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**STUDENTS**

# **PIGGOTT SCHOOL DISTRICT**

**Students**

**ADOPTED: June 13, 2023**

**\s\Chris Roberts, PRESIDENT OF THE BOARD**

## 4.1—RESIDENCE REQUIREMENTS

### Definitions

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

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

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

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

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

The schools of the District shall be open and free through the completion of the secondary program to all persons between the ages of five (5) and twenty one (21) years whose parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis reside within the District<sup>1</sup> and to all persons between those ages who have been legally transferred to the District for educational purposes.

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

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District’s schools separate and apart from his or her parent, legal guardian, person

having lawful control of the student, or a person standing in loco parentis, the student is required to reside in the District for a primary purpose other than that of school attendance; however, a student previously enrolled in the district whose parents move the student into another district or 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.<sup>2</sup> 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.<sup>3</sup>

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 the employee's child or ward reside outside the district.<sup>4</sup>

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

Notes: <sup>1</sup> 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. If a student's primary residence is on an undivided tract of land that is located partially in one (1) school district and partially in another school district or the student's principal place of residence is located partially in one (1) school district and partially in another school district, then the student shall be eligible to attend the school in either of the school districts in which the tract of land or principal place of residence is located regardless of the location of the home on the property.

<sup>2</sup> The Interstate Compact on Educational Opportunity for Military Children and the ARKANSAS MILITARY CHILD SCHOOL TRANSITIONS ACT OF 2021 are the sources for this sentence. It is codified at A.C.A. § 6-4-302 and 6-28-108. The language allowing any student who moves from one district into another district to continue to attend the original district comes from A.C.A. § 6-18-203.

<sup>3</sup> This is a provision of A.C.A. § 9-28-113(a) and (b).

<sup>4</sup> Rather than duplicate the law on the attendance of children of employees who reside outside of the district into the policy which would make for a long policy affecting a relatively small number of students, we suggest you consult A.C.A. § 6-18-203 and have a copy handy for affected employees or potential employees.

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

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

Date Adopted: July 14, 2014

Last Revised: June 13, 2023



## **4.2—ENTRANCE REQUIREMENTS**

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

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

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

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

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

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

The district shall make no attempt to ascertain the immigration status, legal or illegal, of any student or his/her parent or legal guardian presenting for enrollment.<sup>1</sup>

Prior to the child's admission to a District school:<sup>2</sup>

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

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

For the purposes of this policy:

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

“Active duty”<sup>4</sup> means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. chapters 1209, and 1211 or 42 U.S.C. § 204.

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

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

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

“Eligible child” means the children of:

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

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

“Transition” means the:

- Formal and physical process of transitioning from public school to public school; or

- Period of time in which a student moves from a sending district to a receiving district.

“Uniformed services”<sup>4</sup> means the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Space Force, United States Coast Guard, the National Oceanic and Atmospheric Administration Commissioned Officer Corps, the United States Commissioned Corps of the Public Health Services, and the state and federal reserve components of each of these bodies.

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

The superintendent shall designate an individual as the District’s military education coordinator, who shall serve as the primary point of contact for an eligible child and for the eligible child’s parent, legal guardian, person having lawful control of the eligible child, or person standing in loco parentis. The individual the superintendent designates as the District’s military education coordinator shall have specialized knowledge regarding the educational needs of children of military families and the obstacles that children of military families face in obtaining an education.<sup>5</sup>

An eligible child as defined in this policy shall:

1. Be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. Be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. Enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;
4. Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to the extent that space is available. This does not prohibit the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs;
5. Be provided services comparable to those the student with disabilities received in his/her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
6. Make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
7. Be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
8. Be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

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

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

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

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

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

### **International Exchange Students**

"Host family" means the individual or family with whom an international exchange student is placed by an international student exchange visitor placement organization under the International Student Exchange Visitor Placement Organization Registration Act, § 6-18-1701 et seq..

"International exchange student" means a student who is placed with a host family by an international student exchange visitor placement organization under the International Student Exchange Visitor Placement Organization Registration Act, § 6-18-1701 et seq.

Before an international exchange student may attend a District school, the District requires all international student exchange visitor placement organizations that are placing international exchange students within the District to:

- Be certified by the Council on Standards for International Educational Travel;
- Provide documented proof of the international exchange student's English proficiency; and
- Notify the District at least three (3) weeks before the beginning of the academic semester the international exchange student plans to enroll in the District.

The District shall admit for enrollment and attendance an international exchange student who has been placed with a host family who resides within the District boundaries. The international exchange student shall attend the school in the District based on the attendance zone where the host family resides.<sup>6</sup>

Upon an international exchange student's arrival, the international exchange student may be required to submit to quarantine to prevent the spread of infectious diseases as may be necessary, which shall not exceed seven (7) days unless otherwise recommended by the Arkansas Department of Health or the Centers for Disease Control and Prevention.

International exchange students are expected to follow the District handbook and student code of conduct as the District has the authority to expel a student for violations of the school district's written student discipline policies or if the international exchange student presents a danger to the District's students or employees.

Statewide assessment results achieved by an international exchange student enrolled in the District shall be included in the District's results on the statewide assessments.<sup>7</sup>

The District shall provide English-language services to international exchange students as necessary.<sup>8</sup>

Notes: <sup>1</sup> The US Supreme Court has held that public schools may not use immigration status as a criterion for admitting and educating students.

<sup>2</sup> A.C.A. § 9-28-113 requires schools to "immediately" enroll foster children whether or not they produce "required clothing or required records" noted in #2 and #4. ASBA does not believe this means schools are required to admit students currently under expulsion from their previous school. See policies 4.4 and 4.5.

<sup>3</sup> A.C.A. § 6-18-510 requires that districts adopt this policy language, or similar, **AND** provide a hearing before the board for the student seeking to enroll in the district while currently serving an expulsion from another district in order for the district to exclude the student until the expiration of the student's expulsion. Districts who do not include this policy

language, or similar, **AND** provide the hearing before the board may **NOT** prohibit the enrollment of a student who is currently serving an expulsion from another district.

<sup>4</sup> A.C.A. § 6-4-302 and 6-28-104 define both “uniformed services” and “active duty.” Consult the statutes to determine if the student wishing to enroll in your district qualifies under the definitions.

<sup>5</sup> While A.C.A. § 6-28-116 only makes this a requirement for districts with at least twenty (20) children of military families enrolled or an average daily membership of three thousand (3,000) students, the language is recommended for all districts.

<sup>6</sup> While A.C.A. § 6-18-234(c)(3) allows a district to limit the number of exchange students that the district is required to admit to a single school to one (1) exchange student for every fifty (50) traditional students enrolled in the school, we have not included such limiting language as we believe that to do so violates the intent that the public schools are open to all students between the ages of five (5) and twenty-one (21) who lawfully reside within the district.

<sup>7</sup> You are not required to include exchange student statewide assessment scores in your district results. The law requires that if you include or exclude exchange student assessment results to be done as a group rather than on an individual student basis.

<sup>8</sup> The law allows districts to opt-out of providing English language services.

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

#### 4.57—IMMUNIZATIONS

Legal References:      A.C.A. § 6-4-302  
                                 A.C.A. § 6-15-504  
                                 A.C.A. § 6-18-201 (c)  
                                 A.C.A. § 6-18-207  
                                 A.C.A. § 6-18-208  
                                 A.C.A. § 6-18-234  
                                 A.C.A. § 6-18-510  
                                 A.C.A. § 6-18-702  
                                 A.C.A. § 6-28-101 et seq.  
                                 A.C.A. § 9-28-113  
                                 DESE Rules Governing Student Discipline and School Safety  
                                 Plyler v Doe 457 US 202,221 (1982)

Date Adopted: June 8, 2015

Last Revised: June 13, 2023



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

Every parent, guardian, or other person having custody or charge of any child age five (5) through seventeen (17) years on or before August 1 of that year who resides, 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 wavier form prescribed by regulation of the Department of Education must be signed and on file with the District administrative office.
4. The child has received a high school diploma or its equivalent as determined by the State Board of Education.
5. The child is age sixteen (16) or above and is enrolled in a post-secondary vocational-technical institution, a community college, or a two-year or four-year institution of higher education.
6. The child is age sixteen (16) or seventeen (17) and has met the requirements to enroll in an adult education program as defined by A.C.A. § 6-18-201 (b).

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

Date Adopted: July 12, 2010  
Last Revised: June 13, 2011

## 4.4—STUDENT TRANSFERS

Transfer applications received by the District shall be placed on the Board's next meeting agenda.<sup>1</sup> At least five (5) days before the meeting where the transfer application appears on the agenda, the superintendent shall notify the Board regarding:

- All transfer applications received since the last meeting; and
- The superintendent's recommendation concerning each transfer application.

Each transfer application shall be considered individually and receive a separate vote by the Board. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a student who submits a transfer application shall be given at least five (5) minutes to present the student's case for a transfer to the Board.

The Board 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.<sup>2</sup> The District shall reject applications that would cause it to be out of compliance with applicable laws and regulations regarding desegregation.

If the superintendent intends to recommend the Board deny the transfer application, the superintendent shall provide a written explanation of the reasons for the recommendation to the Board and the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student.

The parent, legal guardian, person having lawful control of a student, or person standing in loco parentis to the student who submitted a transfer application that was rejected may appeal the decision of the Board to the State Board of Education.

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

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

Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.<sup>3</sup>

Except as otherwise required or permitted by law,<sup>4</sup> 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.

Notes: Applications are required to be placed at the earliest meeting following their receipt, whether that is the next regularly scheduled meeting or a special board meeting. Consult A.C.A. § 6-18-317 for restrictions on transfers where either the resident or the receiving district is under a desegregation related court order.

<sup>2</sup> Your application of "capacity" should be consistent in order to avoid potential exposure to liability for unlawful discrimination against individuals with disabilities. For example, you should not choose to accept a student who requires no special services, but would require you to add an additional elementary teacher, but refuse to accept a student with a disability because it would require you to add an additional special education teacher. You may refuse to accept the transfer of a student with a disability whose acceptance would necessitate the hiring of an aide, interpreter, or other additional staff member.

<sup>3</sup> A.C.A. § 6-18-510 requires that districts adopt this policy language, or similar, **AND** provide a hearing before the board for the student seeking to enroll in the district while currently serving an expulsion from another district in order for the district to exclude the student until the expiration of the student's expulsion. Districts who do not include this policy language, or similar, **AND** provide the hearing before the board may **NOT** prohibit the enrollment of a student who is currently serving an expulsion from another district.

<sup>4</sup> A.C.A. § 9-28-113(b)(4) encourages districts to arrange for transportation for foster children who have had a change in placement to a new school, but have been kept in their previous school by a DHS or court ruling. The statute's language would permit the change in placement to be in a different district and the policy language would allow the district to arrange for the transportation at district expense.

Cross Reference:        4.6—HOME SCHOOLING

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

Date Adopted: June 13, 2016

Last Revised: June 13, 2023

## **4.5—SCHOOL CHOICE**

### **Standard School Choice**

#### **Exemption**

The District is under an enforceable desegregation court order/court-approved desegregation plan<sup>1</sup> that explicitly limits the transfer of students between school districts and has submitted the appropriate documentation to the Division of Elementary and Secondary Education (DESE).<sup>2</sup> As a result of the desegregation order/desegregation plan<sup>1</sup>, the District is exempt from the provisions of the Public School Choice Act of 2015 (Standard School Choice) and the Arkansas Opportunity Public School Choice Act (Opportunity School Choice). The District shall notify the superintendents of each of its geographically contiguous school districts of its exemption.<sup>3</sup> The exemption prohibits the District from accepting any school choice applications from students wishing to transfer into or out of the District through standard School Choice or Opportunity School Choice.<sup>4</sup>

#### **Definition**

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

#### **Transfers into the District**

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

The Board of Directors will annually adopt a resolution containing the capacity standards for the District. The resolution will contain the acceptance determination criteria identified by academic program, class, grade level, and individual school. The school is not obligated to add any teachers, other staff, or classrooms to accommodate choice applications. The District may only deny a Standard School Choice application if the District has a lack of capacity by the District having reached ninety percent (90%) of the maximum student population in a program, class, grade level, or school building authorized by the Standards or other State/Federal law.<sup>5</sup>

The District shall advertise in appropriate broadcast media and either print media or on the Internet to inform students and parents in adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline; the requirements and procedures for participation in the program; and include contact information for the primary point of contact at the District for school choice questions. Such pronouncements shall be made no later than January 1.<sup>6</sup>

### **Application Process**

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

Except for students who are transferring under Uniformed Service Member Dependent School Choice, no earlier than January 1 of each year, the Superintendent will consider all properly submitted applications for School Choice. By July 1, the Superintendent shall notify the parent and the student's resident district, in writing, of the decision to accept or reject the application.

### **Accepted Applications**

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

applicant does not meet the District's stated capacity standards, the acceptance shall be null and void.<sup>7</sup>

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

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

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

### **Rejected Applications**

The District may reject an application for a transfer into the District under Standard School Choice due to a lack of capacity. However, the decision to accept or reject an application may not be based on the student's previous academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings other than a current expulsion.<sup>8</sup>

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

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

All Standard School Choice applications for transfers out of the District shall be granted.

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

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

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

### **Opportunity School Choice**

#### **Transfers into or Within the District<sup>9</sup>**

For the purposes of this section of the policy, a "lack of capacity"<sup>10</sup> is defined as when the receiving school has reached the maximum student-to-teacher ratio allowed under federal or state law, the DESE Rules for the Standards for Accreditation, or other applicable rules. There is a lack of capacity if, as of the date of the application for Opportunity School Choice, ninety-five percent (95%) or more of the seats at the grade level at the nonresident school are filled.



Unless there is a lack of capacity<sup>10</sup> at the District's school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student may transfer from the student's assigned school to another school in the District<sup>9</sup> or from the student's resident district into the District if:

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

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

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

If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection.<sup>11</sup> Unless the student's application was rejected due to the application not being timely received by both the resident and nonresident districts, a parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District's decision to deny the application to the State Board of Education. The appeal must be in writing to the State Board of Education via hand delivery or certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District.

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

The District may, but is not obligated to provide transportation to and from the transferring district.<sup>12</sup>

### **Transfers out of, or within, the District<sup>9</sup>**

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

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

Additionally, the District shall request public service announcements to be made over the broadcast media and in the print media at such times and in such a manner as to inform parents or guardians of students in adjoining districts of the availability of the program, the application deadline, and the requirements and procedure for nonresident students to participate in the program.<sup>13</sup>

### **Uniformed Service Member Dependent School Choice**

"Uniformed service member" means an active or reserve component member of the:

- United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Space Force, or United States Coast Guard;
- National Oceanic and Atmospheric Administration Commissioned Officer Corps; or
- United States Commissioned Corps of the Public Health Service.

"Uniformed service veteran" means a former uniformed service member who has been discharged under conditions other than dishonorable.

A student shall be eligible for school choice under Uniformed Service Member Dependent School Choice if the student is a dependent of a:

- Uniformed service member in full-time active-duty status;
- Surviving spouse of a uniformed service member;
- Reserve component uniformed service member during the period six (6) months before until six (6) months after a Title 10, Title 32, or state active duty mobilization and service; or
- Uniformed service veteran who is returning to civilian status at the conclusion of the uniformed service veteran's active duty status.

A student's parent, legal guardian, person having lawful control of a student, or person standing in loco parentis to the student shall submit a school choice application by mail, e-mail, or in person to the student's nonresident district and resident district. The application shall be accompanied by:

- a. A copy of the identification card of the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis that qualifies the student under this section; and
- b. A copy of the official orders, assignment notification, or notice of mobilization of the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis.

The application deadline required under Standard School Choice and Opportunity School Choice shall not apply to uniformed service member dependents.

The superintendent of the nonresident district shall notify the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis of the student in writing whether the student's application has been accepted or rejected within fifteen (15) days of the nonresident district's receipt of the application. A student's transfer under the Uniformed Services Member Dependent School Choice is effective immediately upon the nonresident district's written notification of an acceptance.

A student shall be permitted only one (1) school transfer per academic year.

The parent, legal guardian, person having lawful control of a student, or person standing in loco parentis to a student shall be responsible for transportation of the student.

### **Unsafe School Choice Program**

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

Notes: <sup>1</sup> Select the version of the desegregation order that applies to your district.

<sup>2</sup> A.C.A. § 6-13-113 requires a district under a desegregation court order or court-approved desegregation plan to submit to DESE by January 1, 2016:

- A copy of the desegregation order or desegregation-related order;
- The case heading and case number of each court case in which the order was entered;
- The name and location of each court that maintains jurisdiction over the order; and
- A description of the school choice student transfer desegregation obligations, if any, that the school district is subject to, related to the order.

Should the district be released by the court, the district is responsible to promptly notify DESE. DESE will post all districts who have submitted the proper paperwork on its website.

In addition, A.C.A. § 6-18-1906 requires districts claiming an exemption based on a desegregation order/desegregation plan to submit documentation by January 1 of each year that contains the following:

- Documentation that the desegregation order or court-approved desegregation plan is still active and enforceable; and
- Documentation showing the specific language the school district believes limits its participation in Standard School Choice.

DESE will notify the district within thirty (30) calendar days of receipt of the submitted documentation whether or not it is required to participate in standard school choice. If DESE does not provide a written exemption to the district, then the district is required to participate in Standard School Choice. The district may submit a written petition to the State Board to review DESE's decision.

<sup>3</sup> If your district doesn't meet the provisions of this paragraph, delete it and, for your master copy of the policy, renumber the remaining footnotes accordingly.

While the policy language requiring the district to notify its contiguous districts that it is exempt from the school choice provisions is not statutorily required, it is advocated by Commissioner's Memo Com-13-061 and we believe it is necessary if potential receiving districts are going to be able to intelligently inform parents who have applied to their school.

<sup>4</sup> If the desegregation court order/court-approved desegregation plan your district is under would prohibit standard school choice but would not prohibit Opportunity School Choice, remove the references to Opportunity Choice in this paragraph and add the following sentence:

*While the District's desegregation court order/court-approved-desegregation-plan exempts the District from the provisions of Standard School Choice, the District's desegregation court order/court-approved-desegregation-plan does not exempt it from the transfer provisions of the Arkansas Opportunity Public School Choice Act (Opportunity School Choice).*

We advise districts to consult with their attorney about the district's desegregation court order/court-approved-desegregation-plan applicability to the exemption provisions in A.C.A. § 6-18-1906 and A.C.A. § 6-18-227 and whether you will need to include both, either, or neither policy provisions on standard School Choice or Opportunity School Choice in your final version of this policy.

<sup>5</sup> For the Resolution, see Form 4.5F. There is no real flexibility in setting capacity as you can no longer take growth into account when setting slots for Standard School Choice. Districts may only deny a transfer if the transfer would place the district above the ninety percent (90%) maximum under law. Your application of a lack of capacity must be consistent; you can't choose to add a teacher due to accepting a student, but refuse to add a staff member because the applicant requires special education.

Once the resolution has been made, the Board's role in determining acceptance is finished and no further board action is required to accept school choice students.

<sup>6</sup> The statute does not stipulate a date and you can choose your own, but it should give parents a reasonable opportunity to submit their application. While the statute gives districts a choice between advertising in print or on the Internet, it also doesn't prohibit advertising in both. To help inform parents before they try to apply so they will know in advance if it's actually a possibility that their child could be accepted, we suggest either including your capacity resolution in the public announcements or state where the resolution can be found.

<sup>7</sup> Consider the following about the timing of your acceptance of an application and why it's important to provisionally accept each application until the notification letter is returned to you:

The later you accept an application, the more confident you can be about accepting or denying based on capacity. (For example, have as many students as usual moved into your district and were they in the expected grade level patterns?) However, an earlier, **provisional**, acceptance, such as June 1, gives you more time to determine through the use of your acceptance notification letter whether the student's reality matches the information supplied on the application. For example, would the applicant have been held back in 3rd grade in the resident school and the parent is trying to keep that from happening by transferring. While you may have an opening in 4th grade (the grade the parent would have applied for), you may not have an opening in 3rd grade and so would need to deny the application once the paperwork was submitted.

Another example would be an application for a kindergarten choice transfer. When reviewing the completed paperwork, you discover the child is medically fragile and will require additional staff to meet the student's needs. Provisional acceptance gives you the time and opportunity to reconsider your acceptance and still meet the July 1 deadline.

<sup>8</sup> You are required to hold a hearing before the board of directors about the student's expulsion. (See A.C.A. § 6-18-510.) It is possible that the expulsion was for a disciplinary infraction that does not result in expulsion in your district. If this is the case, you have the choice of whether or not to admit the student under school choice due to the resident district's expulsion of the student, but you may **NOT** deny a student unless you hold a hearing.

<sup>9</sup> Only include "or within" if your district has more than one school with the same grade(s).

<sup>10</sup> The capacity standards under "Opportunity Choice" are slightly more strict than under "Standard Choice" standards and are limited to what is stated in the policy. Additionally, by Rule, you are required to base your decision on ninety-five (95%) of capacity at the time of the application with no provision for consideration of your district's normal growth. Just as with Standard School Choice, your application of a lack of capacity must be consistent; you can't choose to add a teacher due to accepting a student, but refuse to add a staff member because the applicant requires special education.

<sup>11</sup> The student or his/her parents may appeal to the State Board a decision to deny admission.

<sup>12</sup> Sending districts are required to spend up to four hundred dollars (\$400) per year to transport the student. The statute and the Rules are unclear. They both state that receiving districts **may** transport opportunity choice students, but sending districts **shall** pay up to four hundred dollars (\$400) per year to transport the student. The policy's language makes no attempt to settle the discrepancy. The financial responsibility of the transferring district goes away when the school no longer has a rating of "F" or the student's resident district is no longer classified by the state board as in need of Level 5 — intensive support. At that time the statute states that the receiving district may choose to pay for the transportation.

<sup>13</sup> Opportunity Choice does not give you the option contained in Standard Choice of advertising on the Internet in place of print media.

Legal References:

- A.C.A. § 6-1-106
- A.C.A. § 6-13-113
- A.C.A. § 6-15-2915
- A.C.A. § 6-18-227
- A.C.A. § 6-18-233
- A.C.A. § 6-18-320
- A.C.A. § 6-18-510
- A.C.A. § 6-18-1901 et seq.
- A.C.A. § 6-21-812

DESE Rules Governing Public School Choice

Date Adopted: June 8, 2015

Last Revised: June 13, 2023

Date Adopted: June 8, 2015

Last Revised:



## 4.5F—SCHOOL CHOICE CAPACITY RESOLUTION

Whereas:

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

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

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Board President

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Board Secretary

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Date

---

Date

## 4.5F2--SCHOOL CHOICE PROVISIONAL ACCEPTANCE LETTER

Dear Parent's name,

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

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

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

Respectfully,

Insert name

Insert position/title

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## 4.5F3—SCHOOL CHOICE ACCEPTANCE LETTER

Dear Parent's name,

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

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

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

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

Respectfully,

Insert name

Insert position/title

## 4.5F4--SCHOOL CHOICE REJECTION LETTER

Dear Parent's name,

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

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

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

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

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

\_\_\_\_ Staff

\_\_\_\_ Teachers

\_\_\_\_ classroom(s)

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

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

Respectfully,

Insert name

Insert position/title

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#### 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

Date Adopted: August 13, 2012  
Last Revised:



## 4.7—ABSENCES

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

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

Absences for students enrolled in synchronous digital courses shall be determined in the same manner as for District students attending courses in person.<sup>1</sup>

### **Excused Absences**

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

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.<sup>2</sup>
2. Death or serious illness in their immediate family;<sup>3</sup>
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, FHA, or 4-H sanctioned activity;<sup>4</sup>
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.

10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.<sup>5</sup>
12. Absences due to conditions related to pregnancy or parenting, including without limitation:
  - Labor, delivery, and recovery;
  - Prenatal and postnatal medical appointments and other medically necessary, pregnancy-related absences;
  - The illness or medical appointment of a child belonging to a parent who is enrolled at a District school;
  - A legal appointment related to pregnancy or parenting, including without limitation:
    - Adoption;
    - Custody; and
    - Visitation;
  - A reasonable amount of time to accommodate a lactating student's need to express breast milk or to breastfeed the student's child on the District's campus; and
  - At least ten (10) school days of absences for both a parenting mother and a parenting father after the birth of a child.<sup>6</sup>

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.<sup>7</sup>

Up to one (1) time during each scheduled election, a student shall not be considered absent from school for the time the student accompanies the student's parent when the parent is exercising the parent's right to vote in a scheduled election.

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

- a. Bring a written statement to the principal or designee upon the student's return to school from the student's parent, legal guardian, or treating physician stating the reason for the student's absence;
- b. If the student is attending the District's courses digitally, upload a written statement from the student's parent, legal guardian, or treating physician stating the reason for the student's absence through the District's digital course management platform for review by the principal or designee, or
- c. Provide documentation as proof of a student's participation in an activity or program scheduled and approved by the 4-H program that is provided by a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program.

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

## Unexcused Absences

Absences that are not defined above; do not have an accompanying note from the parent, legal guardian, person having lawful control of the student, person standing in loco parentis, the student's treating physician, or a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program; or have an accompanying note that is not presented or uploaded within the timeline required by this policy shall be considered as unexcused absences. Students with *(insert number)*<sup>8</sup> unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has *(insert number equal to 1/2 above number<sup>8</sup>)* unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified<sup>9</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.

Whenever a student exceeds *(same number as in the first paragraph of this section<sup>8</sup>)* unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law.

It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Therefore, at any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, legal guardian, person with lawful control of the student, or person standing in loco parentis may petition the school or district's administration for special arrangements to address the student's unexcused absences. If formal arrangements are granted, they shall be formalized into a written agreement which will include the conditions of the agreement and the consequences for failing to fulfill the agreement's requirements. The agreement shall be signed by the student; the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis; and the school or district administrator or designee.<sup>10</sup>

Students who attend in-school suspension shall not be counted absent for those days.<sup>11</sup>

Days missed due to out-of-school suspension or expulsion shall be unexcused absences.<sup>11</sup>

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.

Notes: If your district's penalties for absences include an impact on the student's grades, it is important to note that A.C.A. § 9-28-113(f) prohibits the lowering of grades of foster children for absences due to 1) a change in the student's school enrollment; 2) the student's attendance at a court ordered dependency-neglect court proceeding; or 3) the student's attendance at court-ordered counseling or treatment.

<sup>1</sup> If you have asynchronous digital courses in addition to or in place of synchronous digital courses, you will need to add to or replace this paragraph with the manner you will use to determine a student's attendance in such classes. The exact manner you use to determine the student's attendance will depend on the options within the digital course platform you are using. Be sure to note that a student who is taking an asynchronous course but who was assigned a class period during the school day for the course may be considered truant under your discipline policies for failure to be physically where they are assigned to be but would not be considered absent for the digital course itself if the student satisfied the attendance requirements for the asynchronous digital course.

<sup>2</sup> Limiting the number of excused absences for illness is an option which you can choose to include or not include. The number of absences can be changed as you feel appropriate.

<sup>3</sup> Your board may want to define the meaning of "immediate family." One source for a definition is A.C.A. § 6-17-1202.

<sup>4</sup> A.C.A. § 6-18-220 requires that a student be given an excused absence for attending a 4-H activity even if your district does not have a FFA or FHA program.

<sup>5</sup> The law is silent on how to treat absences for students excluded from school in this manner. While you may elect to have such absences treated as unexcused absences, we do not recommend doing so due to the truancy requirements and the potential for a student

to not be able to make up homework based on the language in Policy 4.8—MAKE-UP WORK.

<sup>6</sup> A.C.A. § 6-18-234 exempts the student parent from being dropped from the district enrollment for being absent for more than ten (10) consecutive days when the absences are related to pregnancy or the birth of the student's child.

<sup>7</sup> Statutorily, the day the student serves as a page cannot be counted as an absence, but the school may grant additional days (such as for travel time) in conjunction with the day as a page that would also not be counted as absences. The choice is up to the district.

<sup>8</sup> A.C.A. § 6-18-222(a)(1)(A)(i) requires school boards to adopt an attendance policy that includes a "certain number" of excessive unexcused absences. The code leaves the specific number up to the individual board's discretion. The number your board chooses determines the number of absences that triggers the notices being sent to the student's parents.

<sup>9</sup> If your district has a Community Truancy Board as defined in A.C.A. § 6-18-225 & 226, notification will also need to be sent to the chairman of the truancy board. The truancy board will then need to proceed as defined by A.C.A. § 6-18-222(a)(4)(A).

<sup>10</sup> Students are specifically permitted to initiate the agreement on their own; their parents may be unavailable or unwilling to meet with the administration.

<sup>11</sup> The statutes are silent on whether in-school-suspensions shall count as absences. You can choose to amend this sentence and make either or both forms of suspension count as unexcused absences. In making your decision, we suggest you consider the number of days of allowable unexcused absences you have chosen for this policy, the lower the number, the greater the consequences for including an in-school-suspension as an unexcused absence. A.C.A. § 6-18-507(g) requires districts to note on each student's attendance record if the student's absence was due to an out-of-school suspension.

4.57—IMMUNIZATIONS

5.11—DIGITAL LEARNING COURSES

5.29—WELLNESS POLICY

Legal References:

A.C.A. § 6-4-302

A.C.A. § 6-18-209

A.C.A. § 6-18-213

A.C.A. § 6-18-220

A.C.A. § 6-18-222

A.C.A. § 6-18-229

A.C.A. § 6-18-231

A.C.A. § 6-18-234

A.C.A. § 6-18-235

A.C.A. § 6-18-507(g)

A.C.A. § 6-18-702

A.C.A. § 6-28-114

A.C.A. § 7-4-116

A.C.A. § 9-28-113(f)

A.C.A. § 27-16-701

Division of Elementary and Secondary Education Rules Governing Distance  
and Digital Learning

Date Adopted: June 13, 2016

Last Revised: June 13, 2023

## 4.8—MAKE-UP WORK

Students who miss school due to an excused absence shall be allowed to make up the work they missed during their absence under the following rules:<sup>1</sup>

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

Work may not be made up for credit for unexcused absences **unless** the unexcused absences are part of a signed agreement as permitted by policy 4.7—ABSENCES.<sup>5</sup>

Work for students serving an out-of-school suspension or expulsion shall be in accordance with the District's programs, measures, or alternative means and methods to continue student engagement and access to education during the student's period of suspension or expulsion<sup>6</sup>

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.

In addition to the make-up work process above, at the conclusion of a pregnancy-related or parenting-related period of absence, a student may choose from various options to make up missed work, including without limitation:

- a. Retaking a semester at the District school where the student is enrolled;
- b. Participating in an online course credit recovery program;
- c. Being granted six (6) weeks to continue at the same pace and finish the semester at a later date, provided that the student may:
  - Complete the student's coursework within the current school year; or

- Attend previously scheduled summer school classes made available by the District  
Where the student is enrolled; and
- d. Receiving home-based instruction services.

Notes: <sup>1</sup> Your district has the right to require students to make up work for both excused and unexcused absences; requiring work to be made up for all absences could serve as a deterrent for unexcused absences.

<sup>2</sup> This sentence should be modified for elementary school classes.

<sup>3</sup> Select the number of days your district deems reasonable and feasible.

<sup>4</sup> Your district may choose to adopt a different schedule such as docking the work a certain percentage for each day it is late.

<sup>5</sup> The contents of this paragraph are optional and can be adjusted to the extent it remains aligned with your personalization of policy 4.7. While the law requires that students be provided an opportunity and a process to maintain education services during the student's suspension or expulsion, whether or not a student receives credit for assignments as part of this process is dependent on the student completing the work and on whether or not you have adopted specific language prohibiting the student from receiving credit.

<sup>6</sup> The program and method(s) you provide for students to maintain their educational opportunity should be in accordance with the requirements from Policy 4.30 and Policy 4.31.

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



Legal References: A.C.A. § 6-16-1406

A.C.A. § 6-18-234

A.C.A. § 6-18-502

DESE Rules Governing Student Discipline and School Safety

Date Adopted: June 8, 2015

Last Revised: June 13, 2023

#### **4.9—TARDIES**

Promptness is an important character trait that District staff is to 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.

Date Adopted: June 8, 2009

Last Revised:

#### **4.10—CLOSED CAMPUS**

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

Date Adopted: August 13, 2012

Last Revised:

## 4.11—EQUAL EDUCATIONAL OPPORTUNITY

No student in the Piggott School District shall be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District on the basis of any protected classification under the law.<sup>1</sup> The District has a limited open forum granting equal access to the Boy Scouts of America and other youth groups.<sup>2</sup>

Inquiries on non-discrimination may be directed to the Title IX Coordinator<sup>3</sup>, who may be reached at 870.598.25464.

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

For further information on notice of non-discrimination or to file a complaint, visit <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html> ; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Notes: A copy of this non-discrimination notification should be included in all district publications to student

and parents.

1 This language was amended to align with Attorney General Opinion 2023-059.

2 A.C.A. 6-10-132 requires that youth patriotic societies, such as the Boy Scouts of America, be provided access to students during the school day; as a result, all districts now have a limited open forum and are required to provide the same access to groups who follow the procedure set forth in the statute to request access to students regardless of the groups viewpoint.

3 Insert the position(s) designated to be contacted on discrimination inquiries. If you have different positions designated to answer questions on disability discrimination (504 coordinator) and sex discrimination (Title IX coordinator), then you will need to include the position responsible for each area. Do not include the name(s) of the person(s) to be contacted in the policy; changing the name of the person (due to a staffing change) would necessitate amending the policy, which would require it to go through the entire adoption process.

4 Insert the office address, phone number, and email address to be used to contact the designated position. If you have more than one position designated as set forth in footnote 3, you will need to include a contact number, email address, and office address for each position. The contact number and office address may be the school/district address and phone number. We recommend making the email address specific to the

position, such as titleix@districtdomain.org, and having the emails sent to the coordinator's inbox to prevent having to amend the policy due to staff changes.

While 34 C.F.R. 106.8 requires that an individual be able to submit a report, including by telephone, both inside and outside of business hours, we do not believe that this requires that the Title IX

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Coordinator must be on-call to receive phone calls at any time; instead, the number provided for individuals to use must allow individuals wanting to report sexual discrimination or sexual harassment to the Title IX Coordinator to be able to leave a voice message for the Title IX Coordinator.

Legal References: A.CA 6-1-114

A.CA. 6-10-  
132 A.C.A. 6-  
18-514

—403

28 C.FR 35.106

**C.F.R. 100.6 34 C.F.R. 104.8 34 C.F.R. 106.8 34  
C.FR 106.9 34 C.F.R 108.9 34 C.F.R. 110.25**

Date Adopted: November  
13, 2023 Last Revised:

## **4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS**

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)

Date Adopted: June 13, 2016

Last Revised:

#### **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<sup>1</sup> 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.<sup>2</sup>

For purposes of this policy, the Piggott 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.<sup>3</sup>

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.<sup>4</sup> "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,<sup>5</sup> his/her placement on the honor roll (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District. "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.<sup>6</sup>

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

Student Privacy Policy Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

The District shall ensure that all contracts that disclose or make available student personally identifiable information to vendors, including school service contract providers, school service on-demand providers, and other third parties, including without limitation subcontractors of contract providers, include express provisions that safeguard the privacy and security of student personally identifiable information that meet the requirements under A.C.A. § 6-18-2601 et seq. The District shall maintain a list of the school service contract providers that the District contracts with for school services that include or make available student personally identifiable information. The list shall be updated at least once at the beginning of each semester and provided to parents upon request.

Notes: With very few exceptions, Health Insurance Portability and Accountability Act (HIPAA) privacy requirements don't apply to public K-12 schools and, for that reason, ASBA has no model policy addressing HIPAA. An excellent explanation of the relation between FERPA and HIPAA is available at <https://www.arsba.org/page/policy-resources>.

Districts must annually notify parents or students if over the age of eighteen (18) of the provisions of this policy and "...shall effectively notify parents who have a primary or home language other than English." (34 CFR 99.7(b)(2))

Districts may release directory information (DI) (as presently defined by the district) of former students to the extent there is not a signed prohibition against such release. As the definition of DI changes over time (for example, the addition of email addresses to the definition of DI), districts may release DI according to the current definition. It also applies to the release of information that is now defined as DI for students who left the district prior to 1974, when there was no such thing as DI.

As stated in this policy, once a student turns eighteen (18), the rights to his/her educational records transfers to the student. The release of educational records to a parent becomes permissive and not a right. At that point, the school gets to decide if it wants to release educational records to parents. The student, however, doesn't have the right to object one way or the other. If the parents don't establish dependency, once the student turns eighteen (18), the parents don't have an absolute **right** to see their student's educational records. "Dependency" in this regard is defined according to the IRS; if the student is claimed by either of their parents (regardless of custody issues, or filing jointly or separately) as a dependent, then the rights of the parent once the student turns eighteen (18) is as described. Without dependency, the parents have no right to see their student's educational records once the student turns eighteen (18).

There are several areas of permissible release of students' PII that are not mentioned in this policy (it's not required and would make the policy very long), but that are listed in 34 CFR § 99.31. One of the areas that has been greatly elaborated on in the DOE Rules, released 12/2/11, relates to the district's release of PII to an "authorized representative" for the purpose conducting an audit or evaluation of federal or state education programs. This new area is covered in 34 CFR 99.35. Both documents are available by calling the ASBA office and requesting a copy. They could come in handy when answering parents' questions regarding the release of PII.

The Arkansas Supreme Court, Division of Elementary and Secondary Education, and ASBA collaborated in the creation of a form in an effort to aid juvenile intake and probation officers in acquiring necessary information for the officer to make more knowledgeable decisions/recommendations on a course of action for each juvenile's case. The Form allows for parents to authorize the officer to access certain portions of the student's education records and the parent's E School PLUS Home Access Center. The form, when completed by

the parent and probation officer, will be sent to the district by the officer. A copy of the form, along with a background letter, may be found at <https://www.arsba.org/page/policy-resources>.

<sup>1</sup> You may choose a lesser number of days, but you may not exceed forty-five (45) days.

<sup>2</sup> This paragraph along with the preceding paragraph are added (and permitted) due to the amendments in the Code of Federal Regulations resulting from the Virginia Tech shootings in 2007. The paragraph can also apply to the release of PII to state health officials during outbreaks of communicable diseases. This would apply, for example, to immunization records to determine which students need to be removed from the school. (See Policy 4.34).

<sup>3</sup> The requirements for conducting a hearing are addressed in 34 CFR § 99.22. The district's obligations regarding the results of the hearing are covered in 34 CFR § 99.21. Both are available by calling the ASBA office and requesting a copy.

<sup>4</sup> The 12/2/11 DOE Rules now provide districts with the option of greater specificity in choosing to whom it will release DI. ASBA has not amended the model policy to include this expanded option because we feel it can result in unintentional restrictions for desired release of DI. The following is the language from 34 CFR § 99.37 governing this option:

*In its public notice to parents and eligible students in attendance, ... an educational agency or institution may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. When an educational agency or institution specifies that disclosure of directory information will be limited to specific parties, for specific purposes, or both, the educational agency or institution must limit its directory information disclosures to those specified in its public notice.*

<sup>5</sup> Dates of attendance means the period of time during which a student attends or attended your district, e.g. an academic year or semester. It does not mean specific daily records of attendance.

<sup>6</sup> This paragraph is language from the amended 34 CFR § 99.37 and is included to help eliminate the potential problem of a student (who is in a class where the student really

doesn't want to be - for example JAG), who has opted out of release of DI, refusing to give the information necessary for the class.

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. § 6-18-2601 et seq.  
                                 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 13, 2016

Last Revised: June 13, 2023

#### 4.13F—OBJECTION TO PUBLICATION OF DIRECTORY INFORMATION

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

I, the undersigned, being a parent of a student, or a student eighteen (18) years of age or older, hereby note my objection to the disclosure or publication by the \_\_\_\_\_ School District of directory information, as defined in Policy No. 4.13 (Privacy of Students' Records), concerning the student named below. The district is required to continue to honor any signed opt-out form for any student no longer in attendance at the district.

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

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

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

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

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

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

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

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

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

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

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

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

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

## 4.14—STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE

### Student Publications

3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

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. 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 substantially disrupt the orderly operation of the school or educational 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 distribution. School authorities shall review the nonschool materials, prior to their distribution and will bar from distribution those inappropriate for the age and maturity of the audience or that endorses such things as tobacco, alcohol, or drugs. 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 of the materials.
2. Publications may be regulated to prohibit writings which are in the opinion of the appropriate teacher and/or administrator, as determined by the principal, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences. The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of nonschool materials.
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. Regulations shall not be designed to stifle expression;
4. Prohibited publications include:
  2. Be uniformly applied to all forms of nonschool materials;
  - a. Those that are obscene as to minors;
  - b. Those that are libelous or slanderous, including material containing defamatory falsehoods about public figures or government 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.

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.

### 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;  
Legal References: A.C.A. § 6-18-1202, 1203, & 1204
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.





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*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)

Date Adopted: June 8, 2009  
Last Revised:

## **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.<sup>1</sup> Unless a valid no-contact order has been filed with the student's principal or the principal's designee, district employees shall not become involved in disputes concerning whether or not that parent was supposed to pick up the student on any given day.

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

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the 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: June 13, 2016

Last Revised:

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#### **4.16—STUDENT VISITORS**

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

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

Date Adopted: June 8, 2009  
Last Revised:

## **4.17—STUDENT DISCIPLINE**

The Piggott 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.

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

Date Adopted: July 14, 2014  
Last Revised:



## **4.18—PROHIBITED CONDUCT**

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

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



12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, “throwing signs” or other gestures associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying; 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: June 8, 2015

Last Revised:

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

Students are subject to the same rules of conduct while traveling to and from school as they are while on school grounds. Appropriate disciplinary actions may be taken against commuting students who violate student code of conduct rules.

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.

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

Students are eligible to receive district bus transportation.

Legal References:

A.C.A. § 6-19-119 (b)

Ark. Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers 4.0

Date Adopted: June 8, 2009 Last Revised:

## **4.20-DISRUPTION OF SCHOOL**

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

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

Legal Reference:

A.c.A. § 6-18-511

Date Adopted: June 8, 2009 Last Revised:

## **4.21-STUDENT ASSAULT OR BATTERY**

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

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

AC.A § 6-17-106 (a)

Date Adopted: June 8, 2009 Last Revised:

## **4.22—WEAPONS AND DANGEROUS INSTRUMENTS**

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)  
A.C.A. § 5-73-133  
20 USC § 7151

Date Adopted: June 13, 2016

Last Revised:

## **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-pips, or under any other name or descriptor.

Legal Reference:      A.C.A. § 6-21-609

Date Adopted: July 14, 2014

Last Revised:



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## **4.24-DRUGS AND ALCOHOL**

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

Therefore, no student in the Piggott 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," lookalike 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.

Date Adopted: AUGUST 13, 2012 Last Revised:

## **4.25—STUDENT DRESS AND GROOMING**

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

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.

A student shall not be disciplined or discriminated against based upon the student's natural, protective, or cultural hairstyle. A student's natural, protective, or cultural hairstyle includes without limitation afros, dreadlocks, twists, locs, braids, cornrow braids, Bantu knots, curls, and hair styled to protect hair texture or for cultural significance.

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 References:       A.C.A. § 6-10-137  
                                  A.C.A. § 6-18-502(c)(1)  
                                  A.C.A. § 6-18-503(c)

Date Adopted: June 13, 2011

Last Revised: June 13, 2023

## **4.26--GANGS AND GANG ACTIVITY**

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

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

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

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

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

. Legal References:

AC.A § 6-15-1005(b)(2) AC.A § 5-74-201

Date Adopted: June 8, 2009 Last Revised: June 13, 2011

## 4.27-8 STUDENT SEXUAL HARASSMENT

The Piggott 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:

- I. 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 **me** 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)

Date Adopted: June 8, 2009 Last Revised: June 13, 2011

## **4.28-LASER POINTERS**

Students shall not possess any hand held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; en route to or from school or any schoolsponsored 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:

AC.A § 6-18-512 AC.A § 5-60-122

Date Adopted: June 8, 2009 Last Revised:

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

### **Definition**

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

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

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

### **Technology Protection Measures**

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

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

### **Internet Use and Safety**

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

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

### **Misuse of Internet**



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

Misuse of the Internet includes:

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

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

Date Adopted: July 14, 2014

Last Revised:

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

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;

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- 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 \_\_\_\_\_

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## 4.30—SUSPENSION FROM SCHOOL

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

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

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

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

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

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

When possible, notice of the suspension, its duration, and any stipulations for the student's readmittance to class will be given to the parent(s), legal guardian(s), 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:

- 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.

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

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

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

Cross Reference: 4.7—ABSENCES

Legal References: A.C.A. § 6-18-507

*Goss v Lopez*, 419 U.S. 565 (1975)

Date Adopted: June 13, 2016

Last Revised:

## 4.31—EXPULSION

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

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

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

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

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

The hearing shall be conducted not later than ten (10) school days<sup>1</sup> following the date of the notice, except that representatives of the Board and student may agree in writing to a date not conforming to this limitation.

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

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

a statement and/or the student. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property.<sup>2</sup> The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

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

Notes: To satisfy a student's due process rights, make sure that all the IDEA requirements are met for students receiving special education services.

<sup>1</sup> The ten (10) school days are on a traditional school calendar. If your district uses a 4x4 block schedule, the number of days of suspension will need to be modified accordingly.

<sup>2</sup> The current law governing parental responsibility is A.C.A. § 5-27-210

Cross Reference: Policy 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Legal References: A.C.A. § 6-18-502

A.C.A. § 6-18-507

DESE Rules Governing Student Discipline and School Safety

Date Adopted: June 8, 2009

Last Revised: June 13, 2023

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

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

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

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

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

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the 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: June 8, 2015

Last Revised:

## 43~TUDENTS 'VEEUCLES

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

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

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

Date Adopted: August 13,2012 Last Revised:



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

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

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

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

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

The parents or legal guardians of students found to have live human host parasites that are transmittable in a school environment will be asked to pick their child up 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

4.7—ABSENCES

4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION

4.57—IMMUNIZATIONS

Legal References: A.C.A. § 6-18-702

Arkansas State Board of Health Rules And Regulations Pertaining To  
Immunization Requirements

Arkansas Department of Education Rules Governing Kindergarten Through  
12<sup>th</sup> Grade Immunization Requirements

Date Adopted: June 13, 2016

Last Revised:

Legal References: A.C.A. § 6-18-702

Arkansas State Board of Health Rules And Regulations Pertaining To Immunization  
Requirements

Date Adopted: July 14, 2014

Last Revised:



## **4.35—STUDENT MEDICATIONS**

Prior to the administration of any medication, including any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, to any student 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 or otherwise authorized by this policy, students are not allowed to carry any medications, including over-the-counter (OTC) medications or any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration while at school. The parent or legal guardian shall bring the student's medication to the school nurse. 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 OTC medications to the extent giving such medications are included in the student's IHP.

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

The school shall not keep outdated medications or any medications past the end of the school year. Parents shall be notified ten (10) days in advance of the school's intention to dispose of any medication. Medications not picked up by the parents or legal guardians within the ten (10) day period shall be disposed of by the school nurse in accordance with current law and rules.<sup>1</sup>

### **Schedule II Medications<sup>2</sup>**

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

Students taking Schedule II medications not included in the previous sentence<sup>3</sup> shall be allowed to bring them to school under the provisions of this policy and shall be permitted to attend and participate in classes **only** to the extent the student's doctor has specifically authorized such attendance and participation.<sup>5</sup> A doctor's prescription for a student's Schedule II medication is **not** an authorization. Attendance authorization shall specifically state the degree and potential danger of physical exertion the student is permitted to undertake in the student's classes and extracurricular activities. Without a doctor's written authorization, a student taking Schedule II medications, other than those specifically authorized in this policy, shall **not** be eligible to attend classes, but shall be eligible for homebound instruction if provided for in their IEP or 504 plans.<sup>4</sup>

### **Self-Administration of Medication**

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

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

A student may be authorized to self-administer a stress dose medication to treat the student's adrenal insufficiency with:

1. The written authorization of the student's parent, legal guardian, or person standing in loco parentis; and
2. A written order from the student's treating physician stating that the student:
  - a. Is capable of completing the proper method of self-administration of the stress dose medication;; and
  - b. Has been instructed on the details of the student's medical condition and the events that may lead to an adrenal crisis.

The parent, legal guardian, or person standing in loco parentis of a student who is authorized to self-administer a stress dose medication shall sign an IHP developed by the school nurse for the school where the student is enrolled. The IHP shall include a requirement for the notification of appropriate staff following the self-administration of a stress dose medication, which shall include the school nurse, teacher of the classroom where the stress dose medication was administered, and a school administrator.

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, stress dose medication, or combination does not require the student to have such on the student's person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler, auto-injectable epinephrine, diabetes medication, stress dose medication, or any combination on the student's person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

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

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>6</sup> and certified by a licensed physician may administer an epinephrine auto-injector in emergency situations to students who have an IHP that provides for the administration of an epinephrine auto-injector in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer auto-injector epinephrine to 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 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>6</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.

### **Emergency Administration of Albuterol**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol in emergency situations to students who have an IHP that provides for the administration of albuterol in emergency situations.

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

The school nurse for each District school shall keep albuterol on hand. The school nurse or other school employee designated by the school nurse as a care provider who has been trained<sup>6</sup> and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol to those students who the school nurse, or other school employee certified to administer albuterol, in good faith professionally believes is in perceived respiratory distress.

### **Emergency Administration of Anti-opioid**

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



An opioid overdose rescue kit shall be placed within all storage locations in the District high school buildings that currently contain an automated external defibrillator for public use. The opioid overdose rescue kits shall be located where it is readily available to the public, be visually free of advertisement, and contain an anti-opioid.

### **Emergency Administration of Emergency Adrenal Insufficiency Medication**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained<sup>6</sup> and certified by a licensed physician may administer an injectable emergency dose medication in emergency situations to students who have an IHP that provides for the administration of an injectable emergency dose medication in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee(s) certified to administer an injectable emergency dose medication to administer an injectable emergency dose medication to the student when the employee believes the student is having an adrenal crisis due to adrenal insufficiency.

Students who have met the requirements to be authorized to self-administer a stress dose medication under this policy shall provide the school nurse an emergency injectable dose of the student's medication. This emergency injectable dose will be used in the event the school nurse, or other school employee certified to administer an injectable emergency dose medication, in good faith professionally believes the student is having an adrenal crisis due to adrenal insufficiency.

### **Seizure Disorder Medications**

Students who have been diagnosed with a seizure disorder shall have a seizure action plan that shall be a written IHP designed to acknowledge and prepare for the healthcare needs of the student. The student's seizure action plan shall be created in collaboration between District staff and the student's Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis or the student if over eighteen (18). As part of the creation of the student's seizure action plan, the student's Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall:

1. Provide the school with written authorization to administer the seizure medication at school;
2. Provide a written statement from the student's healthcare provider that shall contain the following information:

- The student's name;
  - The name and purpose of the medication;
  - The prescribed dosage;
  - The route of administration;
  - The frequency that the medication should be administered; and
  - The circumstances under which the medication should be administered;
3. Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact, which shall be stored in a safe and secure location accessible only by District personnel or volunteers with training to administer seizure medication.

The written authorization, written statement, and seizure action plan shall be kept on file in the office of the school nurse or school administrator and distributed to any school personnel or volunteers responsible for the supervision or care of the student.

Notes: A.C.A. § 17-87-103(11) provides for the administration of Glucagon, insulin, or both to students suffering from diabetes.

Districts are not under any obligation to "recruit" volunteers and 4.11 of the Rules explicitly states that no employee shall be pressured into volunteering.

<sup>1</sup> The time frame in this paragraph is not statutorily mandated and may be changed to better suit your district and the employment contract of the school nurse. Any changes you make, however, need to address the need for students to have their medications through the last day of school and the reality of parent's work schedules.

<sup>2</sup> This policy offers two different options regarding permissibility of students attending and participating in classes while taking Schedule II medications. Be sure only one option is included in the adopted policy and delete the "Option One" or "Option Two" language after your selection along with the language for the unchosen option in the final version. Be sure to consult with your school nurse when selecting an option.

<sup>3</sup> Here is a helpful, but not all-inclusive, list of prohibited Schedule II medications: Opium, morphine, codeine, hydromorphone (Dilaudid), methadone, meperidine (Demerol), cocaine, oxycodone (Percodan), amobarbital, pentobarbital, sufentanil, etorphine hydrochloride, phenylactone, dronabinol, secobarbital, and fentanyl.

<sup>4</sup> A student who has surgery or is in an accident may be taking a Schedule II medication outside of those a student may take and be permitted to attend classes under Option 1 or may have been told by his/her doctor to not attend class during the time the student is taking the Schedule II medication. In such cases, a 504 plan can be developed to cover the duration of the student's recovery, which could include homebound instruction.

<sup>5</sup> The specific authorization should be provided on the doctor's letterhead along with the completed Medication Administration Consent Form (4.35F).

<sup>6</sup> The certification may be received through training that is provided by a nationally recognized organization experienced in training laypersons in emergency health treatment or other persons approved by the Department of Health. Examples of National programs are those provided by the American Heart Association and the American Red Cross.

Legal References:      Ark. State Board of Nursing: School Nurse Roles and Responsibilities

Division of Elementary and Secondary Education and Arkansas State Board  
of Nursing Rules Governing the Administration of Insulin, Glucagon, and  
Medication for Adrenal Insufficiency or Adrenal Crisis to Arkansas Public  
School Students

A.C.A. § 6-18-701

A.C.A. § 6-18-707

A.C.A. § 6-18-711

A.C.A. § 6-18-714

A.C.A. § 6-18-717

A.C.A. § 6-18-720

A.C.A. § 6-18-721

A.C.A. § 17-87-103 (11) and (14)

A.C.A. § 20-13-405

Last Revised: September 18, 2023

## 4.35F—MEDICATION ADMINISTRATION CONSENT FORM

Student's Name (Please Print)

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

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

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

Name(s) of medication(s)

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Name of physician or dentist (if applicable)

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Dosage

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—

Instructions for administering the medication

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Other instructions

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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

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Date \_\_\_\_\_

Date Adopted: July 14, 2014

Last Revised:

## 4.35F2—MEDICATION SELF-ADMINISTRATION CONSENT FORM

Student's Name (Please Print)

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

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

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

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

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

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

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

Parent or legal guardian signature

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Date \_\_\_\_\_

Date Adopted: July 14, 2014

Last Revised:

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

Student's Name (Please Print)

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

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

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

Glucagon \_\_\_\_\_

Insulin \_\_\_\_\_

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

I acknowledge that the District, its Board of Directors, its employees, or an agent of the District, including a healthcare professional who trained volunteer school personnel designated as care



providers shall not be liable for any damages resulting from his/her actions or inactions in the administration of Glucagon or insulin in accordance with this consent form and the IHP.

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

Date \_\_\_\_\_

Date Adopted: June 8, 2015

Last Revised:

## 4.35F4—EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM

Student's Name (Please Print)

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

My child has an IHP developed under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of epinephrine in emergency situations. I hereby authorize the school nurse or other school employee certified to administer auto-injectable epinephrine in emergency situations when he/she believes my child is having a life-threatening anaphylactic reaction.

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

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

Circumstances under which Epinephrine may be administered

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Other instructions

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

Parent or legal guardian signature

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Date \_\_\_\_\_

Date Adopted: July 14, 2014  
Last Revised:

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#### **4.36-STUDENT ILLNESS/ACCIDENT**

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

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

Date Adopted: June 8, 2009 Last Revised:

## 4.37—EMERGENCY DRILLS

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than three (3) times per year.<sup>1</sup> Students who ride school buses,<sup>2</sup> shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct a lockdown drill at all schools in the District in collaboration with local law enforcement, medical professionals, fire department officials, and emergency management personnel. The lockdown drill training will include use of the District's emergency communication method with law enforcement.<sup>3,4</sup> 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.<sup>5</sup>

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

Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of violence, terrorist attack, natural disaster, other emergency, or the District's emergency communication with law enforcement method<sup>3</sup>. Students shall be included in the drills to the extent practicable.<sup>5</sup>

Notes: districts are required to conduct a comprehensive school safety assessment to assess the safety, security, accessibility, and emergency preparedness of district buildings and grounds in collaboration with local law enforcement, fire, and emergency management officials. The school safety assessment must be conducted at least once every three (3) years, with the initial school safety assessment being completed by no later than August 1, 2024. The comprehensive school safety assessment shall be conducted by more than one (1) individual, which must include at least one (1) individual who is not assigned to the district facility being assessed. The comprehensive school safety assessment shall include at least all of the following:

- Safety and security of the site and exterior of buildings;
- Access control;
- Safety and security of the interior of buildings;
- Monitoring and surveillance, including without limitation type and extent;
- Communication and information security;
- Review of emergency operation plans; and
- School climate and culture.

When developing your school safety plan, be sure to review and address the items set forth in A.C.A. § 6-15-1303(j).

<sup>1</sup> If your district is determined to be within an area susceptible to earthquakes, add the following:

*Earthquake safety drills shall be conducted in accordance with the District's safety plan.*

<sup>2</sup> Students who only ride buses occasionally, such as to go to and/or from a field trip will also have to participate in the evacuation drills.

<sup>3</sup> Due to the State opting to not appropriate funding for an emergency communication method with law enforcement, including a panic button alert system, districts are no longer required to have an emergency communication method with law enforcement, such as a panic button alert system, but may continue to do so if they choose. If you choose not to continue to provide an emergency communication method with law enforcement, remove references to it from this policy. If you choose to continue to provide a panic button alert system as your emergency communication method with law enforcement, A.C.A. § 6-15-1302 requires that a district's Panic Button Alert System meet the following requirements:

- a) Connect the caller with 911 while simultaneously notifying designated on-site personnel;
- b) Directly integrate into the existing statewide Smart911 system.
- c) Be available for use as a smartphone application and have a mechanism for panic notifications to be triggered by non-smartphone wireless callers and landline callers; and
- d) Be limited to users designated, approved, and confirmed by school administrators.

Smart911 is required to provide a way for schools to geo-fence the school campus and provide and manage floor plans and other documents to assist emergency responders when they automatically display during a 911 call. Districts are responsible for keeping the floor plans and pertinent emergency contact information for the statewide Smart911 system up to date, which must be done at least annually or if substantial building modifications or changes are made.

<sup>4</sup> The purpose of the training is to allow participants to:

- Assess the plan and ability of the district to prevent and respond to a threat on campus;
- Clarify the roles and responsibilities of each individual when an emergency occurs;
- Discuss the logistics of handling an emergency on the school campus;
- Identify areas in which the school safety plan should be modified; and
- Collaborate with local law enforcement, fire, and emergency management officials.

<sup>5</sup> Student involvement will need to be worked out school by school and determined relative to grade and age considerations in conjunction with the actual content of the drill. There may be drills conducted that do not include any students due to the explicit nature of the drill and the age of the students while a drill in another school would include students. There are so many facets of responding to a school

intruder/shooting incident that it's difficult to know when your planning has dealt with all the contingencies. A good resource on active shooter drills is the "I Love You Guys" Foundation, which was created by the parents of the victim of the school shooting at Platte Canyon High School in Colorado to develop a protocol to advance school safety. The Foundation has **free** materials for districts that can be a big help when developing protocols and training for both personnel and students. A description of the Foundation's recommended protocol and the materials can be found at <http://iloveguys.org/srp.html>. An additional resource is the Federal government's "Federal School Safety Clearinghouse", which is located at [schoolsafety.gov](http://schoolsafety.gov). Some of these sites' information could also be applied to the other emergency plans required by statute and this policy.

Legal References: A.C.A. § 12-13-109

A.C.A. § 6-10-110

A.C.A. § 6-10-121

A.C.A. § 6-15-1302

A.C.A. § 6-15-1303

A.C.A. § 6-15-1304

Ark. Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers  
4.03.1

Date Adopted: June 13, 2016

Last Revised: June 13, 2023

## **4.38-PERMANENT RECORDS**

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 a request from the receiving school district is received.

Legal References:

A.c.A. § 6-18-901

ADE Rule *Student Permanent Records*

Date Adopted: June 8, 2009 Last Revised:



#### **4.39--CORPORAL PUNISHMENT (Option #1)**

The Piggott 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 license as a condition of their employment.

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

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

Legal Reference:

AC.A § 6-18-503 (b) AC.A § 6-18-505 (c) (1)

Date Adopted: August 13,2012 Last Revised:

## 4.40—HOMELESS STUDENTS

The Piggott 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.<sup>1</sup>

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

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

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

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

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

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

- Presume 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.<sup>2</sup>

A homeless student shall be immediately eligible to participate in interscholastic activities at the school in which the student is enrolled.

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
- 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.<sup>3</sup>

Notes: LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney – Vento Homeless Education Assistance Improvements Act without further determinations from other governmental entities.

A.C.A. § 9-25-106 includes additional rights for unaccompanied youth who are certified by the district LEA to be homeless.

<sup>1</sup> 42 U.S.C. § 11432(g)(1)(I) requires that SEAs and LEAs demonstrate they have developed policies to remove barriers to the identification, enrollment, and retention of homeless children and youths, including barriers to enrollment and retention due to outstanding fees or fines, or absences. The policy language is designed to provide as much flexibility as possible to allow a homeless student to succeed while still holding the homeless student responsible for circumstances that are unrelated to the student's living situation.

<sup>2</sup> The District's liability for transportation is more fully covered by 42 U.S.C. § 11432(g)(1)(J)(iii)(I) and (II), which read as follows:

*(I) If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.*

*(II) If the child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing the child's or youth's education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of*

*origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.*

<sup>3</sup> The prohibition on the release of a student's homeless status is from 42 U.S.C. § 11432(g)(3)(G).

Legal References:

- A.C.A. § 6-18-114
- A.C.A. § 9-25-106
- 42 U.S.C. § 11431 et seq.
- 42 U.S.C. § 11431 (2)
- 42 U.S.C. § 11432(g)(1)(H)(I)
- 42 U.S.C. § 11432 (g)(1)(J)(i), (ii), (iii), (iii)(I), (iii)(II)
- 42 U.S.C. § 11432 (g)(3)(A), (A)(i), (A)(i)(I), (A)(i)(II), (A)(ii)
- 42 U.S.C. § 11432 (g)(3)(B)(i), (ii), (iii)
- 42 U.S.C. § 11432 (g)(3)(C)(i), (ii), (iii)
- 42 U.S.C. § 11432 (g)(3)(E)(i), (ii), (iii)
- 42 U.S.C. § 11432 (g)(3)(G)
- 42 U.S.C. § 11432 (g)(4) (A), (B), (C), (D), (E)
- 42 U.S.C. § 11434a
- Commissioner's Memo COM-18-044

Date Adopted: June 13, 2016

Last Revised: June 13, 2023

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

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

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

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

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

Date Adopted: June 13, 2016

Last Revised:

#### **4.41F-OBJECTION TO PHYSICAL EXAMINATIONS OR SCREENINGS**

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

Physical examination or screening being objected to:

Vision test

☐ Hearing test

Scoliosis test

☐ Other, please specify

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Comments:

Name of student (Printed)

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

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

#### **4.42—STUDENT HANDBOOK**

It shall be the policy of the Piggott 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.

Date Adopted: July 14, 2014

Last Revised:



## 4.43—BULLYING

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

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;

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**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.

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,
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, and/or
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,

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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](#)

Date Adopted: July 14, 2014  
Last Revised:

#### **4.44- ATTENDANCE REQUIREMENTS FOR STUDENTS IN GRADES 9 - 12**

Students in grades nine through twelve (9-12) are required to schedule and attend at least 360 minutes of regularly scheduled class time daily. Part of this requirement may be met by students taking post-secondary courses. Eligible students' enrollment and attendance at a post-secondary institution shall count toward the required weekly time of school attendance. Each credit hour shall count as three (3) hours of attendance time. This means a three (3) hour course shall count as nine (9) hours of the weekly required time of attendance.

##### Study Halls

Students may be assigned to no more than one (1) class period each day for a study hall that the student shall be required to attend and participate in for the full period. Such study halls are to be used for the purposes of selfstudy or for organized tutoring which is to take place in the school building.

##### Extracurricular Classes

Students may be assigned to no more than one (1) class period each day for organized and scheduled student extracurricular classes that the student shall be required to attend and participate in for the full class period. Extracurricular classes related to a seasonal activity shall meet for an entire semester whether or not the season ends prior to the end of the semester. Students must attend and participate in the class for the entire semester in order to receive credit for the course. For the purpose of this policy, extracurricular classes is defined as school sponsored activities which are not an Arkansas Department of Education approved course counting toward graduation requirements or classes that have not been approved by the Arkansas Department of Education for academic credit. Such classes may include special interest, fine arts, technical, scholastic, intramural, and interscholastic opportunities.

##### Course Enrollment Outside of District

Enrollment and attendance in vocational-educational training courses, college courses, school work programs, and other department-sanctioned educational programs may be used to satisfy the student attendance requirement even if the programs are not located at the public schools. Attendance in such alternative programs must be pre-approved by the school's administration. The district shall strive to assign students who have been dropped from a course of study or removed from a school work program job during the semester into another placement or course of study. In the instances where a subsequent placement is unable to be made, the district may grant a waiver for the student for the duration of the semester in which the placement is unable to be made.

In rare instances, students may be granted waivers from the mandatory attendance requirement if they would experience proven financial hardships if required to attend a full day of school. For the purpose of this policy, proven financial hardships is defined as harm or suffering caused by a student's inability to obtain or provide basic life necessities of food, clothing, and shelter for the student or the student's family. The superintendent shall have the authority to grant such a waiver, on a case -by-case basis, only when convinced the student meets the definition of proven financial hardships.

In any instance where a provision of a student's Individual Education Plan (IEP) conflicts with a portion( s) of this policy, the IEP shall prevail.



Legal References:

A.C.A. § 6-18-210,211

Arkansas Department of Education Rules Governing the Mandatory Attendance Requirements for Students in Grades Nine through Twelve

Date Adopted: June 8, 2009 Last Revised:

#### 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2024 AND 2025

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process<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 shall be accomplished through holding an informational meeting for parents, legal guardians, or persons standing in loco parentis to students enrolled in grades six through twelve (6-12) with the school counselor and may be accomplished through any or all of the additional 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; 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 and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

## **GRADUATION REQUIREMENTS**

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

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

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

### **Personal and Family Finance**

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

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

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

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

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

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

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

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

3) Algebra II; and

4) The fourth unit may be either:

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

Natural Science: three (3) units

a. DESE approved biology – 1 credit;

b. DESE approved physical science – 1 credit; and

c. A third unit that is either:

- An additional science credit approved by DESE; or
- A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

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

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

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

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

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>7</sup>

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

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

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.<sup>8</sup>

**CORE: Sixteen (16) units**

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

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

Mathematics: four (4) units

- Algebra or its equivalent\* - 1 unit
  - Geometry or its equivalent\* - 1 unit
  - All math units must build on the base of algebra and geometry knowledge and skills.
  - (Comparable concurrent credit college courses may be substituted where applicable)
  - A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry
- \* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.

Science: three (3) units

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

Social Studies: three (3) units

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

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

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

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

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits. <sup>87</sup>

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

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

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.<sup>8</sup>

Notes: <sup>1</sup> The Smart Core Information Sheet and the Smart Core Waiver Form are available on the ADE website at <https://dese.ade.arkansas.gov/Offices/learning-services/curriculum-support/arkansas-graduation-requirements> under the “Related Links” heading.

<sup>2</sup> The DESE’s Guidelines stipulate completion by the end of the senior year. We believe this is not in agreement with A.C.A. § 6-18-202(b)(1), which requires public schools to be open through the completion of the secondary program to students between the ages of five (5) and twenty-one (21). Therefore, we suggest that students be allowed to switch from Core to Smart Core if they could successfully complete its requirements by the time they attained their twenty first (21st) birthday. Acceptance of a diploma negates a student’s right to switch programs.

<sup>3</sup> We recommend including the review of this policy in the school district support plan process so that the resources intended to be provided from the district level are in alignment with your graduation requirements (including any changes to the state level graduation requirements).

<sup>4</sup> Schools are required to retain documentation procedures and methods used.

<sup>5</sup> The Guidelines require the policy to include the training “procedure.” If you prefer a different procedure than inclusion in your district’s annual professional development process, change this sentence accordingly.

<sup>6</sup> This sentence is necessary if your district requires more than twenty-two (22) units to graduate; without the sentence and you substitute a number greater than twenty-two (22), it appears that the DESE requires more than twenty-two (22) units to graduate. If you have specific requirements for the additional units, change the sentence’s wording to reflect those requirements.

<sup>7</sup>The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

<sup>8</sup>In order for students to receive the community service learning (CLS) credit, the district must have completed and submitted a CLS plan to DESE. In addition, a partner site application must be approved by the district's board of directors if an organization the District has partnered with, rather than a District employee, is responsible for certifying a student's hours of service. Districts who do not intend to submit a CLS plan should not include this language.

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

Legal References:      Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3  
                                 DESE Guidelines for the Development of Smart Core Curriculum Policy  
                                 DESE Rules Governing Distance and Digital Learning  
                                 Smart Core Information Sheet  
                                 Smart Core Waiver Form  
                                 Commissioner's Memo LS-18-082  
                                 A.C.A. § 6-4-302  
                                 A.C.A. § 6-15-2906  
                                 A.C.A. § 6-15-2911  
                                 A.C.A. § 6-16-122  
                                 A.C.A. § 6-16-143  
                                 A.C.A. § 6-16-149



A.C.A. § 6-16-150

A.C.A. § 6-28-115

Date Adopted: June 13, 2016

Last Revised: June 13, 2023

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

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process<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 shall be accomplished through holding an informational meeting for parents, legal guardians, or persons standing in loco parentis to students enrolled in grades six through twelve (6-12) with the school counselor and may be accomplished through any or all of the additional 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; 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 and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of “eligible child” in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

## **GRADUATION REQUIREMENTS**

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

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

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

### **Personal and Family Finance**

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

### **Computer Science**

All students shall earn one (1) unit of credit in a computer science or computer science related career and technical education course in order to graduate.

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

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

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

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

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

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

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

3) Algebra II; and

4) The fourth unit may be either:

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

Natural Science: three (3) units

a. DESE approved biology – 1 credit;

b. DESE approved physical science – 1 credit; and

c. A third unit that is either:

- An additional science credit approved by DESE; or
- A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

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

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

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

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

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>87</sup>

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

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

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.<sup>8</sup>

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

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

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

Mathematics: four (4) units

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

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

Science: three (3) units

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

Social Studies: three (3) units

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

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

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

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

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>87</sup>

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

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

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.<sup>8</sup>

Notes: <sup>1</sup> The Smart Core Information Sheet and the Smart Core Waiver Form are available on the ADE website at <https://dese.ade.arkansas.gov/Offices/learning-services/curriculum-support/arkansas-graduation-requirements> under the “Related Links” heading.

<sup>2</sup> The DESE’s Guidelines stipulate completion by the end of the senior year. We believe this is not in agreement with A.C.A. § 6-18-202(b)(1), which requires public schools to be open through the completion of the secondary program to students between the ages of five (5) and twenty-one (21). Therefore, we suggest that students be allowed to switch from Core to Smart Core if they could successfully complete its requirements by the time they attained their twenty first (21st) birthday. Acceptance of a diploma negates a student’s right to switch programs.

<sup>3</sup> We recommend including the review of this policy in the school district support plan process so that the resources intended to be provided from the district level are in alignment with your graduation requirements (including any changes to the state level graduation requirements).

<sup>4</sup> Schools are required to retain documentation procedures and methods used.

<sup>5</sup> The Guidelines require the policy to include the training “procedure.” If you prefer a different procedure than inclusion in your district’s annual professional development process, change this sentence accordingly.

<sup>6</sup> This sentence is necessary if your district requires more than twenty-two (22) units to graduate; without the sentence and you substitute a number greater than twenty-two (22), it appears that the DESE requires more than twenty-two (22) units to graduate. If you have specific requirements for the additional units, change the sentence’s wording to reflect those requirements.

<sup>7</sup>The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

<sup>8</sup> In order for students to receive the community service learning (CLS) credit, the district must have completed and submitted a CLS plan to DESE. In addition, a partner site application must be approved by the district's board of directors if an organization the District has partnered with, rather than a District employee, is responsible for certifying a student's hours of service. Districts who do not intend to submit a CLS plan should not include this language.

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

Legal References:      Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3  
                                 DESE Guidelines for the Development of Smart Core Curriculum Policy  
                                 DESE Rules Governing Distance and Digital Learning  
                                 Smart Core Information Sheet  
                                 Smart Core Waiver Form  
                                 Commissioner's Memo LS-18-082  
                                 A.C.A. § 6-4-302  
                                 A.C.A. § 6-15-2906  
                                 A.C.A. § 6-15-2911  
                                 A.C.A. § 6-16-122  
                                 A.C.A. § 6-16-143



A.C.A. § 6-16-149

A.C.A. § 6-16-150

A.C.A. § 6-16-152

A.C.A. § 6-28-115

Date Adopted: June 13, 2016

Last Revised: June 13, 2023

#### **4.45.2—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2027 AND THEREAFTER**

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process<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 shall be accomplished through holding an informational meeting for parents, legal guardians, or persons standing in loco parentis to students enrolled in grades six through twelve (6-12) with the school counselor and may be accomplished through any or all of the additional 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; 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 and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

## **GRADUATION REQUIREMENTS**

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

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

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

## **Personal and Family Finance**

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

## **Computer Science**

All students shall earn one (1) unit of credit in a computer science or computer science related career and technical education course in order to graduate.

## **Community Service**

Each student must receive seventy-five (75) clock hours of community service that is certified by the service agency or organization where the student volunteers.

The community service must be in programs or activities, either in Arkansas or outside of Arkansas, that meet the requirements established by the State Board and the District Board of Directors and include preparation, action, and reflection components. Except as provided by this policy, a student must receive at least the following documented clock hours of community service each year:

- Fifteen (15) hours for students in grade nine (9);
- Twenty (20) hours for students in grade ten (10);
- Twenty (20) hours for students in grade eleven (11); and
- Twenty (20) hours for students in grade twelve (12).

Students transferring into the District after grade nine (9) or students who are graduating early may receive a diploma provided that the minimum requirement for each year the student attends the District is met. The District Board of Directors may grant a waiver of the community service requirement for extenuating circumstances on a case-by-case basis, which may include without limitation:

- A major illness associated with a student or a family member of a student;
- Student homelessness or housing insecurity; and
- Notice to the public-school district board of directors if the student is a major contributor to family income.

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

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

Oral Communications: one-half (½) unit

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

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

6) 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.

7) Algebra II; and

8) The fourth unit may be either:

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

Natural Science: three (3) units

d. DESE approved biology – 1 credit;

e. DESE approved physical science – 1 credit; and

f. A third unit that is either:

- An additional science credit approved by DESE; or
- A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

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

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

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

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

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>7</sup>

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

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

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

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

**CORE: Sixteen (16) units**

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

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

Mathematics: four (4) units

- Algebra or its equivalent\* - 1 unit
  - Geometry or its equivalent\* - 1 unit
  - All math units must build on the base of algebra and geometry knowledge and skills.
  - (Comparable concurrent credit college courses may be substituted where applicable)
  - A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry
- \* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.

Science: three (3) units

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

Social Studies: three (3) units

- Civics one-half (½) unit
- World history, one (1) unit
- American History, one (1) unit
- Other social studies – one-half (½) unit

Physical Education: one-half (½) unit

**Note:** While one-half (½) 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 (½) 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>7</sup>

Fine Arts: one-half (½) unit

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

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

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

Notes: <sup>1</sup> The Smart Core Information Sheet and the Smart Core Waiver Form are available on the ADE website at <https://dese.ade.arkansas.gov/Offices/learning-services/curriculum-support/arkansas-graduation-requirements> under the "Related Links" heading.

<sup>2</sup> The DESE’s Guidelines stipulate completion by the end of the senior year. We believe this is not in agreement with A.C.A. § 6-18-202(b)(1), which requires public schools to be open through the completion of the secondary program to students between the ages of five (5) and twenty-one (21). Therefore, we suggest that students be allowed to switch from Core to Smart Core if they could successfully complete its requirements by the time they attained their twenty first (21st) birthday. Acceptance of a diploma negates a student’s right to switch programs.

<sup>3</sup> We recommend including the review of this policy in the school district support plan process so that the resources intended to be provided from the district level are in alignment with your graduation requirements (including any changes to the state level graduation requirements).

<sup>4</sup> Schools are required to retain documentation procedures and methods used.

<sup>5</sup> The Guidelines require the policy to include the training “procedure.” If you prefer a different procedure than inclusion in your district’s annual professional development process, change this sentence accordingly.

<sup>6</sup> This sentence is necessary if your district requires more than twenty-two (22) units to graduate; without the sentence and you substitute a number greater than twenty-two (22), it appears that the DESE requires more than twenty-two (22) units to graduate. If you have specific requirements for the additional units, change the sentence’s wording to reflect those requirements.

<sup>7</sup> The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

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

Legal References: Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3  
DESE Guidelines for the Development of Smart Core Curriculum Policy  
DESE Rules Governing Distance and Digital Learning  
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A.C.A. § 6-4-302  
A.C.A. § 6-15-2906  
A.C.A. § 2911  
A.C.A. § 6-16-122  
A.C.A. § 6-16-143  
A.C.A. § 6-16-149  
A.C.A. § 6-16-150  
A.C.A. § 6-16-152  
A.C.A. § 6-16-1901 et seq.  
A.C.A. § 6-28-115

Date Adopted: June 13, 2023

Last Revised:

#### **4.46--PLEDGE OF ALLEGIANCE**

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



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

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

Legal Reference:

A.c.A. § 6-16-108

Date Adopted: June 8, 2009 Last Revised:

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

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

To protect the security of 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.

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: June 8, 2015

Last Revised:



## **4.48—VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING**

The Board of Directors has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding district facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras, automatic identification technology, data compilation devices, and technology capable of tracking the physical location of district equipment, students, and/or personnel.

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

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

The district shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording. Other than video recordings being retained under the provisions of this policy's following paragraph, the district's video recordings may be erased any time greater than 7 days after they were created.

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

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

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

Date Adopted: July 14, 2014

Last Revised:

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## **4.49-SPECIAL EDUCATION**

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

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

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

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

handicapped **students and their parents.**

Legal References:

34 C.F.R. 300 et seq.

42 U.S.c. §12101 et seq. American with Disabilities Act 29 U.S.c. § 794 Rehabilitation Act of 1973, Section 504,

20 U.S.c. §1400 et seq. Individuals with Disabilities Education Act,

P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act A.C.A. § 6-41-201 et seq.

Date Adopted: June 8, 2009 Last Revised:

## 4.50—SCHOOL LUNCH SUBSTITUTIONS

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 a Certification of Disability for Special Dietary Needs Form completed by a

- 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 13, 2016

Last Revised:

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#### **4.51- FOOD SERVICE PREPAYMENT**

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

#### **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 8, 2015

Last Revised:

#### 4.53-Ranking of Students

All students above a 4.0 with all A's in all courses including weighted classes will be recognized as our top students.

Class rank will be based on GPA

The top ten students must complete the requirements for an honor graduate. Scheduling conflicts/sports may prevent a student from taking weighted classes.

It costs the district nothing to recognize these students (they would be in the top ten anyway)

Allow the students with above a 4.0 and all A's to have the opportunity to give a 2-minute speech at graduation. Students are dropping classes to raise GPA

These students *have* gone *above* and beyond the requirements to graduate and should be recognized. Date

Adopted: October 18, 2010 Date Revised:

## 4.54 - STUDENT ACCELERATION

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

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 time span. Either form of acceleration can be triggered by either a parent/guardian, student, or community member's request or by the referral of school personnel. In either case, the process of determining the appropriateness of the request shall be under the direction of the district/school<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 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: July 14, 2014  
Last Revised:



## 4.55—STUDENT PROMOTION AND RETENTION

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

Each time a student is assessed by use of a high-quality literacy screener, with results at least once each semester, the Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis, and teacher(s) of a student in kindergarten through eighth (8<sup>th</sup>) grade shall be notified in writing of the student's independent grade-level-equivalency in reading and, in a parent friendly manner, the student's reading progress.

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

Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria.<sup>1</sup> If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference shall be held before a final decision is made that includes the following individuals:

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

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

Each student<sup>2</sup> shall have a student success plan (SSP) developed by school personnel in collaboration with the student's parents and the student that is reviewed and updated annually. A student's SSP shall use multiple academic measures to personalize learning in order for students to achieve their grade-level expectations and individual growth. The SSP will identify if the student is in need of additional support or acceleration. Academic measures to be used in creating and updating a student's SSP shall include, but are not limited to:

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

The SSP for a student in kindergarten through grade three (K-3) who does not meet the reading standard as set by the state board and determined by a high-quality literacy screener or the statewide assessment shall include an individual reading plan for each student. An individual reading plan shall include:

1. The student's specific, diagnosed reading skill needs, including without limitation:
  - Phonemic awareness;

- Phonics decoding;
  - Text reading fluency;
  - Vocabulary-building strategies; and
  - Self-regulated use of reading comprehension strategies, as identified by high-quality literacy screener data;
2. The goals and benchmarks for the student's growth;
  3. How the student's progress will be monitored and evaluated;
  4. The type of additional instructional services and interventions the student may receive;
  5. The intensive, evidence-based literacy intervention program aligned to the science of reading the student's teacher will use to address the areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension;
  6. The strategies the student's parents, legal guardians, or persons standing in loco parentis to the student are encouraged to use in assisting the student to achieve the student's reading goal; and
  7. Any additional services the student's teacher determines are available and appropriate to accelerate the student's reading skill development.

All parents, legal guardians, or persons standing in loco parentis shall be notified in writing:

- a. Of the content of their child's independent reading plan and progress on the independent reading plan throughout the year; and
- b. By no later than October 1 of each year, or as soon as practicable if a student's reading need is identified after October 1:
  - Of their student's eligibility to participate in the literacy tutoring grant program;
  - The process for applying for the literacy tutoring grant program; and
  - Other information provided by DESE.

For each student who does not meet the reading standard established by the state board by the end of third (3<sup>rd</sup>) grade, including students who are promoted to the fourth (4<sup>th</sup>) grade under a good cause waiver, the District, during the subsequent summer and school year, shall:

- a. Provide at least ninety (90) minutes of evidence-based literacy instruction aligned to the science of reading during each school day;
- b. Assign the student to:
  - If the District has a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years; or
  - If the District is unable to identify a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher:
    - With a highly-effective rating according to the Teacher Excellence and Support System, when possible; or
    - Deemed to be a high-performing teacher as defined by a Master Professional Educator designation.
- c. Provide parents, legal guardians, or persons standing in loco parentis to students with a "read-at-home" plan to support student early literacy growth, which shall include evidence-based science of reading strategies and tools that are aligned to a student's individual reading plan for parents, legal guardians, or persons standing in loco parentis to use with their student;
- d. Notify parents, legal guardians, or persons standing in loco parentis to a student regarding their student's eligibility for a literacy tutoring grant;
- e. Be given priority to receive a literacy tutoring grant; and



- f. Be given the option to participate in additional intensive, evidence-based literacy intervention programs aligned to the science of reading.

The SSP of a student in kindergarten through grade eight (K-8) who is not performing at or above grade level on the state assessment, as defined by the State Board of Education shall include a math intervention plan. The math intervention plan may include the:

1. Provision of each student with access to high-dosage, targeted math tutoring in the subsequent school year, which shall include three (3) or more tutoring sessions a week in a one-on-one or small-group setting;
2. Assignment to:
  - if the District has a teacher with a value-added model score in the top quartile statewide in math for the previous three (3) years, a teacher, with a value-added model score in the top quartile statewide in math for the previous three (3) years; or
  - if the District is unable to find a teacher with a value-added model score in the top quartile statewide in math for the previous three (3) years, a teacher:
    - With a highly-effective rating in the Teacher Excellence and Support System, when possible; or
    - Deemed to be a high-performing teacher as defined by a Master Professional Educator designation; and
3. Provision of each student with extended time on math instruction during or after school.

All parents, legal guardians, or persons standing in loco parentis shall receive written notification of their student's math intervention plan and progress on the student's math intervention plan throughout the school year.

By the end of grade eight (8), the student's SSP shall<sup>4</sup>

- Guide the student along pathways to graduation;
- Address accelerated learning opportunities;
- Address academic deficits and interventions; and
- Include college and career planning components.

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

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

A student's SSP shall include the recommended sequence of courses for successful completion of the diploma pathway selected by the student but be sufficiently flexible to allow the student to change the student's selected diploma pathway. The school counselor shall meet with the student's parent, legal guardian, or persons standing in loco parentis and the student to review the student's SSP annually and to revise the student's SSP as necessary to identify the courses to be taken each year until all required core courses are completed. Part of the review shall include an explanation of the possible impacts the revisions to the plan might have on the student's graduation requirements and postsecondary education goals. Any change made to a student's SSP as part of the review that amends the student's diploma pathway shall be structured to ensure that the student will meet the high school graduation requirements for the student's chosen diploma pathway and be qualified for admission to a postsecondary educational institution or to enter the workforce. After each review, the student's SSP shall be signed by the student; student's parent, legal guardian, or person standing in loco parentis to the student; and the school counselor.

An SSP shall be created:

1. By no later than the end of the school year for a student in grade eight (8) or below<sup>2</sup> who enrolls in the District during the school year; or

2. As soon as reasonably possible for a student in grade nine (9) or above who enrolls in the District at the beginning or during the school year.

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

Students who either refuse to sit for a Statewide assessment or attempt to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are originally administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity, including school dances, prom, homecoming, senior events, and may be prevented from walking or participating in graduation exercises. The student shall remain ineligible to participate until the student takes the same or a following Statewide assessment, as applicable. The Superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.<sup>5</sup> Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.<sup>6</sup>

Notes: <sup>1</sup> Insert the criteria your district uses for promotion/retention. The criteria must include the following for students in kindergarten through grade four (k-4):

- A student who has not met the third-grade reading standard as defined by the state board shall not be promoted to fourth(4<sup>th</sup>) grade unless the student has a good cause waiver. The following students may receive a good cause waiver:
- Limited English Proficiency students who have had less than three (3) years of instruction in an English language learner program;
- Students with a disability who are not eligible for the alternate assessment and who have an individualized education program or a 504 plan that reflects that the individual student:
  - Has received an intensive, evidence-based literacy intervention program aligned to the science of reading for more than two (2) years; and
  - Still demonstrates a need in reading proficiency or previously was retained in kindergarten, grade one (1), grade two (2), or grade three (3);
- Students who:
  - Have received an intensive, evidence-based literacy intervention program aligned to the science of reading for two (2) or more years;
  - Still demonstrate a need in reading proficiency and who previously were retained in kindergarten, grade one (1), grade two (2), or grade three (3);
  - Have received a special education referral and a full comprehensive evaluation; and
  - Have not met exceptional education criteria;
- Students who have already been retained in kindergarten, grade one (1), grade two (2), or grade three (3) for one (1) year;
- Students who can demonstrate that they are successful and independent readers and can perform at or above grade level by use of subsequent student assessments or alternative assessments; or
- Other students with necessary, justifiable good-cause exemptions identified as appropriate by the state board, in consultation with reading experts.

<sup>2</sup> The Division of Elementary and Secondary Education (DESE) Rules Governing the Arkansas Educational Support and Accountability Act only requires that an SSP be created for students in eighth (8<sup>th</sup>) grade and beyond and DESE will only cite a district if a student does not have an SSP by the end of eighth (8<sup>th</sup>) grade

and beyond. We have opted to have the default language in the policy be for an SSP to be created for every student, with additional information reviewed and added starting in eighth (8<sup>th</sup>) grade, for a couple of reasons: First, we believe requiring an SSP for all grades allows for improved communication between parents, teachers, and students. The creation and existence of an SSP at all levels allows for the use of common terminology (such as a parent who has more than one student simultaneously enrolled at a district would not have to know to ask to review and discuss the SSP for the student in eighth (8<sup>th</sup>) grade or above and also have to know to ask for the Response to Intervention plan for the student who is below the eighth (8<sup>th</sup>) grade.) In addition, requiring teachers, parents, and the student (when appropriate) to meet to create an SSP at all grades will help to foster channels of communications between parents and teachers, increase parental engagement, and help prepare parents for the more formal planning process when the student is in eighth (8<sup>th</sup>) grade and beyond.

Second, the creation, evaluation, and updating of the SSP at the lower levels should help to establish a student focused learning system by helping to ensure each student is receiving the educational support(s) necessary for his/her individual educational development, whether the supports are through a Response to Intervention system, the Gifted and Talented program, or anywhere in between.

<sup>3</sup>While students in kindergarten through grade three (k-3) are not required to have an SSP, students who are not reading at grade level are required to have an individual reading plan and students in kindergarten through grade eight (K-8) are required to have a math intervention plan. You are required to report to DESE the types of interventions used and the number of students receiving each type of intervention.

<sup>4</sup>Subsections 6.05.1 through 6.05.4 of the Arkansas Educational Support and Accountability Act rules include additional recommendations for consideration when creating and updating a student's SSP on each of the items in this list.

<sup>5</sup>This paragraph is optional. The paragraph originated with the movement for students to opt out of state assessments. A.C.A. § 6-15-2907(e) requires all students participate in the statewide assessments and this paragraph is intended to add local incentive for students to participate. While the entire paragraph is optional, the last sentence is important as it would keep the policy from having "zero tolerance" (which we do not support) and give you latitude to accommodate instances beyond the student's control such as a car accident, serious illness, or other acts of God. If you choose to include the sentence, you may change "Superintendent" to "Principal" if that would work better for your district. Keep in mind that the decision on who is responsible for deciding whether or not to grant an exception for extraordinary circumstances is a different and separate issue than deciding whether or not to promote or retain a student, which is left in the hands of the school principal earlier in the policy. Be sure to align your decision for this footnote with the decision you made concerning footnote #5.

<sup>6</sup> This paragraph is optional. Participation in graduation or extracurricular activities is not a right, and districts may legally place conditions on a public-school student's eligibility for participation (such as testing compliance), but districts cannot deny a diploma to an otherwise qualified student or deny a student the ability to attend school. If you choose to include the paragraph, the third to the last sentence may be amended to apply to a timeline of your choice. Be sure to align the staff position responsible for deciding whether or not to grant an exception with the decision you made for footnote #4.

Cross References:      3.30—PARENT-TEACHER COMMUNICATION  
                                 4.56—EXTRACURRICULAR ACTIVITIES - SECONDARY SCHOOLS  
                                 4.56.1—EXTRACURRICULAR ACTIVITIES – ELEMENTARY  
                                 5.13—STUDENT INTERVENTION SERVICES AND SUMMER SCHOOL

Legal References:      A.C.A. § 6-15-2001  
                                 A.C.A. § 6-15-2005  
                                 A.C.A. § 6-15-2006  
                                 A.C.A. § 6-15-2907  
                                 A.C.A. § 6-15-2911  
                                 A.C.A. § 6-17-429  
                                 A.C.A. § 6-17-431  
                                 A.C.A. § 9-28-205  
                                 DESE Rules Governing the Arkansas Educational Support and Accountability Act  
                                 DESE Rules Governing Grading and Course Credit  
                                 Murphy v. State of Ark., 852 F.2d 1039 (8<sup>th</sup> Cir. 1988)

Date Adopted: June 8, 2015  
Last Revised: June 13, 2023

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## **4.56- 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 13, 2011 Last Revised:

## **4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS**

### **Definitions:**

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

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

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

“Interscholastic Activities” means athletic or non-athletic/academic activities where students compete on a school vs. school basis.<sup>1</sup>

“Intrascholastic Activities” means athletic or non-athletic/academic activities where students compete with students from within the same school.<sup>1</sup>

“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)<sup>2</sup>. Additionally, a student’s participation in, and the District’s operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or

whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.<sup>3</sup> Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.<sup>4</sup>

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

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

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

### **Interscholastic Activities**

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.<sup>5</sup>

### **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).

### **Homeless Students**

Students who are determined to be experiencing homelessness by the school's homeless LEA shall be eligible for participation in interscholastic activities.

### **ARKANSAS ACTIVITIES ASSOCIATION**

In addition to the foregoing rules, the district shall abide by the rules of AAA governing interscholastic activities. AAA provides catastrophic insurance coverage for students participating in AAA governed extracurricular activities who are enrolled in school. As a matter of District policy, no student may participate in a AAA governed



extracurricular activity unless he or she is enrolled in a district school, to ensure all students are eligible for AAA catastrophic insurance.<sup>6</sup>

### **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.<sup>7</sup>

### **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).

### **School Choice Transfers**

A student who transfers under a legal school choice option shall not be denied participation in an extracurricular activity where the student transfers based exclusively on the student's decision to transfer. A student who transfers after July 1 of the year the student enters grade seven (7) shall complete a Changing Schools/Athletic Participation form as defined by AAA, which must be signed by the:

- Superintendent of the student's resident school district;
- Superintendent of the nonresident school district to which the student transfers; and
- Parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student.

The completed Changing Schools/Athletic Participation form shall be filed with the non-resident school district where the student transfers and the AAA. The Changing Schools/Athletic Participation form shall be signed by the superintendent of a student's resident school district and the superintendent of the nonresident school district to which a student transfers unless there is demonstrable evidence of recruiting by the receiving school district personnel or that the student is transferring to the nonresident school district solely for athletic purposes.

NOTES: The standards as outlined above are minimum standards and can be raised locally if desired. If your district does not offer a SIP, delete the references to it in your policy.

AAA standards allow a student to participate in an SIP for a maximum of two consecutive semesters and require the student to improve his/her GPA by at least 10% by the end of the first semester to remain eligible for the second semester. By the end of the second semester, the student must have attained a 2.0 GPA to be eligible for competitive interscholastic activities. Following one or more semesters where the student has attained a 2.0 GPA, this cycle may be repeated.

<sup>1</sup> The definition for **interscholastic** activities is effectively taken from the AAA Handbook and is the origin for the extrapolated definition of **intrascholastic** activities. When it comes to implementing this policy, it may be important/helpful to keep in mind that the Handbook also points out the following: Performance activities such as band, speech, drama, etc. may be viewed as competitive arenas both internally (ratings by individual schools) and externally (comparisons of individual or school ratings with a view toward determining an ultimate winner). Additionally, both inter and intra scholastic activities may be curricular if the activity is required as part of the course.

<sup>2</sup> While the Standards for Accreditation no longer expressly requires a policy that "shall limit and control interruptions of instructional time in the classroom and the number of absences for such activities", we believe that restrictions on the interruption of instructional time to be a best practice. You could replace "one per week per extracurricular activity" with a specific number of days per semester that could also allow the student to "bank" or accumulate days in anticipation of a major event.

<sup>3</sup> This sentence is optional but it would keep the policy from having "zero tolerance" (which we do not support) and give you latitude to accommodate instances beyond the student's control such as a car accident, serious illness, or other acts of God. If you choose to include the sentence, you may change "Superintendent" to "Principal" if that would work better in your district. Be sure to align your decision for this footnote with the decision you have made on the same issue that exists in policies 4.55 and 4.56.1.

<sup>4</sup> This paragraph is entirely optional. Participation in extracurricular activities is not a right, and districts may legally place conditions on a public-school student's eligibility for participation (such as testing compliance), but districts cannot deny a diploma to an otherwise qualified student or deny a student the ability to attend school. If you choose to include the paragraph, the third to the last sentence may be amended to apply to a timeline of your choice.

<sup>5</sup> This paragraph is not statutorily required, but has been added to align with policy 4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS with the belief that such information will benefit all students.

<sup>6</sup> This also applies to home schooled students and is cleverly accommodated by an adjustment to APSCN reporting outlined in Commissioner's Memo FIN-14-11 or Commissioner's Memo COM-18-009 if the student is also taking courses in accordance with Policy 4.59.

<sup>7</sup> Districts should be aware that the AAA handbook contains rules prohibiting students who participate on school sponsored teams of the following interscholastic activities from being permitted to participate in practices and competitions for the same sport during the same season of the interscholastic activity:

- a. Football;
- b. Basketball;
- c. Baseball;
- d. Softball; and
- e. Volleyball.

Cross References:     4.40—HOMELESS STUDENTS  
                              4.55—STUDENT PROMOTION AND RETENTION  
                              4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References:     Arkansas Activities Association Handbook

A.C.A. § 6-4-302

A.C.A. § 6-15-2907

A.C.A. § 6-16-151

A.C.A. § 6-18-114

A.C.A. § 6-18-115

A.C.A. § 6-18-227

A.C.A. § 6-18-713

A.C.A. § 6-18-1904

A.C.A. § 6-28-108

Commissioner's Memo COM-18-009

Commissioner's Memo LS-18-015

Date Adopted: June 13, 2016

Last Revised: June 13, 2023

## **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 principal. 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 superintendant 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.

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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: July 14, 2014

Last Revised:

## **4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS**

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

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

Each school in the District shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.<sup>1</sup>

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<sup>2</sup> as permitted by this policy.

Home-schooled students whose parent or legal guardian are not residents of the school district will be permitted to pursue participation in an interscholastic activity in the District if: the superintendent of the student's resident district and the superintendent of the District both agree in writing to allow the student to participate in interscholastic activities at the District; or

- The student's resident school does not offer the interscholastic activity and the superintendent of the non-resident district agrees to allow the student to enroll in the interscholastic activity.

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 interscholastic activities without discrimination. The District shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the home-schooled student is unable to meet because of his or her enrollment in a home school.



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

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 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 non-academic course<sup>3</sup> in the District's school where the student is intending to participate in an interscholastic activity that coincides with the interscholastic activity in which the homeschooled student participates and shall be required to be at school only when participation in the interscholastic activity requires other students who participate in the interscholastic activity to be at school.

The student shall regularly attend the class in which the student is registered beginning no later than the eleventh (11<sup>th</sup>) day of the semester in which the student's interscholastic activity participation is desired. The student must attend the practices for the interscholastic activity to the same extent as is required of traditional students.

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

A home-schooled student who has met the try out criteria<sup>7</sup> 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;<sup>4</sup>
- 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 home-schooled student may begin participating in an interscholastic activity immediately upon being approved to participate by the District if:

- The home-schooled student has not withdrawn from an Arkansas Activities Association member school; or
- The student has withdrawn from a AAA member school and enrolled in a home school but did not participate in an interscholastic activity that is a varsity sport at the student's resident district prior to the student's withdrawal from the AAA member school.

A student who withdrew from a AAA member school who participated in an interscholastic activity that is a varsity sport at the student's resident district during the previous three hundred sixty-five (365) days shall not be eligible to immediately participate in an interscholastic activity that is a varsity sport in the District. The student will not become eligible for full participation until the completion of the three hundred sixty-five (365) day period from when the student withdrew. A student who is not eligible for full participation may participate in tryouts, practices, classes, or other endeavors associated with the interscholastic activity until the completion of the three hundred sixty-five (365) day period from when the student withdrew.

Notes: <sup>1</sup> This paragraph is not statutorily required, but without advance determination of the timelines, there will be no way for a parent to know when, or even for what semester, they will have to make their application to the district. Such information will benefit all students.

<sup>2</sup> Only include "or their applicable attendance zone's school" if your district has more than one school per grade configuration.

<sup>3</sup> You can only **require** one course, but a district may permit a student to register for more than one course.

<sup>4</sup> Include "drug testing" only if your district conducts such tests.

Cross Reference: 4.59—ACCADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOL STUDENTS

Legal References:

- A.C.A. § 6-15-509
- A.C.A. § 6-16-151
- A.C.A. § 6-18-232
- A.C.A. § 6-18-713
- Arkansas Activities Association Handbook
- Commissioner's Memo COM-18-009
- Commissioner's Memo LS-18-015
- Division of Elementary and Secondary Education Rules Governing Home Schools

Date Adopted: July 14, 2014

Last Revised: June 13, 2023

**4.56.2F— HOME SCHOOLED STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY**

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

Parent or Guardian's Resident Address

Street \_\_\_\_\_ Apartment \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Student's date of birth \_\_\_\_/\_\_\_\_/\_\_\_\_ Last grade level the student completed \_\_\_\_\_

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30<sup>th</sup> percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test approved by the State Board of Education. \_\_\_\_\_

Name of test, Date taken, and score achieved \_\_\_\_\_

Extracurricular activity(ies) the student requests to participate in

\_\_\_\_\_

Course(s) the student requests to take at the school

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Proof of identity \_\_\_\_\_

Date Submitted \_\_/\_\_/\_\_

Parent's Signature \_\_\_\_\_

Date Adopted: June 8, 2015

Last Revised:

## **4.57—IMMUNIZATIONS**

### **Definitions**

"In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional dose(s).

"Serologic testing" refers to a medical procedure used to determine an individual's immunity to Hepatitis B, Measles, Mumps, Rubella and Varicella.

### **General Requirements**

Unless otherwise provided by law or this policy, no student shall be admitted to attend classes in the District who has not been age appropriately immunized against:

- Poliomyelitis;
- Diphtheria;
- Tetanus;
- Pertussis;
- Red (rubeola) measles;
- Rubella;
- Mumps;
- Hepatitis A;
- Hepatitis B;
- Meningococcal disease;
- Varicella (chickenpox); and
- Any other immunization required by the Arkansas Department of Health (ADH).

The District administration has the responsibility to evaluate the immunization status of District students. The District shall maintain a list of all students who are not fully age appropriately immunized or who have an exemption provided by ADH to the immunization requirements based on medical, religious, or philosophical grounds. Students who are not fully age appropriately immunized when seeking admittance shall be referred to a medical authority for consultation.

The only types of proof of immunization the District will accept are immunization records provided by a:

- A. Licensed physician;

- B. Health department;
- C. Military service; or
- D. Official record from another educational institution in Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating “up-to-date”, “complete”, “adequate”, and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted. Valid proof of immunization and of immunity based on serological testing shall be entered into the student’s record.

In order to continue attending classes in the District, the student must have submitted:

- 1) Proof of immunization showing the student to be fully age appropriately vaccinated;
- 2) Written documentation by a public health nurse or private physician of proof the student is in process of being age appropriately immunized, which includes a schedule of the student’s next immunization;
- 3) A copy of a letter from ADH indicating immunity based on serologic testing; and/or
- 4) A copy of the letter from ADH exempting the student from the immunization requirements for the current school year, or a copy of the application for an exemption for the current school year if the exemption letter has not yet arrived.

Students whose immunization records or serology results are lost or unavailable are required to receive all age appropriate vaccinations or submit number 4 above.

### **Temporary Admittance**

While students who are not fully age appropriately immunized or have not yet submitted an immunization waiver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1<sup>st</sup> is later in the current school year than the thirty (30) days following the student’s admittance). No student shall be withdrawn and readmitted in order to extend the thirty (30) day period. Students may be allowed to continue attending beyond the thirty (30) day period if the student submits a copy of either number 2 or number 4 above.

Students who are in process shall be required to adhere to the submitted schedule. Failure of the student to submit written documentation from a public health nurse or private physician demonstrating the student received the vaccinations set forth in the schedule may lead to the revocation of the student’s temporary admittance; such students shall be excluded from school until the documentation is provided.

The District will not accept copies of applications requesting an exemption for the current school year that are older than two (2) weeks based on the date on the application. Students who submit a copy of an application to receive an exemption from the immunization requirements for the current year to gain temporary admittance have thirty (30) days from the admission date to submit either a letter from ADH granting the exemption or documentation demonstrating the student is in process and a copy of the immunization schedule. Failure to submit the necessary documentation by the close of the thirty (30) days will result in the student being excluded until the documentation is submitted.

### **Exclusion From School**

In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak. Students may be excluded for twenty-one (21) days or longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

Students who are excluded from school are not eligible to receive homebound instruction unless the excluded student had a pre-existing IEP or 504 Plan and the IEP/504 team determines homebound instruction to be in the best interest of the student. To the extent possible, the student's teacher(s) shall place in the principal's office a copy of the student's assignments:

- for the remainder of the week by the end of the initial school day of the student's exclusion; and
- by the end of each school's calendar week for the upcoming week until the student returns to school.

It is the responsibility of the student or the student's parent/legal guardian to make sure that the student's assignments are collected.

Students excluded from school shall have five (5) school days from the day the student returns to school to submit any homework and to make up any examinations. State mandated assessments are not included in "examinations" and the District has no control over administering state mandated make-up assessments outside of the state's schedule. Students shall receive a grade of zero for any assignment or examination not completed or submitted on time.



Cross References: 4.2—ENTRANCE REQUIREMENTS

4.7—ABSENCES

4.8—MAKE-UP WORK

Legal References: A.C.A. § 6-18-702

Requirements ADE Rules Governing Kindergarten Through 12<sup>th</sup> Grade Immunization  
In Arkansas Public Schools

ADH Rules and Regulations Pertaining to Immunization Requirements

Date Adopted: June 8, 2015

Last Revised:

## **4.58—FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA**

### **Food Sharing Table**

**Option 2:** The District has no food sharing system for food items other than milk and juice. Students who do not intend to drink milk or juice received as part of a meal may place the milk/juice in a designated ice-filled cooler located at the end of the service line where another student may retrieve it at no charge. Milk and juice may not be taken by another student unless the carton is unopened and was completely covered by ice while in the cooler. A student may not return to the cooler to place for sharing or retrieve an item after the student has left the service line.

At all times, the cooler will be under the supervision of the food service staff. Remaining items should be discarded at the end of the meal period, and no item is to remain in the cooler for longer than four (4) hours.

### **Removing Food Items From the Food Service Area**

**Option B:** No student shall remove school provided food items from the food service area at the end of the meal period, especially milk, juice, and other items requiring temperature controlled environments.

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.

Commissioner's Memo FIN 15-052

Date Adopted: June 8, 2015

Last Revised:

## 4.61—STUDENT USE OF MULTIPLE OCCUPANCY ROOM

### Definitions

"Multiple occupancy room" means an area in a District building that is designed or designated to be used by one (1) or more individuals at the same time and in which one (1) or more individuals may be in various stages of undress in the presence of other individuals, which includes, without limitation, a restroom, locker room, changing room, or shower room.

"Sex" means the physical condition of being male or female based on genetics and physiology, which may be demonstrated by the sex identified on a student's original birth certificate.

Each multiple occupancy room in a District building shall be designated as either male or female. Except as permitted by this policy, a student shall not enter a multiple occupancy room that does not correspond to the student's sex.

An individual who is unwilling or unable to use a multiple occupancy room designated for the individual's sex shall be granted a reasonable accommodation, which may include, without limitation, access to a single-occupancy restroom or changing area. A reasonable accommodation shall not include access to a restroom or changing area that is designated for use by members of the opposite sex to an individual while members of the opposite sex of the individual are present or may be present in the restroom or changing area.

The prohibitions in this policy do not apply to an individual who enters a multiple occupancy room designated for use by the opposite sex when the individual enters for any of the following reasons:

- custodial, maintenance, or inspection purposes;
- To render emergency medical assistance;
- To address an ongoing emergency, including without limitation a physical altercation;
- To accommodate individuals protected under the Americans with Disabilities Act; or
- To assist young children who are in need of physical assistance when using a restroom or changing facility that is located in the District.

Legal Reference:       A.C.A. § 6-21-120

Date Adopted: June 13, 2023

Last Revised:

#### 4.62—STUDENT NAME, TITLE, OR PRONOUN

Unless a District employee has the written permission of the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student or the student if the student is an emancipated minor or over eighteen (18) years of age, a District employee shall not address a student with a:

1. Name other than that listed on the student's birth certificate, except for a derivative of the name; or
2. Pronoun or title that is inconsistent with the student's biological sex.

A student shall not be subject to discipline for declining to address a person using a:

- a. Name other than that listed on the student's birth certificate, except for a derivative of the name; or
- b. Pronoun or title that is inconsistent with the person's biological sex.

Legal Reference: A.C.A. § 6-1-108

Date Adopted: June 13, 2023

Last Revised:

## **4.63—STUDENT RELIGIOUS EXPRESSION**

The Piggott School District Board of Directors does not allow the discrimination against a student based on a student's voluntary religious expression, if any. At the same time, the District shall provide a process to eliminate any actual or perceived sponsorship or attribution to the District of a student's public voluntary expression of a religious viewpoint, if any.

### **Student Assignments**

Student assignments include, but are not limited to:

- Homework;
- Classwork;
- Artwork; and
- Other written or oral assignments.

A student may express the student's religious viewpoint, if any, in the student's assignments without discrimination based on the religious content, if any. A student's assignments shall:

1. Be graded and judged:
  - By ordinary academic standards of substance and relevance; and
  - Against other conventional, pedagogical topics as identified by the District curriculum; and
2. Not be penalized or rewarded based on the religious content, if any, of the student's assignments.

### **Student Presenters**

A student's expression of a religious viewpoint, if any, on an otherwise permissible subject shall not be excluded from a forum, whether oral or in writing, where students are allowed to speak.

The District has the right to restrict student speech that is inappropriate in the school setting by being obscene, vulgar, offensively lewd, or indecent.

Review of written student forums shall be handled in accordance with Policy 4.14—STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE.

If the forum is a scheduled event with designated student speakers, the building principal shall have an opportunity to review pre-written remarks prior to the student's presentation at the scheduled

forum. The principal may require the student to amend the student's remarks to the extent necessary to address any portions that are determined to be inappropriate. A student's refusal to amend the remarks that were determined to be inappropriate may be prohibited from participation in the forum. A student who diverts from the approved pre-written remarks during a speech in such a manner that is determined to be inappropriate by the building principal or another present District staff member may be asked to return to the approved remarks. If a student refuses to return to the approved remarks or continues to divert from the approved remarks in a manner that is determined to be inappropriate may be escorted from the forum and disciplined in accordance with the District's Student Code of Conduct.

If the timing or format of the forum does not provide for pre-written remarks to be reviewed, then the building principal or other District staff shall have the authority to address a student whose remarks are determined to be inappropriate. The building principal or District staff member shall initially ask the student to cease the inappropriate remarks. If the student refuses or makes additional inappropriate remarks after being directed to cease such remarks, then the building principal or District staff member may escort the student from the forum and the student may be disciplined in accordance with the District's Student Code of Conduct

There shall be a disclaimer that a student speaker's speech does not reflect the endorsement, sponsorship, position, or expression of the District. The disclaimer shall be provided at all forums where students speak and at all graduation ceremonies. The disclaimer shall be provided orally or in writing as most appropriately fits the format of the forum.

Information on how to participate in a student forum shall be provided to all students.<sup>1</sup>

In addition to the salutatorian and valedictorian selection process in Policy 5.17—HONOR ROLL AND HONOR GRADUATES, the following students may speak during the District's graduation ceremony:<sup>2</sup>

Notes: <sup>1</sup> Insert the process your district will use to notify students of upcoming forums, such as a student newsletter, posting to bulletin boards, or distribution to student emails.

<sup>2</sup> Insert the students in addition to the salutatorian and valedictorian that traditionally speak at your graduation ceremony. Be sure to include the process for how those students



are designated if it is not due to that student's position, such as class president. If you have opted not to have salutatorians and valedictorians, you may remove them from this policy.

Cross References:      4.14—STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE  
                                 5.17—HONOR ROLL AND HONOR GRADUATES

Legal References:      A.C.A. § 6-10-138  
                                 A.C.A. § 6-18-101  
                                 A.C.A. § 6-18-1201 et seq.

Date Adopted: June 13, 2023

Last Revised: