

***This form must be signed and returned during the first week of school.***

**STATEMENT OF RESPONSIBILITY**

We have received Grades 5- 6 Handbook and know that the regulations must be adhered to while a student is at school. In the event we are not entirely certain of some aspect of school policy, we will contact the principal or assistant principal for clarification.

We are especially aware of the policies concerning:

- (1) Discipline\***
- (2) Minimum Attendance**
- (3) Homework**
- (4) Parent Involvement**
- (5) Smart Core**

**\* Parents or guardians who choose that corporal punishment not be administered to their child must deliver personally their written request to the principal of the school. In those cases an alternative disciplinary action, which will include suspension, will be taken.**

Student's Signature \_\_\_\_\_

Parent's/Guardian's Signature \_\_\_\_\_

Date \_\_\_\_\_

I, \_\_\_\_\_, give my permission for my child to attend all school-sponsored field trips during the **2016-2017** school year.

I, \_\_\_\_\_, give permission for my child to be photographed or videotaped for educational or school related activities.

I, \_\_\_\_\_, give permission for my child to participate in educational surveys with the class.

## **MALVERN SCHOOL DISTRICT MISSION STATEMENT**

The Malvern School District will work with families and community to provide sound academic programs, expanded cultural awareness, proficient staff, adequate support services, responsible fiscal management and safe facilities conducive to learning.

We will support a vision of excellence so that students may reach their full potential as educated and responsible students by...

- Engaging parents and community in meaningful support that reinforces academic achievement for all students
- Laying a foundation for healthy living, responsible citizenship, and life-long learning
- Insisting upon high standards and a strong curriculum that will prepare our students for life, career, higher education and citizenship
- Ensuring our teachers and principals are committed to excellence by focusing on individual student achievement, their continuous professional development and their willingness to be held accountable.
- Delivering the types of services that will meet the academic and non-academic needs of students and their families

## **MALVERN SCHOOL DISTRICT VISION STATEMENT**

The Malvern community and Malvern School District staff envision a school system where family, community and district staff work together responsibly in an atmosphere of cooperation and mutual respect to create schools where educational and cultural diversity is understood, celebrated, and accommodated, and our students are prepared to thrive in a complex and ever-changing world by pursuing a lifetime of learning and community involvement.

The Malvern School District Board of Education approved this handbook on July 11, 2016.

Board members are as follows:

Mrs. Connie Bane	Mr. Kevin Carr
Mr. Jesse Clark	Mr. Brian Coston
Mrs. Vonda Cranford	Mr. Don Rash
Mrs. Deborah Smith	

## **WILSON INTERMEDIATE SCHOOL MISSION STATEMENT**

The staff of Wilson Intermediate School is dedicated to building positive relationships with students and developing their passion for learning in a safe environment.

**The Wilson Intermediate School Handbook Review Committee members are as follows:**

WIS Faculty: Beth Barnes, Alana Eifert, Sara Hughes, Lauren Kelly, Doneshia Kirby, Olivia Martin

Parents: Christiana Evans, Sara Hughes, Olivia Martin

Administration/Assistant: Tina Hobbs, Darryl Baker



**WILSON INTERMEDIATE SCHOOL**

Home of Leopards

“Where PASSION, PRIDE, & EXCELLENCE are expected.”

Tina Hobbs  
Principal

614 W. MOLINE  
MALVERN, ARKANSAS 72104  
PHONE: 501-332-6452, FAX: 501-332-7551

Darryl Baker  
Administrative Assistant

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Dear Parents,

It is an honor and a privilege to work with your child. We realize that this is a great responsibility to provide a teaching and learning experience to meet the needs of each child assigned to the intermediate school. These are years of growing academically, socially, morally and emotionally. The staff at Wilson Intermediate will strive to provide the instruction and support necessary to supply important experiences for success in these areas.

Remember that your child’s progress in school is also dependant on your encouragement, involvement and support. We appreciate your help and cooperation in our endeavors and are always available to talk with you if you have questions, concerns, or merely want to visit about your child.

Thank you for reading the handbook and refer to it throughout the year for useful information.

Sincerely,

Tina Hobbs, Principal

Darryl Baker, Administrative Assistant

The Malvern School District, not only has the right, but also the responsibility and obligation, to maintain a climate in the schools that assures the health, safety, and welfare of all students. The district reserves the right to link any inappropriate behavior not specifically identified in the handbook to an appropriate consequence as stated in the handbook.

To maintain discipline and protect the safety, security, and welfare of students, staff, and visitors, while at the same time safeguarding the use of district facilities, the Malvern School Board authorizes the use of video/audio surveillance cameras. These cameras will be used to monitor student behavior in school buildings, on school grounds, and in school vehicles. The principal or designee may review tapes routinely and document student misconduct. Action will be taken in accordance to the student discipline policy. The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff, and visitors have no reasonable expectation of privacy anywhere on or near school property with the exception of places such as restrooms or dressing rooms where an expectation of bodily privacy is reasonable and customary. Any release or viewing of such video shall be in accordance with current law. If education records of a student contain information on more than one student, the parent or eligible student may not view or be informed of any part of the record that involves other students. At no time may an administrator or school staff discuss disciplinary actions or records of any student except the custodial parent. Any disciplinary action involving a staff member shall not be discussed with parents or other staff members.

### **Tips for success at WIS:**

- Check your child's parent communicator daily.  
Class assignments, graded work, and current news and information should be found in the orange folder daily/weekly.
- Homework is minimal in most classes; Reading is expected daily.
- Parents may check your child's academic progress from a computer through the Home Access Center. Each student and parent is provided with a personal login and password to follow progress throughout each grading period.
- Parents will receive behavioral progress daily or weekly from his/her teacher either through orange communicator folder or electronically.
- A monthly newsletter is sent home from the WIS Office to highlight students' accomplishments, publish dates for upcoming events, and inform parents of relevant information regarding the education of our students.

**MALVERN SCHOOL DISTRICT  
2016-2017 CALENDAR**

Professional Development Plan June 1, 2016 – May 31, 2017 (10 days)

**FIRST SEMESTER**

First Day of School – August 15, 2016	
August 15 – August 31, 2016	13 days
September 1 – September 30, 2016 (Labor Day – September 5, 2016)	21 days
October 1 – October 31, 2016 <b>(Parent/Teacher Conferences/No Students – October 18, 2016)</b>	20 days
November 1 – November 30, 2016 (Thanksgiving – November 21-25, 2016)	17 days
December 1 – December 31, 2016 (Holiday Break – December 26, 2016 – January 9, 2017)	17 days
*****End of 1 <sup>st</sup> Semester – 88 days*****	

**SECOND SEMESTER**

January 1 – January 31, 2017 (Holiday Break – December 26, 2016 – January 9, 2017) (Professional Development Day/No Students – January 9, 2017) (Martin Luther King, Jr. Day – January 16, 2017)	15 days
February 1 – February 28, 2017 (Presidents’ Day – February 20, 2017) <b>(Parent/Teacher Conferences/No Students – February 21, 2017)</b>	18 days
March 1 – March 31, 2017 (Spring Break – March 20 – 24, 2017)	18 days
April 1 – April 30, 2017 (Good Friday – April 14, 2017)	19 days
May 1 – May 26, 2017 (Memorial Day – May 29, 2017)	20 days
Last Day of School – May 26, 2017	
*****End of 2 <sup>nd</sup> Semester – 90 days*****	

The first inclement weather make-up day will be Presidents’ Day, February 20, 2017. The second inclement weather make-up day will be Parent/Teacher Conference Day, February 21, 2017. The third inclement weather make-up day will be Good Friday, April 14, 2017. All other inclement weather make-up days will be added to the end of the school calendar or at the discretion of the Malvern School District Board of Education.

**\*ATTENDANCE/GRADING PERIODS\***

1 <sup>st</sup> quarter	August 15	–	October 14	44 days
2 <sup>nd</sup> quarter	October 17	–	December 23	44 days
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### **1.00 COMPULSORY ATTENDANCE REQUIREMENTS (district policy 4.3)**

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

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

Legal Reference: A.C.A. § 6-18-201 Last Revised: June 30, 2010

### **1.0—ABSENCES (district policy 4.7)**

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

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

#### **Excused Absences**

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings a written statement to the principal or designee upon his/her return to school from the parent or legal guardian stating such reason. A written must be on file for an absence to be considered excused.

1. Death or serious illness in their immediate family;
2. Observance of recognized holidays observed by the student's faith;
3. Attendance at an appointment with a government agency;
4. Attendance at a medical appointment;
5. Exceptional circumstances with prior approval of the principal;
6. Participation in an FFA, FHA, or 4-H sanctioned activity;
7. Participation in the election poll workers program for high school students.
8. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
9. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
10. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.

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

It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Excessive absences may, however, be the basis for the denial of course credit, promotion, or graduation.

### **Unexcused Absences**

Absences not defined above shall be considered as unexcused absences. Students with 12 unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has 3 unexcused absences, his/her parents, guardians, or persons in loco parentis shall be notified<sup>6</sup>. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

When a student has 6 unexcused absences, his/her parents, guardians, or persons in loco parentis shall be notified<sup>6</sup>. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

When a student has 9 unexcused absences, his/her parents, guardians, or persons in loco parentis shall be notified<sup>6</sup>. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school

day. A phone conference or face to face conference will be held discussing future consequences for continued absences.

Whenever a student exceeds 12 unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, guardian, or persons in loco parentis shall be subject to a civil penalty as prescribed by law.

At any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, guardian, or person in loco parentis may petition the school or district's administration for special arrangements to address the student's unexcused absences. If formal arrangements are granted, they shall be formalized into a written agreement which will include the conditions of the agreement and the consequences for failing to fulfill the agreement's requirements. The agreement shall be signed by the student, the student's parent, guardian, or person in loco parentis, and the school or district administrator or designee.

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

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

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

Applicants for an instruction permit or for a driver's license by persons less than eighteen (18) years old on October 1 of any year are required to provide proof of a high school diploma or enrollment and regular attendance in an adult education program or a public, private, or parochial school prior to receiving an instruction permit. To be issued a driver's license, a student enrolled in school shall present proof of a "C" average for the previous semester or similar equivalent grading period for which grades are reported as part of the student's permanent record.

Legal References: A.C.A. § 6-4-302; A.C.A. § 6-18-209; A.C.A. § 6-18-220; A.C.A. § 6-18-222  
A.C.A. § 6-18-229; A.C.A. § 6-18-231; A.C.A. § 6-18-507(g)  
A.C.A. § 7-4-116; A.C.A. § 9-28-113(f); A.C.A. § 27-16-701

Last Revised: June 28, 2016

## **1.20 BELL SCHEDULE**

Arrival and Dismissal Bell Schedule for Wilson Intermediate School:

**7:30 Building opens**  
**7:45 First bell rings-dismiss from cafeteria**  
**8:00 Tardy bell**  
**8:05 First period/block begins**

### 3:25 Dismissal bell-buses, cars, then walkers/bikers

Once a student is in school, he/she will leave only with the permission of the principal and/or her designee. **If someone other than the parent/legal guardian is to pick up a student, it must be made known to the office in writing. The student must be signed out giving the reason for leaving, time and signature of the person with whom the student is leaving. If a student returns to school before dismissal, he/she must be checked in at the office.**

#### **1.21 TARDY AND EARLY CHECK-OUT POLICY (district policy 4.9 )**

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

Adopted: December 15, 2014

The following guidelines will apply:

1. Parents of students must check-in and out through the principal's office when arriving late or leaving early. A student shall be considered tardy if he/she is not in his/her classroom when the tardy bell rings. **Students will be assigned a day of lunch detention for each tardy upon exceeding three (3) in a grading period.**
2. Students arriving **thirty (30) minutes after the tardy bell** will be considered **absent for one-half day.**

#### **1.22 EARLY CHECK OUT**

Early check-out is defined as students checking out up to thirty (30) minutes early. Early check out will be recorded as a tardy.

3. Students checking-out more than thirty minutes and up to two hours before the first dismissal bell will be considered absent for one-half day.
4. A child will not be eligible for perfect attendance if he/she has accumulated more than two (2) tardies per nine-week period or has checked-out early more than two (2) times per nine-week period.

#### **The following consequences will apply:**

Student will be assigned one (1) day of lunch detention for each unexcused tardy exceeding three in a grading period.

We encourage you to try and schedule your child's doctor and dental appointments around school hours. If this is not possible, you must come by the office in person and check him/her out for an appointment.

WE WILL NOT release a child to anyone who has not checked in at the office first. Should a child return before school is dismissed, he/she must check in through the same office. If a student is to go home another way other than his normal way, the school must be notified by 2:45 p.m. Notify the office in advance and/or advise the teacher if there is to be a change in the transporting of your child. If no notification is received, your child will follow his/her regular method of getting home.

### **1.23 ATTENDANCE AT SCHOOL ACTIVITIES**

Students who are too ill to attend school are not permitted to participate in or to attend school activities that afternoon or night of the absence. Violation of this policy will result in the student not being allowed to complete makeup work.

Students who are suspended from school are not to be on any Malvern campus and will not be admitted to school sponsored events. Students assigned to ISS may be allowed to participate in after-school practices but not participate in events until the day following completion of ISS assignment.

### **1.25 ATHLETIC INSURANCE**

The Malvern School District provides a supplemental insurance policy for all athletes (7<sup>th</sup> – 12<sup>th</sup>) who may become injured during a school sponsored athletic event or practice. Students who participate on the Wilson Intermediate football and/or basketball teams (5<sup>th</sup> & 6<sup>th</sup> grades) will be required to purchase this supplemental insurance policy before participating in any athletic event or practice. Persons with questions or inquires regarding athletic insurance need to contact the athletic office at 332-7516 or 332-7500, athletic director.

### **1.30 ADDRESSING CONCERNS**

It is a goal of the Board and the District to be responsive to the community it serves and to continuously improve the educational program offered in its schools. The Board and the District welcomes constructive criticism when it is offered with the intent of improving the quality of the system's educational program or the delivery of the District's services. The Board formulates and adopts policies to achieve the District's vision and elects a Superintendent to implement its policies. The administrative functions of the District are delegated to the Superintendent who is responsible for the effective administration and supervision of the District. Individuals with complaints concerning personnel, curriculum, discipline (including specific discipline policies), coaching, or the day to day management of the schools need to address those complaints according to the following sequence:

- Teacher, coach, or other staff member against whom the complaint is directed
- Principal
- Superintendent

Other than in the few instances where statutorily allowed or required, student discipline and personnel matters may not be discussed in Board meetings. Individuals with complaints regarding such matters need to follow the sequence outlined above.

Unless authorized by the Board as a whole for a specific purpose, no individual Board member has any authority when acting alone. District constituents are reminded that the Board serves as a finder of fact, not unlike a jury in matters such as student suspensions initiated by the Superintendent, expulsions, and personnel discipline. For this reason, the board may not be involved or informed prior to a board hearing on particular disciplinary matters.

Complaints that are related to district use or administration of federal funds generated through specific programs identified by the Arkansas Department of Education and authorized in the

2002 reauthorization of the Elementary and Secondary Education Act may be taken directly from a patron or by referral from the Arkansas Department of Education (ADE). If taken directly from a patron, the complaint may be submitted by either a signed statement or by a certified, recorded deposition or statement in which the complainant is identified. The complaints shall be addressed in the following manner.

1. The complaint shall be referred to the federal programs director, who shall assemble a team of at least two people to investigate the complaint.
2. Throughout the investigation, sufficient notes and records will be taken and maintained to substantiate the position of the findings of the investigation.
3. The team will interview the complainant and others as necessary to enable the team to make a determination of the validity of the complaint. The team may consult with individuals with knowledge or expertise in the matter which is the subject of the complaint, including legal counsel.
4. The investigation of complaints referred by the ADE shall be completed within 30 work days of receipt of the complaint, unless a longer time period has been approved by the ADE.
5. The investigation of complaints made directly to the district shall be completed within 40 work days unless there are extenuating circumstances; in such a case, a preliminary report shall be made within 40 work days of receipt of the complaint, which shall include an explanation of the unusual circumstances requiring additional time to complete the investigation.
6. The report of the conclusions of the investigation shall be given to the complainant. It shall contain; a summary of the allegations of the complaint; a summary of the investigative actions taken by the team; a summary of the findings concerning each alleged violation or implied violation; a statement of corrective actions needed to resolve the issues involved in each allegation and finding of complaint.

Legal Reference: The ADE's Complaint Resolution Procedures (Commissioner's Memo LS-07-013).

#### **1.40 AWARDS PROGRAM**

Students will be recognized during the school year for outstanding academic achievement. An awards assembly is held at the end of the year to recognize academic excellence, improvement and good citizenship. It is hoped that this program will not only serve to inspire students to work to reach their fullest potential but to acquire the attributes of good citizens as well. PARENTS ARE ENCOURAGED TO ATTEND.

#### **1.50 BIRTHDAYS**

If you would like to celebrate your child's birthday at school, please notify and get approval from the teacher one or two weeks ahead of time. We ask that you bring only pre-packaged snacks. **DO NOT** bring party favors or gifts. No invitations to private parties will be handed out at school. Each birthday celebration counts as one of the NINE events allowed per grade level per year.

## **1.60 BREAKFAST, LUNCH, CAFETERIA**

Any household who applies for free or reduced lunches will owe any balance incurred from the time the Malvern Food Service receives the application until the application is returned for approval.

Students are expected to conduct themselves properly in the cafeteria according to the rules of the school. Disciplinary action will be taken if rules are not followed.

Breakfast is served in the cafeteria for \$1.25 and hot lunches are served for \$2.25 per child. Students' participation in the lunch program for nutritional reasons as well as receiving benefits from socialization is encouraged. However, your child may bring his/her lunch and buy milk (40 cents per carton) if you wish. IF YOUR CHILD IS ALLERGIC TO MILK OR FOOD(S), A DOCTOR'S NOTE IS REQUIRED.

Some children are eligible for reduced price breakfast (\$.30) or lunch (\$.40) or free breakfast or lunch. To determine your child's eligibility, complete the form sent to you.

You may pay in advance by the week or month. Checks for lunches should be made payable to Malvern Public School Cafeteria. It is suggested that money be sent in an envelope with the amount, child's name and teacher's name written on the front.

It is the policy of the Malvern School District Child Nutrition Department to allow students to charge meals **only on occasion** when money is unavailable and the student would miss meal service. This is a courtesy extended to the student and should not occur on a regular basis.

Charges of more than \$10.00 will be considered excessive and will not be permitted. When a student's charges reach \$10.00 they will be offered an "alternative lunch" as suggested by Arkansas Department of Education Child Nutrition Unit. This will continue until all charges are collected. Any student having excessive charges will be encouraged to apply for free or reduced priced meals. Anyone with questions about charges and/or cafeteria procedures may call the Food Service Director.

Parents, grandparents, etc., are welcome to eat lunch with their children. The cost for an adult lunch is \$3.50. **Please call the school office before 9:00 a.m. or send a note if you are eating at school. Lunch shall not be brought for other students.** THIS INCLUDES BIRTHDAYS.

Visitors may take family members to the guest table to eat lunch with them.

### **School Cafeteria – Chartwell's School Dining Services**

Welcome to **Chartwells School Dining Services** for Malvern School District. Chartwells School Dining Services provides Malvern Public Schools with an appealing and nutritionally sound child nutrition program that is safe and affordable to parents, students, faculty and staff. Chartwells is a food service management company with branches nationwide and teams of specialists in

each region. There are dietitians, marketing managers, accountants and regional chefs that provide each district with expertise and support. Chartwell's manages over 550 public school districts. These districts range from one school to hundreds of schools and serve approximately 2.5 million students across the country. Most of the food service operations are governed by the National School Lunch and Breakfast Program and require strict regulatory compliance.

All schools participating in the National School Lunch Program must adhere to the USDA school meals guidelines. Additionally, in response to the incidence of childhood overweight and obesity, schools are required to adopt and maintain a wellness policy. Malvern School district maintains and monitors the policy through the Coordinated School Health committee that meets monthly representing each school and the community. Chartwell's Nutrition Standards have long exceeded USDA standards as part of their promise to nourish students and to provide expertise to the academic community.

Using Chartwell's school dining services, our cafeterias offer more fresh fruits and vegetable options at all grade levels. We have introduced more whole grains and healthy options. For example, the pizza offered several times per week is made from whole wheat crust. Chartwell's has the experience and insight to provide carefully planned and well-balanced meals that appeal to student appetites.

Our passion, as is Chartwell's, is to provide good, nutritious and nourishing meals. It is not limited to the cafeteria. We want the lessons learned in the school to guide a child throughout their lifetime. So together, with a balanced, delicious meal, we want to help our students make wise, informed decisions. Chartwell's philosophy is Eat. Learn. Live. It is a commitment to build strong bodies and sharp minds and establish the framework for a long, healthier life. Malvern School District will continue to partner with Chartwell's to meet the goals of a well, healthy community.

#### **1.70 SCHOOL LUNCH SUBSTITUTIONS (district policy 4.50)**

The district only provides substitute meal components on menus to accommodate students with handicapping conditions meeting the definition of a disability as defined in USDA regulations. A parent/guardian wishing to request such a dietary accommodation must submit to the district's Director of Child Nutrition<sup>1</sup> a Certification of Disability for Special Dietary Needs Form completed by :

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

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

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

Date Adopted: June 11, 2009  
Last Revised: June 28, 2010  
March 14, 2016

### **1.80 CALLS FROM OFFICE**

The school telephone is for school business calls only. All necessary arrangements with children should be made before they leave home in the morning. Children will not be called to the telephone or be allowed to make calls except in case of emergency or for discipline matters. Each phone will keep a telephone log.

### **1.85 STUDENT TRANSFERS (Policy 4.4)**

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

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

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

Any student transferring from home school or a school that is not accredited by the Department of Education to a District school shall be evaluated by District staff to determine the student's appropriate grade placement.

The Board of Education reserves the right, after a hearing before the Board, not to allow any person who has been expelled from another district to enroll as a student until the time of the person's expulsion has expired.

Except as otherwise required or permitted by law, the responsibility for transportation of any nonresident student admitted to a school in this District shall be borne by the student or the

student's parents. The District and the resident district may enter into a written agreement with the student or student's parents to provide transportation to or from the District, or both.

Date Adopted: June 11, 2009

Last Revised: June 9, 2011

April 13, 2015

## **1.86 SCHOOL CHOICE (Policy 4.5)**

### **Standard School Choice**

#### **Definition**

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

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

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

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

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

#### **Application Process**

The student's parent shall submit a school choice application on a form approved by ADE to this district. The transfer application must be postmarked or hand delivered on or before May 1 of the year preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications as they are received in the District's central office. It is the District's responsibility to send a copy of the application that includes the date and time stamp to the student's resident district. Applications postmarked or hand delivered on or after May 2 will not be accepted. Statutorily, preference is required to be given to siblings of students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards approved by the Board of Directors may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the application's date and time stamp.

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

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

### **Accepted Applications**

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

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

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

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

### **Rejected Applications**

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

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

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

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

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

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

- Academic Distress under either A.C.A. § 6-15-430(c)(1) or A.C.A. § 6-18-227; or
- Facilities Distress under A.C.A. § 6-21-812.

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

## **Facilities Distress School Choice Applications**

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

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

## **Opportunity School Choice Transfers Into or Within the District**

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

Unless there is a lack of capacity<sup>12</sup> at the District's school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student who is enrolled in or assigned to a school classified by the ADE to be in academic distress is eligible to transfer to the school closest to the student's legal residence that is not in academic distress. The student's parent or guardian, or the student if over the age of eighteen (18), must successfully complete the necessary application process by July 30 preceding the initial year of desired enrollment.

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

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

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

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

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

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

If a District school or the District has been classified by the ADE as being in academic distress the District shall timely notify the parent, guardian, or student, if the student is over eighteen (18) years of age, as soon as practicable after the academic distress designation is made of all options available under Opportunity Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to enroll the student in any public school or school district that has not been classified by the ADE as a public school or school district in academic distress.

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

Date Adopted: June 11, 2013

Last Revised: May 12, 2014

April 13, 2015

### **1.90 CHANGE OF ADDRESS, TELEPHONE OR TRANSPORTATION**

Students who have a change of address during the school year must report the change immediately to the office. Please keep information concerning your telephone number and emergency number(s) current in the school office to prevent problems in getting assistance during an emergency.

### **2.00 COMPUTER USE –INTERNET SAFETY AND ELECTRONIC DEVICE USE AGREEMENT (see 4.29 and 4.29 F of district board policies)**

Computers used by students are for school purposes only. Students are not permitted to use personal e-mail accounts, or unapproved web sites. A computer use and internet agreement is assigned by each student with rules and restrictions described.

## **2.01 CONDUCT TO AND FROM SCHOOL AND BUS TRANSPORTATION (district policy 4.19)**

Students are subject to the same rules of conduct while traveling to and from school as they are while on school grounds, and while on school buses. Appropriate disciplinary actions may be taken against commuting students who violate code of conduct rules. If a problem arises concerning bus personnel, the Supervisor of Transportation, Mr. Michael Bane should be contacted at 501-332-7500.

The preceding paragraph also applies to student conduct while on school buses. Students shall be instructed in safe riding practices. The driver of a school bus shall not operate the school bus until every passenger is seated. Disciplinary measures for problems related to bus behavior shall include suspension or expulsion from school, or suspending or terminating the student's bus transportation privileges. Disciplinary reports and action pertaining to buses will be filed with and handled by the Supervisor of Transportation.

Transporting students to and from school who have lost bus transportation privileges shall become the responsibility of the student's parent or legal guardian.

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

Adopted: April 12, 2004

## **2.10—PROHIBITED CONDUCT (district policy 4.18)**

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

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior that interferes with orderly school operations;
3. Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or stealing school property;
7. Possession of any paging device, beeper, or similar electronic communication devices, on the school campus during normal school hours unless specifically exempted by the administration for health or other compelling reasons;

8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
10. Inappropriate public displays of affection;
11. Cheating, copying, or claiming another person's work to be his/her own;
12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex or disability;
18. Hazing, or aiding in the hazing of another student;
19. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;
20. Sexual harassment; and
21. Bullying.

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

Legal References:       A.C.A. § 6-18-502  
                                  A.C.A. § 6-18-707  
                                  A.C.A. § 6-15-1005  
                                  A.C.A. § 6-21-609  
                                  A.C.A. § 6-18-506  
                                  A.C.A. § 6-18-222  
                                  A.C.A. § 6-5-201  
                                  A.C.A. § 6-18-514

Cross-References: Prohibited Conduct #1—Policy # 3.17  
Prohibited Conduct #2— Policy # 4.20  
Prohibited Conduct #3— Policy # 4.21, 4.26  
Prohibited Conduct #4— Policy # 4.22  
Prohibited Conduct #5— Policy # 4.23  
Prohibited Conduct #7— Policy # 4.47  
Prohibited Conduct #8— Policy # 4.24  
Prohibited Conduct #9— Policy # 4.18  
Prohibited Conduct # 13— Policy # 4.25  
Prohibited Conduct # 14— Policy # 4.21  
Prohibited Conduct # 15— Policy # 4.7  
Prohibited Conduct # 16 — Policy # 4.9  
Prohibited Conduct #17— Policy # 4.43  
Prohibited Conduct # 19— Policy # 4.12  
Prohibited Conduct # 20— Policy # 4.26  
Prohibited Conduct # 21—Policy # 4.27  
Prohibited Conduct # 22— Policy # 4.43

Last Revised: April 13, 2015

## **2.20—STUDENT DISCIPLINE (district policy 4.17)**

The Malvern Board of Education has a responsibility to protect the health, safety, and welfare of the District’s students and employees. To help maintain a safe environment conducive to high student achievement, the Board establishes policies necessary to regulate student behavior to promote an orderly school environment that is respectful of the rights of others and ensures the uniform enforcement of student discipline. Students are responsible for their conduct that occurs: at any time on the school grounds; off school grounds at a school sponsored function, activity, or event; going to and from school or a school activity. **Discipline consequences may range from a minimum of a student conference to a maximum of expulsion.**

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

The District’s licensed personnel policy committee shall review the student discipline policies annually and may recommend changes in the policies to the Malvern School Board. The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies.

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

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

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

Last Revised: June 11, 2013

### **2.21 BASIC TENETS/RULES FOR DISCIPLINE**

1. Keep hands, feet, and all objects to yourself.
2. Follow directions
3. Positive talk and actions, i.e., no cursing, teasing, put downs or name calling
4. Have all work assignments finished on time

### **2.22 RECESS RULES**

1. Follow directions
2. Stay in assigned areas
3. Do not re-enter the building without teacher's permission
4. Follow rules for discipline above

### **2.30 REPEATED VIOLATIONS OF CLASSROOM RULES**

Individual class rules and consequences will be established by the teacher and sent home by the end of the second week of school. \*A repeated violation is one that continues to occur after having the entire regular classroom consequences applied, including parent contact or conference.

First Offense: Referral to office, Conference and/or ISS

Second Offense: Parent conference and corporal punishment or up to 3 days ISS.

Third Offense: One week ISS assignment or Out of school suspension

Fourth Offense: Out of school suspension,

## **2.40 AGGRESSION**

The use of hands, feet and harmful objects to harm another such as hitting, wrestling, kicking, biting, spitting, shoving, tripping, scratching, and/or hair pulling is prohibited.

Harmful objects include sticks, rocks, balls, gravel, pencils, pens, etc.

A student who is aggressive shall be subject to:

First Offense: Referral to office, parent conference and ISS.

Second Offense: In School Suspension for 5 days or Out of school suspension

Third Offense: Out of school suspension

Fourth Offense: Out of school suspension, up to 10 days or expulsion

Note: Administrative discretion will be used based on severity in each case.

## **2.50 ARGUING/CONFLICT/SERIOUS DISAGREEMENT (STUDENT TO STUDENT)**

Students who continually argue, have conflict with, or are in serious disagreement on a repetitive basis, will be subject to the following consequences:

First Offense: Referral to office, parent conference and in school suspension or corporal punishment.

Second Offense: In school suspension or corporal punishment

Third Offense: Out of school suspension

## **2.60 BULLYING (district policy 4.43)**

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

A school principal or his or her designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

### **Definitions:**

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

**Bullying** means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that may address an attribute of the

other student, public school employee, or person with whom the other student or public school employee is associated and that causes or creates actual or reasonably foreseeable:

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

**Electronic act** means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone or other wireless communications device, computer, or pager that results in the substantial disruption of the orderly operation of the school or educational environment.

Electronic acts of bullying are prohibited whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose;

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

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

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

**Cyberbullying of School Employees** is expressly prohibited and includes, but is not limited to:

- a. Building a fake profile or website of the employee;
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
- c. Posting an original or edited image of the school employee on the Internet;
- d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee; making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
- e. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;
- f. Signing up a school employee for a pornographic Internet site; or
- g. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages
- h. Examples of "Bullying" may also include but are not limited to a pattern of behavior involving one or more of the following:
  1. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes,
  2. Pointed questions intended to embarrass or humiliate,
  3. Mocking, taunting or belittling,
  4. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
  5. Demeaning humor relating to a student's race, gender, ethnicity or actual or perceived attributes,
  6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
  7. Blocking access to school property or facilities,

8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings, and/or
10. Threats of harm to student(s), possessions, or others,
11. Sexual harassment, as governed by policy 4.27, is also a form of bullying,
12. Teasing or name-calling based on the belief or perception that an individual is not conforming to expected gender roles (Example: "Slut") or conduct or is homosexual, regardless of whether the student self-identifies as homosexual (Examples: "You are so gay." "Fag" "Queer").

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

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

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus. Parents, students, school volunteers, and employees shall be given copies of the notice.

Copies of this policy shall be available upon request.

Legal Reference: A.C.A. § 6-18-514; A.C.A. § 5-71-217      Revised: June 27, 2013

First Offense: Referral to office and counseling referral, parent conference and in school suspension or corporal punishment.

Second Offense: In school suspension or corporal punishment

Third Offense: Out of school suspension

### **2.70 CANDY, GUM, SOFT DRINKS, ETC.**

Due to the damage caused by candy, gum, \*soft drinks and similar items to carpet, desks, etc., their use is not permitted unless authorized by school personnel. **Gum is prohibited at all times. Snacks and soft drinks are not allowed in cafeteria or playground during lunch and physical activity. Students who bring a lunch to school may only access items during designated lunch time in cafeteria.**

First Offense: Student conference and warning/parent contact by teacher

Second Offense: Parent contact by teacher

Habitual violations could result in the student being assigned to ISS grades 5-6.

### **2.80 CAPS - HATS**

Caps and hats and other head coverings such as hoods, sweatshirts, jackets and toboggans are to be removed before entering the buildings. Failure to do so will result in the following:

First Offense: Item temporarily removed from student for the day.

Second Offense: Item temporarily removed from the student for the week

Third Offense: Item forfeited to the principal until end of school term or parent comes for it

\*\*Office referral if student refuses to remove the cap/hat.

Any student, who repeatedly violates this policy, will be considered insubordinate.

### **2.90 CHEATING OR FORGERY**

A student may not cheat or help other students cheat on class work, homework, test or other paper or computer schoolwork.

First Offense: Parent/Teacher Conference; counselor referral

Second Offense: 5 days ISS, optional corporal punishment

Third Offense: Up to 5 days out of school suspension and loss of grades for the grading period.

### **3.00 DAMAGE, DESTRUCTION OR THEFT OF SCHOOL PROPERTY**

**(see also 3.01, 3.02)**

A student who causes or attempts to cause damage to school property or steals or attempts to steal school property shall be subject to:

First Offense: Conference with student and/or parent and three (3) day suspension [administrative discretion depending upon severity]

Second Offense: Five-day suspension and possible assignment to ISS [administrative discretion depending upon severity]

Third Offense: Ten (10) day suspension and recommendation for expulsion [administrative discretion depending upon severity]

### **3.01 LAW 80-1903 DESTRUCTION OF PROPERTY - PENALTY**

Any person who shall willfully destroy or injure any building used as a school house or for educational purposes, or any furniture, fixtures, or apparatus thereto belonging, or who shall deface, mar, or disfigure any such building, furniture or fixtures by writing, cutting, painting, or pasting thereon any likeness, figure, words, or device, without the consent of the teacher or other person having control of such house, furniture or fixtures, or apparatus so destroyed or damaged, shall be fined in a sum double the value of such building, furniture, or fixtures, or apparatus in a sum not less than ten (\$10.00), or no more than fifty dollars (\$50.00), for each offense; to be recovered by civil action in any court of competent jurisdiction; and the punishment provided in this section is in addition to and not in lieu of the punishment provided by other statutes for such offenses.

### **3.02 LAW 50-109 DESTRUCTION OF PROPERTY BY MINORS - LIABILITY OF PARENTS**

The State, or any county, city, town or school district, or any person, corporation or organization shall be entitled to recover damages in an amount not in excess of One Thousand Dollars (\$1,000.00) in a court of competent jurisdiction from the parents of any minor under the age of eighteen (18) years, living with the parents, who shall maliciously or willfully destroy property, real, personal or mixed, belonging to the State of any such county, city, town or school district, or any persons, corporation or organization.

### **DANGEROUS INSTRUMENTS AND CONTRABAND**

(see weapons and dangerous instruments)

### **3.10 DISREGARD OF DIRECTIONS (INSUBORDINATION)/LACK OF COOPERATION WITH/SCHOOL PERSONNEL**

A student shall comply with reasonable directions or commands of teachers, substitute teachers, teacher aides, principals, administrative personnel, school bus drivers, or any other authorized personnel, including custodians and cafeteria workers. A student who does not comply shall be subject to:

First Offense: Conference with student and warning (administrative discretion depending upon severity)

Second Offense: Corporal punishment and/or three day suspension

Third Offense: Suspension from school-length is administrative discretion based on severity

Fourth Offense: Offense could result in recommendation for expulsion

### **3.20 DISRESPECT TO A TEACHER/STAFF MEMBER**

A student may disagree with a teacher but certain actions are considered disrespectful: talking back or arguing, not following reasonable request(s), refusing to do what is asked, rolling of the eyes, mumbling under his/her breath, talking about staff member/teacher, mocking or making fun of a teacher, throwing objects at or around a teacher's body, throwing body around,

huffing/puffing of the breath, disrupting class after warned repeatedly, and smirking gestures with the mouth or face.

A student who does not comply shall be subject to:

First Offense: Removal from classroom/parent notification/suspended until parent conference/counselor referral

Second offense: Three days ISS/optional corporal punishment

Third Offense: 3 day out of school suspension

Fourth Offense: Recommended for Expulsion

### **3.30 DISRUPTION OF SCHOOL (district policy 4.20)**

#### **(Any misconduct that disrupts a teacher from teaching or a student from learning)**

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

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

Legal Reference: A.C.A. § 6-18-511

Adopted: April 12, 2004

A student who does not comply shall be subject to:

First Offense: Removal from classroom/ parent notification/counselor referral

Second Offense: In school suspension/optional corporal punishment

Third Offense: Out of school suspension

Fourth Offense: Out of school suspension or recommended expulsion at administrative discretion.

### **3.40 STUDENT DRESS AND GROOMING (district policy 4.25)**

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

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

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

Legal Reference: Tinker v Des Moines Independent Comm. School Dist. 393 U.S. 503 (1969); Act 835 of 2011; A.C.A. § 6-18-502(c)(1); A.C.A. § 6-18-503(c)

Last Revised: June 17, 2014

Appropriate dress and good grooming are known to be positive factors for student behavior and attitude. Dress and personal grooming should not present health or safety problems or cause actual disruption of the educational process. Since one of the goals of education is preparing students for the workplace, rules for student dress should contain guidelines that define and promote attire that is acceptable in the business world. In addition, students will be expected to maintain appropriate dress that exhibits pride in self, school, and community.

It will be at the administrator's discretion to deem what is appropriate for school and what does not offend the rights of other students (per ADE Regs 6.0301).

THE FOLLOWING SPECIFIC ITEMS ARE INAPPROPRIATE AND PROHIBITED FOR SCHOOL DRESS AND APPEARANCE:

- Any outer garment that reveals undergarments (boxers, panties, brassieres, shorts, etc...)
- Sleepwear (pajamas pants, loungewear, *house shoes*, etc.)
- Bare midriffs, low-cut blouses, strapless tops or strapless dresses, tank tops, spaghetti strapped tops and dresses, or any garment that would expose the breast of a student
- Any outer garment with a bottom hem that *is less than mid-thigh all the way around*
- Pants or shorts with holes may not expose skin or undergarments (boxers, panties, etc.) above mid-thigh
- Clothing, jewelry or other accessories concerning drugs, alcohol, tobacco, sex, vulgar language, double meanings, or that contain symbols or slogans that are offensive to particular groups, appear to be gang or satanic related or contain anything that could be inflammatory in nature
- Leggings may NOT be worn *if the outer garment/top has a bottom hem that is less than mid-thigh all the way around. The outer garment must have a hem of no less than mid-thigh*
- Hats, head coverings and sunglasses are not to be worn in the school building during normal school hours. Caps must be worn either straight forward or straight back.

### **3.50—DRUGS AND ALCOHOL (district policy 4.24)**

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

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

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

Selling, distributing, or attempting to sell or distribute, or using over-the-counter or prescription drugs not in accordance with the recommended dosage is prohibited.

Last Revised: May 21, 2012

#### **Consequences**

	<b>Possession</b>	<b>Sale</b>	<b>Distribution</b>	<b>Use or Abuse</b>	<b>Under Influence</b>
<b>Illegal drugs</b>	Expulsion	Expulsion	Expulsion	Expulsion	Expulsion
<b>Alcohol</b>	Expulsion	Expulsion	Expulsion	Expulsion	Expulsion
<b>Imitation or Prescription</b>	Minimum/ISS	Expulsion	Expulsion	Expulsion	
<b>Patent meds/over-the-counter</b>	Minimum/ISS	Expulsion	Expulsion	Suspension	
<b>Tobacco/Paraphernalia</b>	Minimum/ISS Max/Expulsion	Expulsion	Expulsion	Suspension	

### **3.60 FIGHTING**

Students may disagree with each other by keeping their hands and feet to themselves and by discussing problems without physical contact. A **violent** struggle, combat, an angry dispute that involves hitting, wrestling, kicking, biting, spitting, shoving, tripping, scratching, and hair pulling quarrel are also considered a fight. Provoking/instigating a fight is unacceptable behavior. When students fight, it may be difficult to determine who is at fault. An investigation will be conducted to determine the problem and consequences will be administered accordingly:

First Offense: 3-day suspension/optional corporal punishment

Second Offense: 5-day suspension

Third Offense: 10-day suspension/Long-term assignment to ISS/or expulsion recommendation

**3.70 GAMBLING/Soliciting of Goods**

Students shall not participate in any activity that may be termed gambling or wagering where the stakes are money or any other object or objects of value. Additionally, students may not engage in the sale or solicitation of goods at school. The penalty for gambling or sale of goods shall be:

First Offense: Conference with student and parent

Second Offense: Corporal punishment or 1 day ISS

Third Offense: 3 days in ISS

**3.80 GANGS AND GANG ACTIVITY (district policy 4.26)**

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

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

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

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

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

Last Revised:   June 28, 2010

A student violation of this rule shall be subject to:

First Offense: Conference with student and parent(s)/ 5 day assignment to ISS  
(Administrative discretion depending upon severity)

Second Offense: Ten (10) day assignment to ISS

Third Offense: Ten (10) day out of school suspension

Fourth Offense: Recommendation for expulsion (administrative discretion depending upon severity)

### **3.90 HOMEWORK (district policy 5.14)**

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.

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

Adopted: April 12, 2005

### **3.91 LACK OF HOMEWORK**

It is the student's responsibility to see that the student's work is turned in upon completion. It is the parent's responsibility to check the folder **daily** to see what assignments are given.

First Offense: A student who is missing work/assignments or incomplete assignment(s) will be assigned to lunch detention and parent contacted

Second Offense: Lunch detention. After a student has been assigned twice to lunch detention, a conference/warning with student/teacher will be held. Parent shall be notified by the teacher of such conference.

Third Offense: Lunch detention/warning with parent/counselor/teacher/student held after three incomplete or missing assignments

Fourth Offense: After four incomplete or missing assignments-meeting/conference of student/teacher/parents/principal to discuss consequence options/alternatives/3 days ISS/corporal punishment

Fifth Offense: After five incomplete or missing assignments-corporal punishment/1-3 days ISS

### **4.0 MAKE-UP WORK (district policy 4.8)**

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

1. Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.
2. Teachers are responsible for providing the missed assignments when asked by a returning student.

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

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

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

Cross Reference: 4.7—ABSENCES  
4.57—IMMUNIZATIONS

Date Adopted: June 14, 2004

Last Revised: June 9, 2011

May 21, 2012

April 13, 2015

#### **4.10 INDECENT EXPOSURE & SEXUAL ADVANCES/INAPPROPRIATE PHYSICAL ADVANCES/TOUCHING**

A student shall not deliberately commit indecent exposure in school nor shall a student make improper advances toward another person. This includes self-stimulation or simulation. A student violation of this rule shall be subject to:

First Offense: Conference with student and parent(s) 5 day assignment to ISS/counselor referral and/or suspension [staff discretion depending upon severity]

Second Offense: 10 day suspension, contact authorities

Third Offense: Recommendation for expulsion (staff discretion depending upon severity)

#### **4.20 LASER POINTERS (district policy 4.28)**

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

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

Adopted: April 12, 2004

#### **4.23—TOBACCO AND TOBACCO PRODUCTS**

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

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

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

Legal Reference: A.C.A. § 6-21-609  
Last Revised: June 27, 2013

#### **4.30 LEAVING CAMPUS OR DESIGNATED AREA WITHOUT PERMISSION/TRUANCY**

A student shall not be absent from school without parent and /or school authorities prior knowledge and consent. After arrival on the school campus, a student absent from his/her assigned learning station without permission from school authorities shall be considered truant. Also, after arrival, a student shall not leave campus or designated area without permission from school authorities. The student shall be subject to:

First Offense: Conference with parent and student [staff discretion depending upon severity]

Second Offense: Corporal Punishment/or five days ISS

Third Offense: Assignment to ISS for ten days or more

**4.35 CLOSED CAMPUS (district policy 4.10)**

All grades except grades 11 and 12 shall operate under closed campuses. Students are required to stay on campus from their arrival until dismissal at the end of the regular school day. Students may be given permission to leave the campus by a school official and must sign out in the office upon their departure.

Date Adopted: April 12, 2004

**LUNCH DETENTION (SEE SECTION 6.55)**

**4.40 PHYSICAL ABUSE OR ASSAULT BY A STUDENT ON ANOTHER STUDENT (see also district board policy 4.21 Student Assault or Battery)**

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

Furthermore, it is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common understanding, is calculated to: a) cause a breach of the peace; b) materially and substantially interfere with the operation of the school; c) arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation. Students guilty of such an offense may be subject to legal proceedings in addition to student disciplinary measures.

Legal Reference: A.C.A. § 6-17-106(a)

Adopted: April 12, 2004

Students found in violation of this policy shall be subject to:

First Offense: Suspension until parent contacted/assignment to ISS

Second Offense: Ten (10) day suspension with recommendation for expulsion {staff discretion depending upon severity}

**4.50 PHYSICAL ABUSE, ASSAULT OR THREAT OF ASSAULT BY A STUDENT ON A SCHOOL EMPLOYEE**

A student who commits any of the above acts on a member of the faculty, staff or other employee of the Malvern Special School District shall be subject to:

First Offense: Ten (10) day suspension and recommendation for expulsion [staff discretion depending upon the severity]. Student may be placed in ISS pending expulsion hearing and/or court proceedings.

**4.51 PHYSICAL RESTRAINT (district policy 4.51)**

There are times when it becomes necessary for staff to use reasonable restraint to protect others from harm. Reasonable restraint is defined as immobilization of the individual’s opportunity for movement by staff members(s) through direct contact. Any person employed by the district may, within the scope of their employment, including involvement in extracurricular activities, use and apply such amount of force as is reasonable and necessary to accomplish the following purposes:

- To restrain a student from an act of wrongdoing;
- To quell a disturbance threatening physical injury to self or others;
- To obtain possession of weapons or other dangerous objects which are within the control of a student; and
- To protect self or others.

An act of a teacher or other employee will not be considered child abuse if the act was performed in good faith and in compliance with this policy. Such acts will not be construed to constitute corporal punishment.

In the case of a student with a disability, any restraint used beyond the four specific situations listed above will be identified on the Individual Education Plan (IEP) as a form of intervention.

The school employee using physical restraint will:

- A. Immediately, or as soon thereafter as possible, notify the principal of the incident;
- B. Provide a written report of the situation indicating why such action was deemed necessary; and
- C. The principal and his/her designee will inform the parent/legal guardian of the incident using the appropriate disciplinary form.

Date Adopted: June 28, 2010

To Parent(s)/Guardian(s):

In the event of a crisis situation that occurs in the schools, the Malvern School District has adopted the *Professional Crisis Management* program to ensure the safety of your child and the staff working with your child.

Professional Crisis Management is a system that uses both non-physical techniques and physical procedures to reduce the likelihood of crisis behaviors. Crisis behaviors are defined as continuous aggression, continuous self-injurious behavior, and continuous high magnitude disruptions. If your child is ever involved in any Professional Crisis Management procedure, you will be notified in writing or by a phone call depending on the severity of the crisis behaviors.

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Parent Signature	Date
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Last Revised: May 12, 2014

#### **4.60 POSSESSION AND USE OF CELL PHONES, AND OTHER ELECTRONIC DEVICES (district policy 4.47)**

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

To protect the security of state originated tests that are administered as part of the Arkansas Comprehensive, Testing, Assessment and Accountability Program (ACTAAP), no electronic device, as defined in this policy, shall be accessible by a student at any time during test administration unless specifically permitted by a student's IEP or individual health plan,. This means that when a student is taking an ACTAAP assessment, the student shall not have his/her electronic device in his/her possession. Any student violating this provision shall be subject to this policy's disciplinary provisions.

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

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

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

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

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

The student and/or the student’s parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices

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

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

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

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

Date Adopted:        July 13, 2006  
Last Revised:        June 9, 2011  
                           May 21, 2012  
                           June 11, 2013  
                           April 13, 2015  
                           March 14, 2016

**4.70 POSSESSION OF ELECTRONIC EQUIPMENT, TOYS, TRADING CARDS, AND SIMILAR CONTRABAND**

A student shall not possess a radio or any other type of audio equipment, toys, cards that are collected such as baseball cards or any other item that would be considered disruptive to the educational process. Students having possession of any of the above-mentioned items shall be subject to:

- First Offense: Confiscation of item, parent must retrieve the item
- Second Offense: Confiscation until end of semester
- Unless specifically requested, toys are not allowed at school.

#### **4.80 PROFANITY, AND/OR OBSCENE GESTURES TOWARD A SCHOOL EMPLOYEE**

A student who commits any of the above acts on a member of the faculty, staff or other employee of the Malvern Special School District shall be subject to:

First Offense: Ten (10) days suspension and assignment to ISS for up to remainder of semester

Second Offense: Recommendation for expulsion

#### **4.90 PROFANITY – OBSCENE GESTURES**

A student shall not at any time use:

- Profane, violent, vulgar, abusive or insulting language
- Physical gestures, vulgar body movements/actions
- Drawn and/or printed materials that convey a connotation of obscene or highly disrespectful acts that infringe upon the rights of others, or causes or begins an overt and immediate disruption of the educational process

Students who violated this shall be subject to:

First Offense: Corporal punishment and/or parent contact and assignment to ISS {staff discretion upon severity}

Second Offense: Five (5) day suspension

Third Offense: Ten (10) day suspension

Fourth Offense: Recommendation for expulsion

#### **5.00 PUBLIC DISPLAY OF AFFECTION/HANDS OFF**

There is to be no public display of affection at school or at school-sponsored events. This rule covers verbal suggestions considered offensive, holding hands, kissing, etc. Students who violate this rule shall be subject to:

First Offense: Conference with school counselor; possible assignment to ISS

Second Offense: Conference with parent/principal, 3-5 days ISS

Third Offense: 10 days ISS, possible suspension {depending upon severity}

#### **5.10 SEARCH, SEIZURE, AND INTERROGATIONS (district policy 4.32)**

The District respects the rights of its students against arbitrary intrusion of their person and property. At the same time, it is the responsibility of school officials to protect the health, safety, and welfare of all students enrolled in the District in order to promote an environment conducive to student learning. The Superintendent, principals, and their designees have the right to inspect and search school property and equipment. They may also search students and their personal property in which the student has a reasonable expectation of privacy, when there is reasonable and individualized suspicion to believe such student or property contains

illegal items or other items in violation of Board policy or dangerous to the school community.<sup>1</sup> School authorities may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.

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

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

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

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

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

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of a court with jurisdiction over a child with a court order signed by a judge. Upon release of the student, the principal or designee

shall give the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis notice that the student has been taken into custody by law enforcement personnel or a state's social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and an after-hours telephone number.

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

Date Adopted: April 12, 2004  
Last Revised: June 9, 2011  
                  April 13, 2015

### **5.20 SLEEPING IN CLASS**

In order to perform and participate in class successfully, students must get adequate sleep at home. Students will not be permitted to sleep in class or lay their heads on the desk. The school counselor will be contacted upon each occurrence. Parents will be also notified of this problem if it occurs more than one time. Students who violate this rule will be subject to the following:

First Offense: Teacher warning  
Second Offense: Parent contact

### **5.30 STUDENT SEXUAL HARASSMENT (district policy 4.27)**

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

Believing that prevention is the best policy, the District will periodically inform students and employees about the nature of sexual harassment, the procedures for registering a complaint, and the possible redress that is available. The information will stress that the district does not tolerate sexual harassment and that students can report inappropriate behavior of a sexual nature without fear of adverse consequences. The information will take into account and be appropriate to the age of the students.

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment as defined in this policy. Any student found, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion.

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, or other personally offensive verbal, visual, or physical conduct of a sexual nature made by someone under any of the following conditions:

1. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for academic decisions affecting that individual; and/or
3. Such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creates an intimidating, hostile, or offensive academic environment.

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

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances. Depending upon such circumstances, examples of sexual harassment include, but are not limited to: unwelcome touching; crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidation by words, actions, insults, or name calling; teasing related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the student self-identifies as homosexual; and spreading rumors related to a person's alleged sexual activities.

Students who believe they have been subjected to sexual harassment, or parents of a student who believes their child has been subjected to sexual harassment, are encouraged to file a complaint by contacting a counselor, teacher, Title IX coordinator, or administrator who will assist them in the complaint process. Under no circumstances shall a student be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment.

To the extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Students who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form.

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

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

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

Last Revised: June 28, 2010

#### **5.40 POSSESSION AND USE OF TOBACCO PRODUCTS (also board policy 4.23 )**

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

With the exception of recognized tobacco cessation products, this policy's prohibition includes any tobacco or nicotine delivery system or product.

**Advertising** of tobacco products is prohibited in school buildings, on school property, at school functions, and in all school publications.

#### **Intermediate School (Grades 5-6)**

WIS students are not permitted to smoke or use smokeless tobacco and are prohibited from possessing tobacco products and smoking paraphernalia on the school grounds. Students found smoking, or in possession of tobacco, shall be subject to:

First Offense: Conference with student and parent warning: confiscate item(s)  
(staff discretion depending upon severity)

Second Offense: Five (5) day assignment to ISS

Third Offense: Ten (10) day suspension with recommendation for expulsion

Referral to school counselor or prevention coordinator will be completed.

Legal Reference: A.C.A. § 6-21-609

Date Adopted: April 12, 2004; Last Revised: July 13, 2006; April 21, 2011

#### **5.50 STEALING**

A student will not, at any time, take things that do not belong to him/her. A student who steals shall be subject to:

First Offense: Removal from classroom/suspension until parent contact/counselor referral and School Resource Officer may be contacted 1-5 days ISS {at staff discretion based upon severity}.

Second Offense: Ten (10) days ISS

Third Offense: Suspension for ten (10) days /possible expulsion recommendation

Fourth Offense: Expulsion

#### **5.60 VERBAL ABUSE BY A STUDENT TO ANOTHER STUDENT**

A student will not commit verbal abuse to another student. A student who is verbally abusive of another will be subject to:

First Offense: Parent/Teacher conference/counselor referral

Second Offense: Three (3) days ISS

Third Offense: 3 days suspension

#### **5.70 VIOLATION OF BICYCLE REGULATIONS**

A student using any type of bicycle to and from school and who violates the rules and regulations set forth by the principal of the school shall be subject to:

First Offense: Warning

Second Offense: Conference with student and parent

Third Offense: Suspension of the right to ride bicycle for remainder of school year.

#### **5.80 WEAPONS AND DANGEROUS INSTRUMENTS (district policy 4.22)**

No student shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon while in school, on or about school property, before or after school, in attendance at school or any school sponsored activity, en route to or from school or any school sponsored activity, off the school grounds at any school bus stop, or at any school sponsored activity or event. Military personnel, such as ROTC cadets, acting in the course of their official duties are exempted.

A weapon is defined as any firearm,; knife,; razor,; ice pick,; dirk,; box cutter,; numchucks,; pepper spray, mace, or other noxious spray,; explosive,; Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or any other instrument or substance capable of causing bodily harm. For the purposes of this policy, "firearm" means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

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

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of not less than one year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

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

Cross Reference: Policy 4.31—EXPULSION

Legal References:     A.C.A. § 6-18-502 (c) (2)(A)(B)  
                           A.C.A. § 6-18-507 (e) (1)(2)  
                           A.C.A. § 6-21-608  
                           A.C.A. § 5-4-201  
                           A.C.A. § 5-4-401  
                           A.C.A. § 5-27-210  
                           A.C.A. § 5-73-119(b)(e)(8)(9)(10)  
                           20 USC § 7151

Date Adopted: April 12, 2004

Last Revised: June 28, 2010

April 13, 2015

#### **5.90 BEHAVIOR NOT COVERED ABOVE**

Malvern Special School District reserves the right to pursue disciplinary or legal action for behavior which is subversive to good order and discipline in the school even though such behavior is not specified in the preceding written rules.

#### **5.95 CONTACT WITH STUDENTS WHILE AT SCHOOL (district policy 4.15)**

## **CONTACT BY PARENTS**

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

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

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

Unless prior arrangements have been made with the school's principal, Arkansas law provides that the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school's property on normal school days during normal hours of school operation.

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

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

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

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

### **Contact by Professional Licensure Standards Board Investigators**

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

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

Date Adopted: April 12, 2004  
Last Revised:  June 9, 2011  
                      April 13, 2015

### **6.00 DUE PROCESS**

In case of suspension from school, the student will be so instructed by the principal as to the reason and length of suspension. A letter shall be sent to the parent/guardian notifying them of the reason and length of the suspension. The principal will attempt to call the parent of the impending suspension. In the event the student is suspended for more than ten (10) school days, the parent/guardian will be given an opportunity to appear before the school board.

The parent/guardian must notify the Superintendent of Schools by certified mail within five (5) days if a hearing is desired. If an attorney is retained to appear, notice of this fact must also be given by certified mail. Certified mail is required for legal proof of the request, and notification of an attorney to appear is required in order that the school's attorney may also be in attendance. Record of the hearing will become part of the public school.

### **6.05—CORPORAL PUNISHMENT**

The Malvern School Board authorizes the use of corporal punishment to be administered in accordance with this policy by the Superintendent or his/her designated staff members who are required to have a state-issued certificate as a condition of their employment.

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

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

Legal Reference:                   A.C.A. § 6-18-505 (c) (1)  
  A.C.A. § 6-18-503 (b)

Last Revised:   May 21, 2012

**6.10 EXPULSION (district policy 4.31)**

Board of Education for student conduct deemed to be of such gravity that suspension would be inappropriate, or where the student’s continued attendance at school would disrupt the orderly learning environment or would pose an unreasonable danger to the welfare of other students or staff. The Superintendent or his/her designee shall give written notice to the parents or legal guardians (mailed to the address reflected on the District’s records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider and dispose of the recommendation.

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

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

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

The Superintendent shall recommend the expulsion of any student for a period of not less than one (1) year for possession of any firearm or other weapon prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the

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

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

Legal Reference: A.C.A. § 6-18-507

Revised: June 9, 2008

## **6.20 EXTRA CURRICULAR ACTIVITIES – ELEMENTARY (district policy 4.56.1) (see also 1.23 Attendance at School Activities)**

### **Definitions**

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

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

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

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

### **Extracurricular Eligibility**

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted)<sup>2</sup>All students

are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

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

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

A student who enrolls in the district and meets the definition of "eligible child" in Policy 4.2— ENROLLMENT shall be eligible to tryout for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

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

Legal References:     State Board of Education Standards for Accreditation 10.05 and 10.06  
                              A.C.A. § 6-4-302

Date Adopted: May 12, 2014  
Last Revised: March 14, 2016

### 6.30 FIELD TRIPS

All students must ride the school bus designated for that field trip to be considered a part of the group. For liability reasons, only authorized personnel and students may ride the school bus to

and from school field trips. If the parent/guardian chooses to take their child home in their own vehicle after the field trip, they must have made arrangements with the school prior to the trip. If a student is assigned to ISS, he/she will not be allowed to participate in rewards, guest speakers, field trips, or extra-curricular activities during the time assigned to ISS. If a student has been assigned to ISS three or more times, he/she may not be permitted to attend or participate in the same activities listed in the previous sentence. Students who are failing class(es) and/or have been reported to the truant officer for excessive absences or tardies may not be allowed to participate in the same rewards or extra-curricular activities.

#### **6.40 GRADING (district policy 5.15)**

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 period to keep parents/guardians informed of their student's progress.

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

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

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

The grading scale for grades four and above in the district shall be as follows.

A = 100 – 90

B = 89 – 80

C = 79 – 70

D = 69-60

F = 59 and below

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  $.25 (83) + .75 (73) = 75.5\%$ .

*\* For districts on a 4x4 block schedule the grading period should be adjusted.*

Legal References:      A.C.A. § 6-15-902  
                                 State Board of Education: Standards of Accreditation 12.02  
                                 Arkansas Department of Education Rules and Regulations Governing  
                                 Uniform Grading Scales for Public Secondary Schools  
                                 <sup>2</sup> 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.

Last Revised:    April 21, 2011

## **6.50 IN-SCHOOL SUSPENSION (I.S.S) OPERATING PROCEDURES**

### **Purpose**

The primary purpose of the ISS is a punitive, structured, supervised program for students in lieu of an unsupervised, unstructured out-of-school suspension. The student who is assigned to the ISS will be in a separate educational environment. It is felt that the ISS will have a positive effect on students' general school attitude and behavior. Since students dislike this approach, the program serves as a "deterrent" for students who repeatedly misbehave.

### **Assignment**

Students will be assigned to the ISS program at the discretion of the administrator in charge of the student's discipline. The administrator will evaluate each case individually. The nature, number, and seriousness of the offenses will be the determining factors coupled with a concern and judgment of whether the student can profit from the ISS program.

### **Major Program Characteristics**

1. The student earns his way back into the regular school environment by meeting specific requirements of ISS.
2. Re-entry into the regular school program is based on the student's performance in fulfilling the student's responsibilities in ISS.
3. A specific room is provided for the ISS participants.

### **Basic Principles**

1. A characteristic of the program is the restriction of the student's social life within the school. The restriction of social activities is as follows:
  - a. Movement to and from the ISS program is at designated times.

- b. All participants will eat in the ISS room. They may buy their lunch or bring it from home.
  - c. During the student's time in ISS, the student will be under the direct supervision of the ISS teacher.
  - d. The student is restricted from all student activities, assemblies, and, after-school activities, until re-entry is earned, including extra-curricular activities through the school district.
2. Specific instructions are given for all assignments with the goal of helping the student become better adjusted to tasks required of him in the regular school setting. The completion of all class work in a manner satisfactory to the supervisory personnel is absolutely necessary for the student to gain re-entry into the regular school program.
  3. Re-entry is based on personal performance in the ISS room. An important objective of the program is to help participants to look at themselves and reasons for their presence in the program. Through positive professional contact with the ISS Supervisor and counselor, it is anticipated that some "inner reflection" can be a positive stepping-stone to getting the student back on track. Goal setting will be incorporated in the re-entry process along with the student's general attitude and cooperation while participating.
  4. The ISS aide/supervisor is one who shares the goal of helping the students with "behavior problems". Some of the objectives of the ISS supervisor are as follows:
    - a. To emphasize the value of completing a task in an allotted time limit in a neat and correct manner
    - b. To bring out student frustrations and help overcome them.
    - c. To demonstrate understanding and acceptance within social and educational limitation.
    - d. To teach them how to take responsibility for actions and learn from their mistakes.
    - e. To talk to students about the importance of thinking about others before they speak or act.

#### **6.60 SUPERVISED STUDY HALL (SSH)/LUNCH DETENTION**

Students may be assigned to SSH/lunch detention as a consequence to several misbehaviors. These include, but not limited to: missing work or assignments, incomplete work or assignments, missing band instrument, and classroom misbehavior. Students may also be assigned to make-up work and/or tests. **Students assigned to SSH, Lunch Detention are NOT assigned to ISS**, even though all are kept/supervised in the same classroom called "ISS". Students are permitted to return to class after lunch/recess or related arts class ends. (See section on In School Suspension for its further explanation.)

#### **6.70 LIBRARY POLICIES**

1. Books may be checked out for two weeks and may be rechecked one time.
2. Students may check out only one book at a time unless he/she is working on a term paper, project or has more than one report to make.
3. If a student needs more than one book, he/she should talk to the librarian.

4. Overdue notices will be sent to students who do not check in books when they are due. Reimbursement to the library for lost books is insisted upon for the amount of the book.
5. If a student fails to return a book or pay for a lost book after a set period of time, he/she may be denied the privilege of checking out a book except for specific teacher assignments.
6. If a student misbehaves in the library during free library time, the librarian may deny him/her this privilege for a period of time.

**LUNCH DETENTION: See 6.60 Supervised Study Hall – SSH**

**6.80 PARENT-TEACHER CONFERENCES**

All teachers **are required to communicate** with the parents or guardians of each student at least once a semester through a parent-teacher conference, telephone conference, or a home visit. Teachers shall communicate more often with parents/guardians of students performing below grade level.

Parent-teacher conferences or meetings at any time are encouraged and may be requested by parents or guardians when they feel they need to discuss their child's progress with his/her teacher. Conferences shall be scheduled at a time and place to best accommodate those participating in the conference.

**6.90 PARTIES**

Each grade level is allowed nine (9) events throughout the school year. Christmas-classroom parties are held the last day before Christmas vacation

Parents who do not wish their child to participate in these activities shall inform the child's teacher. The classroom teacher will contact the room parents as to needs and will handle all treats.

**6.95 PARENT INVOLVEMENT EVENTS**

1. Open House/Meet Your Teacher
2. Annual Report to Public
3. Goodies for Grandparent(s)
4. Awards Assembly
5. We Love WIS Family/Community Night
6. Interschool Sports/Cheer squads
7. Field Day
8. Career days
9. After-school clubs and activities
10. Unit Culminating Special Events
11. Community Thanksgiving FEAST

**7.00 PERMANENT RECORDS (district policy 4.38)**

Permanent school records, as required by the Arkansas Department of Education, shall be maintained for each student enrolled in the District until the student receives a high school diploma or its equivalent or is beyond the

age of compulsory school attendance. A copy of the student's permanent record shall be provided to the receiving school district within ten (10) school days after the date of request from the receiving school district is received.

Legal References:       A.C.A. § 6-18-901  
                                  ADE Rule *Student Permanent Records*

Date Adopted: April 12, 2004

### **7.01 PERSONAL PROPERTY**

The student is responsible for his/her property. Label all items such as supplies, coats, hats, sweaters, etc. Girls are requested to keep their purses with them at all times. Electronic equipment, toys, trading cards, and similar contraband are not allowed at school during the regular instructional day. The students are responsible for their property at all times. See district policy regarding cell phones. See also, section on Electronic Equipment, etc.

### **7.05 PLEDGE OF ALLEGIANCE (district policy 4.46)**

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

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

Legal Reference:       A.C.A. § 6-16-108

Adopted:               November 14, 2005

### **7.10 PROGRESS REPORTS**

Parents can check student grades on-line through a secure and private code. Parents and students are given their own login and password. 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 grading period to keep parents/guardians informed of their student's progress.

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

### **7.20 PROMOTION/RETENTION (district policy 4.47)**

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

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

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

- a) The building principal or designee;
- b) The student's teacher(s);
- c) School counselor
- d) A 504/special education representative (if applicable); and
- e) The student's parents.

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

Regardless of the student having earned passing grades, a student who falls under one of the following categories shall be considered for retention or shall not receive credit for the course associated with the applicable assessment. The student:

- does not take the State mandated assessment for the student's grade level or course within the time frame specified by the State;
- takes the State mandated assessment but does not put forth a good faith effort on the assessment as determined by the assessment administrator/proctor.

The Superintendent or designee may wave this provision when the student's failure was due to exceptional or extraordinary circumstances.

Students who do not score proficient or above on their grade level State assessments shall be required to participate in an Academic Improvement Plan (AIP). Each AIP shall be developed by school personnel and the student's parents and shall be designed to assist the student in

attaining the expected achievement level. The AIP shall also state the parent's role as well as the consequences for the student's failure to participate in the plan, which shall include the student's retention in their present grade.

All students must successfully pass all end-of-course (EOC) assessments they are required to take unless exempted by the student's individualized education program (IEP). To receive academic credit on his/her transcript in a course requiring a student to take a EOC assessment, the student must either receive a passing score on the initial assessment or successfully participate in the remediation program identified in his/her individualized Academic Improvement Plan (AIP), which shall focus on the areas in which the student failed to meet the necessary passing score. Additionally, the lack of credit could jeopardize the student's grade promotion or classification.

To the extent required by the State Board of Education, students in grade eleven (11) and below who do not meet the required score on a college and career readiness measurement shall participate in the remediation activities prescribed in his/her AIP which may include additional opportunities to retake the measurement. Such remediation shall not require the student to pass a subsequent college and career readiness measurement in order to graduate from high school.<sup>5</sup>

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

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

Legal References:     A.C.A. 6-15-433  
                              A.C.A. § 6-15-2001  
                              A.C.A. § 6-15-2005  
                              A.C.A. § 6-15-2009  
                              A.C.A. § 9-28-205

ADE Rules Governing the Arkansas Comprehensive Testing, Assessment, and Accountability Program and the Academic Distress Program  
ADE Rules Governing Public School End-Of-Course Assessments and Remediation  
Murphy v. State of Ark., 852 F.2d 1039 (8<sup>th</sup> Cir. 1988)

Date Adopted: May 12, 2014  
Last Revised: April 13, 2015  
May 18, 2015

#### **7.40 SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2017**

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are 18 years of age or older, sign a *Smart Core Waiver Form* to not participate. While Smart Core is the default option, both a *Smart Core Informed Consent Form* and a *Smart Core Waiver Form* will be sent home with students prior to their enrolling in seventh grade, or when a 7-12 grade student enrolls in the district for the first time and there is not a signed form in the student's permanent record. Parents must sign one of the forms and return it to the school so it can be placed in the students' permanent records. This policy is to be included in student handbooks for grades 6-12 and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the requirements of their IEP (when applicable) to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the time they are required to sign the consent forms.

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

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

## **GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of 22 units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Arkansas Department of Education, the district requires an additional two (2) units to graduate for a total of 24 units. The additional required units may be taken from any electives offered by the district. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

Unless exempted by a student's IEP, all students must successfully pass all state-mandated assessments or meet the remediation required for the assessment to receive academic credit for the applicable course and be eligible to graduate from high school.

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

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

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

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

- Algebra I or Algebra First Part and Second Part\* which may be taken in grades 7-8 or 8-9
- Geometry or Investigating Geometry or Geometry First Part and Second Part\* which may be taken in grades 8-9 or 9-10

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

- Algebra II
- Choice of: Linear Systems and Statistics, Pre-Calculus, Algebra III, or an Advanced Placement math

(Comparable concurrent credit college courses may be substituted where applicable)  
All students must be enrolled in a math class their Junior or Senior year regardless of number of completed credits.

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

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

**Social Studies:** three (3) units

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

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

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

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

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

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

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

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

The Smart Core and career focus units must total at least twenty-two (22) units to graduate. Additionally, the district requires 4 units for a total of 26 units to graduate which may be taken from any electives offered by the district. Additional units must include 1 unit of CBA or 1 unit of EAST.

**CORE: Sixteen (16) units**

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

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

**Mathematics:** four (4) units

- Algebra or its equivalent\* - 1 unit
- Geometry or its equivalent\* - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable concurrent credit college courses may be substituted where applicable)

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

All students must be enrolled in a math class their Junior or Senior year regardless of number of completed credits.

**Science:** three (3) units

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

**Social Studies:** three (3) units

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

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

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

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

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

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

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

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

The Core and career focus units must total at least twenty-two (22) units to graduate. Additionally, the district requires 4 units for a total of 26 units to graduate which may be taken from any electives offered by the district.

Cross References:

4.55 Student Promotion and Retention

Legal References:

Standards of Accreditation 9.03 – 9.03.1.9, 14.02

ADE Guidelines for the Development of Smart Core Curriculum Policy

Smart Core Informed Consent Form

Smart Core Waiver Form

Last Revised:

June 28, 2016

#### **7.41 SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2018 AND THEREAFTER (district policy 4.45.1)**

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are 18 years of age or older, sign a *Smart Core Waiver Form* to not participate. While Smart Core is the default option, both a *Smart Core Informed Consent Form* and a *Smart Core Waiver Form* will be sent home with students prior to their enrolling in seventh grade, or when a 7-12 grade student enrolls in the district for the first time and there is not a signed form in the student's permanent record. Parents must sign one of the forms and return it to the school so it can be placed in the students' permanent record. This policy is to be included in student handbooks for grades 6-12 and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the requirements of their IEP (when applicable) to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the time they are required to sign the consent forms.

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year<sup>3</sup> to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

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

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

## **GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of 22 units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Arkansas Department of Education, the district requires an additional two (2) units to graduate for a total of 24 units. The additional required units may be taken from any electives offered by the district. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

### **Digital Learning Courses**

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

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

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

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

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

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

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

- 3) Algebra II; and
- 4) The fourth unit may be either:
  - A math unit beyond Algebra II: this can include Pre-Calculus, Calculus, AP Statistics, Algebra III, Advanced Topic and Modeling in Mathematics, Mathematical Applications and Algorithms, Linear Systems and Statistics, or any of several IB or Advanced Placement math courses (Comparable concurrent credit college courses may be substituted where applicable); or
  - one unit of computer science chosen from ADE Essentials of Computer Programming, ADE Computer Science and Mathematics, AP Computer Science, AP Computer Science Principles, IB Computer Science, or other options approved by ADE.

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

One unit of Biology; and either:

Two units chosen from the following three categories (there are acceptable options listed by the ADE for each):

- Physical Science;
- Chemistry;
- Physics or Principles of Technology I & II or PIC Physics; or
- One unit from the three categories above and one unit of computer science chosen from ADE Essentials of Computer Programming, ADE Computer Science and Mathematics, AP Computer Science, AP Computer Science Principles, IB Computer Science, or other options approved by ADE.

Social Studies: three (3) units

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

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

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

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

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>8</sup>

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

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

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

**CORE: Sixteen (16) units**

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

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

Mathematics: four (4) units

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

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

Science: three (3) units

- at least one (1) unit of biology or its equivalent; and

Two units chosen from the following three categories:

- Physical Science;
- Chemistry;
- Physics; or

One unit from the three categories above and one unit of computer science chosen from ADE Essentials of Computer Programming, ADE Computer Science and Mathematics, AP Computer Science, AP Computer Science Principles, IB Computer Science, or other options approved by ADE.

Social Studies: three (3) units

- Civics one-half (1/2) unit
- World history, one (1) unit
- American History, one (1) unit

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

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

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

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

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

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

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

Cross References: 4.55—STUDENT PROMOTION AND RETENTION  
5.11—DIGITAL LEARNING COURSES

Legal References: Standards For Accreditation 9.03 – 9.03.1.9, 14.02  
ADE Guidelines for the Development of Smart Core Curriculum Policy  
ADE Rules Governing the Digital Learning Act of 2013  
Smart Core Informed Consent Form 2016  
Smart Core Waiver Form 2016  
A.C.A. § 6-4-302  
A.C.A. § 6-16-1406

Date Adopted: May 12, 2014

Last Revised: June 28, 2016

**7.45 STUDENT VISITORS (district policy 4.16)**

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

Cross References: For adult visits see 5.95 section (Policy 4.15) and Policy 6.5—VISITORS TO THE SCHOOLS

Date Adopted: June 14, 2004 Last Revised:

### **7.50 STUDENT WITHDRAWAL**

If you are moving and are withdrawing your child from school, please call or come by the school prior to the withdrawal date. This will give ample time to complete the necessary paperwork, etc.

### **7.60 SUSPENSION FROM SCHOOL (4.30)**

Students who are not present at school cannot benefit from the educational opportunities the school environment affords. Administrators, therefore, shall strive to find ways to keep students in school as participants in the educational process. There are instances, however, when the needs of the other students or the interests of the orderly learning environment require the removal of a student from school. The Board authorizes school principals or their designees to suspend students for disciplinary reasons for a period of time not to exceed ten (10) school days,<sup>1</sup> including the day upon which the suspension is imposed. The suspension may be in school or out of school. Students are responsible for their conduct that occurs:

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

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

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

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

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

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

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

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

It is the parents' or legal guardians' responsibility to provide current contact information to the district, which the school shall use to immediately notify the parent or legal guardian upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:<sup>2</sup>

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

The district shall keep a log of contacts attempted and made to the parent or legal guardian.

During the period of their suspension, students serving out-of-school suspensions are not permitted on campus except to attend a student/parent/administrator conference.<sup>3</sup>

During the period of their suspension, students serving in-school suspension shall not attend or participate in any school-sponsored activities during the imposed suspension.<sup>3</sup>

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

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

Cross Reference: 4.7—ABSENCES

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

Adopted: April 12, 2004  
Last Revised: May, 2008  
May 21, 2012  
March 14, 2016  
June 28, 2016

## **TELEPHONE USE AT SCHOOL (see Calls From Office 1.70)**

### **7.70 TRAFFIC IN HALLWAYS**

Due to the number of students in our building, it is necessary that we observe certain precautions to prevent traffic jams. Students should keep to the right in the halls and walk briskly to class. There is not time for loitering. Stopping to visit in the halls or walking three (3) or four (4) abreast is to be avoided. No running will be permitted at any time in the halls.

### **7.80 TRUANCY/CLOSED CAMPUS POLICY**

Wilson Intermediate School has a closed campus policy. This means that once a student comes onto the school grounds in the morning, he/she may not leave until school is dismissed for the day or until permission has been granted from the principal's office.

**Adult supervision begins in the cafeteria at 7:20 a.m. However, no car riders or walkers shall arrive earlier than the front doors opening at 7:30 a.m.**

### **7.90 UNAUTHORIZED PERSONS**

For the protection and safety of students and school property, there shall be no unauthorized (non-student) persons allowed on or adjacent to the school grounds during school hours. Loitering is prohibited. Persons violating this shall be referred to the proper authorities for action.

### **8.00 VIDEO SURVEILLANCE (district policy 4.48)**

The board has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding district facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras. The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as rest rooms or dressing areas where an expectation of privacy is reasonable and customary.

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

The district shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording. Videos containing evidence of a violation of student conduct rules and/or state or federal law shall be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or student handbook; any release or viewing of such records shall be in accordance with current law.

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

Legal References: 20 USC 1232(g) ; 34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31  
Adopted: April 21, 2011

**8.11 VISITORS TO THE SCHOOLS ( see section 5.95, see also 4.16 district board policy; 4.15 Contact with Students while at School, 4.16 district student visitors policy)**

Parents, grandparents, legal guardians, business, and community members are welcome and encouraged to visit District schools. To minimize the potential for disruption of the learning environment, visitors, for a purpose other than to attend an activity open to the general public, are required to first report to the school's main office. No one shall be exempt from this requirement. Visitors who are Level 3 or Level 4 sex offenders may only enter a school campus under the provisions listed in Policy 6.10.

Parents and legal guardians are encouraged to participate in regularly scheduled visitation events such as school open houses and parent/teacher conferences. Additional conferences are best when scheduled in advance. Conferences shall be scheduled at a time and place to accommodate those participating in the conference. Visits to individual classrooms during class time are permitted on a limited basis with the principal's prior approval and the teacher's knowledge.

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

The District has the right to ask disruptive visitors to leave its school campuses. Principals are authorized to seek the assistance of law enforcement officers in removing any disruptive visitors who refuse to leave school property when requested to do so.

Note: Visitors who are disruptive become "trespassers" as defined in A.C.A. § 6-21-606. As such, they lose their right to be on campus.

Cross References: For non-adult visits see Policy 4.16—STUDENT VISITORS  
For Level 3 and Level 4 sex offenders see Policy 6.10—SEX OFFENDERS ON CAMPUS (MEGAN'S LAW)

Legal References: A.C.A. § 6-21-606 ; A.C.A. § 6-21-607

### **8.20 WALKERS AND BIKE RIDERS**

All safety rules pertaining to pedestrian and bicycle traffic on and around school property shall be followed. Students are not allowed to operate any type of motorized vehicle upon school property at any time. Walkers and bike riders shall report to the cafeteria and wait there until all buses have left. Walkers and bike riders are not permitted to leave the campus for dismissal until the buses and cars have left. The car/bus duty personnel will dismiss them at the appropriate time.

### **8.30 WILSON INTERMEDIATE LEARNING ACADEMY (WILA)**

The Wilson Intermediate Learning Academy, which serves students in grades 5-6, is a student intervention program, also called an alternative learning environment (ALE) that seeks to eliminate traditional barriers to student learning. The WILA classroom will be a caring, nurturing, and supportive environment where quality learning can take place for the at risk student.

Student placement will be based upon recommendation, interview, and meeting two (2) or more student qualifiers. (see lists below) Students who attend the WILA classroom will have a creative alternative approach to instruction, lower pupil-teacher ratio, physical movement, hands-on instruction, behavior modification, social skills and conflict resolution training.

Students who are placed in WILA, shall exhibit at least two of the following characteristics:

- Disruptive behavior
- In danger of dropping out of school
- Personal or family problems or situations
- Recurring absenteeism
- Transition to or from residential programs

### **8.31 ALTERNATIVE LEARNING ENVIRONMENT (district policy 5.26)**

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.<sup>1</sup>

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) 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. ALE students will meet state graduation requirements for graduation.

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

Last Revised: May 12, 2014

## APPENDIX

**THE FOLLOWING PAGES CONTAIN ADDITIONAL MALVERN SCHOOL DISTRICT POLICIES. OTHER POLICIES ARE AVAILABLE AT THE ADMINISTRATION OFFICES, 1620 South Main Street, Malvern, AR**

### **Board of Directors**

By the authority of Article 14 of the Arkansas Constitution, the General Assembly has provided that locally elected school boards will be responsible for the lawful operation and maintenance of its local schools.

While the Board has a broad range of powers and duties, its individual members only have authority when exercising their responsibilities in a legally convened meeting acting as a whole. The sole exception is when an individual member has been delegated authority to represent the Board for a specific, defined purpose.

It is the policy of the Malvern School Board that its actions will be taken with due regard for its legal responsibilities and in the belief that its actions shall be in the best interests of its students and the district as a whole.

### **MALVERN SCHOOL DISTRICT**

#### **Central Administration**

1620 S. Main Street  
(501) 332-7500  
Website: [www.malvernleopards.org](http://www.malvernleopards.org)  
Brian Golden, Superintendent  
Janet Blair, Assistant Superintendent  
Jace Roberts, Chief of Staff

#### **Malvern Middle School**

**Grades 7 - 8**  
339 E. Donnelly  
(501) 332- 7530  
Velda Keeney, Principal  
Cleveland Gordon, Administrative Assistant

#### **Malvern Elementary School**

**Grades K - 4**

#### **Malvern Senior High School**

**Grades 9 – 12**  
525 East Highland Street  
(501) 332-6905  
Jennifer Shnaekel, Principal  
Manuel Bulhoes, Assistant Principal  
Ben Dial, Assistant Principal

1807 West Moline Street  
(501) 467- 3166  
Meredith McCormack, Principal  
Lillian Harper, Assistant Principal  
Mike Scarbrough, Administrative Assistant

**Wilson Intermediate School**

**Grades 5 - 6**

614 West Moline Street  
(501) 332-6452  
Tina Hobbs, Principal  
Darryl Baker, Administrative Assistant

**Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- (1) The right to inspect and review the student’s education records within 45 days of the day the School receives a request for access.

Parents of eligible students shall submit to the School principal {or appropriate school official} a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Parents or eligible students who wish to ask the School to amend a record shall write the School principal {or appropriate school official}, clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for the amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent the FERPA authorizes disclosure with consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials to another school district in which a student seeks or intends to enroll.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Malvern School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

### **AHERA Notification**

This is the annual update of our compliance with the Asbestos Hazard Emergency Response Act (AHERA). This Act requires that all school districts, public and private, K – 12, inspect each of their school buildings for asbestos containing building materials. Management plans are then developed which outline how any asbestos containing materials will be handled in each building.

The Malvern School District is committed to providing a safe and healthy environment for all children, employees and guests in our schools. We will, as we have in the past, monitor, inspect and repair any asbestos containing materials. Copies of our management plan and inspection reports are available upon request for review at the Superintendent's office.

The Malvern School District intends to have all asbestos containing building materials under operations and maintenance, removed or encapsulated. If you would like more information regarding the AHERA program, you may call me at my office.

Brian Golden, Superintendent (501)332-7500

### **ACCELERATED COURSES AND GIFTED/TALENTED**

In general, advanced and Gifted and Talented (GT) courses are considered as college preparatory. A student may be removed from an accelerated course at the school's discretion for unacceptable performance.

Gifted and Talented services are offered to students who have mastered the basic curriculum and would benefit from a more advanced study.

A student needs one of the following nominations in order to be considered for the program.

1. Nominated by parent/guardian, classroom teacher, GT teacher, counselor or principal
2. Score 95 percentile composite or higher on two (2) areas of achievement
3. Self nomination

Students who exemplify the highest level of achievement along with the following criteria will ultimately be chosen for the program.

1. Achievement test scores
2. Creativity test
3. School ability test
4. Grade point average
5. Classroom behavioral rating scale
6. Teacher checklist
7. Parent Questionnaire
8. Student interview form
9. Parent rating sheet
10. Teacher comments

Students in grades 3-6 will receive GT services through a pull-out program for 150 minutes a week. In grades 7-12, gifted and talented services are through the content area, Pre AP, and AP classes.

#### **4.54 - STUDENT ACCELERATION**

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

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 time span. Either form of acceleration can be triggered by a parent/guardian, student, or community member's request or by the referral of school personnel. In either case, the process of determining the appropriateness of the request shall be under the direction of the district/school<sup>1</sup> Gifted and Talented Program Coordinator who shall convene the individuals necessary to make an informed decision which shall include the student's parents or guardians.

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

The District's Gifted and Talented Program Coordinator<sup>1</sup> will create a written format to govern the referral and determination process which shall be made available to any parent or staff member upon request.

The parents/guardians of any student whose request for acceleration has been denied may appeal the decision, in writing, to the District's GT Coordinator<sup>1</sup>. The District's GT Coordinator<sup>1</sup> and the Acceleration Placement Committee will again thoroughly review the case study that was completed on the student. Upon completion of the review, the Committee will either request additional new testing be conducted to help the Committee make its determination or it will uphold the initial decision. The Committee's decision may not be further appealed.

Legal Reference: ADE Gifted and Talented Rules

Date adopted: June 11, 2013

### **5.21—ADVANCED PLACEMENT, INTERNATIONAL BACCALAURATE, AND HONORS COURSES**

Students in grades 7-12 who take advanced placement courses, 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 courses or International Baccalaureate courses shall 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.

“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 of 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.

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: November 14, 2005

Last Revised: June 11, 2013

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

### **CONTACT BY PARENTS**

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

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

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

Arkansas law provides that, In order to avoid continuing child custody controversies from involving school personnel and to avoid disruptions to the educational atmosphere in the District’s schools, the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school’s property on normal school days during normal hours of school operation. The custodial or non-custodial parent may send to/drop off the student at school to be sent to/picked up by the other parent on

predetermined days in accordance with any court order provided by the custodial parent or by a signed agreement between both the custodial and non-custodial parents that was witnessed by the student's building principal. Unless a valid no-contact order has been filed with the student's principal or the principal's designee, district employees shall not become involved in disputes concerning whether or not that parent was supposed to pick up the student on any given day.

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

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

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

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

### **Contact by Professional Licensure Standards Board Investigators**

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

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

Date Adopted: April 12, 2004  
Last Revised: June 9, 2011  
April 13, 2015  
May 9, 2016

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

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

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

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

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

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

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

Cross References:     4.2—ENTRANCE REQUIREMENTS  
                           4.13—PRIVACY OF STUDENTS’ RECORDS/ DIRECTORY INFORMATION

Legal References:     A.C.A. § 6-18-702  
                           Arkansas State Board of Health Rules And Regulations Pertaining To  
                           Immunization Requirements

Last Revised:         June 11, 2013

## **4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS – March 14, 2016**

### **Definitions:**

“Academic Courses” are those courses for which class time is scheduled, which can be credited to meet the minimum requirements for graduation, which is taught by a teacher required to have State licensure in the course or is otherwise qualified under Arkansas statute, and has a course content guide which has been approved by the Arkansas Department of Education (ADE). Any of the courses for which concurrent high school credit is earned may be from an institution of higher education recognized by ADE. If a student passes an academic course offered on a block schedule, the course can be counted twice toward meeting the requirement for students to pass four (4) academic courses per semester as required by this policy.

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

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

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

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

“Supplemental Improvement Program (SIP)” is an additional instructional opportunity for identified students outside of their regular classroom and meets the criteria outlined in the current Arkansas Activities Association (AAA) Handbook.

### **Extracurricular Eligibility**

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

A student who enrolls in the district and meets the definition of “eligible child” in Policy 4.2 ENTRANCE REQUIREMENTS shall be eligible to tryout for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

### **Interscholastic Activities**

#### **ACADEMIC REQUIREMENTS: Junior High**

A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the first semester. The second semester eighth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The first semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The second semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed (4) academic courses the previous semester which count toward his/her high school graduation requirements.

Ninth-grade students must meet the requirements of the senior high scholarship rule by the end of the second semester in the ninth grade in order to be eligible to participate the fall semester of their tenth-grade year.

### **ACADEMIC REQUIREMENTS: Senior High**

In order to remain eligible for competitive interscholastic activity, a student must have passed (4) academic courses the previous semester and either:

1. Have earned a minimum Grade Point Average (GPA) of 2.0 from all academic courses the previous semester; or
2. If the student has passed four (4) academic courses the previous semester but does not have a 2.0 GPA the student must be enrolled and successfully participating in an SIP to maintain their competitive interscholastic extracurricular eligibility.

### **STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM**

In order to be considered eligible to participate in competitive interscholastic activities, students with disabilities must pass at least four (4) courses per semester as required by their individual education program (IEP).

### **ARKANSAS ACTIVITIES ASSOCIATION**

In addition to the foregoing rules, the district shall abide by the rules and regulations of AAA governing interscholastic activities. AAA provides catastrophic insurance coverage for students participating in AAA governed extracurricular activities who are enrolled in school. As a matter of District policy, no student may participate in a AAA governed extracurricular activity unless he or she is enrolled in a district school, to ensure all students are eligible for AAA catastrophic insurance.

#### **Intrascholastic Activities**

#### **AAA Governed Activities**

Students participating in intrascholastic extracurricular activities that would be governed by AAA if they were to occur between students of different schools shall meet all interscholastic activity eligibility requirements to be eligible to participate in the comparable intrascholastic activity. The District will abide by the AAA Handbook for such activities to ensure District students are not disqualified from participating in interscholastic activities.

#### **Non-AAA Governed Activities**

Unless made ineligible by District policies, all students shall be eligible to participate in non-AAA governed intrascholastic extracurricular activities. Intrascholastic activities designed for a particular grade(s) or course(s) shall require the student to be enrolled in the grade(s) or course(s).

Cross References: 4.55—STUDENT PROMOTION AND RETENTION  
4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: State Board of Education Standards for Accreditation 10.05 and 10.06  
Arkansas Activities Association Handbook  
A.C.A. § 6-4-302

Date Adopted: May 12, 2014  
Last Revised: March 14, 2016  
May 9, 2016

## **5.11—DIGITAL LEARNING COURSES**

### **Definitions**

For the purposes of this policy:

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

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

"Instructional Materials" means:

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

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

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

### **Digital Course Offerings**

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

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

As an approved digital learning provider, the District shall annually determine what District created digital learning courses it will provide to our students. The District may also choose to provide digital learning courses by contracting with outside providers of such courses, who have been pre-approved by the Arkansas Department of Education (ADE). The School Board shall determine the provider method or combination of methods for the District. The Superintendent shall ensure that all digital learning courses provided to District students, regardless of the source of the course, have been approved by ADE.

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

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

A student may elect to take any or all of his/her scheduled courses digitally. The student's attendance in his/her digital course(s) shall be determined by the online attendance and time the student is working on the course rather than the student's physical presence at school.

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

Regardless of any other provisions of this policy, the District may restrict a student's access to digital courses when the student's building 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 building 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.

Cross References:     4.7—ABSENCES  
                              4.45.1—SMART CORE CURRICULUM AND GRADUATION  
                              REQUIREMENTS FOR THE CLASS OF 2018 AND THEREAFTER

4.45-1—SMART CORE CURRICULUM AND GRADUATION  
REQUIREMENTS FOR THE CLASS 2017  
5.8—USE OF COPYRIGHTED MATERIALS

Legal References: A.C.A. § 6-16-1401 et seq.  
ADE RULES GOVERNING DISTANCE AND DIGITAL LEARNING

Date Adopted: May 12, 2014  
Last Revised: May 9, 2016

## 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 period to keep parents/guardians informed of their student's progress.

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

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

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

The grading scale for K- 2 shall be as follows:

For the purpose of determining proficiency in several areas of the curriculum, rubrics will be used for determining the level of achievement for students.

**Kindergarten –2<sup>nd</sup> Grade:** Progress reports will be given after each nine (9) week period. This report will provide information about the student's progress and whether he/she is working at, above, or below grade level. Letter grades are not given.

The grading scale for all other grades 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  $.25 (83) + .75 (75) = 77\%$ .

*\* For districts on a 4x4 block schedule the grading period should be adjusted.*

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

Date Adopted: April 12, 2004  
Last Revised: April 21, 2011  
                   May 9, 2016

## **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 (ADE), 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 ADE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index For Age Assessment Protocols. To promote nutrition, physical activity, and other school based activities that will improve student wellness, the District has established the following goals.

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. 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 that permit exceptions to the food and beverage limitations established by Rule. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar;
11. Abide by the current allowable food and beverage portion standards;
12. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;
13. Restrict access to competitive foods 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 competitive foods.
15. Provide professional development to all district staff on the topics of nutrition and/or physical activity;
16. Utilize the School Health Index available from the Center for Disease Control (CDC) to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students;

### **Advisory Committee**

To enhance the district's efforts to improve the health of our students, a 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 that correlate to our district's grade configurations. The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference. The overarching goal of the committee shall be to promote student wellness by monitoring how well the district is doing at implementing this policy. The SNPAAC shall use modules 1, 2, 3, 4, and 8 of the CDC's School Health Index as a basis for annually assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in 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.

Members of the District's Board of Directors, school administrators, school nutrition personnel, teacher organizations, parents, students, professional groups (such as nurses), and community members 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.

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 from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.

The District will work with the SNPAAC to:

- A. Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
- B. Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
- C. Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
- D. Encourage the development of and participation in family-oriented community-based physical activity programs.

The District 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.

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 And  
Body Mass Index For Age Assessment Protocols  
Allowable Competitive Foods/Beverages - Maximum Portion Size List for  
Middle, Junior High, and High School  
Nutrition Standards for Arkansas Public Schools

Date Adopted: August 14, 2006

Last Revised: May 9, 2016

### **COMPLAINT RESOLUTION POLICY FOR TITLE I**

Complaints concerning the Title I Program may come from students, parents, teachers, other employees, concerned citizens, or organizations.

#### **Procedure for filing complaints**

It is desirable that problems be resolved at the earliest possible time and at the most immediate level of supervision. If the problem is not resolved, a conference shall be scheduled with the complainant and the Title I Coordinator to pursue resolution for the problem.

All complaints and grievances not resolved at the above level should be referred in writing or on tape to the Title I Coordinator. The complaint should be dated and signed or the person identified if on tape.

#### **Procedures for handling complaints**

1. The Coordinator, upon receipt of a complaint, will meet with the superintendent, depending on who has the administrative responsibility for the program. These two persons will then appoint a committee made up of a community person, a teacher, a school administrator and parents. This shall be done within one week of the date on which the complaint was filed.
2. The above committee shall hold a hearing with the complaining party/parties within seven (7) days of their appointment.
3. All hearing proceedings will be transcribed and recorded.
4. During the hearing, the complaining party/parties shall have the opportunity to call witnesses, question parties involved and present evidence.
5. The committee will make a written report of their finding to the local administrator of Title I.
6. A decision, based on the findings of the committee and Title I law, will be made by the person having legal responsibility for the Title I program. This decision shall be in written form and will be sent to the complaining party/parties within thirty (3) days from the time the complaint was filed.

#### **Appeal**

The complaining party/parties shall have the right to appeal the administrator's decision within thirty (3) days after the receipt of the local decision to the state Title I office. This appeal shall be written, signed and dated.

NAMES AND ADDRESSES OF CONTACT PERSONS

Local:  
Janet Blair, Title I Coordinator  
1620 South Main Street  
Malvern, AR 72104 501-332-7500

State:  
Arkansas Department of Education  
#4 Capitol Mall  
Little Rock, AR 72201-1021

**COMPLAINT RESOLUTION POLICY FOR TITLE VI (RACE) OF THE CIVIL RIGHTS ACT OF 1964, TITLE IX (SEX) OF THE EDUCATION AMENDMENT OF 1972, AND SECTION 504 (HANDICAP) OF THE REHABILITATION ACT OF 1973**

Complaints concerning the above may come from students, parents, teachers, other employees, and concerned citizens or organizations.

**Procedures for filing complaints**

It is desirable that problems be resolved at the earliest possible time and at the most immediate level of supervision. If the problem is not resolved, a conference shall be scheduled with the complainant and the Equity Coordinator to further pursue resolution of the problem.

All complaints or grievances not resolved at the above levels shall be referred in writing or on tape to the Equity Coordinator. The complaint should be dated and signed or the person identified on tape.

**Procedure for handling complaints**

1. The Equity Coordinator, upon receipt of a complaint, will meet with the principal of the school, who has the administrative responsibility for the program. The Equity Coordinator will then appoint a committee made up of a parent, at least one teacher, a school administrator, and a student, if applicable. This shall be done within one week of the date on which the complaint was filed.
2. The above committee shall hold a hearing with the complaining party/parties within seven days of their appointment.
3. All hearings/proceedings will be transcribed or recorded.
4. During the hearing, the complaining party/parties shall have the opportunity to question witnesses, question parties involved and present evidence.
5. The committee shall hold a hearing with the complaining party/parties within seven days of their appointment.
6. A decision based on the findings of the committee will be made by the superintendent. This decision shall be in written form and will be sent to the complaining party/parties within thirty (30) days from the time the complaint was filed.
7. If the complainant is not satisfied with the decision reached by the superintendent of schools, he/she shall within thirty (30) days file a request for a hearing with the school board.

**Appeal**

The complaining party/parties shall have the right to appeal the school board's decision within thirty (30) days after the receipt of the local decision to the Equity Assistance Center, #4 Capitol Mall, Room 402 A, Little Rock, AR 72201-1071. This appeal shall be written, signed and dated.

Inquiries concerning application of the above policy may be referred to Jace Roberts ~~Janet Blair~~, Equity Coordinator, 332-7500.

### **4.3 COMPULSORY ATTENDANCE REQUIREMENTS (See 1.00 in front section)**

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

The child is enrolled in private or parochial school.

The child is being home-schooled and the conditions of policy (4.6 - HOME SCHOOLING) have been met.

The child will not be age six (6) on or before August 1 of that particular school year and the parent, guardian, or other person having custody or charge of the child elects not to have him/her attend kindergarten. A kindergarten waiver form prescribed by regulation of the Department of Education must be signed and on file with the District administrative office.

The child has received a high school diploma or its equivalent as determined by the State Board of Education.

The child is age sixteen (16) or above and is enrolled in a post-secondary vocational-technical institution, a community college, or a two-year or four-year institution of higher education.

The child is age sixteen (16) or seventeen (17) and has met the requirements to enroll in an adult education program as defined by A.C.A. § 6-18-201 (b).

Legal Reference: A.C.A. § 6-18-201

Date Adopted: February 8, 2010

Last Revised: June 30, 2010

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

#### **Definition**

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

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

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

### **Technology Protection Measures**

The District is dedicated to protecting students from materials on the Internet or world wide web that are inappropriate, obscene, or otherwise harmful to minors<sup>1</sup>; therefore, it is the policy of the District to protect each electronic device with Internet filtering software<sup>2</sup> that is designed to prevent students from accessing such materials. For purposes of this policy, “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:

(A) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

(B) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

(C) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

### **Internet Use and Safety**

The District is dedicated to ensuring that students are capable of using the Internet in a safe and responsible manner. The District uses technology protection measures to aid in student safety and shall also educate students on appropriate online behavior and Internet use<sup>3</sup> including, but not limited to:

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

### **Misuse of Internet**

The opportunity to use the District’s technology to access the Internet is a privilege and not a right. Students who misuse electronic devices or Internet access in any way will face disciplinary action, as specified in the student handbook<sup>4</sup> and/or Internet safety and electronic device use agreement. Misuse of the Internet includes:

- The disabling or bypassing of security procedures, compromising, attempting to compromise, or defeating the district’s technology network security or Internet filtering software;
- The altering of data without authorization;

- Disclosing, using, or disseminating passwords, whether the passwords are the student's own or those of another student/faculty/community member, to other students;
- Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, addresses, and phone numbers.
- Using electronic devices for any illegal activity, including electronic device hacking and copyright or intellectual property law violations;
- Using electronic devices to access or create sexually explicit or pornographic text or graphics;
- Using electronic devices to violate any other policy or is contrary to the Internet safety and electronic device use agreement.

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

Last Revised: May 12, 2014

**STUDENT ELECTRONIC DEVICE and INTERNET USE AGREEMENT (FORM 4.29F)**

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

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

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

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

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

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

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

- a. using the Internet for other than educational purposes;
- b. gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
- c. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- d. making unauthorized copies of computer software;
- e. accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
- f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
- g. posting anonymous messages on the system;
- h. using encryption software;
- i. wasteful use of limited resources provided by the school including paper;
- j. causing congestion of the network through lengthy downloads of files;
- k. vandalizing data of another user;
- l. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- m. gaining or attempting to gain unauthorized access to resources or files;
- n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- o. invading the privacy of individuals;
- p. divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
- q. using the network for financial or commercial gain without district permission;
- r. theft or vandalism of data, equipment, or intellectual property;
- s. attempting to gain access or gaining access to student records, grades, or files;
- t. introducing a virus to, or otherwise improperly tampering with the system;
- u. degrading or disrupting equipment or system performance;

- v. creating a web page or associating a web page with the school or school district without proper authorization;
- w. providing access to the District's Internet Access to unauthorized individuals;
- x. failing to obey school or classroom Internet use rules; or
- y. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools.
- z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

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

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

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

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

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

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

Last Revised: May 12, 2014

## 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 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 are to be received by the school within twenty school days of the end of the semester in which the course is taken. 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 and graduation.

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.

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

Date Adopted: December 12, 2005

Last Revised: June 11, 2013

## **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.”

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

### **Use of Copyrighted Works in Digital Transmissions**

#### **Definitions**

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

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

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

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

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

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

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

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

1. The transmission of the copyrighted work is limited to only the students enrolled in the course;
  - Each student shall have a unique ID and password for accessing digital courses/materials; or
  - Each course shall have a unique password to access course materials; and
  - The password to access the course materials shall be changed immediately following the close of the course.
2. To prevent students from retaining or further disseminating the copyrighted work for more than one class session;
  - The print function will be disabled;
  - A transparency shall be placed over any literary work, sheet music, or photograph;
  - Audio and video transmissions will be set to be streamed; and
  - The link to the webpage with a copyrighted work shall be deactivated at the end of the applicable class session.

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

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

- C. A statement that works may be subject to copyright shall be placed in at least one of the following areas to provide notice to students of copyright status:
- Course syllabus;
  - Home webpage for the course;
  - Webpage for the particular class session; and/or
  - webpage with the copyrighted work.

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

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

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

Cross Reference: 5.11—DIGITAL LEARNING COURSES

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

Last Revised: May 12, 2014

## **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:

4. Traditional books, textbooks, and trade books in printed and bound form;
5. Activity-oriented programs that may include:
  - a. Manipulatives;
  - b. Hand-held calculators;
  - c. Other hands-on materials; and
6. 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. 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 any digital learning courses offered by the district and approved by administration.

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

Regardless of any other provisions of this policy, the District may restrict a student's access to digital courses when the student's 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.

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.  
                              ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING  
                              THE DIGITAL LEARNING ACT OF 2013

Date Adopted: May 12, 2014

## **5.20 DISTRICT WEB SITE**

The Malvern 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 web site by establishing guidelines for their construction and operation.

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

Each school's web page shall be under the supervision of the school's Web Master and the District's web site 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 web site may not contain advertising and links may only be 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.
- 4) The District's web server shall host the Malvern District's web site.
- 5) No web page on the District web site may contain public message boards or chat rooms.
- 6) All web pages on the District web site shall be constructed to download in a reasonable length of time.
- 7) The District's home page shall contain a link to a privacy policy notice which must be placed in a clear and prominent place and manner.
- 8) With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by Malvern School District.
- 9) Included on the District's web site shall be:
  - 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.

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

Date Adopted: April 12, 2004  
Last Revised: April 13, 2015

#### **4.37—EMERGENCY DRILLS**

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted no fewer than three (3) times per year with at least one each in the months of September, January, and February. Students who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct an active shooter drill and school safety assessment for all District schools in collaboration with local law enforcement and emergency management personnel. The training will include a lockdown exercise with panic button alert system training. Students will be included in the drills to the extent that is developmentally appropriate for the age of both the students and grade configuration of the school.

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

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

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

Date Adopted: April 12, 2004

Last Revised: June 11, 2013

                  May 12, 2014

                  May 18, 2015

#### **4.2—ENTRANCE REQUIREMENTS**

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

Students may enter kindergarten if they will attain the age of five (5) on or before August 1 of the year in which they are seeking initial enrollment. Any student who has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60)

days, who will become five (5) years old during the year in which he/she is enrolled in kindergarten, and who meets the basic residency requirement for school attendance may be enrolled in kindergarten upon written request to the District.

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

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

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

Students who move into the District from an accredited school shall be assigned to the same grade as they were attending in their previous school (mid-year transfers) or as they would have been assigned in their previous school. Home-schooled and private school students shall be evaluated by the District to determine their appropriate grade placement.

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

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

1. The parent, guardian, or other responsible person shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the department of education.
2. The parent, guardian, or other responsible person shall provide the district with one (1) of the following documents indicating the child's age:
  - a. A birth certificate;
  - b. A statement by the local registrar or a county recorder certifying the child's date of birth;
  - c. An attested baptismal certificate;
  - d. A passport;
  - e. An affidavit of the date and place of birth by the child's parent or guardian;
  - f. United States military identification; or
  - g. Previous school records.

3. The parent, guardian, or other responsible person shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding. The Board of Education reserves the right, after a hearing before the Board, not to allow any person who has been expelled from another school district to enroll as a student until the time of the person's expulsion has expired.
4. In accordance with Policy 4.57—IMMUNIZATIONS, the child shall be age appropriately immunized or have an exemption issued by the Arkansas Department of Health.

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

For the purposes of this policy;

"active duty members of the uniformed services" includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;

"uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services;

"veteran" means: a person who served in the uniformed services and who was discharged or released there from under conditions other than dishonorable.

“Eligible child” means the children of:

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

An eligible child as defined in this policy shall:

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

7. be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
8. be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

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

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

Date Adopted: February 8, 2010

Last Revised: June 30, 2010  
June 9, 2011  
May 21, 2012  
June 27, 2013  
April 13, 2015

#### **4.8—MAKE-UP WORK**

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

1. Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.
2. Teachers are responsible for providing the missed assignments when asked by a returning student.
3. Students are required to ask for their assignments on their first day back at school or their first class day after their return.

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

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

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

Cross Reference: 4.7—ABSENCES  
4.57—IMMUNIZATIONS

Date Adopted: June 14, 2004  
Last Revised: June 9, 2011  
May 21, 2012  
April 13, 2015

#### **4.11 EQUAL EDUCATIONAL OPPORTUNITY (district policy 4.11)**

No student in the Malvern School District shall, on the grounds of race, color, religion, national origin, sex, sexual orientation, gender identity, age, or disability be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District. The District has a limited open forum granting equal access to the Boy Scouts of America and other youth groups.<sup>1</sup>

Inquiries on non discrimination may be directed to Title IX Coordinator, who may be reached at 501-332-7500.

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

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

Date Adopted: April 12, 2004  
Last Revised: April 13, 2015  
March 14, 2016

#### **4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY**

##### **Definitions**

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

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

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

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

##### **Extracurricular Eligibility**

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the

classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments or other similar events excepted with approval of the Superintendent or his designee. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

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

Cross References: 4.55—STUDENT PROMOTION AND RETENTION

4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Legal Reference: State Board of Education Standards for Accreditation 10.05 and 10.06

Date Adopted: May 12, 2014

#### **4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS**

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

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

Home-schooled students whose parents or guardians are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone as permitted by this policy. Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in an interscholastic activity without discrimination.

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 30<sup>th</sup> percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one course in the District's school where the student is intending to participate in an interscholastic activity.

The student shall regularly attend the class in which the student is registered beginning no later than the eleventh (11<sup>th</sup>) day of the semester in which the student's interscholastic activity participation is desired. The student must attend the practices for the interscholastic activity to the same extent as is required of traditional students.

A home-schooled student who has met the try out criteria; and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:

- standards of behavior and codes of conduct;
- attend the practices for the interscholastic activity to the same extent as is required of traditional students;
- required drug testing;
- permission slips, waivers, physical exams; and
- participation or activity fees.

Students who participate in extracurricular or athletic activities under this policy will be transported to and from the interscholastic activities on the same basis as other students are transported.

A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five days after the student withdraws from the member school.

Legal References:     A.C.A. § 6-15-509  
                              Arkansas Activities Association Handbook

Last Revised:   May 12, 2014

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

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

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

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

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

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

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

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

Cross References:     4.1—RESIDENCE REQUIREMENTS  
                          4.2—ENTRANCE REQUIREMENTS  
                          4.7—ABSENCES

Legal Reference: A.C.A. § 9-28-113  
Date Adopted:        June 9, 2011  
Last Revised:         May 18, 2015

## **GUIDANCE AND COUNSELING**

The guidance department of each school strives to aid in the implementation of the philosophy and objectives of the total school program. Guidance and counseling services are provided to all students in the Malvern School District, to their parents, to alumni, to dropouts, and to the community. The purpose of the guidance program is to help as many students as possible to maintain their goals and achieve success according to their own personal ability. School counselors are trained in prevention, intervention, and conflict resolution.

In addition to educational and vocational concerns, guidance is involved in serving students who have personal problems. COUNSELING IS THE HEART OF THE GUIDANCE PROGRAM. Students may receive help in analyzing problems and in formulating acceptable patterns of behavior, with the assurance that

the counselor will hold such information in strict confidence. Any parent not wishing his/her child to take advantage of these services shall notify in writing the building principal. Parents are welcome and encouraged to visit the guidance office at any time.

The Malvern School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational liaison for homeless children and youth whose responsibilities shall include coordinating with the state educational liaison for homeless children and youth to ensure that homeless children are not stigmatized or segregated on the basis of their status as homeless and such other duties as are prescribed by law and this policy.

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

To the extent feasible, the District shall do one of the following according to what is in the best interests of a homeless child. (For the purposes of this policy "school of origin" means the school the child attended when permanently housed or the school in which the child was last enrolled.)

1. continue educating the child who becomes homeless between academic years or during an academic year in their school of origin for the duration of their homelessness;
2. continue educating the child in his/her school of origin who become permanently housed during an academic year for the remainder of the academic year; or
3. enroll the homeless child in the school appropriate for the attendance zone where the child lives.

If the District elects to enroll a homeless child in a school other than their school of origin and such action is against the wishes of the child's parent or guardian, the District shall provide the parent or guardian with a written explanation of their reason for so doing which shall include a statement of the parent/guardian's right to appeal.

In any instance where the child is unaccompanied by a parent or guardian, the District's local educational liaison for homeless children and youth shall assist the child in determining his/her place of enrollment. The Liaison shall provide the child with a notice of his/her right to appeal the enrollment decision.

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

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

(a) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate

accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement

(b) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(c) are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and includes

(d) are migratory children who are living in circumstances described in clauses (a) through (c).

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

Date Adopted: April 12, 2004

Last Revised: May 21, 2012

## **HEALTH INTERVENTION AND PREVENTION SERVICES**

The Malvern School District works in coordination with local network approved counseling agencies to provide services to the students and families attending Malvern schools. Services available include individual, group and family counseling, as well as case management, prevention, early intervention and crisis management. For more information, contact the building guidance counselor or the building principal.

### **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: October 11, 2004

#### 4.40—HOMELESS STUDENTS

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

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

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

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

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

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

The District shall do one of the following according to what is in the best interests of a homeless child: Continue the child's or youth's education in the school of origin for the duration of homelessness:

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

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

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

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

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

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

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

- A. Are:
  - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
  - Living in emergency or transitional shelters;
  - Abandoned in hospitals; or
  - Awaiting foster care placement;

- B. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- C. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- D. Are migratory children who are living in circumstances described in clauses (a) through (c).

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

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

Date Adopted: April 12, 2004  
 Last Revised: May 21, 2012  
                       March 14, 2016  
                       June 28, 2016

**4.6—HOME SCHOOLING**

Parents or legal guardians desiring to provide a home school for their children must give written notice to the Superintendent of their intent to do so and sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time the parents choose to home school. Notice shall be given:

1. At the beginning of each school year, but no later than August 15;
2. By December 15 for parents who decide to start home schooling at the beginning of the spring semester; or
3. Fourteen (14) calendar days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive absences) and at the beginning of each school year thereafter.

The parents or legal guardians shall deliver written notice in person to the Superintendent the first time such notice is given and the notice must include:

1. The name, date of birth, grade level, and the name and address of the school last attended, if any;
2. The location of the home school;
3. The basic core curriculum to be offered;
4. The proposed schedule of instruction; and
5. The qualifications of the parent-teacher.

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

Legal References:       A.C.A. § 6-15-503  
                              A.C.A. § 6-41-206

Last Revised:   May 21, 2012

#### **INCLEMENT WEATHER**

Due to sleet and snow, schools have had to close for several days. The decision as to whether or not to close schools is very difficult and several factors must be considered. When the decision is made, it is not pleasing to everyone, but the safety of the students has been and will continue to be the main concern on days when the weather is extremely bad.

Usually the decision is made during the early morning hours. During that time, roads are driven and information is obtained from county and city police concerning road conditions in the school district that is 443 square miles.

A decision is attempted by 6:30 am and area television stations are notified. Malvern School District is implementing a new parent notification system – **AlertNow** – that will allow the school district to send important information quickly via phone and/or an e-mail account, to parents and guardians of students about emergency situations and school delays or cancellations due to inclement weather. No announcement will be made when the schools will be open as usual.

#### **MALVERN SCHOOL DISTRICT LEP (LIMITED ENGLISH PROFICIENT) IDENTIFICATION AND PROCEDURES**

Federal Law requires that all school districts identify and assess all Limited English Proficient (LEP) students enrolled in the district and provide them with adequate and appropriate educational programs. These students have problems speaking, understanding, and reading or writing English, due to a home language background other than English. It is the intention of the Malvern School District to identify all LEP students and insure an appropriate educational plan for those students.

A two-phase approach will be used. First, the parents are asked, through a Home Language Survey, whether a language other than English is utilized in the child's home. If the answer is affirmative, then the second phase is

triggered. In the second phase, those students identified through the Home Language Survey are given an oral language proficiency test and assessment of their reading and writing skills.

If it is determined that a student is deficient and need special help, the teacher will assist the students until such time it is determined that the student will be able to successfully compete with their peers without a lingering language disability.

The student will be monitored as to (1) they are making reasonable progress toward learning English and (2) that the program is providing the students with substantive instruction comparable to English proficient pupils. An assessment of the program will include a system to monitor the progress of the student after they leave the program.

## **5.25 MARKETING OF PERSONAL INFORMATION**

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

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

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

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

1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines, and programs providing access to low cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. 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;
5. The sale by students of products or services to raise funds for school related or education related activities; and
6. Student recognition programs.

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)]

Adopted: October 11, 2004

## **PARENT CENTERS**

Parent Centers are available at every building where parents may view and check out materials. Materials are available in different areas including academics, behavior, and social issues. The Parent Center Coordinator at the building is available to assist you in selecting appropriate materials.

### **3.27—PARENT-TEACHER COMMUNICATION**

The district recognizes the importance of communication between teachers and parents/legal guardians. To help promote positive communication, parent/teacher conferences shall be held once each semester. Parent-teacher conferences are encouraged and may be requested by parents or guardians when they feel they need to discuss their child's progress with his/her teacher.

Teachers are required to communicate during the school year with the parent(s), legal guardian(s), or care-giving adult or adults in a student's home to discuss the student's academic progress unless the student has been placed in the custody of the Department of Human Services and the school has received a court order prohibiting parent or legal guardian participation in parent/teacher conferences. More frequent communication is required with the parent(s) or legal guardian(s) of students who are performing below grade level.

All parent/teacher conferences shall be scheduled at a time and place to best accommodate those participating in the conference. Each teacher shall document the participation or non-participation of parent(s)/legal guardian(s) for each scheduled conference.

If a student is to be retained at any grade level or denied course credit, notice of, and the reasons for retention shall be communicated promptly in a personal conference.

Legal References: State Board of Education Standards of Accreditation 12.04.1, 12.04.2, and 12.04.3

A.C.A. § 6-15-1702(b)(3)(B)(ii)

Date Adopted: June 9, 2005

Last Revised: April 13, 2015

### **Wilson Intermediate School Parent Involvement Policy 2015-2016**

Wilson Intermediate School is a schoolwide Title I school for grades 5 – 6. We believe that parents play an integral part in the success of their child. Parents with limited English proficiency, parents with disabilities, and parents of migratory children are ensured the same rights as all other parents. The school recognizes the shared responsibility of the school and family during the time the child spends in school. Engaging parents is essential to improving student achievement.

Wilson Intermediate School will implement programs, activities and procedures for the involvement of all parents. These programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children. In addition, Wilson Intermediate will jointly develop the parent involvement policy, agree on the policy and distribute the written policy to parents.

An annual meeting with parents will be held where parents are invited to attend. This meeting will be held at the beginning of the school year and will be scheduled at a convenient time. At this meeting, parents will be informed of the meaning and requirements of schoolwide Title I, their right to be involved in the education of their child and their right to know the qualifications of their child's teacher. Parents will also be provided with an explanation of the curriculum used at Wilson Intermediate School, how and when their child will be assessed both locally and by state mandated assessments, proficiency levels students are expected to meet, how the school scored on the latest state mandated exams, and the state's academic content standards, . This report will also be sent home in multiple languages if applicable.

At the annual meeting, parents will be provided with the following information.

Telephone number(s) of teachers and personnel

School Handbook

Web page address of the district

Email address of the teachers

Other web page addresses such as: <http://www.familylit.com>  
<http://www.arkansas.gov>  
<http://www.parentsplace.com>  
<http://www.parenthood.com>  
<http://www.parenting-ed.org>

The Title I Parent Involvement K – 6 District Coordinator will be housed at Malvern Elementary School, but will serve parents in grades K – 6. This coordinator will provide information to parents on how they may incorporate developmentally appropriate learning activities at home by supplying materials, supplies, videos, pamphlets, training, and other needed information to parents who request assistance. The Parent Involvement Coordinator at Wilson Intermediate School will play an integral part in encouraging parents to become involved in their child's education. The coordinator will also provide materials and training to help parents work with their child to improve the child's achievement such as literacy/math training and using technology. In addition, teachers may refer a child to the parent center where the coordinator will then contact the parent to assist in remediation and/or enrichment. The coordinator will also offer meetings during the day, after school, or at night to assist parents. Transportation and child care will be provided if needed. The coordinator will also make home visits if services are needed and the parent(s) are unable to come to school. An interpreter will be provided to assist for limited English if needed.

Parents will be asked to participate in an electronic survey and make comments on this survey during parent/teacher conferences. This survey will be used to organize, revise, review and improve parent involvement and determine if there are any barriers to cause parents to not feel welcome in the building. Any complaints and/or suggestions by parents will be responded to in a timely manner.

Wilson Intermediate School will jointly develop with parents a school-parent compact that outlines how (1) parents, the entire staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the state's high standards; (2) the school will provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served to meet the state's academic achievement standards and (3) each parent will be responsible for supporting their children's learning; and participating, as appropriate, in decisions relating to the education of their children and positive extracurricular time.

The compact will also address the importance of communication between teachers and parents on an on-going basis. Wilson Intermediate School will hold scheduled parent-teacher conferences two (2) times per year. During these conferences, report cards will be given to parents and the report card will be discussed as it relates to the student's achievement. In addition to the scheduled conferences, teachers will send frequent reports to parents about their child's progress. Parents will also be informed that they may contact teachers, participate in their child's class, observe their child's class and volunteer in Wilson Intermediate School.

To ensure teachers are appropriately trained in the communication with and the value of parent involvement, all teachers will receive two (2) hours of in-service. This training will include but is not limited to how to address and reach out to parents, communicate and work with parents, and how to build bridges between parents and the school.

To see a complete listing of parent activities and information, parents are encouraged to visit the district's web page (<http://malvernleopards.org>).

#### **PHYSICAL EXAMINATIONS OR SCREENINGS (district policy 4.41)**

The Malvern School District may provide from time to time for the administration of physical exams or screenings of its students. The intent of the exams or screenings shall be to detect contagious or infectious diseases or defects in hearing, vision, or other elements of health that would adversely affect the student's ability to achieve to their full potential.

The district shall notify parents, at least annually, of the specific or approximate dates of any non-emergency, invasive physical examination or screening that is:

1. required as a condition of attendance;
2. administered by the school and scheduled by the school in advance; and

3. not necessary to protect the immediate health and safety of the student, or of other students. For the purposes of this policy, “Invasive Physical Examination” is defined as any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

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

A student may be required to pass a physical exam before being allowed to participate in certain extracurricular activities to help ensure they are physically capable of withstanding the rigors of the activity. It is understood that students who refuse to take such an exam will not be allowed to participate in the desired activity. The rights provided to parents under this policy transfer to the student when he/she turns 18 years old.

Legal References:       A.C.A. § 6-18-701 (b), (c), (f)  
20 USC § 1232h (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(D),  
(2)(A)(i)(ii)(B)(C)(iii)(I)(II)(III), (4)(B)(ii), (5)(B), (6)(B)(C)]

Adopted:                April 12, 2004

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

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

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

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

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

Legal Reference: A.C.A. § 6-18-106

Date Adopted: June 9, 2011

#### **4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION**

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

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

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

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

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

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

- The student must be in foster care;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Date Adopted: June 14, 2004  
Last Revised: June 11, 2009  
June 28, 2010  
June 9, 2011  
May 21, 2012  
April 13, 2015

### **Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to: *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) –

1. Political affiliation or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex, behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

*Receive notice and an opportunity to opt a student out of –*

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

*Inspect, upon request and before administration or use –*

1. Protected information surveys of students;

2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law.

Malvern School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Malvern School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Malvern School District will also directly notify parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Malvern School District will make this notification to parents at the beginning of the school year if the District has identified the specific and approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and will be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

*Parents who believe their rights have been violated may file a complaint with*

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

#### **4.1 RESIDENCE REQUIREMENTS**

Definitions:

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

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

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

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

Any person eighteen (18) years of age or older may establish a residence separate and apart from his or her parents or guardians for school attendance purposes.

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

Under instances prescribed in A.C.A. § 6-18-203, a child or ward of an employee of the district or of the education coop to which the district belongs may enroll in the district even though the employee and his/her child or ward reside outside the district.<sup>4</sup>

**Note:** Residency requirements of homeless students is governed by policy 4.40—HOMELESS STUDENTS. Residency requirements governing foster children are governed by policy 4.52—STUDENTS WHO ARE FOSTER CHILDREN

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

Legal References: A.C.A. § 6-18-202, A.C.A. § 6-18-203, A.C.A. § 6-27-102, 112  
A.C.A. § 9-28-113

Date Adopted: April 12, 2004 Last Revised: June 9, 2011

## **4.5—SCHOOL CHOICE**

### **Standard School Choice**

#### **Definition:**

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

### **School Choice Transfers Out of the District**

The District shall date and time stamp all applications for school choice to transfer out of the District as they are received in the District's central office. By August 1, the District shall approve all such applications unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) of more than three percent (3%) of the previous year's student enrollment. By June 1 of each year, the ADE shall determine and notify the District of the net number of allowable choice transfers. For the purpose of determining the three percent (3%) cap, siblings are counted as one student.

If, prior to August 1, the District receives sufficient copies of requests from its students to transfer to other districts to trigger the three percent (3%) cap, it shall notify each parent from which it has received a school choice application and the district the student applied to transfer to that it has tentatively reached the limitation cap. The District will use confirmations of approved choice applications from receiving districts to make a final determination of which applications it received that exceeded the limitation cap and notify each district that was the recipient of an application to that effect.

Any applications for transfer out of the District that are denied due to the three percent (3%) limitation cap shall be given priority for a choice transfer the following year in the order in which the District received the original application.

### **School Choice Transfers Into the District**

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

Each school-year the Board of Directors will adopt a resolution containing the capacity standards the District will use in determining whether to accept or deny a school choice application from another district's resident student. The resolution will contain the acceptance determination criteria identified by academic program, class, grade level, and individual school. The school is not obligated to add any teachers, other staff, or classrooms to accommodate choice applications. In determining the capacity of the District to accept choice applications, the Board of Directors shall consider the probable, locally generated growth in student enrollment based on recent District enrollment history.

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

### Application Process

The student's parent shall submit a school choice application on a form approved by the ADE to both the student's resident district and to this district which must be postmarked or hand delivered on or before the June 1 preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications as they are received in the District's central office. Applications postmarked or hand delivered on or after June 2 will not be accepted. Statutorily, preference is required to be given to siblings (as defined in this policy) of students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards approved by the Board of Directors may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the application's date and time stamp.

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

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

### Accepted Applications

Applications which fit within the District's stated capacity standards shall be provisionally accepted, in writing, with the notification letter stating:

- A reasonable timeline by which the student shall enroll in the District by taking the steps detailed in the letter, including submission of all required documents. If the student fails to enroll within the stated timeline, or if all necessary steps to complete the enrollment are not taken, or examination of the documentation indicates the applicant does not meet the District's stated capacity standards, the acceptance shall be null and void.
- Instructions for the renewal procedure for succeeding school years.

Students whose applications have been accepted and who have enrolled in the District, are eligible to continue their enrollment until completing his/her secondary education. Continued enrollment is conditioned upon the student meeting applicable statutory and District policy

requirements and the renewal procedure for succeeding school years is followed. Any student who has been accepted under choice and who either fails to initially enroll under the timelines and provisions provided in this policy or who chooses to return to his/her resident district voids the transfer and must reapply if, in the future, the student seeks another school choice transfer. A subsequent transfer application will be subject to the capacity standards applicable to the year in which the application is considered by the District.

A present or future sibling, as defined in this policy, of a student who continues enrollment in this District may enroll in the District until the sibling of the transfer student completes his/her secondary education. Applications of siblings of presently enrolled choice students are subject to the provisions of this policy including the capacity standards applicable to the year in which the sibling's application is considered by the District.

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

#### Rejected Applications

The District may reject an application for a transfer into the District under school choice if its acceptance would exceed the capacity standards specified by the Board of Director's resolution. However, the decision to accept or reject an application may not be based on the student's previous academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings other than a current expulsion.

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

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

#### Academic or Fiscal Distress Choice Applications

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

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

## **Opportunity School Choice**

### Transfers Into the District

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

Unless there is a lack of capacity at the District’s school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student who is enrolled in or assigned to a school classified by the ADE to be in academic distress is eligible to transfer to the school closest to the student’s legal residence that is not in academic distress. The student’s parent or guardian, or the student if over the age of eighteen (18), must successfully complete the necessary application process by July 30 preceding the initial year of desired enrollment.

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

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

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

A student’s enrollment under Opportunity School Choice is irrevocable for the duration of the school year and is renewable until the student completes high school or is beyond the legal age

of enrollment. This provision for continuing eligibility under Opportunity Choice does not negate the student's right to apply for transfer to a district other than the student's assigned school or resident district under the Standard Choice provisions of this policy.

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

#### Transfers out of the District

If a District school or the District has been classified by the ADE as being in academic distress the District shall timely notify the parent, guardian, or student, if the student is over eighteen (18) years of age, as soon as practicable after the academic distress designation is made of all options available under Opportunity Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to enroll the student in any public school or school district that has not been classified by the ADE as a public school or school district in academic distress.

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

#### Legal References:

A.C.A. § 6-1-106  
A.C.A. § 6-15-430(b)  
A.C.A. § 6-15-2103  
A.C.A. § 6-18-227  
A.C.A. § 6-18-510  
A.C.A. § 6-18-1901 et seq.  
A.C.A. § 6-21-812  
ADE Rules Governing the Guidelines, Procedures and Enforcement of the Arkansas Opportunity Public School Choice Act

Last Revised: May 12, 2014

#### **SELECTION OF LIBRARY/MEDIA CENTER MATERIALS (district policy 5.7)**

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

The purpose of the schools' libraries/media centers is to supplement and enrich the curriculum and instruction offered by the District. Promoting the dialogue characteristic of a healthy democracy necessitates the maintenance of a broad range of materials and information representing varied points

of view on current and historical issues. In the selection of the materials and resources to be available in each library/media center consideration will be given to their age appropriateness. Materials should be available to challenge the different interests, learning styles, and reading levels of the school's students and that will help them attain the District's educational goals.

#### **Selection Criteria**

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

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

#### **Retention and Continuous Evaluation**

Media center materials shall be reviewed regularly to ensure the continued appropriateness of the center's collection to the school's curriculum and to maintain the collection in good repair. Those materials no longer meeting the selection criteria, have not been used for a long period of time, or are too worn to be economically repaired shall be withdrawn from the collection and disposed of. 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, a District employee, or any other resident of the district 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) of receipt of the information. The Board's decision is final.

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

#### **SPECIAL EDUCATION AND SECTION 504 (district policy 4.49)**

The purpose of the Individual with Disabilities Education Act, commonly referred to as IDEA, is to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living.

A child with disability must be evaluated and determined to meet criteria for autism, deaf, blindness, hearing impairment, emotional disturbance, mental retardation, multiple disabilities, speech language impaired, specific learning disability, traumatic brain injury, visual impairment.

If you feel that your child has a disability under IDEA, please contact Laura Loy, Special Education Supervisor at 332-7500.

The Rehabilitation Act of 1973, commonly referred to as "Section 504" is a nondiscrimination statute enacted by the United States Congress. The purpose of this Act is to prohibit discrimination and to

assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under 504 is a student who has a physical or mental impairment, which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

If you feel your child has a disability under Section 504, contact your child's counselor or the 504 coordinator, Barbara Scarbrough at 332-7530.

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

Adopted: June 11, 2009

#### **4.42—STUDENT HANDBOOK**

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

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

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

Last Revised: June 11, 2013

#### **STUDENT ILLNESS/ACCIDENT (See district board policy 4.36)**

If a student becomes too ill to remain in class and/or could be contagious to other students, the principal or designee will attempt to notify the student's parent or legal guardian. The student will

remain in the school's health room or a place where he/she can be supervised until the end of the school day or until the parent/legal guardian can check the student out of school.

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

#### **4.35—STUDENT MEDICATIONS**

Prior to the administration of any medication to any student under the age of eighteen (18), written parental consent is required. The consent form shall include authorization to administer the medication and relieve the Board and its employees of civil liability for damages or injuries resulting from the administration of medication to students in accordance with this policy. All signed medication consent forms are to be maintained by the school nurse.

Unless authorized to self-administer, students are not allowed to carry any medications, including over-the-counter medications or any perceived health remedy not regulated by the US Food and Drug Administration, while at school. The parent or legal guardian shall bring the student's medication to the school nurse. The student may bring the medication if accompanied by a written authorization from the parent or legal guardian. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, the quantity of the medication(s). If the medications are brought by a student, the school nurse shall ask another school employee to verify, in the presence of the student the quantity of the medication(s). Each person present shall sign a form verifying the quantity of the medication(s).

Medications, including those for self-administration, must be in the original container and be properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings. Schedule II medications that are permitted by this policy to be brought to school shall be stored in a double locked cabinet.

Students with an individualized health plan (IHP) may be given over-the-counter medications to the extent giving such medications are included in the student's IHP.

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

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

The district's supervising registered nurse shall be responsible for creating both on campus and off campus procedures for administering medications.

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

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

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

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

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

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

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

When the nurse is unavailable, the trained volunteer school employee who is responsible for a student shall be released from other duties during:

- A. The time scheduled for a dose of insulin in the student's IHP; and
- B. Glucagon or non-scheduled insulin administration once other staff have relieved him/her from other duties until a parent, guardian, other responsible adult, or medical personnel has arrived.

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

### Emergency Administration of Epinephrine

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>1</sup> and certified by a licensed physician may administer an epinephrine auto-injector in emergency situations to students who have an IHP developed under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of an epinephrine auto-injector in emergency situations.

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

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

The school nurse for each District school shall keep epinephrine auto-injectors on hand that are suitable for the students the school serves. The school nurse or other school employee designated by the school nurse as a care provider who has been trained<sup>1</sup> and certified by a licensed physician may administer auto-injector epinephrine to those students who the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes is having a life-threatening anaphylactic reaction.

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

Legal References:     Ark. State Board of Nursing: School Nurse Roles and Responsibilities  
                              Arkansas Department of Education and Arkansas State Board of Nursing  
                              Rules Governing the Administration of Insulin and Glucagon to Arkansas  
                              Public School Students With Diabetes  
                              A.C.A. § 6-18-707  
                              A.C.A. § 6-18-711  
                              A.C.A. § 6-18-1005(a)(6)  
                              A.C.A. § 17-87-103 (11)  
                              A.C.A. § 20-13-405

Date Adopted: April 12, 2004  
Last Revised: May 21, 2012  
June 11, 2013  
May 18, 2015  
June 28, 2016

**4.35F—MEDICATION ADMINISTRATION CONSENT FORM**

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

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

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

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

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

Dosage \_\_\_\_\_ Duration \_\_\_\_\_

Instructions for administering the medication (including times) \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

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

Date \_\_\_\_\_

Date Adopted: April 12, 2004  
Last Revised: May 18, 2015

### **STUDENT ORGANIZATIONS/EQUAL ACCESS- (district policy 4.12)**

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

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

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

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

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

Date Adopted: June 14, 2004

Last Revised: June 9, 2011

May 18, 2015

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

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

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

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

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

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

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

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

Adopted: October 11, 2004

#### **4.55 STUDENT PROMOTION AND RETENTION**

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

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

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

- f) The building principal or designee;
- g) The student's teacher(s);
- h) School counselor
- i) A 504/special education representative (if applicable); and
- j) The student's parents.

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

Regardless of the student having earned passing grades, a student who falls under one of the following categories shall be considered for retention or shall not receive credit for the course associated with the applicable assessment. The student:

- does not take the State mandated assessment for the student's grade level or course within the time frame specified by the State;

- takes the State mandated assessment but does not put forth a good faith effort on the assessment as determined by the assessment administrator/proctor.

The Superintendent or designee may wave this provision when the student's failure was due to exceptional or extraordinary circumstances.

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

All students must successfully pass all end-of-course (EOC) assessments they are required to take unless exempted by the student's individualized education program (IEP). To receive academic credit on his/her transcript in a course requiring a student to take a EOC assessment, the student must either receive a passing score on the initial assessment or successfully participate in the remediation program identified in his/her individualized Academic Improvement Plan (AIP), which shall focus on the areas in which the student failed to meet the necessary passing score. Additionally, the lack of credit could jeopardize the student's grade promotion or classification.

To the extent required by the State Board of Education, students in grade eleven (11) and below who do not meet the required score on a college and career readiness measurement shall participate in the remediation activities prescribed in his/her AIP which may include additional opportunities to retake the measurement. Such remediation shall not require the student to pass a subsequent college and career readiness measurement in order to graduate from high school.

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

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

Date Adopted: May 12, 2014  
Last Revised: April 13, 2015  
May 18, 2015

## **STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE (district policy 4.14)**

### **Student Publications**

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

1. Advertising may be accepted for publications that does not condone or promote products that are inappropriate for the age and maturity of the audience or that endorse such things as tobacco, alcohol, or drugs.
2. Publications may be regulated to prohibit writings which are, in the opinion of the appropriate teacher and/or administrator, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.
3. Publications may be regulated to refuse to publish material which might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order, or to associate the school with any position other than neutrality on matters of political controversy.
4. Prohibited publications include:
  - a. Those that are obscene as to minors;
  - b. Those that are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, which are made with knowledge of their falsity or reckless disregard of the truth;
  - c. Those that constitute an unwarranted invasion of privacy as defined by state law,
  - d. Publications that suggest or urge the commission of unlawful acts on the school premises;
  - e. Publications which suggest or urge the violation of lawful school regulations;
  - f. Hate literature that scurrilously attacks ethnic, religious, or racial groups.

### **Student Publications on School Web Pages**

Student publications that are displayed on school web pages shall follow the same guidelines as listed above plus they shall

1. Not contain any non-educational advertisements. Additionally, student web publications shall;

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

### **Student Distribution of Nonschool Literature, Publications, and Materials**

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

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

The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of nonschool materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur; and
5. Not inhibit a person's right to accept or reject any literature distributed in accordance with the regulations.
6. Students shall be responsible for the removal of excess literature that is left at the distribution point for more than 10 days.

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

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

Last Revised: May, 2008

#### **STUDENT TRANSFERS (district policy 4.4)**

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

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

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

Any student transferring from home school or a school that is not accredited by the Department of Education to a District school shall be evaluated by District staff to determine the student's appropriate grade placement.

The Board of Education reserves the right, after a hearing before the Board, not to allow any person who has been expelled from another district to enroll as a student until the time of the person's expulsion has expired.

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

Legal References: A.C.A. § 6-18-316  
A.C.A. § 6-18-510  
A.C.A. § 6-15-504 (f)  
A.C.A. § 9-28-113(b)(4)  
A.C.A. § 9-28-205  
State Board of Education Standards of Accreditation 12.05

Date Adopted: June 11, 2009  
Last Revised: June 9, 2011  
April 13, 2015

### **3.49--TEACHERS' REMOVAL OF STUDENT FROM CLASSROOM**

Note and advisement: This policy is adopted by the Board of Directors in order to bring the District into compliance with ADE rules concerning student discipline, and to incorporate the provisions of A.C.A. § 6-18-511. However, teachers should be aware that federal law governing a student's Individual Education Program (IEP) or 504 plan, or status as an individual with a disability will supersede Arkansas law. In many cases, removing a student from a classroom due to behavioral problems, will violate a student's IEP, violate a student's 504 plan, or constitute discrimination against the student due to a disability that affects the student's ability to conform his or her behavior. Teachers have been successfully sued for IEP and 504 plan violations in other jurisdictions, and teachers need to understand that violating a student's rights is outside of the scope of his or her employment, and no insurance is available or provided by the school district for either legal defense or to pay a money judgment. Teachers who rely on this law and this policy to exclude a student with special needs or a disability are assuming a grave personal risk.

A teacher may remove a student from class whose behavior the teacher has documented to be repeatedly interfering with the teacher's ability to teach the students in the class or whose behavior is so unruly, disruptive or abusive that it interferes with the ability of the student's other classmates to learn. Students who have been removed from their classroom by a teacher shall be sent to the principal's or principal's designee's office for appropriate discipline.

The teacher's principal or the principal's designee may:

1. Place the student into another appropriate classroom;
2. Place the student into in-school suspension;
3. Place the student into the District's alternative learning environment; in accordance with Policy 5.26—ALTERNATIVE LEARNING ENVIRONMENTS;
- 4.
5. Return the student to the class; or
6. Take other appropriate action consistent with the District's student discipline policies and state and federal law.

If a teacher removes a student from class two (2) times during any nine-week grading period, the principal or the principal's designee may not return the student to the teacher's class unless a conference has been held for the purpose of determining the cause of the problem and possible solutions. The conference is to be held with the following individuals present:

1. The principal or the principal's designee;
2. The teacher;
3. The school counselor;

4. The parents, guardians, or persons in loco parentis; and
5. The student, if appropriate.

However, the failure of the parents, guardians, or persons in loco parentis to attend the conference does not prevent any action from being taken as a result of the conference.

Legal References: A.C.A. § 6-18-511  
Arkansas Department of Education Guidelines for the Development,  
Review and Revision of School District Student Discipline and School  
Safety Policies

Date Adopted: June 27, 2013  
Last Revised: April 13, 2015

#### **TITLE I SCHOOL WIDE PROGRAM GRADES 5- 6**

The Title I School Wide Program permits a school to use funds from Title I, Part A, and other Federal education program funds to raise academic achievement for all the students.

Title I is an educational program, not a poverty or welfare-assistance program. The purpose is to help students meet high academic standards or bring the student up to grade level in the areas of basic competencies connected with literacy and/or math and make a difference in academic performance.

The Malvern School District has a responsibility to keep parents informed and soliciting suggestions through shared responsibilities for high student performance. The District agrees to provide all students every opportunity to succeed in a supportive, drug and violence free environment. The District is committed to provide opportunities for parents to become involved in their child's education.

#### **TRANSPORTATION POLICY (see also 4.19 district policy in this section, and 2.01 in front section0**

The Malvern School District will provide the best transportation program for the greatest number of students. The district only transports those students residing in the school district and who are attending school. Each student will receive the school district's transportation policy forms as they begin to be transported. The policy forms provide information that includes expectations, safety regulations, and consequences to inappropriate behavior. The director of transportation, Michael Bane ~~Joe Cook~~, for the Malvern School District handles all inquires and discipline that pertains to school bus transportation. You may reach him at 501-332-7500.

#### **VISITORS (see also Student Visitors 8.11 in front, 4.16 Student Visitors, 4.15 Contact with Students while at School)**

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

to the classroom shall be allowed only with the permission of the school principal and all visitors must first register at the office.

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

### **VOLUNTEERS IN MALVERN SCHOOLS**

Enlisting the support of volunteers is a way in which the District can expand the scope of resources and knowledge available to enrich the students' educational experiences, while strengthening the relationship between the school and the community. Volunteers can also perform non-instructional tasks that allow certified personnel more time to devote to instruction. In order for volunteers to best utilize their time, other family members should not be brought.

#### **5.20.1 WEB SITE PRIVACY POLICY**

The Malvern 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 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).

### **6.5 VISITORS TO THE SCHOOLS**

Parents, grandparents, legal guardians, business, and community members are welcome and encouraged to visit District schools. To minimize the potential for disruption of the learning environment, visitors, for a purpose other than to attend an activity open to the general public, are required to first report to the school's main office. No one shall be exempt from this requirement. Visitors who are Level 3 or Level 4 sex offenders may only enter a school campus under the provisions listed in Policy 6.10.

Parents and legal guardians are encouraged to participate in regularly scheduled visitation events such as school open houses and parent/teacher conferences. Additional conferences are best when scheduled in advance. Conferences shall be scheduled at a time and place to accommodate those participating in the conference. Visits to individual classrooms during class time are permitted on a limited basis with the principal's prior approval and the teacher's knowledge.

Visitors, including parents wishing to speak with students during the school day shall register first with the office.

The District has the right to ask disruptive visitors to leave its school campuses. Principals are authorized to seek the assistance of law enforcement officers in removing any disruptive visitors who refuse to leave school property when requested to do so.<sup>1</sup>

Date Adopted: October 11, 2004  
Last Revised: June 28, 2010  
April 13, 2015

#### **4.18—PROHIBITED CONDUCT**

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

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

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

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

Cross References:	Prohibited Conduct #1—Policy # 3.17
	Prohibited Conduct #2— Policy # 4.20
	Prohibited Conduct #3— Policy # 4.21, 4.26
	Prohibited Conduct #4— Policy # 4.22
	Prohibited Conduct #5— Policy # 4.23
	Prohibited Conduct #7—Policy 4.47
	Prohibited Conduct #8— Policy # 4.24
	Prohibited Conduct # 13— Policy # 4.25
	Prohibited Conduct # 14— Policy # 4.21
	Prohibited Conduct # 15— Policy # 4.7
	Prohibited Conduct # 16 — Policy # 4.9
	Prohibited Conduct # 17— Policy # 4.43
	Prohibited Conduct # 19— Policy # 4.12
	Prohibited Conduct # 20— Policy # 4.26
	Prohibited Conduct # 21—Policy # 4.27
	Prohibited Conduct # 22— Policy # 4.43
	Prohibited Conduct # 23— Policy # 4.47

Legal References: A.C.A. § 6-5-201  
A.C.A. § 6-15-1005  
A.C.A. § 6-18-222  
A.C.A. § 6-18-502  
A.C.A. § 6-18-506  
  
A.C.A. § 6-18-514  
A.C.A. § 6-18-707  
A.C.A. § 6-21-609  
A.C.A. § 27-51-1602  
A.C.A. § 27-51-1603  
A.C.A. § 27-51-1609

Date Adopted: April 12, 2004  
Last Revised: May 21, 2012  
April 13, 2015

#### **4.57—IMMUNIZATIONS**

##### **Definitions**

"In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional dose(s).

"Serologic testing" refers to a medical procedure used to determine an individual's immunity to Hepatitis B, Measles, Mumps, Rubella and Varicella.

##### **General Requirements**

Unless otherwise provided by law or this policy, no student shall be admitted to attend classes in the District who has not been age appropriately immunized against<sup>1</sup>:

- Poliomyelitis;
- Diphtheria;
- Tetanus;
- Pertussis;
- Red (rubeola) measles;
- Rubella;
- Mumps;
- Hepatitis A;
- Hepatitis B;
- Meningococcal disease;
- Varicella (chickenpox); and
- Any other immunization required by the Arkansas Department of Health (ADH).

The District administration has the responsibility to evaluate the immunization status of District students. The District shall maintain a list of all students who are not fully age appropriately immunized or who have an exemption provided by ADH to the immunization requirements based on medical, religious, or philosophical grounds. Students who are not fully age appropriately immunized when seeking admittance shall be referred to a medical authority for consultation.

The only types of proof of immunization the District will accept are immunization records provided by a:

- A. Licensed physician;
- B. Health department;
- C. Military service; or
- D. Official record from another educational institution in Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating "up-to-date", "complete", "adequate", and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted. Valid proof of immunization and of immunity based on serological testing shall be entered into the student's record.

In order to continue attending classes in the District, the student must have submitted:

- 1) Proof of immunization showing the student to be fully age appropriately vaccinated;
- 2) Written documentation by a public health nurse or private physician of proof the student is in process of being age appropriately immunized, which includes a schedule of the student's next immunization;
- 3) A copy of a letter from ADH indicating immunity based on serologic testing; and/or
- 4) A copy of the letter from ADH exempting the student from the immunization requirements for the current school year, or a copy of the application for an exemption for the current school year if the exemption letter has not yet arrived.

Students whose immunization records or serology results are lost or unavailable are required to receive all age appropriate vaccinations or submit number 4 above.

### **Temporary Admittance**

While students who are not fully age appropriately immunized or have not yet submitted an immunization waiver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1<sup>st</sup> is later in the current school year than the thirty (30) days following the student's admittance). No student shall be withdrawn and readmitted in order to extend the thirty (30) day period. Students may be allowed to continue attending beyond the thirty (30) day period if the student submits a copy of either number 2 or number 4 above.

Students who are in process shall be required to adhere to the submitted schedule. Failure of the student to submit written documentation from a public health nurse or private physician demonstrating the student received the vaccinations set forth in the schedule may lead to the revocation of the student's temporary admittance; such students shall be excluded from school until the documentation is provided.

The District will not accept copies of applications requesting an exemption for the current school year that are older than two (2) weeks based on the date on the application. Students who submit a copy of an application to receive an exemption from the immunization requirements for the current year to gain temporary admittance have thirty (30) days from the admission date to submit either a letter from ADH granting the exemption or documentation demonstrating the student is in process and a copy of the immunization schedule. Failure to submit the necessary documentation by the close of the thirty (30) days will result in the student being excluded until the documentation is submitted.

### **Exclusion From School**

In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak. Students may be excluded for twenty-one (21) days or longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

Students who are excluded from school are not eligible to receive homebound instruction unless the excluded student had a pre-existing IEP or 504 Plan and the IEP/504 team determines homebound instruction to be in the best interest of the student. To the extent possible, the student's teacher(s) shall place in the principal's office a copy of the student's assignments:

- for the remainder of the week by the end of the initial school day of the student's exclusion; and
- by the end of each school's calendar week for the upcoming week until the student returns to school.

It is the responsibility of the student or the student's parent/legal guardian to make sure that the student's assignments are collected.

Students excluded from school shall have five (5) school days from the day the student returns to school to submit any homework and to make up any examinations. State mandated assessments are not included in "examinations" and the District has no control over administering state mandated make-up assessments outside of the state's schedule. Students shall receive a grade of zero for any assignment or examination not completed or submitted on time.

Cross References: 4.2—ENTRANCE REQUIREMENTS

4.7—ABSENCES  
4.8—MAKE-UP WORK

Legal References: A.C.A. § 6-18-702  
ADE Rules Governing Kindergarten Through 12<sup>th</sup> Grade Immunization  
Requirements In Arkansas Public Schools  
ADH Rules and Regulations Pertaining to Immunization Requirements

Date Adopted: April 13, 2015

**4.58—FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA**

**Food Sharing Table**

In an effort to reduce wasted food and to provide students access to healthy foods when possible, the District shall have in the district cafeteria a food sharing table located at the end of the service line. Prior to leaving the service line, students may place on or retrieve items from the table, at no additional charge, any of the following:

- Raw whole fruit traditionally eaten without the peel (e.g. bananas and oranges);
- Raw whole fruit traditionally eaten with the peel provided the fruit is wrapped to prevent contamination (e.g. apples and grapes);
- Raw whole vegetables provided the vegetable is wrapped to prevent contamination (e.g. carrot sticks);
- Milk; and
- Juice.

Fruit and vegetables to be shared are to be placed into a designated container on the table. Milk and juice to be shared are to be placed in an ice-filled cooler. Milk and juice may not be taken by another student unless the carton is unopened and was completely covered by ice while in the cooler. A student may not return to the table to place an item for sharing after the student has left the service line.

At all times, the sharing table will be under the supervision of the food service staff. Remaining items should be discarded at the end of the meal period, and no item may remain on the table for longer than four (4) hours.

**Removing Food Items From the Food Service Area**

**Option A:** At the end of the meal period, a student may leave the cafeteria with up to 2 school provided whole fruit or whole vegetable food items. Students may not remove from the cafeteria milk, juice, or any other item requiring a temperature controlled environment.

Except for food service workers as required by their job duties, District employees may only remove school provided food items from the food service area when required by a 504 plan or a student's IEP.

All items removed from the cafeteria must be consumed or taken home at the end of the school day. No items may be left in classrooms or lockers. The intent is to provide additional time to finish eating.

Legal References:      Commissioner's Memo FIN 08-076  
                                 Commissioner's Memo FIN 15-052

Date Adopted:         April 13, 2015

## **6.6—FUND RAISING**

All fund raising activities held in the District or in the name of the District must be pre-approved in writing by the Superintendent and affected school principal. Approval will be predicated on the potential for return relative to the time and energy to be invested in the fund raising. Fund raising that conflicts excessively with and/or detracts from student or teacher instructional time in either the planning or the execution of the activity will not be approved.

Neither an individual school nor the District shall be liable for any contract between clubs or organizations and third parties.

Student participation in any fund raising activity shall:

- 1) Be voluntary. Students who choose not to participate shall not forfeit any school privileges. It shall not be considered discriminatory to reward those who participate; and
- 2) Not influence or affect the student's grade.

For purposes of this policy, "Door-to-door sales" means the selling of merchandise outside of the child's home and off the school grounds.

### **Secondary Schools**

Fund raising in the secondary schools may only be done by officially sanctioned student clubs, spirit groups, school PTAs, or parent booster clubs. Student clubs and spirit groups must receive written approval from their sponsor and the school principal before submitting the fund raising proposal to the Superintendent.

Door to door fundraising activities are generally discouraged. If approved, students wishing to participate who are under the age of eighteen (18) must return to their sponsor a signed parental notification and permission form.

## **Elementary Schools (K-6)**

Fund raising in the elementary schools may only be done by the school or a school sponsored organization. Door to door fundraising activities are generally discouraged, but there shall be no more than one such activity per school per school year.

Schools must provide written notification of the following to parents or legal guardians of elementary students who participate in fund raising programs.

- 1) Student participation in fund raising programs is voluntary;
- 2) Students who do not participate will not forfeit any school privileges;  
Students may not participate in fund raising programs without written parental permission returned to school authorities;
- 3) An elementary student who sells fund raising merchandise door to door must be accompanied by a parent or an adult; and
- 4) Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

Legal References:     A.C.A. § 6-18-1102  
                          A.C.A. § 6-18-1104

Date Adopted: October 11, 2004

Last Revised: April 13, 2015