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STUDENTS

4.1—RESIDENCE REQUIREMENTS

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

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

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

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

Any person eighteen (18) years of age or older may establish a residence separate and apart from his or her parents or guardians for school attendance purposes. In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District’s schools separate and apart from his or her parents, guardians, or other persons having lawful control of him or her under an order of a court, the person must actually reside in the District for a primary purpose other than that of school attendance.

However, a student previously enrolled in the district who is placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty may continue to attend district schools. A foster child who was previously enrolled in a District school and who has had a change in placement to a residence outside the District, may continue to remain enrolled in his/her current school unless the presiding court rules otherwise.

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

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. § 9-28-113

Date Adopted: 11/14/05

Last Revised: 06/08/09

4.2—ENTRANCE REQUIREMENTS

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

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

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

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

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

Students who move into the District from an accredited school shall be assigned to the same grade as they were attending in their previous school (mid-year transfers) or as they would have been assigned in their previous school. Home-schooled students shall be evaluated by the District to determine their appropriate grade placement.

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

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

1. The parent, guardian, or other responsible person shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the department of education.

2. The parent, guardian, or other responsible person shall provide the district with one (1) of the following documents indicating the child's age:
 - a. A birth certificate;
 - b. A statement by the local registrar or a county recorder certifying the child's date of birth;
 - c. An attested baptismal certificate;
 - d. A passport;
 - e. An affidavit of the date and place of birth by the child's parent or guardian;
 - f. United States military identification; or
 - g. Previous school records.
3. The parent, guardian, or other responsible person shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding. The Board of Education reserves the right, after a hearing before the Board, not to allow any person who has been expelled from another school district to enroll as a student until the time of the person's expulsion has expired.
4. The child shall be age appropriately immunized from poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, rubella, and other diseases as designated by the State Board of Health, or have an exemption issued by the Arkansas Department of Health. Proof of immunization shall be by a certificate of a licensed physician or a public health department acknowledging the immunization. Exemptions are also possible on an annual basis for religious reasons from the Arkansas Department of Health.⁴ To continue such exemptions, they must be renewed at the beginning of each school year. A child enrolling in a district school and living in the household of a person on active military duty has 30 days to receive his/her initial required immunizations and 12 months to be up to date on the required immunizations for the student's age.

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

Uniformed Services Member's Children

For the purposes of this policy,

"active duty members of the uniformed services" includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;

"uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services;

"veteran" means: a person who served in the uniformed services and who was discharged or released there from under conditions other than dishonorable.

This policy applies to children of: active duty members of the uniformed services; members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

An eligible child as defined in this policy shall:

1. be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;

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

Cross References: 4.1—RESIDENCE REQUIREMENTS
 4.4—STUDENT TRANSFERS
 4.5—SCHOOL CHOICE
 4.34—COMMUNICABLE DISEASES AND PARASITES
 4.40—HOMELESS STUDENTS

Legal References: A.C.A. § 6-4-302
 A.C.A. § 6-18-201 (c)

A.C.A. § 6-18-207
A.C.A. § 6-18-208
A.C.A. § 6-18-702
A.C.A. § 6-15-504 (f)
A.C.A. § 9-28-113
Plyler v Doe 457 US 202,221 (1982)

Date Adopted: 11/14/05
Last Revised: 07/8/13

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 (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 for the 2011-2012 school year and the parent, guardian, or other person having custody or charge of the child elects not to have him/her attend kindergarten. A kindergarten waiver form prescribed by regulation of the Department of Education must be signed and on file with the District administrative office.
4. The child has received a high school diploma or its equivalent as determined by the State Board of Education.
5. The child is age sixteen (16) or above and is enrolled in a post-secondary vocational-technical institution, a community college, or a two-year or four-year institution of higher education.
6. The child is age sixteen (16) or seventeen (17) and has met the requirements to enroll in an adult education program as defined by A.C.A. § 6-18-201 (b).

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

Date Adopted: 11/14/05
Last Revised: 06/14/2010

4.4—STUDENT TRANSFERS

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

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

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

Legal References: A.C.A. § 6-18-316
 A.C.A. § 6-18-510
 A.C.A. § 6-15-504 (f)

State Board of Education Standards of Accreditation 12.05

Date Adopted: 11/14/05
Last Revised: 06/11/07

4.5—SCHOOL CHOICE

Standard School Choice

Exemption

By March 31 of each year, the Board shall determine if the District is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation. A District that determines it is subject to such an order or mandate may declare an exemption from the provisions of the School Choice Act of 2013 (the Act) codified at A.C.A. § 6-18-1901 et seq. If the District determines it is eligible for exemption, it will notify the Arkansas Department of Education (ADE) by April 1 whether or not it will declare an exemption from the Act. If the District has previously declared an exemption from the Act and chooses to no longer exercise its exemption option, it shall notify the ADE by April 1 of the District's decision to participate in the school choice provisions of the Act. If the District chooses to exercise its exemption option, it should notify the superintendents of each of its geographically contiguous school districts of its decision. Each decision regarding exemption is binding for one-year from the date the District notifies the ADE of the declaration of exemption.¹

Definition:

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

School Choice Transfers Out of the District

The District shall date and time stamp all applications for school choice transfer out of the District as they are received in the District's central office. By August 1, the District shall approve all such applications unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) of more than 3% of the previous year's student enrollment. By June 1 of each year, the ADE shall determine and notify the District of the net number of allowable choice transfers. For the purpose of determining the 3% cap, siblings are counted as one student.

If, prior to August 1, the District receives sufficient copies of requests from its students to transfer to other districts to trigger the 3% cap, it shall notify each parent from which it has received a school choice application and the district the student applied to transfer to that it has tentatively reached the limitation cap. The District will use confirmations of approved choice applications from receiving districts to make a final determination of what applications it received that exceeded the limitation cap and notify each district that was the recipient of an application to that effect.²

Any applications for transfer out of the District which are denied due to the 3% limitation cap shall be given priority for a choice transfer the following year in the order in which the District received the original application.

School Choice Transfers Into the District

Capacity Determination and Public Pronouncement

The Board of Directors will adopt a resolution containing the capacity standards the District will use in determining whether to accept or deny a school choice application from another district's resident student. The resolution will contain the acceptance determination criteria identified by academic program, class, grade level, and individual school. The school is not obligated to add any teachers, other staff, or classrooms to accommodate choice applications. In determining the capacity of the District to accept choice applications, the Board of Directors shall consider the probable, locally generated growth in student enrollment based on recent District enrollment history.³

The District shall advertise in appropriate broadcast media and either print media or on the Internet to inform students and parents in adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline and the requirements and procedures for participation in the program. Such pronouncements shall be made in the spring, but in no case later than April 1.⁴

Application Process

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

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

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

Accepted Applications

Applications which fit within the District's stated capacity standards shall be provisionally accepted, in writing, with the notification letter stating:

- A reasonable timeline by which the student shall enroll in the District by taking the steps detailed in the letter, including submission of all required documents. If the student fails to enroll within the stated timeline, or if all necessary steps to complete the enrollment are not taken, or examination of the documentation indicates the applicant does not meet the District's stated capacity standards, the acceptance shall be null and void.⁵
- Instructions for the renewal procedure for succeeding school years.⁶

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

A present or future sibling, as defined in this policy, of a student who continues enrollment in this District may enroll in the District until the sibling of the transfer student completes his/her secondary education. Applications of siblings of presently enrolled choice students are subject to the provisions of this policy including the capacity standards applicable to the year in which the sibling's application is considered by the District.

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

Rejected Applications

The District may reject an application for a transfer into the District under school choice if its acceptance would exceed the capacity standards specified by the Board of Director's resolution. However, the decision to accept or reject an application may not be based on the student's previous academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings other than a current expulsion.⁷

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

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

Facilities Distress 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 three differences.

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

Opportunity School Choice

Transfers Into or Within the District

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

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

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

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

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

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

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

Transfers out of, or within, the District

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

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

Legal References: A.C.A. § 6-1-106
 A.C.A. § 6-15-430(b)
 A.C.A. § 6-18-227
 A.C.A. § 6-18-510
 A.C.A. § 6-18-1901 et seq.
 A.C.A. § 6-21-812

ADE Rules Governing the Guidelines, Procedures and
Enforcement of the Arkansas Opportunity Public School Choice
Act

Date Adopted: 11/14/05
Last Revised: 7/8/2013

4.5F--SCHOOL CHOICE CAPACITY RESOLUTION

Whereas:

- The Board of Directors of the Marmaduke School District has approved by a vote of the Board, the following enrollment openings available to school choice applicants for the ____ school-year under the provisions of policy 4.5—SCHOOL CHOICE and applicable Arkansas law.
- Applicants, whose applications fit an enrollment opening as provided for in 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.
- Applications that do not fit an enrollment opening identified in this Resolution, which are not received on or before June 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.
- Whereas, this 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 than originally applied for, or special services, and this could lead to an application having been provisionally accepted, but ultimately denied, if capacity has been reached in the appropriate class, course or program of instruction, or if additional staff would have to be hired.
- The district reserves to itself the ability to decline to accept under school choice any student, otherwise eligible, whose acceptance would require the district to add additional staff, for any reason.

(The following capacity standards will have to be heavily customized to meet your school district's grade configuration, and needs. We have illustrated breaking out Special Education Self Contained and Resource classes, to avoid going over the staffing ratio and having to hire additional teachers. Your district may have other classes or programs of instruction which are already at or near capacity, and for which no choice students will be accepted, and these would need to be included as well. We offer this, below, as an illustration of how your district might choose to organize the capacity standards for the purposes of developing the contents of the resolution.)

_____ Elementary School

Kindergarten Openings ___
Grade 1 Openings ___
Grade 2 Openings ___
Grade 3 Openings ___
Grade 4 Openings ___

Elementary Special Education Resource Openings (per student, regardless of number of subjects student requires for which student requires Resource instruction) ___
Elementary Special Education Self Contained, without assigned aide _____

_____ Middle School

Grade 5 Openings ___
Grade 6 Openings ___
Grade 7 Openings ___
Grade 7 Openings ___

Grade 8 Openings ___

Middle School Special Education Resource Openings (per student, regardless of number of subjects student requires for which student requires Resource instruction) ___
Middle School Special Education Self Contained, without assigned aide _____

_____ Junior High School

Junior High Special Education Resource Openings (per student, regardless of number of subjects student requires for which student requires Resource instruction) ___
Junior High Special Education Self Contained, without assigned aide _____

_____ High School

Individual Grade listings, 9-12, with and without resource

Or

Grade 9-12 openings, no resource classes required ____

Grade 9-12, openings with resource classes in:

Social Studies____

Math____

English____

Grade 9-12, openings, special education Self Contained, without assigned aide ____

High School Special Education Resource Openings (per student, regardless of number of subjects student requires for which student requires Resource instruction ____

Elementary Special Education Self Contained, without assigned aide _____

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 ____.

Board President

Board Secretary

Date

Date

4.5F2--SCHOOL CHOICE PROVISIONAL ACCEPTANCE LETTER

Dear Parent's name,

The application you submitted for student's name has been provisionally accepted. While the school's name looks forward to welcoming student's name as a student, to further the application process and to better assist the district in determining the proper placement of student's name, please submit the information listed below to district or school's address by enter date. Failure to submit the information requested by the date specified shall void and nullify this letter's provisional acceptance. In addition to the information you submit, records will be requested from the prior district, and final acceptance may depend on the content of those records as to appropriate grade placement, program placement or services required. In addition, 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: the student's transcript from the last school the student attended.
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.

Respectfully,

Insert name
Insert position/title

4.5F3--SCHOOL CHOICE ACCEPTANCE LETTER

Dear Parent's name,

I am pleased to inform you that the application you submitted for student's name has been accepted pending enrollment of student's name by insert date, however, failure to enroll student's name by 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. You will be required to fill out a choice renewal form each year by insert date which can be picked up in our district's central office located at insert address.

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.

____ 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 it 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 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 10 days from receipt of this notice in which to appeal this decision to the State Board of Education.

Respectfully,

Insert name

Insert position/title

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 unexcused 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: 11/14/05

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 is essential to their social and cultural development and helps prepare them to accept responsibilities they will face as an adult. Interactions with other students and participation in the instruction within the classroom enrich the learning environment and promote a continuity of instruction which results in higher student achievement.

Excused Absences

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings written documentation to the principal or designee upon his/her return to school stating such reason. A written statement presented for an absence having occurred more than **five** (5) school days prior to its presentation will **not** be accepted.

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.

Death or serious illness in their immediate family;

Observance of recognized holidays observed by the student's faith;

Attendance at an appointment with a government agency;

Attendance at a medical appointment;

Exceptional circumstances with prior approval of the principal; or

Participation in an FFA, FHA, or 4-H sanctioned activity;

Participation in the election poll workers program for high school students.

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.

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).

Students will be allowed three absences per semester. After a student misses any class three times, he/she will not be allowed to make up class work without professional documentation for one of the above reasons.

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

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

Unexcused Absences

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

Once a student has acquired three absences not considered as excused, any absence not defined above shall be considered as unexcused.

Students may be excused from class for the first three (3) absences for any reason. Any absence following the first three (3) per semester that do not meet the excused absence criteria will be considered unexcused, and a failing grade for that day's work will be recorded.

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

Whenever a student exceeds **10** unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, guardian, or persons in loco parentis shall be subject to a civil penalty as prescribed by law.

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

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

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

The District shall notify the Department of Finance and Administration whenever a student fourteen (14) years of age or older is no longer in school. The Department of

Finance and Administration is required to suspend the former student's operator's license unless he/she meets certain requirements specified in the statute.

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

For all other issues for which attendance applies, the following guidelines are applicable:

It is emphasized that absence days are designed for a family emergency: death, serious illness, or other extenuating circumstances in the immediate family of the students. The determination of the absence will be made by the principal. The absence will be classified as either "excused" or "unexcused". The excused absence will allow the student to make up any missed assignments within a reasonable time as determined by the classroom teacher. The unexcused absence will result in a grade of an "F" or a "zero (0)" for that day's work.

Students between the ages of five (5) and seventeen (17) failing to enroll in school or to maintain an appropriate proper attendance record, or parents or guardians who fail to comply with Act 320 of 1991 will be subject to prosecution in accordance with the law.

Students who are truant from school, class, or an activity will be subject to disciplinary action by the principal. Such disciplinary action may include but is not limited to verbal reprimand, detention, corporal punishment, in-school suspension, out-of-school suspension, or expulsion.

Any student who has one or more unexcused absences during a semester will not be eligible to miss class time for school related trips and/or college days with the exception of group competition. Group competition attendance will be at the discretion of the sponsor or advisor and principal.

Exceptions to the attendance policy may be made by the principal in extenuating circumstances if proper documentation is provided when the student returns to school.

In the event that a doctor's note should come into question for any reason such as authenticity, obvious changes, contradictory information etc., the school district reserves the right to discuss the specific note and the student's medical condition with the doctor/doctor's office personnel in sufficient enough detail to resolve the issue.

Students must attend school at least one-half (1/2) school day to attend school functions that night.

An advisor/sponsor must publish a list of students who will be out of class for a school related function or trip. If a teacher is aware of a student who has excessive absences, he/she must inform the advisor that the student is not eligible to miss classes.

In all cases, maximum school attendance is encouraged by this school district.

EXCEPTION: Extenuating circumstances: Students who are court ordered to attend school will not be eligible to miss class for school-related trips or activities.

Legal References: A.C.A. § 6-4-302
 A.C.A. § 6-18-209
 A.C.A. § 6-18-220
 A.C.A. § 6-18-222

 A.C.A. § 6-18-229
 A.C.A. § 6-18-231
 A.C.A. § 6-18-507(g)
 A.C.A. § 7-4-116
 A.C.A. § 9-28-113(f)
 A.C.A. § 27-16-701

Date Adopted: 06/12/06
Last Revised: 07/08/13

4.8—MAKE-UP WORK

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

1. Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.

2. Teachers are responsible for providing the missed assignments when asked by a returning student.
3. Students are required to ask for their assignments on their first day back at school or their first class day after their return.
4. Make up tests are to be rescheduled at the discretion of the teacher, but must be aligned with the schedule of the missed work to be made up.
5. Students shall have one class day to make up their work for each class day they are absent. Day one absence make up work should be turned in on day one of the make up period etc.
6. Make up work which is not turned in within the make up schedule for that assignment shall receive a zero.
7. Students are responsible for turning in their make up work without the teacher having to ask for it.
8. Students who are absent on the day their make up work is due must turn in their work the day they return to school whether or not the class for which the work is due meets the day of their return.
9. If the teacher sends a home work sheet home with the student, the student must turn in that work before the first morning tardy bell rings on the day of their return.
10. Students who do not make up work after school sponsored trips may not be eligible to attend other school trips. Work may not be made up for credit for unexcused absences. Out-of-school suspensions are unexcused absences.
11. As required/permitted by the student's Individual Education Program or 504 Plan.

Students who are absent for any reason will be required to make up work missed in each class. The student is responsible for contacting the teacher for make-up work and assignments immediately upon returning to school. This work should take approximately the same time as the time missed from class.

All make-up work must be in by the end of the grading period.

Only in extreme cases of prolonged absence will more than one week be allowed for work to be made up unless permission is granted by the school office. A day's absence does not excuse a student from responsibility for all recitations on the day of his/her return. Grades and/or credit will be withheld in the event that the make-up work is not turned in.

Students who are suspended from school, truant, removed from class (excluding in-school suspension), or have an unexcused absence will not be allowed to make up any work.

Date Adopted: 06/12/06

Last Revised:

4.9—TARDIES

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

If students arrive late to school they should report to the office to check in. If students arrive late to class their teacher will record them as tardy. If students have been detained in the office, or by a teacher, they are to ask for a slip by the person who detained them before going to their next class.

Repeated tardiness will result in penalties and may require a parent-pupil-principal conference. Three (3) tardies will be considered one absence in any class period. Three (3) early checkouts will count as one absence.

A tardy is issued when a student is absent from a class for a period of 15 minutes or less. If a student misses more than 15 minutes in a class, he/she will be considered absent. Five minutes are allowed between classes for students to move from one class to another. Students who are not in their assigned classroom when the tardy bell rings with the appropriate materials needed for that class will be recorded as tardy. Disciplinary action each semester is taken when a student has their 3rd tardy recorded in any class.

Consequence: minimum: after school detention
maximum: out-of-school suspension

ELEMENTARY SCHOOL TARDIES AND CHECKOUTS

Students will be counted tardy after 8:05 and before 8:15. If a student arrives after 8:15, the student will be counted absent for one-half day. If a student accumulates five tardies in a semester, the student will be given one unexcused absence.

Students will be counted absent one-half day, if they are checked out prior to 2:45. If a student is checked out five times between 2:45 and 3:00 in a semester, the student will be given one unexcused absence.

Date Adopted: 06/12/09
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 and sign in upon their arrival

Parents may check out their children in person if they wish to eat lunch with their children off campus. **However, parents may not call or send notes in order to check students out so that they can leave campus during or for lunch. All alternative lunch issues and/or deliveries should be pre-arranged before the start of the school day.**

Anytime a student needs to leave school early, a note must be presented to the office before school begins that morning. The note must have a parent/guardian signature and a valid phone number at which the

parent can be reached. The office may call on all notes to verify permission to leave school. We ask that students limit checking out to only necessary appointments. The parent/guardian must come to the office to check out a student.

Students who become ill and desire to leave campus during the school day must complete the following procedure:

1. After obtaining permission from their teacher, they are to go to the nurse, unless the nurse is unavailable.
3. The nurse will determine whether the student needs to check out of school unless the nurse is unavailable.
4. The student is to wait in the nurse's office or principal's office until a parent/guardian has granted permission to check out of school.
5. The student is to bring a note from the parent/guardian or professional upon returning to the campus.

Date Adopted: 06/12/09

Last Revised:

4.11—EQUAL EDUCATIONAL OPPORTUNITY

No student in the Marmaduke School District shall, on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District.

Date Adopted: 06/12/06

Last Revised:

4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS

Noncurriculum-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.

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

The purpose of school clubs and organizations as defined by the district is to promote the social qualities of the students involved. Students have the right to join an existing club and may not be denied membership on the basis of race, sex, or national origin and any other arbitrary criteria unless that organization is entitled to Title IX exemption on the basis of sex.

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

Date Adopted: 06/12/06
Last Revised: 06/14/2010

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) days¹ 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 (hereinafter "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.

Unless the parent or guardian of a student (or student, if above the age of eighteen [18]) objects, "directory information" about a student may be made available to the public, military recruiters, post-secondary educational institutions, prospective employers of those students, as well as school publications such as annual yearbooks and graduation announcements. "Directory information" includes, but is not limited to, a student’s name, address, telephone number, electronic mail address, photograph, date and place of birth, dates of attendance, his/her placement on the honor role (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others.

If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user,

The right to opt out of the disclosure of directory information under 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.

For purposes of this policy, the Marmaduke 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 records, the parent or 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, 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 file must be initiated with the building principal, with an appeal available to the Superintendent or his designee. Any appeal above that level will be subject to the procedure set out in federal law and/or regulation.

The form for objecting to making directory information available is located in the front 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.

Procedures to seek to correct education records:

The requester shall immediately request the record custodian to correct it. The record custodian must respond to the request within two weeks. If the correction is made during this time to the satisfaction of the requester, no further action is necessary.

If the record does not appear to be obviously incorrect, and if the custodian cannot change the record to the requester's satisfaction, the record custodian shall ask the requester to initiate a written request for the change.

The written request should include the item he/she believes is incorrect and whether he/she believes the item is:

- Inaccurate and why,
- Misleading and why,
- In violation of student rights and why.

The written request should be sent to the superintendent. The superintendent will review the request and, if necessary, discuss the matter with other officials such as the school attorney or the

school board (in executive session). He/she will make a decision within two weeks.

If the superintendent decides that the record is correct, he/she will prepare a letter to the requester which will include the following:

- The superintendent's decision and the basis for it,
- Notification that the requester has the right to ask for a hearing to present evidence that the record is incorrect and that the district will grant such a hearing,
- Instructions for the requester to contact the superintendent, or his designate, to discuss acceptable hearing officer(s), convenient times and sites for the hearing. (The district will not be bound by the requester's wishes on these items but will arrange the hearing, so far as possible, as the requester wishes,
- Advise that the requester may be represented or assisted in the hearing by other parties, including an attorney, at the requester's expense.

After the requester has expressed (orally or in writing) his/her wishes concerning the hearing officer(s) and the time and place for his hearing, the superintendent will, within one week, notify the requester when and where the hearing will be held and who the hearing officer(s) will be.

At the hearing, the hearing officer(s) will provide the requester with a full and reasonable opportunity to present material evidence presented at the hearing and his/her recommendation based solely on evidence presented at the hearing.

The school board shall make its decision in writing within two weeks after receiving the hearing summary and the recommendation of the hearing officer(s). The decision of the school board shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision. As a result of the decision, one of the following actions will be taken:

- If the decision is that the record is incorrect, the superintendent will instruct the record custodian to make necessary changes. The record custodian will correct the record and notify the requester as in the second step.
- If the decision is that the record will not be changed, the superintendent will prepare a written notice to the requester which will include the following:
 1. The school district's decision that the record is correct and will not be changed,
 2. A copy of the summary of evidence presented at the hearing and a statement of the reasons for the decision,
 3. Advise to the requester that he/she may place in the student's education record an explanatory statement which states the reason(s) he/she disagrees with the decision of why he/she believes the record is incorrect. This explanatory statement will be maintained by the Marmaduke Public Schools as part of the student's education record as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record, and whenever such part is disclosed; the explanatory statement will also be disclosed.
 4. Copies of the policy will be available for parent and eligible student review in the principal's office of each school building.

Legal References: 20 U.S.C. § 1232g
20 U.S.C. § 7908 (NCLB Section 9528)
34 CFR 99.3, 99.7, 99.31, 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: 06/12/06

Last Revised: 06/08/09

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 or guardian of a student hereby note my objection to the disclosure or publication by the Marmaduke School District of directory information, as defined in the Privacy of Students' Records – **PAGE 23**, 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 Institutions of postsecondary education _____

Deny disclosure to Potential employers _____

Deny disclosure to all public sources _____

Selecting this option will prohibit the release of directory information to the first two 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 and websites.

THIS SECTION DOES NOT HAVE TO BE SIGNED IF THERE ARE NO OBJECTIONS

_____	_____
Parent's / Guardian's Signature signed	Date
_____	_____

4.14—STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE
Student Publications

All publications that are supported financially by the school or by use of school facilities, or are produced in conjunction with a class shall be considered school-sponsored publications. School publications do not provide a forum for public expression. Such publications, as well as the content of student expression in

school-sponsored activities, shall be subject to the editorial control of the District's administration whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations.

1. Advertising may be accepted for publications that does not condone or promote products that are inappropriate for the age and maturity of the audience or that endorse such things as tobacco, alcohol, or drugs.
2. Publications may be regulated to prohibit writings which are, in the opinion of the appropriate teacher and/or administrator, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.
3. Publications may be regulated to refuse to publish material which might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order, or to associate the school with any position other than neutrality on matters of political controversy.
4. Prohibited publications include:
 - a. Those that are obscene as to minors;
 - b. Those that are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, which are made with knowledge of their falsity or reckless disregard of the truth;
 - c. Those that constitute an unwarranted invasion of privacy as defined by state law,
 - d. Publications that suggest or urge the commission of unlawful acts on the school premises;
 - e. Publications which suggest or urge the violation of lawful school regulations;
 - f. Hate literature that scurrilously attacks ethnic, religious, or racial groups.

Student Publications on School Web Pages

Student publications that are displayed on school web pages shall follow the same guidelines as listed above plus they shall:

1. Not contain any non-educational advertisements. Additionally, student web publications shall;
2. Not contain any personally identifying information, as defined by "Directory Information" in **Policy 4.13** (Privacy of Student Records), without the written permission of the parent of the student or the student if over eighteen (18);
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

Student Distribution of Nonschool Literature, Publications, and Materials

A student or group of students who distribute ten (10) or fewer copies of the same nonschool literature, publications, or materials (hereinafter "nonschool materials"), shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly educational environment. A student or group of students wishing to distribute more than ten (10) copies of nonschool materials shall have the principal review their nonschool materials at least three (3) school days in advance of their desired time of dissemination. The principal shall review the nonschool materials prior to their distribution and will bar from distribution those nonschool materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Material may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or

educational environment will likely result from the distribution. Concerns related to any denial of distribution by the principal shall be heard by the superintendent, whose decision shall be final. The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of nonschool materials.

The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of nonschool materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur; and
5. Not inhibit a person's right to accept or reject any literature distributed in accordance with the regulations.
6. Students shall be responsible for the removal of excess literature that is left at the distribution point.

The Superintendent, along with the student publications advisors, shall develop administrative regulations for the implementation of this policy.

The regulations shall include definitions of terms and timelines for the review of materials.

Legal References: A.C.A. § 6-18-1202, 1203, & 1204
 Tinker v. Des Moines ISD, 393 U.S. 503 (1969)
 Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)
 Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Date Adopted: 06/12/07

Last Revised: 06/08/09

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. The student will then be summoned to the office by office personnel.

CONTACT BY NON-CUSTODIAL PARENTS

If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or his/her designee establishing the parent's custody of the student. It shall be the responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by

presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents.

Non-custodial parents who file with the principal a date-stamped copy of current court orders granting visitation may eat lunch, volunteer in their child's classroom, or otherwise have contact with their child during school hours and the prior approval of the school's principal.

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

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

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

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis identified on student enrollment forms. The principal or the principal's designee shall not attempt to make such contract 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. § 12-12-509, 510, and 516

A.C.A. § 9-13-104

Date Adopted: 06/12/06

Last Revised:

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.

Date Adopted: 06/12/06

Last Revised:

4.17—STUDENT DISCIPLINE

The Marmaduke 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 Marmaduke School Board. The Board has the responsibility of determining whether to ~~shall~~ 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: 06/12/06
Last Revised: 7/8/2013

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, cameras, MP 3 players, Ipods, and other portable music devices on the school campus during normal school hours (unless stored in silent mode in the student's locker or vehicle) 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. Inappropriate public displays of affection;
10. Cheating, copying, or claiming another person's work to be his/her own;
11. Gambling;
12. Inappropriate student dress;
13. Use of vulgar, profane, or obscene language or gestures;
14. Truancy;
15. Excessive tardiness;
16. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability;
17. Hazing, or aiding in the hazing of another student;
18. 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;
19. Sexual harassment; and
20. Bullying.
21. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession.

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

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

Cross-References: Prohibited Conduct #1—Policy # 3.17

Prohibited Conduct #2— Policy # 4.20
Prohibited Conduct #3— Policy # 4.21, 4.26
Prohibited Conduct #4— Policy # 4.22
Prohibited Conduct #5— Policy # 4.23
Prohibited Conduct #7—Policy 4.47
Prohibited Conduct #8— Policy # 4.24
Prohibited Conduct #12— Policy # 4.25
Prohibited Conduct #13— Policy # 4.21
Prohibited Conduct #14— Policy # 4.7
Prohibited Conduct #15— Policy # 4.9
Prohibited Conduct #16— Policy # 4.43
Prohibited Conduct #18— Policy # 4.12
Prohibited Conduct #19— Policy # 4.26
Prohibited Conduct #20—Policy # 4.27
Prohibited Conduct #21— policy # 4.43

Date Adopted: 06/12/06
Last Revised: 06/14/2010

4.18a—PUPIL CONDUCT AND CONSEQUENCES

The following activities are considered major infractions of proper conduct and will subject the student to disciplinary action. The student will be in violation of a rule whether the conduct takes place on the SCHOOL GROUNDS AT ANYTIME, OFF THE SCHOOL GROUNDS AT A SCHOOL SUPERVISED ACTIVITY, FUNCTION, OR EVENT, OR ENROUTE TO AND FROM SCHOOL.

Students who have been suspended out-of-school are not eligible to take school trips that begin during the regular school day.

Trips for competitive purposes may be an exception but must be cleared through the principal and trip sponsor.

Consequences may range from a minimum of a conference with the student up to a maximum of expulsion from school with loss of credits.

Rule 1: DISOBEYING A SCHOOL OFFICIAL OR DISREGARDING DIRECTIONS OR COMMANDS (INSUBORDINATION).

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 2: TRUANCY

A student shall not be absent from school without parents' and/or school authorities' prior knowledge and consent. After arrival on campus, a student absent from his/her assigned learning station without permission from school authorities shall be considered a truant.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment

maximum: recommendation for expulsion with loss of credits for the semester

Rule 3: POSSESSING, BUYING OR SELLING OBSCENE LITERATURE

Consequence: minimum: in-school suspension (parent notification) or corporal punishment

maximum: recommendation for expulsion with loss of credits for the semester

Rule 4: DANGEROUS WEAPONS

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.

A weapon is defined as any knife, gun, pistol, revolver, shotgun, BB gun, rifle, pellet gun, razor, ice pick, dirk, box cutter, numchucks, pepper spray or other noxious spray, explosive, or any other instrument or substance capable of causing bodily harm.

Possession means having a weapon, as defined in this policy, on the student's body or in an area under his/her control. If, prior to any questioning or search by any school personnel, a student discovers that he/she has accidentally brought a weapon to school including a weapon that is in a 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. 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 visible stored inside a locked vehicle on school property nor to 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.

Consequence: Recommendation for expulsion from school for not less than one year. (Act 1150 of 1999)

Rule 5: LEAVING CAMPUS OR DESIGNATED AREA WITHOUT PERMISSION

After arrival on the school campus a student shall not leave the campus or designated area without permission from school authorities.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 6: ALL PRESCRIBED MEDICATION AND OVER-THE-COUNTER DRUGS NOT CHECKED IN THROUGH THE NURSE/PRINCIPAL'S OFFICE BY PARENT OR GUARDIAN.

Consequence: minimum: parent notification
maximum: ten day suspension from school

Rule 7: 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 Marmaduke School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy. This policy applies to any student who; is on or about school property; is in attendance at school or any school sponsored activity; has left the school campus for any reason and returns to the campus; is en route to or from school or any school sponsored activity.

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

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

Consequence: minimum: first offense may result in a ten day suspension with required drug and alcohol counseling at the discretion of the principal. Failure to enroll and complete required counseling will result in recommendation for expulsion.
maximum: recommendation for expulsion with loss of credits for the semester

Rule 8: 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 school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event.

School personnel shall seize any laser pointer from the student possessing it and the student may reclaim it at the close of the school year, or when the student is no longer enrolled in the District.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 9: CONTRABAND AND NUISANCE ITEMS

A student shall not possess, handle, or transmit yo-yos, mace, shockers, cigarette lighters, fireworks, darts, playing cards, trading cards of any kind, CD players, DVD players, beepers, walkie-talkies, electronic games, pagers, radios, etc.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 10: PHYSICAL ABUSE OR ASSAULT BY A STUDENT ON A SCHOOL EMPLOYEE

A student who commits assault and/or battery upon a member of the faculty or staff of the Marmaduke School District shall be expelled from the Marmaduke School District for the remainder of the school year with loss of credits.

Consequence: recommendation for expulsion from school for the remainder of the school year with loss of credits

Rule 11: STUDENT SEXUAL HARASSMENT

The Marmaduke School District is committed to having an academic environment in which all students are treated with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination.

Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

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

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

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

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

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

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

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

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

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

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

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 12: BOMB THREATS

A student who calls in a bomb threat and/or any other threat to the health and safety of students and employees will be referred to the legal authorities and will be recommended for expulsion.

Consequence: recommendation for expulsion from school with loss of credits for the semester

Rule 13: 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.

Students are to keep their hands to themselves, and treat teachers and fellow students with respect and courtesy. Horseplay and physical teasing, as well as shoving or assault is strictly forbidden. Violation of this policy will result in disciplinary action and may also constitute a criminal offense. By law, local law enforcement must be notified whenever a felony or an act of violence may have been committed or threatened on campus (Act 1520 of 1999).

When students fight, it may be difficult to determine who is at fault. When a cooling-off period is needed, both students may be immediately suspended until an effort to determine fault is made. Alternate punishment may be applied with regard to actual involvement.

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.

Consequence: minimum: suspension from school
maximum: recommendation for expulsion with loss of credits for the semester

Rule 14: DAMAGE, DESTRUCTION, OR THEFT AND EXTORTION

A student shall not cause or attempt to cause damage or steal or attempt to steal the property of another student of any other person or of the school district. The Marmaduke School District will attempt to recover damages from any student destroying school property. Parents of any minor student under the age of 18 will be liable for damages caused by said minor. No student shall obtain or attempt to obtain something of value from another person either by physical force or by threat (illegal acts).

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 15: DISORDERLY CONDUCT

A student shall not engage in behavior which produces situations in which instruction or activities of other students are adversely affected.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 16: PROFANITY/VERBAL ABUSE/OBSCENE GESTURES

A student shall not use profane, violent, vulgar, abusive or insulting language at any time. A student shall not use physical gestures that convey a connotation of obscene or highly disrespectful acts, infringe upon the rights of others, or cause or begin an overt and immediate disruption of the educational process. No obscene pictures, books or literature may be in the pupil's possession on school property.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 17: CAFETERIA REGULATIONS

Courtesy is always commendable, and we need to be courteous in our cafeteria. We would appreciate your cooperation in complying with the following rules:

1. Stay in line and do not break, push, or run.
2. Be polite to fellow students and especially to the cafeteria workers.
3. Leave the table and floor around your area in a clean condition.
4. Food is to be eaten in the cafeteria. No food is to be carried out of the cafeteria. Food and beverages are not allowed in the classrooms except on designated days.
5. Students are to behave in an orderly manner in the cafeteria.
6. Only one person seated in each chair.
7. Only parents may deliver food to their children during the school day and it can be food for their children only.
8. Parents who wish to eat lunch with their children must do so in the designated area and only with their children.
9. Breakfast in the cafeteria will close at 7:55 unless busses are running late.

Rule 18: HALL REGULATIONS

1. Students are not permitted in the halls or lobby during class periods unless they are authorized by a teacher or by an authorized staff member.
2. A student wishing to see a teacher during his/her conference period must arrange for this in advance.
3. Students should not circle halls during breaks.
4. Students should not have open food/drinks in the hall/lobby.
5. Students in the hall/lobby areas during break/lunch must behave appropriately and avoid public displays of affection.
6. Students are not to be engaged in tripping, grabbing, yelling, or general horseplay while in the halls, cafeteria, lobby, restrooms, classrooms, or school grounds.

Rule 19: LOCKER REGULATIONS

Each Student is assigned a hall locker. Students in grades 7 through 12 are to use their lockers to store their books, notebooks, belongings, etc. Students may carry a small rope-style sling backpack or purse during the course of the school day. However, any other bags or packs must be stored in the student's assigned locker during school hours. Students will place purses and the sling backpacks in a teacher-designated area at the beginning of each class.

Note: School personnel will hold periodic inspection of all lockers; and any illegal material will be seized; and charges will be filed with the proper authorities. Also, any food/drink in lockers must be disposed of daily.

Rule 20: USE OF VENDING MACHINES

Vending machine usage is prohibited except before and after school. No machines shall be used during class time.

Rule 21: USE OF COPY MACHINES

Students may use the copiers that are in designated places for them only. Students are not allowed to be in any of the teacher work centers or other areas specifically set apart for faculty and staff unless accompanied by an employee of the district. No students will use the copier to copy another student's notes. If a teacher wishes, he/she may make a copy of another student's notes for a student.

Rule 22: USE OF SCHOOL TELEPHONES

All telephones on campus are business phones and should be used by pupils for emergencies only. When students receive phone calls during class time, a message will be taken by the secretary. The student will receive the message at the end of that class period unless it is an emergency.

Rule 23: POSSESSION AND USE OF CELL PHONES, ETC.

Use and misuse of cell phones has become a serious problem that threatens the ability of the district's schools to properly and efficiently operate its education program. The school board believes it is necessary to restrict student use and possession of cell phones, other electronic communication devices, cameras, MP 3 players, Ipods, and other portable music devices so that the opportunity for learning in the district's schools may be enhanced.

At the same time, cell phones and other electronic communication devices can, in controlled situations, offer a means to enhance student learning through their ability to access expanded sources of information. Teachers have the authority to permit student use of cell phones for specific classroom lesson plans or projects. Students must abide by the teacher gives for any such authorization. Students who fail to do so will be subject to the provisions of this policy governing misuse of cell phones.

For the purpose of this policy, the use of a cell phone or other communication device includes any incoming call, text message, message waiting, or any other audible sound or video coming from the phone or device.

The student and/or the student's parent or guardians expressly assume any risk associated with students owning or possessing technology equipment.

Unless otherwise permitted in this policy, from the time students arrive on campus until after the last bell students may be in possession of a cell phone; however, the phone must be turned off and put away. Exceptions may be made by the building principal or his/her designee for health or other compelling reasons.

The school district is not responsible if any such items are stolen or lost while on school campus or during any school event.

From the time of the first bell until after the last bell, students are forbidden from having cameras, MP 3 players, Ipods, or any other portable music device. Such devices may be stored in the student's locker or vehicle so long as they are in a silent mode of operation. The school district is not responsible if any such items are stolen or lost while on school campus or during any school event.

After normal school hours, possession and use of cell phones, any paging device, beeper, or similar electronic communication devices, cameras, as well as MP 3 players, Ipods, and other portable music devices is permitted on the school campus. The use of such devices at school sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending.

Students using or possessing, other than those devices properly stored in a locker or vehicle, cell phones or other electronic communication devices, cameras, as well as MP 3 players, Ipods, and other portable music devices after arriving on campus and before the last bell shall have them confiscated. Confiscated

cell phones and other electronic communication devices may be picked up at the school's administration office by the student's parents or guardians.

Any cell phone used during a test, for any reason, will be considered cheating and appropriate consequences will apply.

Students have no right of privacy as to the content contained on any cell phones and other electronic communication devices that have been confiscated.

Consequence: minimum: in-school-suspension
maximum: recommendation for expulsion with loss of credits for the semester

Rule 24: FORGERY AND/OR FALSIFICATION OF GENERAL INFORMATION

A student shall not forge another person's name for any reason nor falsify telephone numbers and addresses on general information forms or notes from home.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 25: PERSISTENT DISREGARD FOR SCHOOL RULES

A student who persists in acts of misconduct after reasonable efforts have been made by the school to secure the student's adherence to the established rules shall be recommended for expulsion.

Efforts toward behavior modification will be made prior to recommendation for expulsion except when very serious offenses have been committed.

Consequence: minimum: five day suspension from school.
maximum: recommendation for expulsion with loss of credits for the semester

Rule 26: LOITERING BY SUSPENDED OR EXPELLED STUDENTS

Students suspended or expelled who are loitering on or near school premises may be subject to arrest for violating Act 75 of 1971.

Consequences: minimum: warning and ordered off campus
maximum: student shall be arrested and charged in accordance with Arkansas Law

Rule 27: TOBACCO AND TOBACCO PRODUCTS

Possession of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any property owned or leased by a District school, including school buses, is prohibited. With the exception of recognized tobacco cessation products, this policy's prohibition includes any tobacco or nicotine delivery system or product. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment

maximum: recommendation for expulsion with loss of credits for the semester

Rule 28: STUDENTS' VEHICLES

Students, who have presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive their vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. 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 for any reason unless given permission to do so by school personnel.

Students may not display anything that is obscene or that may cause a disruption to the educational process.

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.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment

maximum: recommendation for expulsion with loss of credits for the semester

Rule 29: PARKING AND DRIVING REGULATIONS

A student using any type of vehicle (bicycle, motorcycle, automobile, truck) as a means of transportation to and from school shall not violate the rules and regulations set forth by the administration. A student in grades nine through 12 may drive cars and trucks to school if he/she is properly licensed and insured. Vehicles must be parked in the designated area on campus. Students will not be allowed in the parking area without proper permission during school hours. No skateboards are allowed on campus.

1. The district retains the right to search all vehicles on school premises and to seize property of an illegal nature as long as reasonable suspicion can be established to justify such a search.
2. Speeding, reckless operation or making excessive noise on school property or near any school building will not be tolerated. The speed limit on school property is 10 MPH 7 days a week.
3. Sitting in cars before and during school is not permitted. Students must leave cars within one minute after arrival.
4. Loud music is prohibited.
5. Students who drive cars to school are to park them, and cars are not to be moved until school is out or unless permission is given.
6. A city bus route will run for the convenience of the city students.
7. Students must park within the available spaces in the area in front of the building designated as student parking. They are not to park between the yellow lines in front and back of building
8. Car riding students or driving students in grades 7-12 are to enter and exit the campus via the high school drive only between the hours of 7:30am and 3:30pm. Students who use any other drive may lose their driving privileges on campus. The exception to this requirement is if a high school driver is transporting a younger child to and from the elementary school. All elementary students who are driven to school should enter and exit the campus via the elementary drive only.

Note: Arkansas Code § 27-51-1602 has been changed to state that a driver of a motor vehicle shall not use a handheld wireless telephone while operating a motor vehicle when passing a school building or school zone during school hours when children are present and outside the building unless it is an emergency. **This applies to all drivers in school zones.**

Consequence: minimum: warning
maximum: suspension of right to drive any vehicle for the remainder of the semester

Rule 30: GAMBLING

A student shall not bring dice, cards, or other materials that can be used for gambling purposes to school. Students shall not engage in any game of chance on school premises at any time.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 31: CHEATING ON ASSIGNMENTS

A student shall not cheat on tests or assignments nor shall a student aid other students in cheating on tests. A student found to be using a cell phone during a test will be considered in violation of this rule as well as rule 24.

Consequence: minimum: student receives a zero and must call parent
maximum: recommendation for expulsion with loss of credits for the semester

Rule 32: DRESS AND GROOMING

The Marmaduke School District 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.

- The dress and appearance of the pupils should be the primary responsibility of the parents with the school acting in an advisory capacity.
- The student is to present an appearance that will exhibit a reasonable degree of modesty and dignity and which reflects the family's best judgment of values.
- If the student's appearance meets the above requirements, it will be considered acceptable unless it
 1. Is clothing with inappropriate designs, signs, or language,
 2. Is see-through clothing not accompanied with proper undergarments,
 3. Presents a danger to pupil's health and safety,
 4. Causes interruption of the proper pursuit of learning, or
 5. Creates classroom disorder.
- If a student chooses to participate in any school activity or organization, he/she must conform to the standards set forth by the sponsor or director of the activity or organization. Students in violation of the appearance code of a school-sponsored activity

- or organization will (at minimum) not be allowed to participate in that activity until the required standards are met.
- Students are not allowed to wear the following types of clothing to classes or school activities:
 1. Emblems, insignias, badges, or other symbols, which distract (unreasonably) the attention of other students or otherwise cause a disruption or interference with the operation of the school;
 2. Hats, caps, doo rags, or any head covering anywhere on campus;
 3. Any article of clothing that advertises, supports the use of, or insinuates the use of any alcoholic beverage, tobacco product, or any other controlled substance;
 4. Any article of clothing that contains obscene language or pictures or suggestive remarks;
 5. Any tank tops;
 6. Any bare midriff style of shirt or blouse; or shirts that are open on the sides
 7. Chains as a part of clothing or attached to clothing;
 8. Inappropriate skin art must be covered at all times.
 9. Students may not wear strapless shirts or blouses, and straps must be at least two (2) inches wide.
 10. The waistband of jeans must be no lower than the top of the hipbone. Also, when the student is upright in a chair, the bottom of the shirt and the top of the pants must meet.*
 11. Students may wear shorts at any time during the school year; however, shorts must be of appropriate length (mid-thigh) and style for school.
 12. Pants with holes.
 13. Any style shirt or blouse that exposes cleavage or the breast of a female.*
 14. Clothing that exposes undergarments, or the buttocks will not be allowed.*
 15. Pajamas of any style.
- * Arkansas Code § 6-18-503
- Facial piercings are not allowed.

Consequence: minimum: conference and change of clothes

maximum: recommendation for expulsion with loss of credits for semester

Rule 33: NEGLECT OF TEXTBOOKS

The state provides textbooks for students to use from year to year. Students are not to leave their textbooks and supplies in the halls, floors, gym bleachers, cafeteria tables or anywhere outside where weather can damage them. PLEASE USE LOCKERS.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 34: OVERT AFFECTION

A student shall not use physical contact such as hugging, kissing, petting or holding hands with another student that conveys a connotation that can be judged as sexually explicit during the regular school day, school functions at home and away, and during extra-curricular activities.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester

Rule 35: 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.

Rule 36: 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 characteristics including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation;

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

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

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

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

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

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

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

with the learning environment.

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

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

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

Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the principal. The principal shall be responsible for investigating the incident(s) to determine if disciplinary action is warranted.

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

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

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

Copies of this policy shall be available upon request.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for the semester



Mean talk or hurting other people is called bullying. Bullying is against the rules and can get you in trouble, suspended, or expelled. If someone bullies you, or you see someone being bullied, get help by telling an adult.

Rule 37: BEHAVIOR NOT COVERED ABOVE

A student may be suspended or expelled for immorality, refractory conduct, insubordination, infectious disease, habitual uncleanliness, or other conduct that would tend to impair the discipline of the school or harm other students, regardless of whether the student’s conduct occurs on or off campus and during or between school terms and regardless of whether a specific prohibition of the conduct is contained in this student handbook.

Rule 38: PRINCIPALS MAY ALTER SEVERITY OF PUNISHMENT BASED ON CIRCUMSTANCES AND OTHER CONDITIONS AS DEEMED APPROPRIATE.

Date Adopted: 1/9/06
Date Revised: 06/08/09

4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY

Bus transportation is a privilege, not a right.

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.

Buses must be routed to provide the best service for most of the pupils, but routing will also take in effect economic operation.

Students should be on time at the designated school bus stops and should wait until the bus comes to a complete stop before attempting to enter. The school's jurisdiction starts when the bus comes within view of the students in the morning and ends when the students are no longer in the view of the driver in the afternoon. During this time all regular school rules apply. If students are required to cross the road when exiting the bus, they are to cross in front of the bus while it is stopped.

Students who misbehave on the bus will be written up by the driver. The discipline referrals will be sent to the principals' offices. If a student receives three discipline referrals, he/she will be suspended from the bus for five days. If a student receives three additional referrals during the semester, he/she will be suspended from the bus for the remainder of the semester. If the misbehavior is severe enough, the student can and will be suspended from the bus immediately without receiving any referrals.

While on the bus, students should

- Never tamper with the bus,
- Not leave books, lunches, or other articles on the bus,
- Not throw anything inside or outside of the bus,
- Not leave their seats while the bus is in motion,
- Not extend any part of the body out of the bus,
- Not possess or use tobacco products of any kind,
- Be courteous to fellow pupils and the bus driver,
- Be orderly on the bus with the driver and the bus patrols in control,
- Be absolutely quiet when approaching a railroad crossing.
- Not stop at the mailbox after getting off of the bus.

Students who disobey transportation rules will be subjected to the same consequences as outlined in rules 1 through 40.

No child under the age of three (3) may ride a school bus.

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: 06/12/06
Last Revised:

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 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 or school resource officer.

Legal Reference: A.C.A. § 6-18-511

Date Adopted: 06/20/06

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.

Students are to keep their hands to themselves, and treat teachers and fellow students with respect and courtesy. Horseplay and physical teasing, as well as shoving or assault is strictly forbidden. Violation of this policy will result in disciplinary action and may also constitute a criminal offense. By law, local law enforcement must be notified whenever a felony or an act of violence may have been committed or threatened on campus (Act 1520 of 1999).

When students fight, it may be difficult to determine who is at fault. When a cooling-off period is needed, both students may be immediately suspended until an effort to determine fault is made. Alternate punishment may be applied with regard to actual involvement.

Furthermore, it is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common understanding, is calculated to: a) cause a breach of the peace; b) materially and substantially interfere with the operation of the school; c) arouse the person to whom it is

addressed to anger, to the extent likely to cause imminent retaliation. Students guilty of such an offense may be subject to legal proceedings in addition to student disciplinary measures.

Legal Reference: A.C.A. § 6-17-106 (a)

Date Adopted: 06/12/06

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 excepted.

A weapon is defined as any firearm, knife, razor, ice pick, dirk, box cutter, numchucks, pepper spray or other noxious spray, explosive, 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, prior to any questioning or search by any school personnel, a student discovers that he/she has accidentally brought a weapon, other than a firearm, to school including a weapon, other than a firearm, that is in a vehicle on school

grounds, and the student informs the principal or a staff person immediately, the student will not be considered to be in possession of a weapon unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student's parent/legal guardian shall pick up the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

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

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

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

Cross Reference: Policy 4.31—EXPULSION

Legal References: A.C.A. § 6-18-502 (c) (2)(A)(B)
 A.C.A. § 6-18-507 (e) (1)(2)
 A.C.A. § 6-21-608
 A.C.A. § 5-4-201
 A.C.A. § 5-4-401
 A.C.A. § 5-27-210

A.C.A. § 5-73-119(b)(e)(8)(9)(10)
20 USCS § 7151

Date Adopted: 06/12/06
Last Revised: 07/08/13

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: 06/12/06

Last Revised: 07/08/13

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 Marmaduke School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy. This policy applies to any student who; is on or about school property; is in attendance at school or any school sponsored activity; has left the school campus for any reason and returns to the campus; is en route to or from school or any school sponsored activity.

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

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

Date Adopted: 06/12/06

Last Revised:

4.25—STUDENT DRESS AND GROOMING

The Marmaduke 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.

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.

Date Adopted: 06/12/06

Last Revised:

4.25a—STUDENT DRESS CODE

The Marmaduke School District 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.

- The dress and appearance of the pupils should be the primary responsibility of the parents with the school acting in an advisory capacity.
- The student is to present an appearance that will exhibit a reasonable degree of modesty and dignity and which reflects the family's best judgment of values.
- If the student's appearance meets the above requirements, it will be considered acceptable unless it
 1. Is clothing with inappropriate designs, signs, or language,
 2. Is see-through clothing not accompanied with proper undergarments,
 3. Presents a danger to pupil's health and safety,
 4. Causes interruption of the proper pursuit of learning, or
 5. Creates classroom disorder.
- If a student chooses to participate in any school activity or organization, he/she must conform to the standards set forth by the sponsor or director of the activity or organization. Students in violation of the appearance code of a school-sponsored activity or organization will (at minimum) not be allowed to participate in that activity until the required standards are met.

- Students are not allowed to wear the following types of clothing to classes or school activities:
 1. Emblems, insignias, badges, or other symbols, which distract (unreasonably) the attention of other students or otherwise cause a disruption or interference with the operation of the school;
 2. Hats, caps, doo rags, or any head covering anywhere on campus;
 3. Any article of clothing that advertises, supports the use of, or insinuates the use of any alcoholic beverage, tobacco product, or any other controlled substance;
 4. Any article of clothing that contains obscene language or pictures or suggestive remarks;
 5. Any tank tops;
 6. Any bare midriff style of shirt or blouse; or shirts that are open on the sides
 7. Chains as a part of clothing or attached to clothing;
 8. Inappropriate skin art must be covered at all times.
 9. Students may not wear strapless shirts or blouses, and straps must be at least two (2) inches wide.
 10. The waistband of jeans must be no lower than the top of the hipbone. Also, when the student is upright in a chair, the bottom of the shirt and the top of the pants must meet.*
 11. Students may wear shorts at any time during the school year; however, shorts must be of appropriate length (mid-thigh) and style for school.
 12. Pants with holes.
 13. Any style shirt or blouse that exposes cleavage or the breast of a female.*
 14. Clothing that exposes undergarments, or the buttocks will not be allowed.*
 15. Pajamas of any style.
 - * Arkansas Code § 6-18-503

- Facial piercings are not allowed.

Consequence: minimum: conference and change of clothes

maximum: recommendation for expulsion with loss of credits for semester

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

Date Adopted: 06/12/06
Last Revised: 06/14/2010

4.27—STUDENT SEXUAL HARASSMENT

The Marmaduke School District is committed to having an academic environment in which all students are treated with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination.

Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

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

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

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

1. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for academic

- decisions affecting that individual and/or
3. Such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creates an intimidating, hostile, or offensive academic environment.

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

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

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

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

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

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

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
(b) (1)

Date Adopted: 06/12/06
Last Revised:

4.28—LASER POINTERS

Students shall not possess any hand held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; en route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event.

School personnel shall seize any laser pointer from the student possessing it and the student may reclaim it at the close of the school year, or when the student is no longer enrolled in the District.

Legal References: A.C.A. § 6-18-512
 A.C.A. § 5-60-122

Date Adopted: 06/12/06
Last Revised:

4.29—COMPUTER USE POLICY

The Marmaduke School District makes computers and/or computer Internet access available to students, to permit students to perform research and to allow students to learn how to use computer technology. Use of district computers is for educational and/or instructional purposes only. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. No student will be granted Internet access until and unless a computer-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 computer use agreement is incorporated by reference into board policy and is considered part of the student handbook.

Student use of computers 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 computer use, including email, and that monitoring of student computer use is continuous. Students must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security or Internet filtering software, alter data without authorization, or disclose passwords to other students. Students who misuse district-owned computers or Internet access in any way, including using computers to violate any other policy or contrary to the computer use agreement, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, as specified in the student handbook and/or computer use agreement.

In an effort to help protect student welfare when they navigate the Internet, the district will work to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

In order for the school district to be able to continue to make its computer network and Internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and Internet access may jeopardize the ability of all students to enjoy such access. While the school's teachers and other staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this Internet.

Below is the Acceptable Use and Internet Safety Policy ("Policy") of the school district and the data acquisition site that provides Internet access to the school district. Upon reviewing, signing, and returning this policy as the students have been directed, each student will be given the opportunity to enjoy Internet access at school and is agreeing to follow the policy. If a student is under 18 years of age, he or she must have his parents or guardians read and sign the policy. The school district cannot provide access to any student who, if 18 or older, fails to sign and submit the policy to the school as directed or, if under 18, does not return the policy as directed with the signatures of the student and his/her parents or guardians.

Because of the evolving nature of computer networks, members, upon written or verbal notification, agree to cease and desist from any action deemed inappropriate by the supervising teacher, or staff member, even if those actions are not expressly written in this policy.

ACCEPTABLE INTERNET USE/SAFETY POLICY

Student Acceptable Use Guidelines and Permission Form for Network, Internet, and Personal Electronic Devices

Parents, please carefully read this complete document, review its contents with your son/daughter, and sign the Student User Agreement and Parent/Guardian Permission section at the end of this document. This signed agreement is kept on file at the school and is valid only for the school year in which it was signed. In order to rescind the agreement, the student's parent or guardian [or the student who is at least 18 years old] must provide the director of schools with a written request. Any questions or concerns about this permission form or any aspect of the computer network should be referred to the school's Principal.

Network storage areas may be treated like school lockers. Administrators and/or staff may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should, therefore, not expect that files stored on school servers will always be private.

Introduction

We are pleased to offer students of the Marmaduke School District access to the school's computer network resources and the Internet. In making decisions regarding student access to the Internet, the Marmaduke School District considers its own stated educational mission, goals, and objectives. Electronic information research skills are now considered to be necessary educational skills. Access to the Internet enables students to explore thousands of libraries, databases, and other resources. The faculty of your child's school has received professional development training on how to blend thoughtful use of the Internet throughout the curriculum as well as how

to provide guidance and instruction to students in its proper use. Therefore, all students in Marmaduke School District will be instructed in how to use the Internet safely and appropriately. As much as possible, access from school to Internet resources will be structured in ways which point students to those sites that have been evaluated prior to use. While it is our intent to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of informational resources and opportunities for collaboration, exceed any disadvantages. To use these resources, all students must sign and return the attached form and must obtain parental permission.

Purpose

The school's goal is to keep students safe and focused on learning while allowing students the benefit of everything technology has to offer. If a parent wants their student to have access to the internet or other technologies while at school, the parent or guardian will have to complete the Student and Guardian Permission Form.

Each student who plans to participate in using any of the schools internet connected technologies will have to complete a session on Internet Safety. The school prohibits during school hours the use of any technology or internet usage that does not directly contribute to the learning goals set forth by the school.

Personal electronic devices should not be used by students during school hours. Personal electronic devices should not be used to violate the privacy of any other individual on the school campus. The school cannot be responsible for student's electronic devices or the use of the device on school property or damages or purchases that may occur.

Definitions:

Internet Safety

The safety of our students is of utmost importance. Educating the students about the proper and safe use of the Internet is a priority. An Internet Safety curriculum is taught by the technology coaches and/or guidance counselors at each school. Rules and guidelines for safe Internet use are posted near all computers where students have Internet access. Teachers are trained in using these rules and guidelines and are required to review them with their students at the beginning of the school year.

Email, chat rooms, and other forms of direct electronic communications are prohibited unless temporarily allowed by a teacher or administrator in a controlled situation.

General Internet Use

Internet access is provided for students to conduct research, complete assignments, and communicate with others. Access to Internet services is given to students who agree to act in a considerate and responsible manner. Access is a privilege – not a right. As such, general school rules for behavior apply, and users must honor the agreement they have signed on the Student User Agreement section of this document. Any violations of this Acceptable Use Policy may result in a loss of access as well as other possible disciplinary and/or legal actions. Based on the acceptable use guidelines stated in this document, the system administrators will deem what is inappropriate and their decision is final.

The following uses of school-provided Internet access are considered violations of the policy:

Level 1 offenses include but are not limited to:

1. Sending, displaying or accessing obscene, pornographic, and/or sexually explicit material on any school computer offensive messages or pictures
2. Harassing, insulting, defaming, or attacking others
3. Damaging or modifying computers, computer systems, or computer networks
4. Transmitting any material in violation of any state or federal law
5. Using another person's password or identifier without permission
6. Sending electronic information from accounts that do not belong to you without the owner's authorization
7. Deleting, copying, modifying, or forging another's files or data
8. Moving, deleting, or altering any applications or files that belong to the system, school, or other users
9. Accessing unauthorized or inappropriate areas on the school's network
10. Using the network for commercial purposes, financial gain, or fraud
11. Using a proxy site designed to bypass school blocking filters
12. Hacking or attempting unauthorized access of any school computer or files, attaching a computer or other device that is not the property of Marmaduke School District Schools to the network without first receiving approval from a technology administrator
13. Installing any software on any computer without permission from a technology administrator

Level 2 offenses include but are not limited to:

14. Accessing the network at any school in the Marmaduke School District system without a signed Internet Use Agreement
15. Using obscene language
16. Giving personal information, such as complete name, phone number, address or identifiable photo, without permission from the supervising teacher
17. Knowingly violating copyright laws
18. Misusing resources such as network storage space and printers
19. Accessing personal email accounts without specific permission from the supervising teacher
20. Downloading non-educational, entertainment files without permission

Legal References: 20 USC 6801 et seq. (Children's Internet Protection Act; PL 106-554)
A.C.A. § 6-21-107
A.C.A. § 6-21-111

4.29F—STUDENT INTERNET USE AGREEMENT

Marmaduke School District User Agreement and Parent Permission Form for Network, Internet, Cell Phone, and Personal Electronic Devices (Page 50)

The Acceptable Use Policy for Marmaduke School District Schools is approved by the Marmaduke School District Board of Education. The policy and records of violations are reviewed by technology staff and administrators periodically during the school year and annually each June.

The Marmaduke School District makes no warranties of any kind, neither expressed nor implied, for the Internet access it is providing. The district will **not** be responsible for:

- loss of data resulting from delays or interruptions in service
- the accuracy, nature, or quality of information stored on storage devices
- the accuracy, nature, or quality of information gathered through school-provided Internet access
- unauthorized financial obligations resulting from district-provided access to the Internet.

SECTION I: Student User Agreement

As a **user** of the Marmaduke School District School System's computer network and Internet connectivity, I hereby agree to comply with the statements and expectations outlined in this document and to honor all relevant laws and restrictions.

Student's Signature
signed

Date

SECTION II: Parent/Guardian Permission

I understand that individuals and families may be held liable for violations. I understand that some materials on the Internet may be objectionable and that, even though the Marmaduke School District uses a filtering system to block as many of these sites as possible, no filtering system is capable of blocking 100% of the inappropriate material available on the Internet. I

hereby give permission for my child to use the Internet and programs provided by the school system for educational purposes.

Parent's / Guardian's Signature
Date signed

4.30—SUSPENSION FROM SCHOOL

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

- Is in violation of school policies, rules, or regulations;
- Substantially interferes with the safe and orderly educational environment
- School administrators believe will result in the substantial interference with the safe and orderly educational environment; and/or
- 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:

- the student shall be given written notice or advised orally of the charges against him/her;
- 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;
- 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 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 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:

1. A primary call number. The contact may be by voice, voice mail, or text message.
2. An email address.
3. 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 shall not be 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 any school-sponsored activities during the imposed suspension nor shall the student participate in any school-sponsored activities.

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

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

Date Adopted: 06/12/06
Last Revised: 06/11/07, 06/08/09

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, or where the student's continued attendance at school would disrupt the orderly learning environment or would pose an unreasonable danger to the welfare of other students or staff.

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

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

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

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

The Superintendent shall recommend the expulsion of any student for a period of not less than one (1) year for possession of any firearm or other weapon prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

Students who have been expelled may not attend or participate in any school-sponsored activities, on or off campus, during the expulsion period.

Legal Reference: A.C.A. § 6-18-507

Date Adopted: 06/12/06

Last Revised: 06/08/09

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 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. § 12-12-509, 510, and 516
 A.C.A. § 9-13-104

Date Adopted: 06/12/06
Last Revised:

4.33—STUDENTS' VEHICLES

Students, who have presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive their vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. 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 for any reason unless given permission to do so by school personnel.

Students may not display anything that is obscene or that may cause a disruption to the educational process.

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: 06/12/06

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: chicken pox, measles, scabies, conjunctivitis (Pink Eye), impetigo/MRSA (Methicillin-resistant Staphylococcus aureus), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis B or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally).

A student who has been sent home by the school nurse will be subsequently readmitted, at the discretion of the school nurse, when the student is no longer a transmission risk. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.

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

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

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

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

Date Adopted: 06/12/06

Last Revised:

4.35—STUDENT MEDICATIONS

Prior to the administration of any medication to any student under the age of eighteen (18), written parental consent is required. The consent form shall include authorization to administer the medication and relieve the Board and its employees of civil liability for damages or injuries resulting from the administration of medication to students in accordance with this policy. All signed medication consent forms are to be maintained by the school nurse.

Unless authorized to self-administer, students are not allowed to carry any medications, including over-the-counter medications or any perceived health remedy not regulated by the US Food and Drug Administration, while at school. The parent or legal guardian shall bring the student's medication to the school nurse. The student may bring the medication if accompanied by a written authorization from the parent or legal guardian. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, the quantity of the medication(s). If the medications are brought by a student, the school nurse shall ask another school employee to verify, in the presence of the student the quantity of the medication(s). Each person present shall sign a form verifying the quantity of the medication(s).

Medications, including those for self-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. Schedule II medications that are permitted by this policy to be brought to school shall be stored in a double locked cabinet.

Students with an individualized health plan (IHP) may be given over-the-counter medications to the extent giving such medications are included in the student's IHP.

The only Schedule II medications that shall be allowed to be brought to the school are methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse).¹

For the student's safety, no student will be allowed to attend school if the student is currently taking any other Schedule II medication than permitted by this policy. Students who are taking Schedule II medications which are not allowed to be brought to school shall be eligible for homebound instruction if provided for in their IEP or 504 plans.

Emergency Administration of Epinephrine

The school nurse or other school employees designated by the school nurse as a care provider who have been trained¹ and certified by a licensed physician may administer an epinephrine auto-injector in emergency situations to students who have an IHP developed under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of an epinephrine auto-injector in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee certified to administer auto-injector epinephrine to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

Students with an order from and a licensed health care provider to self-administer auto-injectable epinephrine and who have written permission from their parent or guardian shall provide the school nurse an epinephrine auto-injector. This epinephrine will be used in the event the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes the student is having a life-threatening anaphylactic reaction and the student is either not self-carrying his/her /epinephrine auto-injector or the nurse is unable to locate it.

The school nurse for each District school shall keep epinephrine auto-injectors on hand that are suitable for the students the school serves. The school nurse or other school employee designated by the school nurse as a care provider who has been trained¹ and certified by a licensed physician may administer auto-injector epinephrine to those students who the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes is having a life-threatening anaphylactic reaction.

The school shall not keep outdated medications or any medications past the end of the school year. Parents shall be notified ten (10) days in advance of the school's intention to dispose of any medication. Medications not picked up by the parents or legal guardians within the ten (10) day period shall be disposed of by the school nurse in accordance with current law and regulations.²

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

Arkansas Department of Education and Arkansas State Board of
Nursing Rules Governing the Administration of Glucagon to
Arkansas Public School Students Suffering from Type I Diabetes
A.C.A. § 6-18-707
A.C.A. § 6-18-1005(a)(6)
A.C.A. § 17-87-103 (11)

Date Adopted: 06/12/06

Last Revised: 7/8/2013

4.35F—MEDICATION ADMINISTRATION CONSENT FORM

Student's Name (Please Print)

This form is good for school year 2013-2014. 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)

Name of physician or dentist (if applicable)

Dosage

Instructions for administering the medication

Other instructions

I acknowledge that the District, its Board of Directors, and its employees shall be immune from civil liability for damages resulting from the administration of medications in accordance with this consent form.

Parent or legal guardian signature

Date _____

Date Adopted: 06/12/06

Last Revised: 07/08/13

4.35F2—MEDICATION SELF-ADMINISTRATION CONSENT FORM

Student's Name (Please
Print) _____

This form is good for school year 2013-2014. 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

_____ Date

Date Adopted: 06/12/06

Last Revised: 07/08/13

4.35F3— GLUCAGON ADMINISTRATION CONSENT FORM

Student's Name (Please
Print)_____

This form is good for school year 2013-2014. 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 a Section 504 plan acknowledging that my child has been diagnosed as suffering from diabetes. The 504 plan authorizes the school nurse or, in the absence of the nurse, trained volunteer district personnel, to administer Glucagon in an emergency situation to my child.

I hereby authorize the school nurse or, in the absence of the nurse, trained volunteer district personnel designated as care providers, to administer Glucagon to my child in an emergency situation. Glucagon shall be supplied to the school nurse 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..

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 in accordance with this consent form and the 504 plan.

Parent or legal guardian signature

Date _____

Date Adopted: 7/8/13
Last Revised:

4.35F4—EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM

Student's Name (Please Print)

This form is good for school year 2013-2014. 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

Other instructions

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

Parent or legal guardian signature

Date _____

Date Adopted: 07/08/13

Last Revised:

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: 06/12/06

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 with at least one each in the months of September, January, and February. Students who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.

For school-year 2013-14, an annual active shooter drill and school safety assessment may be conducted for all District schools in collaboration, when possible, with local law enforcement and emergency management personnel.² Students will be included in the drills to the extent that is developmentally appropriate to the age of both the students and grade configuration of the school .

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

Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of an earthquake or terrorist attack that might include the use of biological or chemical agents. Students shall be included in the drills to the extent practicable.

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

Date Adopted: 06/12/06

Last Revised: 7/8/2013

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 graduates 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 upon the transfer of the student to another district. Records will be sent to the requesting school district within ten days of receiving the request for records.

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

Date Adopted: 06/12/06
Last Revised: 06/08/09

4.39—CORPORAL PUNISHMENT

The Marmaduke 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 administered by an administrator 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: A.C.A. § 6-18-505 (c) (1)

Date Adopted: 06/12/06

Last Revised:

4.40—HOMELESS STUDENTS

The Marmaduke School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational liaison for homeless children and youth whose responsibilities shall include coordinating with the state educational liaison for homeless children and youth to ensure that homeless children are not stigmatized or segregated on the basis of their status as homeless and such other duties as are prescribed by law and this policy.

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

To the extent feasible, the District shall do one of the following according to what is in the best interests of a homeless child. (For the purposes of this policy "school of origin" means the school the child attended when permanently housed or the school in which the child was last enrolled.)

1. continue educating the child who becomes homeless between academic years or during an academic year in their school of origin for the duration of their homelessness;
2. continue educating the child in his/her school of origin who becomes permanently housed during an academic year for the remainder of the academic year; or
3. enroll the homeless child in the school appropriate for the attendance zone where the child lives.

If the District elects to enroll a homeless child in a school other than their school of origin and such action is against the wishes of the child's parent or guardian, the District shall provide the parent or guardian with a written explanation of their reason for so doing which shall include a statement of the parent/guardian's right to appeal.

In any instance where the child is unaccompanied by a parent or guardian, the District's local educational liaison for homeless children and youth shall assist the child in determining his/her place of enrollment. The Liaison shall provide the child with a notice of his/her right to appeal the enrollment decision.

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

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

- (a) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (b) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- (c) are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and includes
- (d) are migratory children who are living in circumstances described in clauses (a) through (c).

Legal References: 42 U.S.C. § 11431 et seq.**
42 U.S.C. § 11431 (2)
42 U.S.C. § 11432(g)(1)(H)(I)
42 U.S.C. § 11432 (g)(1)(J)(i), (ii), (iii), (iii)(I), (iii)(II)
42 U.S.C. § 11432 (g)(3)(A), (A)(i), (A)(i)(I), (A)(i)(II), (A)(ii)
42 U.S.C. § 11432 (g)(3)(B)(i), (ii), (iii)
42 U.S.C. § 11432 (g)(3)(C)(i), (ii), (iii)
42 U.S.C. § 11432 (g)(3)(E)(i), (ii), (iii)
42 U.S.C. § 11432 (g)(3)(G)
42 U.S.C. § 11432 (g)(4) (A), (B), (C), (D), (E)
42 U.S.C. § 11434a

Date Adopted: 11/14/05

Last Revised:

4.41—PHYSICAL EXAMINATIONS OR SCREENINGS

The Marmaduke School District may provide from time to time for the administration of physical exams or screenings of its students. The intent of the exams or screenings shall be to detect contagious or infectious diseases or defects in hearing, vision, or other elements of health that would adversely affect the student's ability to achieve to his/her full potential.

The district shall notify parents, at least annually, of the specific or approximate dates of any non-emergency, invasive physical examination or screening that is:

1. required as a condition of attendance;
2. administered by the school and scheduled by the school in advance; and
3. not necessary to protect the immediate health and safety of the student, or of other students.

For the purposes of this policy, "Invasive Physical Examination" is defined as any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

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

A student may be required to pass a physical exam before being allowed to participate in certain extracurricular activities to help ensure they are physically capable of withstanding the rigors of the activity. It is understood that students who refuse to take such an exam will not be allowed to participate in the desired activity.

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

Date Adopted: 06/12/06

Last Revised:

4.41F—OBJECTION TO PHYSICAL EXAMINATIONS OR SCREENINGS

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 above.

Physical examination or screening being objected to:

Body Mass Index Scoliosis test Non-emergency, invasive physical

examination as defined in Policy 4.41.

Other, please specify _____

THIS SECTION DOES NOT HAVE TO BE SIGNED IF THERE ARE NO OBJECTIONS

4.42—STUDENT HANDBOOK

It shall be the policy of the Marmaduke 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. Student policies are available on the district website at <http://marmaduke.nesc.k12.ar.us>.

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: 11/14/05

Last Revised: 7/8/2013

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;

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:

13. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes,
14. Pointed questions intended to embarrass or humiliate,
15. Mocking, taunting or belittling,
16. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
17. Demeaning humor relating to a student's race, gender, ethnicity or actual or perceived attributes,
18. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
19. Blocking access to school property or facilities,
20. Deliberate physical contact or injury to person or property,
21. Stealing or hiding books or belongings,
22. Threats of harm to student(s), possessions, or others,
23. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
24. 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.¹

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium,

auditorium, and school bus. Parents, students, school volunteers, and employees shall be given copies of the notice.

Copies of this policy shall be available upon request.

Legal Reference: A.C.A. § 6-18-514
 A.C.A. § 5-71-217

Date Adopted: 06/12/06
Last Revised: 07/08/13

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 self-study 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 wavier 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: 11/14/05

Last Revised:

4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are 18 years of age or older, sign a *Smart Core Waiver Form* to not participate. While Smart Core is the default option, both a *Smart Core Informed Consent Form* and a *Smart Core Waiver Form* will be sent home with students prior to their enrolling in seventh grade, or when a 7-12 grade student enrolls in the district for the first time and there is not a signed form in the student's permanent record. Parents must sign one of the forms and return it to the school so it can be placed in the students' permanent records.¹ This policy is to be included in student handbooks for grades 6-12 and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the requirements of their IEP (when applicable) to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the time they are required to sign the consent forms.

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year³ to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

The first year of this policy's implementation all employees required to be licensed as a condition of their employment shall receive training regarding this policy so that they will be able to help successfully implement it. In subsequent years, 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.

GRADUATION REQUIREMENTS

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of 22 units is required for graduation for a student participating in either

the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Arkansas Department of Education, the district requires an additional 1 unit to graduate for a total of 23 units. The additional required units may be taken from any electives offered by the district. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

SMART CORE: Sixteen (16) units

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

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

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

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

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

- Algebra II
- Beyond Algebra II: this can include Pre-Calculus, Calculus, AP Statistics, Algebra III, Advanced Topic and Modeling in Mathematics, Mathematical Applications and Algorithms, Linear Systems and Statistics, or any of several IB or Advanced Placement math courses (Comparable concurrent credit college courses may be substituted where applicable)

Natural Science: a total of three (3) units with lab experience chosen from One unit of Biology; and

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

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

Social Studies: three (3) units

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

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

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

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

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

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

CAREER FOCUS: - Six (6) units

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

The Smart Core and career focus units must total at least twenty-two (22) units to graduate. Additionally, the district requires 1 unit for a total of 23 units to graduate which may be taken from any electives offered by the district.

CORE: Sixteen (16) units

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

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

Mathematics: four (4) units

- Algebra or its equivalent* - 1 unit
- Geometry or its equivalent* - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.

- (Comparable concurrent credit college courses may be substituted where applicable)
- *A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.

Science: three (3) units

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

Social Studies: three (3) units

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

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

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

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

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

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

CAREER FOCUS: - Six (6) units

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

The Core and career focus units must total at least twenty-two (22) units to graduate. Additionally, the district requires 1 unit for a total of 23 units to graduate which may be taken from any electives offered by the district.

Cross References: Policy 5.16.1—GRADUATION REQUIREMENTS
 5.11—PROMOTION/RETENTION/COURSE CREDIT FOR ?-12
 SCHOOLS
 5.12—PROMOTION/RETENTION/COURSE CREDIT FOR K-?
 SCHOOLS

Legal References: Standards of Accreditation 9.03 – 9.03.1.9, 14.02
ADE Guidelines for the Development of Smart Core Curriculum Policy
Smart Core Informed Consent Form 2014
Smart Core Waiver Form 2014

Date Adopted:
Last Revised: 7/8/2013

4.45.2—ASSESSMENTS AND REMEDIATION

In compliance with Act 2243 of 2005, the Marmaduke School District shall require the following assessments:

1. Students in grades 3-8 shall participate in Benchmark assessments required by the State Board of Education.
2. Students in appropriate grades shall participate in End-of-Course assessments required by the State Board of Education.

Each student identified as not meeting the “satisfactory pass” levels in the most recently administered Benchmark or End-of-Course exam shall participate in his/her remediation activities as required in his/her individualized academic improvement plan (AIP) beginning in the school year the assessment results are reported. If a student with disabilities identified under the Individuals with Disabilities Education Act has an individualized education program that addresses any academic area or areas in which the student is not proficient on state-mandated criterion-referenced assessments, the individualized education program meets the requirements of an academic improvement plan under this section.

Students in grades three through eight identified as “not passing” a Benchmark assessment and who fail to participate in the subsequent academic improvement plan shall be retained and shall not be promoted to the next appropriate grade until

1. The student is deemed to have participated in an academic improvement plan, or
2. The student passes the Benchmark assessment for the current grade level in which the student is retained.

Any student required to take an End-of-Course assessment who is identified as not meeting the “satisfactory pass” levels for a particular assessment shall participate in his/her remediation activities as required in his/her individualized academic improvement plan in the school year the assessment results are reported in order to receive credit on his/her transcript for the course corresponding to the End-of-Course assessment.

Each and every student who is required to participate in the statewide program of educational assessments shall not receive credit on his/her transcript for any course which requires an end-of-course assessment until that student has received a pass score on an initial end-of-course assessment(s) or received a satisfactory pass score on an Alternative Assessment. Any student who fails to receive a pass score on an initial end-of-course assessment or an Alternative Assessment shall be remediated and have opportunity to participate in subsequent end-of-course assessments or Alternative Assessments. Appropriate accommodations shall be made available for students with appropriate disabilities and for English language learners as allowed by Arkansas Department of Education regulations.

Date Adopted: 6/12/06

Date 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: 06/12/06

Last Revised:

4.47— POSSESSION AND USE OF CELL PHONES, BEEPERS, ETC.

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.¹ 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 a 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.

Legal References: A.C.A. § 6-18- 515
 ADE Test Administration Manual

Date Adopted: 06/12/06

Last Revised: 07/8/13

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 in any district building, on district property, and in district buses and vehicles.

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 in 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 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 for a minimum of two (2) weeks before 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 two (2) weeks after they were created. Parents wishing to view a video recording need to be aware that it may not be available after the two week period unless the video contains evidence of misconduct.

Video recordings shall be considered student education records and any release or viewing of such records shall be in accordance with current law. 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.

Student who vandalize, damage, disable, or render inoperable (temporary 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)
 34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31

Date Adopted: 06/11/07

Last Revised: 06/08/09

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: 06/8/09

Last Revised:

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.

Date Adopted: June 8, 2009

Date Revised:

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 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 current school, 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 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: Policies 4.1—RESIDENCE REQUIREMENTS, 4.2—ENTRANCE REQUIREMENTS, 4.7—ABSENCES

Legal Reference: A.C.A. § 9-28-113

Date Adopted: 6/13/11

Last Revised:

4.53— PLACEMENT OF MULTIPLE BIRTH SIBLINGS

The parent, guardian or other person having charge or custody of multiple birth siblings in grades pre-K through 6 may request that the multiple birth siblings are placed in either the same or separate classrooms. The request shall be in writing not later than the 14th calendar day prior to the first day of classes at the beginning of the academic year. The 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: 6/13/11

Last 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 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 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. 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: 7/8/13
Last Revised: