted credit for the course. Because the state now pays the total cost of the AP exams and the student's score on the exam does not affect the student's grade for the course, students can reasonably be expected to take the test. By standardizing the timing of awarding weighted credit across Arkansas, all students will be on a level playing field regarding their GPA for college applications.

Legal References: Arkansas Department of Education Rules and Regulations Governing Uniform
Grading Scales for Public Secondary Schools
ADE Rules for Advanced Placement and International Baccalaureate Diploma
Incentive Program
A.C.A. § 6-15-902(c)(1)
A.C.A. § 6-16-806

Date Adopted:
Last Revised:

5.22—CONCURRENT CREDIT

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

A student who takes a three-semester hour remedial/developmental education course, as permitted by the ADE Rules Governing Concurrent College and High School Credit, shall be the equivalent of one-half unit of credit for a high school career focus elective. The remedial/developmental education course cannot be used to meet the core subject area/unit requirements in English and mathematics.

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

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

Students are responsible for having the transcript for the concurrent credit course(s) they've taken sent to their school in order to receive credit for the course(s). Credit for concurrent credit courses will not be given until a transcript is received. Transcripts for students who take concurrent credit courses as partial fulfillment of the required full day of class for students in grades 9-12 (see Policy 4.44) are to be received by the school within _____ school days of the end of the semester in which the course is taken.¹ Students may not receive credit for the course(s) they took or the credit may be delayed if the transcripts are not received in time, or at all. This may jeopardize students' eligibility for extracurricular activities, graduation, or _____.²

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

Any and all costs of higher education courses taken for concurrent credit are the student's responsibility.

Notes: ¹Fill in a time period that works for your district. It is possible you may want to have separate times for fall and spring semesters. This paragraph is not mandatory, but would put the responsibility on the student for getting his/her transcripts to you.

² If your district has other repercussions that would apply for failure to receive credit for a course, enter them here.

Legal References: A.C.A. § 6-15-902(c)(2)
ADE Rules and Regulations: Concurrent College and High School Credit for Students
Who Have Completed the Eighth Grade

Date Adopted:
Last Revised:

5.23—EQUIVALENCE BETWEEN SCHOOLS #1*

The _____ School District is committed to providing a quality education for all students in each of the district's schools. The equitable distribution of district resources is one means the district shall use to ensure all of its students receive a quality education. The Board directs that services in Title I schools, when taken as a whole, be at least comparable to services in schools that are not receiving Title I funds. Curriculum materials, instructional supplies, and the percentages of highly qualified personnel shall be equivalent between all schools in the district when compared on a grade-span by grade-span basis¹, school-by-school basis¹. Specifically, the goal of the district is to have its students given an equitable opportunity to learn regardless of the school they attend within the district.

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

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

Notes: **NCLB requires the district to “develop procedures for compliance” with this policy and to “maintain records that are updated biennially documenting ... compliance...” [Section 1120A (c)(3)(A) and (B)]**

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

¹ Choose which method of accountability your district prefers.

Legal Reference: 20 USC § 6321(a),(b), and (c) [NCLB Act of 2001 Section 1120A]

Date Adopted:

Last Revised:

5.23—EQUIVALENCE BETWEEN SCHOOLS #2*

The _____ School District is committed to providing a quality education for all students in each of the district's schools. The equitable distribution of district resources is one means the district shall use to ensure all of its students receive a quality education. The Board directs that services in Title I schools, when taken as a whole, are substantially comparable to services in schools that are not receiving Title I funds. Curriculum materials, instructional supplies, and the percentages of highly qualified personnel shall be equivalent between all schools in the district when compared on a grade-span by grade-span basis¹, school-by-school basis¹. Specifically, the goal of the district is to have its students given an equitable opportunity to learn regardless of the school they attend within the district.

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

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

Notes: **NCLB requires the district to “develop procedures for compliance” with this policy and to “maintain records that are updated biennially documenting ... compliance...” [Section 1120A (c)(3)(A) and (B)]**

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

¹ Choose which method of accountability your district prefers.

Legal Reference: 20 USC § 6321(a),(b), and (c) [NCLB Act of 2001 Section 1120A]

Date Adopted:

Last Revised:

5.24—STUDENT PARTICIPATION IN SURVEYS

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

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

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

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

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

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

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

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

Notes: This policy is to be developed in conjunction with parents.

Parents must be "directly" notified of this policy, at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in the policy and include in the notice the specific or approximate dates (to the extent known) during the school year when these activities are scheduled.

"Directly notified" in regard to this policy means by mail or email: inclusion in the student handbook does not meet the law's requirements.

*The length of time may be adjusted, but it must be a "reasonable period of time."

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

Date Adopted:

Last Revised:

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

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

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

Name of specific survey _____

____ All surveys

Name of student (Printed)

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

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

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

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

Name of survey _____

Name of student (Printed)

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

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

5.25—MARKETING OF PERSONAL INFORMATION

The _____ School District shall not collect, disclose, or use personal information for the purpose of marketing or for selling that information or to otherwise provide that information to others for that purpose.¹

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

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

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

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

Notes: This policy is to be developed in conjunction with parents.

Parents must be “directly” notified of this policy, at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in the policy.

¹ While the law does allow a school or district to collect and disclose “personal information” for marketing purposes under certain circumstances, the requirements for doing so are such that ASBA recommends you simply not go there. If you’re extremely determined to do so, look at 20 USC § 1232h (c) [NCLB Act of 2001, Part F, Section 1061 (c) (6)(E)(F)(i)(ii) to help you make your final decision.

Legal Reference: 20 USC § 1232h (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(E), (2)(A)(C)(i), (4)(A), (5)(A)(i)(B), (6)(C)(E)]

Date Adopted:

Last Revised:

5.26—ALTERNATIVE LEARNING ENVIRONMENTS

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

The superintendent or designee shall appoint an Alternative Education Placement Team which shall have the responsibility of determining student placement in the ALE. A student may be enrolled in an ALE only on the referral of the Alternative Education Placement Team. The team's placement decision is final and may not be appealed.¹

The team is to be comprised of the following:

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

Students who are placed in the ALE shall exhibit at least two of the following characteristics a through l:

- a) Disruptive behavior;
- b) Dropping out from school;
- c) Personal or family problems or situations;
- d) Recurring absenteeism;

For the purposes of the ALE, personal or family problems or situations are conditions that negatively affect the student's academic and social progress. These may include, but are not limited to:

- e) Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
- f) Abuse: physical, mental, or sexual;
- g) Frequent relocation of residency;
- h) Homelessness;
- i) Inadequate emotional support;
- j) Mental/physical health problems;
- k) Pregnancy; or
- l) Single parenting.

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

No later than one (1) week after a student begins alternative education interventions, the Alternative Education Placement Team shall assess the student's current functioning abilities and all relevant social, emotional, academic, career, and behavioral information and develop an SAP outlining the intervention services to be provided to the student that is in compliance with the Arkansas Department of Education (ADE) Rules. The SAP may be revised from time to time by the ALE placement team and a positive behavior or transitional plan shall be developed and added to the SAP prior to a student's return to the regular educational environment.

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

Note: ¹The Rules are silent on appeals, but we believe the policy should have language in this regard. You may choose to leave the language as is or change it to have the decision able to be appealed to the Superintendent or the superintendent's designee. Even if you allow for an appeal, board involvement in student assignment issues is outside of the scope of their authority.

Legal References: A.C.A. § 6-20-2305(b)(2)
 A.C.A. § 6-48-101 et seq.
 ADE Rules Governing the Distribution of Student Special Needs Funding and the
 Determination of Allowable Expenditure of These Funds – 3.01, 4.00, and 8.0

Date Adopted:
Last Revised:

5.26.1—ALE PROGRAM EVALUATION

The ALE program shall be evaluated at least annually to determine its overall effectiveness. The evaluation shall specifically address how the use of ALE funds is in alignment with the district's ACSIP in addressing identified achievement gaps and student performance deficiencies.

Legal Reference: A.C.A. § 6-15-426(f)

Date Adopted:

Last Revised:

5.27—ENGLISH LANGUAGE LEARNERS

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

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

Legal References: A.C.A. § 6-20-2305(b)(3)
 A.C.A. § 6-15-426(f)
 ADE Rules Governing the Distribution of Student Special Needs Funding and the
 Determination of Allowable Expenditure of These Funds – 3.09, 5.00, 8.00

Date Adopted:
Last Revised:

5.28—NATIONAL SCHOOL LUNCH ACT FUNDING EXPENDITURES

Funding received from the state based on the number of students eligible for free and reduced-priced meals under the National Student Lunch Act shall be expended in accordance with guidelines outlined in the ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds.

The district shall at least annually evaluate programs supported by NSLA funds to determine the effectiveness of the programs and to ensure they are providing intervention/prevention services designed to increase student achievement which are in alignment with the district's ACSIP.

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

Date Adopted:
Last Revised:

5.29—WELLNESS POLICY

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

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

Goals

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the District will adhere to the Arkansas Rules Governing Nutrition and Physical Activity Standards in Arkansas Public Schools. To promote nutrition, physical activity, and other school based activities that will improve student wellness, the District has established the following goals.¹

1. Appoint a district school health coordinator (designated district official) who shall be responsible for ensuring that each school fulfills the requirements of this policy;²
2. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
3. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
4. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
5. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
6. Not use food or beverages as rewards for academic, classroom, or sports performances;
7. Ensure that drinking water is available without charge to all students;
8. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
9. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
10. Establish no more than nine (9) school wide events which permit exceptions to the food and beverage limitations established by Rule. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar;³
11. Abide by the current allowable food and beverage portion standards;
12. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;⁴
13. Restrict access to vended foods, competitive foods, and foods of minimal nutritional value (FMNV) as required by law and Rule;
14. Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce district dependence on profits from the sale of FMNV.
15. Provide professional development to all district staff on the topics of nutrition and/or physical activity;⁵

16. Utilize the School Health Index available from the Center for Disease Control (CDC) to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students;

Advisory Committee

To enhance the district's efforts to improve the health of our students, a School Nutrition and Physical Activity Advisory Committee (SNPAAC) shall be formed. It shall be structured in a way that ensures age-appropriate recommendations are made which correlate to our district's grade configurations.⁶ The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference.⁷ The overarching goal of the committee shall be to promote student wellness by monitoring how well the district is doing at implementing this policy. The SNPAAC shall use modules 1, 2, 3, 4, and 8 of the CDC's School Health Index as a basis for assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in each school's ACSIP, provided to each school's principal, and reported to the board. Goals and objectives for nutrition and physical activity shall also be included in the ACSIP.

Parents, students, the District's teachers of physical education, school health professionals, the District School Board of Directors, the District's school administrators, members of the community, and representatives of the District's school food authority shall be included in the development, implementation, and periodic review of the District's wellness policy to the extent interested persons from each group desire to be included.⁸

The SNPAAC shall provide recommendations to the school district concerning menus and other foods sold in the school cafeteria. Such recommendations shall be based, at least in part, on the information the Committee receives from the District on the requirements and standards of the National School Lunch Program and information and from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.⁹

The District shall periodically assess, with input from the SNPACC, the District and individual schools' status regarding implementing this policy. The assessment shall be based, at least in part, on:

- the extent to which District schools are in compliance with this policy;
- the extent to which this policy compares to other model local school wellness policies; and
- a description of the progress made in attaining the goals of this policy.

The assessment results along with the content of the this policy shall be periodically reported to the public, including parents, students, and other members of the community.

Notes: First and foremost, remember that this policy is to be developed with input from the Wellness Committee (SNPAAC). There are very specific powers, duties, and responsibilities given to the committee.

8.02.5 of the Rules allows schools to distribute snacks during the school day as part of the planned instructional program (to allay afternoon hunger) provided the snacks meet the U.S. Dept. of Agriculture Child and Adult Care Snack Patterns. This is a local control issue and does not have to be

included in the policy, but you should be aware that it is an option and is on the ADE Wellness Policy Review Checklist.

The district has the option to adopt local restrictions on food that can be brought from home that exceed state and federal regulations, but it cannot diminish the regulations through local action. If you choose to exceed the regulations, you should state what your requirements are in this policy. This is a different issue than #3 below.

¹ Additional goals can be listed upon the advice of the SNPAAC and the consent of the Board.

² You have the option of appointing one person for each school or one person for the whole district. The new terminology is "designated district official" but the responsibilities remain the same; i.e. ensuring compliance with the Wellness Policy.

³ The school "events" are required to be school-wide and not by individual classrooms. You can amend this sentence to reflect your choice for who is to be responsible for determining the schedule of the events and/or the process for selecting the dates of the events. They are not required to be part of the school calendar, but it seems it would focus the decision making process if it were.

⁴ The ADE uses Commissioner's Memos to inform districts of many wellness policy issues concerning nutrition in general, serving portion sizes, drinking water availability, etc. The SNPAAC should be kept abreast of such applicable Memos. You have the choice to exceed the state or federal requirements. If you choose to meet and not exceed those mandated by government, you should delete "or exceed" at the start of the sentence. Currently, the state's requirements are more stringent than the federal requirements, but this could change. By mentioning both governments in the policy, you'll still be covered. If you do choose to exceed existing requirements you will need to specify what they are in this policy.

⁵ The Rules require all staff to receive professional development, but, at this time, there is no provision for how much or what it is to consist of.

⁶ The Rules Governing Nutrition and Physical Activity allow three options for accomplishing this requirement: 1) Establish a School Nutrition and Physical Activity Advisory Committee at each school in addition to the district committee. 2) Establish subcommittees of the district Committee, representing the appropriate age and grade configurations for your district. 3) Include representatives from each appropriate grade level group (elementary, middle, junior and senior high) on the membership of the district committee. Select the option you will use and rewrite the sentence to reflect your choice.

⁷ The statutory powers are codified at A.C.A. § 20-17-135(e)(1) and repeated in the Rules starting at 6.01. The powers delegated solely through the Rules can be found starting at 6.06

⁸ The 2010 amendment to the Child Nutrition Act requires the groups listed in this paragraph to be **permitted** to participate (rather than "must"). There is no mention in the Act of limitations to the numbers of individuals included in each category for the policy's oversight, but some limitation to the overall size of this review team may be necessary for efficiency purposes.

⁹ This paragraph was added to meet the requirements of A.C.A. § 6-20-709 and the ADE advises that WRITTEN documentation that this requirement has been met will be required during the Coordinated Review Effort (CRE), the federal monitoring review of the Child Nutrition Program.

Legal References: Richard B. Russell National School Lunch Act 42 U.S.C. § 1751 et seq. as amended by
PL 111-296 (Section 204) of 2010. (Section 204 is codified at 42 U.S.C. § 1758(b))
Child Nutrition Act of 1966 42 U.S.C. § 1771 et seq.
A.C.A. § 6-20-709
A.C.A. §§ 20-7-133, 134, and 135
ADE Rules Governing Nutrition and Physical Activity Standards in Arkansas Public
Schools
Allowable Competitive Foods/Beverages - Maximum Portion Size List for Middle,
Junior High, and High School
Nutrition Standards for Arkansas Public Schools

Date Adopted:

Last Revised: