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4.1 RESIDENCE REQUIREMENTS

EFFECTIVE: July 1, 2009

Definitions:

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

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

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

- A. 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.
- B. 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.
- C. 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 of the district by a custodial parent on active military duty may continue to attend district schools.
- D. Under instances prescribed in A.C.A. §6-18-203, a child or ward of an employee of the district or of the education coop to which the district belongs may enroll in the district even though the employee and his/her child or ward reside outside the district.
- E. Act 1255 of 2005 gives the Department of Human Services the authority to require a school district to waive the residency requirement for foster children unless a court determines it is not in the child’s best interest for the child to remain in his/her current school. The Act further provides that districts are “encouraged to work out a plan for transportation for the child to remain in the child’s current school.”

Legal References: A.C.A. §6-18-202, A.C.A. §6-18-203, A.C.A. §6-27-102, 112

History BOE: Revised: 7/11/05, 6/8/09

4.2 ENTRANCE REQUIREMENTS

EFFECTIVE: July 1, 2011

- A. 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, 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.
- B. 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.
- C. 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.
- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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.
 4. The child shall be age appropriately immunized from poliomyelitis, diphtheria, tetanus, pertussis, red (rubella) 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. To continue such exemptions, they must be renewed at the beginning of each school year. Requests should be sent to the Director, Division of CD/Immunization, Arkansas Department of Health, 4815 W. Markham, Slot 48, Little Rock, Arkansas, 72205. Letters of exemption or denial will be issued to the school. A child enrolling in a district school and living in the household of a person on active military duty has thirty (30) days to receive his/her initial required immunizations and twelve (12) months to be up to date on the required immunizations for the student's age.

Legal References: 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. §6-27-102,105, A.C.A. §9-27-103, *Plyler v Doe* 457 US 202,221 (1982)

History BOE: Revised: 7/11/05, 6/9/08, 6/8/09, 4/12/10, 3/14/11

4.3 COMPULSORY ATTENDANCE REQUIREMENTS

EFFECTIVE: July 1, 2011

- A. Every parent, guardian, or other person having custody or charge of any child age five (5) through seventeen (17) years on or before **August 1** of that year who resides, as defined by policy (4.1 - RESIDENCE REQUIREMENTS), within the District shall enroll and send the child to a District school with the following exceptions.
 1. The child is enrolled in private or parochial school.
 2. The child is being home-schooled and the conditions of policy (4.6 - HOME SCHOOLING) have been met.
 3. The child will not be age six (6) on or before August 15 of that particular school year and the parent, guardian, or other person having custody or charge of the child elects not to have him/her attend kindergarten. A kindergarten waiver form prescribed by regulation of the Department of Education must be signed and on file with the District administrative office.
 4. The child has received a high school diploma or its equivalent as determined by the State Board of Education.

5. The child is age sixteen (16) or above and is enrolled in a post-secondary vocational-technical institution, a community college, or a two-year or four-year institution of higher education.
6. The child is age sixteen (16) or seventeen (17) and has met the requirements to enroll in an adult education program as defined by A.C.A. § 6-18-201 (b).

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

History BOE: Adopted: 6/14/04, Revised 6/8/09, 4/12/10, 3/14/11

4.4 STUDENT TRANSFERS

EFFECTIVE: June 11, 2007

- A. The South Conway County School District shall review and accept or reject requests for transfers, both into and out of the district, on a case by case basis.
- B. The District may reject a nonresident's application for admission if its acceptance would necessitate the addition of staff or classrooms, exceed the capacity of a program, class, grade level, or school building, or cause the District to provide educational services not currently provided in the affected school. The District shall reject applications that would cause it to be out of compliance with applicable laws and regulations regarding desegregation.
- C. Any student transferring from a school accredited by the Arkansas Department of Education to a school in this district shall be placed into the same grade the student would have been in had the student remained at the former school.
- D. Any student transferring from home school or a school that is not accredited by the Department of Education to a District school shall be evaluated by District staff to determine the student's appropriate grade placement. The District specifically reserves the right to utilize various assessment techniques to determine appropriate grade placement.
- E. 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.
- F. 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*

History BOE: Adopted: 6/14/04, Revised 6/11/07

4.5 SCHOOL CHOICE

EFFECTIVE: June 11, 2007

- A. The Superintendent will consider all applications for School Choice postmarked not later than the July 1, preceding the fall semester the applicant would begin school in the District. The Superintendent shall notify the parent or guardian and the student's resident district, in writing, of the Board's decision to accept or reject the application within 30 days of its receipt of the application.
- B. The District shall advertise in appropriate print and broadcast media 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 procedure for participation in the program. Such pronouncements shall be made in the spring, but in no case later than June first.
- C. When considering applications, priority will be given to applications from siblings or stepsiblings residing in the same residence or household of students already attending the District through school choice.
- D. The District may reject a nonresident's application for admission if its acceptance would necessitate the addition of staff or classrooms exceed the capacity of a program, class, grade level, or school building, or cause the District to provide educational services not currently provided in the affected school. The District shall reject applications that would cause it to be out of compliance with applicable laws and regulations regarding desegregation. Letters of rejection shall state the reason(s) for the rejection.
- E. The Board of Education reserves the right, after a hearing before the Board, not to allow any person who is currently under expulsion from another district to enroll in a District school
- F. Students admitted under this policy shall be entitled to continued enrollment until they graduate or are no longer eligible for enrollment in the District's schools. Any student admitted to this district under the provisions of this policy who chooses to return to his/her resident district during the school year voids the transfer and must reapply for a school choice admission if desiring to return to this district in the future.

Legal References: A.C.A. §6-18-206, A.C.A. §6-18-510

History BOE: Adopted: 6/14/04, Revised 6/12/06, 6/11/07

4.6 HOME SCHOOLING

EFFECTIVE: June 14, 2004

- A. 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.
- B. 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.
- C. 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.
- D. Any student transferring from home school to a District school shall be evaluated by District staff to determine the student's appropriate grade placement. The District specifically reserves the right to utilize various assessment techniques to determine appropriate grade placement.

Legal References: A.C.A. §6-15-503, A.C.A. §6-41-206

History BOE: Adopted: 6/14/04

4.7 ABSENCES

EFFECTIVE: July 1, 2011

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

Excused Absences -- Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings a written statement upon his/her return to school from the parent or legal guardian stating such reason:

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.; The District reserves the right to require confirmation of the medical documentation through direct communication with the medical personnel responsible for the documentation and if the district is unable to confirm or verify the absence or the reason for the absence, to consider the absence to be unexcused.
2. Death or serious illness in their immediate family;
3. "Immediate family" means a parent, sibling, or legal guardian;
4. Observance of recognized holidays observed by their faith;
5. Attendance at an appointment with a government agency;
6. Attendance at a medical appointment;
7. Exceptional circumstances with prior approval of the principal; or
8. Participation in an FFA, FCCLA, or 4-H sanctioned activity;
9. Participation in the election poll workers program for high school students.

Additional excused absences shall be 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.

It is the Arkansas General Assembly's intention that students having excessive excused 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.

B. Unexcused Absences --Absences not defined above or not having an accompanying note from the parent or legal guardian shall be considered as unexcused absences. Students with ten (10) 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.

1. When a student has five (5) 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.
2. Whenever a student exceeds ten (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.
3. Students who attend in-school suspension shall not be counted absent for those days.
4. Days missed due to expulsion or out-of-school suspension shall be unexcused absences.

C. 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 code.

- D. 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.
- E. Students are not permitted more than ten (10) excused absences from any one class per semester. This should be adequate time to take care of a student's normal illness or extenuating circumstances. A student will be allowed to make up all assignments during these ten (10) absences by presenting an explanation of the absence signed by the student's parent or person legally responsible. Any time a student presents a note from a licensed medical professional, or the student absence is cleared by the building administration, the absence(s) will not count toward the allowed number and the student will be allowed to make up all assignments.

Legal References: 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. §6-27-113, A.C.A. §7-4-116, A.C.A. §27-16-701

History BOE: Approved 7/11/05 Revised 6/9/08, 6/8/09, 4/12/10, 3/14/11

4.8 MAKE-UP WORK

EFFECTIVE: June 14, 2004

- A. Students who miss school due to an excused absence shall be allowed to make up the work they missed during their absence. It is the responsibility of the student to arrange for all make-up work with his/her teacher(s). Each school shall establish a uniform timetable in which students must make up their work to receive credit.
- B. Work may not be made up for credit for unexcused absences.
- C. Each school shall establish a uniform procedure in which to award or deny credit for out-of – school suspensions.

History BOE: Adopted 6/14/04

4.9 TARDIES

EFFECTIVE: June 14, 2004

- A. 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.

- B. Each school shall establish a uniform procedure in which to discipline students with respect to tardiness.

History BOE: Adopted 6/14/04

4.10 CLOSED CAMPUS

EFFECTIVE: June 14, 2004

- A. 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. Students may be given permission to leave the campus by a school official and must sign out in the office upon their departure.

History BOE: Adopted 6/14/04

4.11 EQUAL EDUCATIONAL OPPORTUNITY

EFFECTIVE: June 14, 2004

- A. No student in the South Conway County 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.

History BOE: Adopted 6/14/04

4.12 STUDENT ORGANIZATIONS/EQUAL ACCESS

EFFECTIVE: July 1, 2010

- A. Non-curriculum-related secondary school student organizations wishing to conduct meetings on school premises during non-instructional time shall not be denied equal access on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Such meetings must meet the following criteria.
1. The meeting is to be voluntary and student initiated;
 2. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
 3. The meeting must occur during non-instructional time;
 4. Employees or agents of the school are present at religious meetings only in a non-participatory capacity;
 5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and

6. Non-school persons may not direct, conduct, control, or regularly attend activities of student groups.
- B. 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.
- C. Fraternities, sororities, and secret societies are forbidden in the District's schools. Membership to student organizations shall not be by a vote of the organization's members, nor be restricted by the student's race, religion, sex, national origin, or other arbitrary criteria. Hazing, as defined by law, is forbidden in connection with initiation into, or affiliation with, any student organization.

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

History BOE: Adopted 6/14/04, Revised 4/12/10

4.13 PRIVACY OF STUDENTS' RECORDS/DIRECTORY INFORMATION **EFFECTIVE: July 1, 2009**

- A. All students' education records are available for inspection and copying by the parents or guardian of any student who is under the age of eighteen (18). At the age of eighteen (18), the right to inspect and copy a student's records transfers to the student. A student's parent or the student, if over the age of 18, requesting to review the student's education records will be allowed to do so within no more than forty five (45) days of the request. The district forwards education records, including disciplinary records, to schools that have requested them in which the student seeks or intends to enroll.
- B. 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 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.

- C. For the purposes of this policy a school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- D. For the purposes of this policy a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility, contracted duty, or duty of elected office.
- E. The District discloses personally identifiable information from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The superintendent or designee shall determine who will have access to and the responsibility for disclosing information in emergency situations.
- F. When deciding whether to release personally identifiable information in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.
- G. For purposes of this policy, the South Conway County School District does not distinguish between a custodial and non-custodial parent with respect to gaining access to a student's records. 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.
- H. If there exists a court order which directs that a parent not have access to a student or his records, the parent or guardian 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.
- I. 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's file must be initiated with the building principal, with an appeal available to the Superintendent or his designee. The challenge shall clearly identify the part of the student's record the parent wants changed and specify why he/she believes it is inaccurate or misleading. If the school determines not to amend the record as requested, the school will notify the requesting parent or student of the decision and inform them of their right to a hearing regarding the request for amending the record. The parent or eligible student will be provided information regarding the hearing procedure when notified of the right to a hearing.

- J. 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. A student's name and photograph will only be displayed on the district or school's web page(s) after receiving written permission from the student's parent or student if over the age of 18.
- K. The form for objecting to making directory information available is located in the back of the student handbook and must be completed and signed by the parent or age-eligible student and filed with the building principal's office no later than ten (10) school days after the beginning of each school year or the date the student is enrolled for school. Failure to file an objection by that time is considered a specific grant of permission.

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

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

Legal Reference: 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

History BOE: Adopted 6/14/04, Revised 6/12/06, 5/11/09

4.14 STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE **EFFECTIVE: June 9, 2008**

- A. **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.

- B. Student Publications on School Web Pages** -- Student publications that are displayed on school web pages shall follow the same guidelines as listed above plus they shall
1. Not contain any non-educational advertisements. Additionally, student web publications shall;
 2. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using a student's photograph when associated with the student's name unless written permission has been received from the student's parent or student if over the age of 18.
 3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

- C. Student Distribution of Non-school Literature Publications, and Materials** – A student or group of students who distribute ten (10) or fewer copies of the same non-school literature, publications, or materials (hereinafter “non-school materials”), shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10) copies of non-school materials shall have school authorities review their non-school materials at least three (3) school days in advance of their desired time of dissemination. School authorities shall review the non-school materials, prior to their distribution and will bar from distribution those non-school 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 or his designee, whose decision shall be final. The Director of Facilities, Transportation and Student Services shall review non-school publications prior to their distribution and will bar from distribution those 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 disruption will likely result from the distribution.

- D. **Regulations** - The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of non-school materials.
The regulations shall:
1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
 2. Be uniformly applied to all forms of non-school materials;
 3. Allow no interference with classes or school activities;
 4. Specify times, places, and manner where distribution may and may not occur;
 5. Not inhibit a person's right to accept or reject any literature distributed in accordance with the regulations.
 6. Students shall be responsible for the removal of excess literature that is left at the distribution point for more than three (3) days and are responsible for picking up any materials thrown on school grounds.
- E. 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)

History BOE: Adopted 6/14/04, Revised 6/11/07, 6/9/08

4.15 CONTACT WITH STUDENTS WHILE AT SCHOOL

EFFECTIVE: August 8, 2005

- A. Parents wishing to speak to their children during the school day shall register first with the office. If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or his/her designee establishing the parent's custody of the student. It shall be the responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents. Non-Custodial parents who file with the principal a date-stamped copy of current court orders granting visitation may eat lunch, volunteer in their child's classroom, or otherwise have contact with their child during school hours And the prior approval of the school's principal. Such contact is subject to the limitations outlined in Policy 4.16, Policy 6.5, and any other policies that may apply. Unless prior arrangements have been made with the school's principal, Arkansas law provides that the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school's property on normal school days during normal hours of school operation.

- B. **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.
- C. 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 Reference: A.C.A. §6-18-513, A.C.A. §12-12-509,510 and 516, A.C.A. §9-13-104, Attorney General’s Opinion 2005-077

History BOE: Revised 8/08/05

4.16 STUDENT VISITORS

EFFECTIVE August 8, 2005

- A. 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.

History BOE: Revised 8/08/05

4.17 STUDENT DISCIPLINE

EFFECTIVE: June 14, 2004

- A. The South Conway County School 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:
1. at any time on the school grounds;
 2. off school grounds at a school sponsored function, activity, or event;
 3. going to and from school or a school activity.
- B. 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.
- C. The District's personnel policy committee shall review the student discipline policies annually and may recommend changes in the policies to the South Conway County School Board of Education. The Board shall approve any changes to student discipline policies.
- D. 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.
- E. It is required by law that the principal or the person in charge, report to the police any incidents where 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.

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

History BOE: Adopted 6/14/04

4.18 PROHIBITED CONDUCT

EFFECTIVE: July 1, 2009

- A. 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 cell phone, 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 (unless stored in silent mode in the student's locker or vehicle) specifically exempted by the administration;
 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. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in a hard copy form.
 18. Hazing, or aiding in the hazing of another student;
 19. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;
 20. Sexual harassment; sexual intercourse or other sexual activity; and
 21. Bullying.

- B. 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

History BOE: Revised 7/11/05, 6/12/06, 5/11/09

**4.19 CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION
ELIGIBILITY** **EFFECTIVE: June 12, 2006**

- A. 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.
- B. 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.

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

History BOE: Adopted 6/14/04, Revised 6/12/06

4.20 DISRUPTION OF SCHOOL **EFFECTIVE: June 14, 2004**

- A. 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.

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

Legal Reference: A.C.A. §6-18-511

History BOE: Adopted 6/14/04

4.21 STUDENT ASSAULT OR BATTERY

EFFECTIVE: June 14, 2004

- A. 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.
- B. 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)

History BOE: Adopted 6/14/04

4.22 WEAPONS AND DANGEROUS INSTRUMENTS

EFFECTIVE: July 1, 2010

- A. 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 accepted.

- B. A weapon is defined as any knife, gun, pistol, revolver, shotgun, BB gun, rifle, pellet gun, razor, ice pick, dirk, box cutter, num-chucks, pepper spray or other noxious spray, explosive, or any other instrument or substance capable of causing bodily harm.
- C. 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.
- D. 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 School Board 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.
- E. The mandatory expulsion requirement for possession of a firearm does not apply to a firearm visibly 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.
- F. A firearm brought inadvertently to school by a student shall be grounds for disciplinary action against the student, but the School Board of Directors may consider the "inadvertent circumstances" of the incident in determining the student's discipline.
- G. 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(e)(8)(9)(10), 20 USCS §7151 A.C.A. § 5-27-206, US Department of Education *Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act*

<p>History BOE: Revised 4/11/05, 6/9/08, 5/11/09, 4/12/10</p>
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4.23 TOBACCO AND TOBACCO PRODUCTS

EFFECTIVE: March 14, 2011

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

Legal Reference: A.C.A. § 6-21-609

History BOE: Adopted 6/14/04, Revised 3/14/11

4.24 DRUGS AND ALCOHOL

EFFECTIVE: June 14, 2004

- A. 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.
- B. Therefore, no student in the South Conway County School District shall possess, attempt to possess, consume, use, distribute, sell, attempt to sell, 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.
- C. Prohibited substances shall include, but are not limited to, alcohol, or any alcoholic beverage, inhalants 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.
- D. 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.

History BOE: Adopted 6/14/04

4.25 STUDENT DRESS AND GROOMING

EFFECTIVE: April 11, 2005

- A. The South Conway County School Board of Education recognizes that dress can be a matter of personal taste and preference. At the same time, the District has a responsibility to promote an environment conducive to student learning. This requires limitations to student dress and grooming that could be disruptive to the educational process because they are immodest, disruptive, unsanitary, and unsafe, could cause property damage, or are offensive to common standards of decency.
- B. 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.
- C. Nothing in this policy shall be construed as requiring the Board of Education of the school district to adopt a uniform dress code or to hold an election on the issue.
- D. Identification Cards (Secondary Only)
 - 1. Lost or stolen cards will be replaced immediately for a fee of \$2.00.
 - 2. **ALL** students must be in possession of their card at **ALL** times.

History BOE: Revised 4/11/05

4.26 GANGS AND GANG ACTIVITY

EFFECTIVE: June 14, 2004

- A. 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 can 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.
- B. 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.
- C. Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion.

- D. 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

History BOE: Adopted 6/14/04, 4/12/11

4.27 STUDENT SEXUAL HARASSMENT

EFFECTIVE: July 1, 2011

- A. The South Conway County 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.
- B. 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.
- C. 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.
- D. 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.
- E. 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.
- F. 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.

- G. 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.
- H. 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.
- I. Students who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including expulsion.
- J. Individuals who withhold information, who purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including expulsion.

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

History BOE: Adopted 6/14/04, Revised 3/14/11

4.28 LASER POINTERS

EFFECTIVE: June 14, 2004

- A. 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

History BOE: Adopted 6/14/04

4.29 COMPUTER USE POLICY

EFFECTIVE: July 1, 2009

- A. The South Conway County 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.
- B. 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.
- C. 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.
- D. Students found guilty of plagiarizing another student's computer assignment, or plagiarizing by downloading from the internet, are subject to academic penalties, up to and including loss of course credit; and loss of computer use privileges.

Legal References: *Children's Internet Protection Act; PL 106-554, 20USC 6777, 47 USC 254(h), A.C.A. § 6-21-107, A.C.A. § 6-21-111*

History BOE: Adopted 6/14/04 Revised 6/9/08, 6/8/09

4.30 SUSPENSION FROM SCHOOL

EFFECTIVE: June 11, 2007

- A. 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 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:
1. Is in violation of school policies, rules, or regulations;
 2. Substantially interferes with the safe and orderly educational environment;
 3. School administrators believe will result in the substantial interference with the safe and orderly educational environment; and/or
 4. Is insubordinate, incorrigible, violent, or involves moral turpitude.
- B. The school principal or designee shall proceed as follows in deciding whether or not to suspend a student.
1. the student shall be given written notice or advised orally of the charges against him/her;
 2. if the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts;
 3. if the principal finds the student guilty of the misconduct, he/she may be suspended.
- C. When possible, notice of the suspension, its duration, and any stipulations for the student's re-admittance to class will be given to the parent(s), legal guardian(s), 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.
- D. 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.
- E. 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
 2. The contact may be by voice, voice mail, or text message
 3. An email address
 4. A regular first class letter to the last known mailing address

- F. The district shall keep a log of contacts attempted and made to the parent or legal guardian.
- G. Out-of-school suspensions shall be treated as unexcused absences and during the period of suspension students shall not be permitted on campus except to attend a student/parent/administrator conference.
- H. In-school suspension shall be treated as if the student was present at school. The student shall not attend any school-sponsored activities during the imposed suspension nor shall the student participate in any school-sponsored activities.
- I. Out-of-School suspensions initiated by the principal or his/her designee may be appealed to the Superintendent, but not to the Board of Education. In-School suspensions initiated by the principal or his/her designee may NOT be appealed to the Superintendent or the Board of Education.
- J. Out-of-School suspensions initiated by the Superintendent may be appealed to the Board.

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

History BOE: Adopted 6/14/04, Revised 6/11/07

4.31 EXPULSION

EFFECTIVE: May 11, 2009

- A. 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.
- B. 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.
- C. 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.

- D. The President of the Board, Board attorney, or other designated Board member shall preside at the hearing. The student may choose to be represented by legal counsel. Both the district administration and School Board also may be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent or student if age 18 or older, requests that the hearing be conducted in executive session. Any action taken by the Board shall be in open session.
- E. During the hearing, the Superintendent, or designee, or representative 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.
- F. Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of not less than one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents 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.
- G. The Superintendent and the Board of Education shall complete the expulsion process of any student that was initiated because the student possessed a firearm or other prohibited weapon on school property regardless of the enrollment status of the student.

Legal Reference: A.C.A. § 6-18-507, A.C.A. §5-27-210

History BOE: Adopted 6/14/04 Revised 6/9/08, 5/11/09

4.32 SEARCH, SEIZURE, AND INTERROGATIONS

EFFECTIVE: June 12, 2006

- A. 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.

- B. 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.
- C. 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.
- D. A school official of the same sex shall conduct personal searches with an adult witness of the same sex present.
- E. 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.
- F. 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.
- G. 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/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 Reference: A.C.A. § 6-18-513, A.C.A. § 12-12-509, 510 and 516, A.C.A. § 9-13-104

History BOE: Adopted 6/14/04, Revised 6/12/06

4.33 STUDENTS' VEHICLES

EFFECTIVE: June 9, 2008

- A. A student who has presented a valid driver's license and proof of insurance to the appropriate office personnel may drive his/her vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking.
- B. 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.
- C. It is understood that there is no expectation of privacy in vehicles in parking areas. Drivers of vehicles parked on a school campus will be held accountable for illegal substances or any other item prohibited by District policy found in their vehicle. Any student parking a vehicle on campus is granting permission for school or law enforcement authorities to search that vehicle.

History BOE: Adopted 6/14/04, Revised 6/9/08

4.34 COMMUNICABLE DISEASES AND PARASITES

EFFECTIVE: June 14, 2004

- A. Students with communicable diseases or with parasites shall demonstrate respect for other students by not attending school while they are contagious. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.
- B. The parents or legal guardians of students found to have live lice or nits 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 head lice. Before students may be readmitted following an absence due to head lice, the school nurse or designee shall examine the student to make sure they are free of any lice or nits.
- C. Each school may conduct screenings of students for head lice as needed. The screenings shall be conducted in a manner that respects the confidentiality of each student.

History BOE: Adopted 6/14/04

4.35 STUDENT MEDICATIONS

EFFECTIVE: July 11, 2005

- A. 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.

- B. Unless authorized to self-administer, students are not allowed to carry any medications while at school. The parent or legal guardian shall bring the student's medication to the nurse, or in the absence of the nurse, to the principal's office. The student may bring the medication if accompanied by a written authorization from the parent or legal guardian. 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.
- C. Students who have written permission from their parent or guardian and a licensed health care practitioner to self-administer either an asthma inhaler or auto-injectable epinephrine, or both and who have a current consent form on file shall be allowed to carry and self-administer such medication while in school, at an on-site school sponsored activity, while traveling to or from school, or at an off-site school sponsored activity. Students are prohibited from sharing, transferring, or in any way diverting his/her medications to any other person. The parent or guardian of a student who chooses to not carry an asthma inhaler or auto-injectable epinephrine, or both on his/her person shall provide the school with the appropriate medication which shall be immediately available to the student in an emergency.
- D. Nonprescription medications may be given to students upon the decision of the principal or the nurse or their designee. Such medications must be in the original container, clearly labeled and accompanied by a written authorization form signed by the parents or legal guardians that includes the student's name, the name of the medication, the dosage, and instructions for the administration of the medication (including times).
- E. 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 destroyed by the nurse with a witness present.

Legal Reference: Ark. State Board of Nursing: School Nurse Roles and Responsibilities; A.C.A. §6-18-707

History BOE: Revised 7/11/05

4.36 STUDENT ILLNESS/ACCIDENT

EFFECTIVE: June 12, 2006

- A. 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.

- B. 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.

History BOE: Adopted 6/14/04, Revised 6/12/06

4.37 EMERGENCY DRILLS

EFFECTIVE: June 11, 2007

- A. All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than four (4) times per year with at least one each in the months of September, October, January, and February. Students, who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.
- B. Other types of emergency drills may also be conducted. These may include, but are not limited to:
1. Earthquake;
 2. Act of terrorism;
 3. Chemical spill;

Legal Reference: A.C.A. §12-13-109, A.C.A. §6-10-121, 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

History BOE: Adopted 6/14/04, Revised 6/12/06, 6/11/07

4.38 PERMANENT RECORDS

EFFECTIVE: June 9, 2008

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

Legal Reference: A.C.A. §6-18-901, ADE Rule Student Permanent Records,

History BOE: Adopted 6/14/04, Revised 6/9/08

4.39 CORPORAL PUNISHMENT

EFFECTIVE: June 14, 2004

- A. The South Conway County School Board authorizes the use of corporal punishment to be administered in accordance with this policy by the Superintendent or his/her designated staff members who are required to have a state-issued certificate as a condition of their employment.
- B. 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.
- C. All corporal punishment shall be administered privately, i.e. out of the sight and hearing of other students, and shall be administered in the presence of another certified staff member as a witness, shall not be excessive, or administered with malice.
- D. Refusal of corporal punishment subjects the student to alternative forms of discipline including suspension.

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

History BOE: Adopted 6/14/04

4.40 HOMELESS STUDENTS

EFFECTIVE: June 14, 2004

- A. The South Conway County 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.
- B. 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.
- C. The District shall act, according to the best interests of a homeless child and to the extent feasible do one of the following. (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.
- D. 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.
- E. 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.
- F. 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.
- G. For the purposes of this policy, students shall be considered homeless if they lack a fixed, regular, and adequate nighttime residence and
1. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; 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;
 2. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 3. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and includes
 4. are migratory children who are living in circumstances described in clauses (a) - (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

History BOE: Adopted 6/14/04

4.41 PHYSICAL EXAMINATIONS OR SCREENINGS

EFFECTIVE: May 11, 2009

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

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

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

History BOE: Adopted 6/14/04, Revised 5/11/09

4.42 STUDENT HANDBOOK

EFFECTIVE: March 12, 2007

- A. It shall be the policy of the South Conway County 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 eighteen (18) years of age or older have acknowledged receipt of the controlling language.

History BOE: Adopted 6/14/04, Revised 3/12/07

4.43 BULLYING

EFFECTIVE: July 1, 2011

- A. Respect for the dignity of others is a cornerstone of civil society. Bullying creates an atmosphere of fear and intimidation, robs his/her of their dignity, detracts from the safe environment necessary to promote student learning, and will not be tolerated by the Board of Education. 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; or going to from school or a school activity in a school vehicle or school bus; or at designated school bus stops.
- B. **Definitions:**
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 causes or creates a clear and present danger of:

1. Physical harm to a public school employee or student or damage to the public school employee's or student's property;
2. Substantial interference with a student's education or with a public school employee's role in education;
3. 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
4. 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:

1. Necessary cessation of instruction or educational activities;
2. Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
3. Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
4. 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 "compliments" about another student's personal appearance,
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 personal Characteristics,
6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
7. Blocking access to school property or facilities,
8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings, and/or
10. Threats of harm to student(s), possessions, or others.
11. Sexual harassment, as governed by policy 4.27, is also a form of bullying.

12. Teasing or name-calling based on the belief or perception that an individual is not conforming to expected gender roles (Examples: “Slut”) or conduct or is homosexual, regardless of whether the student self-identifies as homosexual (Examples: “You are so gay.” “Fag” “Queer”).
- C. 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.
- D. 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.
- E. 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.
- F. Copies of this policy shall be available upon request.

Legal Reference: A.C.A. § 6-18-514

History BOE: Revised 7/11/05, 6/12/06, 6/11/07, 3/14/11

4.44 ATTENDANCE REQUIREMENTS FOR STUDENTS IN GRADES 9-12 **EFFECTIVE: August 9, 2004**

- A. Students in grades nine through twelve (9-12) are required to schedule and attend at least 350 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.
- B. 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.

- C. 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.
- D. 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.
- E. 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.
- F. 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*

History BOE: Adopted 8/09/04

4.45 SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2011-12 AND 2012-13
EFFECTIVE: July 1, 2011

- A. 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 Smart Core Waiver 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 the 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 for 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 student's permanent records. This policy is to be included in student handbooks for grades 6 – 12 and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the requirements of their IEP (when applicable) to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the time they are required to sign the consent forms.
- B. While there are similarities between the two curriculums, following the Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Core curriculum may subsequently change to the Smart Core curriculum **providing** they would be able to complete the required course of study by the end of their senior year. Students wishing to change their choice of curriculums must consult with their counselor to determine the feasibility of changing.
- C. This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.
- D. 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.
1. Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;
 2. 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;
 3. Discussions held by the school's counselors with students and their parents; and/or
 4. Distribution of a newsletter(s) to parents or guardians of the district's students.

- E. The first year of this policy's implementation all employees required to be certified 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 certified as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.
- F. GRADUATION REQUIREMENTS- The number of units students must earn to be eligible for high school graduation are to be earned from the following categories. A minimum of 22 units are required for graduation for students participating in either the Smart Core or Core curriculum. However, the South Conway County School District requires a minimum of 26 units for graduation. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.
- G. Unless exempted by a student's IEP, all students must successfully pass all end-of-course (EOC) assessments they are required to take or meet the remediation required for the EOC assessment to receive academic credit for the applicable course and be eligible to graduate from high school.
- H. SMART CORE: Sixteen (16) units
1. English: four (4) units – 9th, 10th, 11th, and 12th
 2. Oral Communications: one-half (1/2) unit (1/2 year)
 3. Mathematics: four (4) units (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.
 4. Algebra I or Algebra I-A & I-B* which may be taken in grades 7-8 or 8-9
 5. Geometry or Investigating Geometry or Geometry A & B* which may be taken in grades 8-9 or 9-10
 - a. 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.
 - b. Algebra II
 - c. Choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III, or an Advanced Placement math
 - d. (Comparable concurrent credit college courses may be substituted where applicable)
 6. Natural Science: three (3) units with lab experience chosen from
 - a. Physical Science
 - b. Biology or Applied Biology/Chemistry
 - c. Chemistry
 - d. Physics or Principles of Technology I & II or PIC Physics
 7. Social Studies: three (3) units
 - a. Civics or Civics/American Government
 - b. World History
 - c. American History
 8. 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.
 9. Health and Safety: one-half (1/2) unit
 10. Fine Arts: one-half (1/2) unit

- I. CAREER FOCUS: - six (6) units –
1. 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.
 2. The Smart Core and career focus units must total at least twenty-two (22) units to graduate.
 3. However, the South Conway County School District requires a minimum of twenty-six (26) units for graduation.
- J. CORE: Sixteen (16) units
1. English: four (4) units– 9th, 10th, 11th, and 12th
 2. Oral Communications: one-half (1/2) unit
 3. Mathematics: four (4) units
 - a. Algebra or its equivalent* - 1 unit
 - b. Geometry or its equivalent* - 1 unit
 - c. All math units must build on the base of algebra and geometry knowledge and skills.
 - d. Comparable concurrent credit college courses may be substituted where applicable
 - e. A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.
 4. Science: three (3) units
 - a. at least one (1) unit of biology or its equivalent
 - b. one (1) unit of a physical science
 5. Social Studies: three (3) units
 - a. Civics or government, one-half (1/2) unit
 - b. World history, one (1) unit
 - c. U.S. history, one (1) unit
 6. 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.
 7. Health and Safety: one-half (1/2) unit
 8. Fine Arts: one-half (1/2) unit
 9. CAREER FOCUS: - six (6) units
 - a. 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.
 - b. The Core and career focus units must total at least twenty-two (22) units to graduate.
 - c. At least two of the Career Focus units must be of the same foreign language.
 - d. However, the South Conway County School District requires a minimum of twenty-six (26) units for graduation.

Legal References: *Standards of Accreditation 9.03 – 9.03.1.9, 14.01, ADE Guidelines for the Development of Smart Core Curriculum Policy, Smart Core Informed Consent Form 2010-13, Smart Core Waiver Form 2010-2013*

4.45.1 SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2013-14, AND ALL CLASSES THEREAFTER **EFFECTIVE: July 1, 2011**

- A. 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 Smart Core Waiver 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 the 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 for 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 student's permanent records. This policy is to be included in student handbooks for grades 6 – 12 and both students and parents must sign an acknowledgement they have received the policy. Those students not participating in the Smart Core curriculum will be required to fulfill the Core curriculum or the requirements of their IEP (when applicable) to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the time they are required to sign the consent forms.
- B. While there are similarities between the two curriculums, following the Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Core curriculum may subsequently change to the Smart Core curriculum providing they would be able to complete the required course of study by the end of their senior year. Students wishing to change their choice of curriculums must consult with their counselor to determine the feasibility of changing.
- C. This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.
- D. 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.
1. Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;
 2. 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;
 3. Discussions held by the school's counselors with students and their parents; and/or
 4. Distribution of a newsletter(s) to parents or guardians of the district's students.

- E. The first year of this policy's implementation all employees required to be certified 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 certified as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.
- F. **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. However, the South Conway County School District requires a minimum of 26 units for graduation. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.
- G. Unless exempted by a student's IEP, all students must successfully pass all end-of-course (EOC) assessments they are required to take or meet the remediation required for the EOC assessment to receive academic credit for the applicable course and be eligible to graduate from high school.
- H. **SMART CORE: Sixteen (16) units**
1. English: four (4) units – 9th, 10th, 11th, and 12th
 2. Oral Communications: one-half (1/2) unit
 3. 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
 - Choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III, or an Advanced Placement math
 - (Comparable concurrent credit college courses may be substituted where applicable)
 4. Natural Science: three (3) units with lab experience chosen from
 - a. Physical Science
 - b. Biology or Applied Biology/Chemistry
 - c. Chemistry
 - d. Physics or Principles of Technology I & II or PIC Physics
 5. Social Studies: three (3) units
 - a. Civics One-half (1/2) unit
 - b. World History – one (1) unit
 - c. U.S. History – one (1) unit
 6. 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.

7. Health and Safety: one-half (1/2) unit
8. Economics – one half (1/2) unit – dependent upon the certification 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.¹⁰
9. Fine Arts: one-half (1/2) unit

I. CAREER FOCUS: - Six (6) units –

1. 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.
2. The Smart Core and career focus units must total at least twenty-two (22) units to graduate.
3. However, the South Conway County School District requires a minimum of 26 units for graduation.

J. CORE: Sixteen (16) units

1. English: four (4) units – 9, 10, 11, and 12
2. Oral Communications: one-half (1/2) unit
3. Mathematics: four (4) units
 - a. Algebra or its equivalent* - 1 unit
 - b. Geometry or its equivalent* - 1 unit
 - c. All math units must build on the base of algebra and geometry knowledge and skills.
 - d. (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.
4. Science: three (3) units
 - a. at least one (1) unit of biology or its equivalent
 - b. one (1) unit of a physical science
5. Social Studies: three (3) units
 - a. Civics, one-half (1/2) unit
 - b. World history, one (1) unit
 - c. U.S. history, one (1) unit
6. 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.
7. Health and Safety: one-half (1/2) unit
8. Economics – one half (1/2) unit – dependent upon the certification 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.¹⁰
9. Fine Arts: one-half (1/2) unit
10. **Career Focus: - Six (6) units –**
 - a. 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.

- b. The Core and career focus units must total at least twenty-two (22) units to graduate.
- c. However, the South Conway County School District requires a minimum of 26 units for graduation.

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 Beginning 2014, Smart Core Waiver Form Beginning 2014*

History BOE: Adopted 4/12/10, Revised 12/13/10, 3/14/11

4.46 PLEDGE OF ALLEGIANCE

EFFECTIVE: April 11, 2005

- A. 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.
- B. 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.
- C. 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*

History BOE: Adopted 4/11/05

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

EFFECTIVE: May 11, 2009

- A. 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.

- B. 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 coming from the phone or device.
- C. The student and/or the student's parents or guardians expressly assume any risk associated with students owning or possessing technology equipment.
- D. From the time of the first bell until after the last bell, students are forbidden from using cell phones, any paging device, beeper, or similar electronic communication devices. It is preferred that such devices be stored in the student's locker or vehicle in a silent mode of operation. Exceptions may be made by the building principal or his/her designee for health or other compelling reasons.
- E. 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. Exceptions may be made by the building principal or his/her designee for health or other compelling reasons.
- F. Before and after normal school hours, possession of cell phones, any paging device, beeper, or similar electronic communication devices, cameras, 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.
- G. Students using or possessing, other than those devices properly stored in a locker or vehicle, cell phones or other portable music devices after the first bell 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. Students have no right of privacy as to the content contained on any cell phones and other electronic communication devices that have been confiscated.
- H. Students who use a school issued cell phone and/or computer 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 cell phones while driving any district owned vehicle at any time. Violation may result in disciplinary action up to and including expulsion.

Legal Reference: A.C.A. § 6-18-502 (b)(3)(D)(ii)

History BOE: Adopted 7/11/05, Revised 6/12/06, 3/12/07, 6/11/07, 9/10/07, 5/11/09

4.48 VIDEO SURVEILLANCE

- A. 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.
- B. The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as rest rooms or dressing areas where an expectation of bodily privacy is reasonable and customary.
- C. Signs shall be posted on campus buildings and in district vehicles to notify students, staff, and visitors that video cameras may be in use. Parents and students shall also be notified through the student handbook that cameras may be in use in school buildings, on school grounds and in school vehicles. Students will be held responsible for any violations of school discipline rules caught by the cameras and other technologies authorized in this policy.
- D. The district shall retain copies of video recordings until they are erased¹ 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 forty-eight (48) hours after they were created.
- E. 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;² any release or viewing of such records shall be in accordance with current law.
- F. Students who vandalize, damage, disable, or render inoperable (temporarily or permanently) surveillance cameras and equipment, automatic identification, or data compilation devices shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Notes: This policy is similar to policies 3.41 and 8.29. If you change this policy, review 3.41 and 8.29 at the same time to ensure applicable consistency between the policies.

While 34 CFR 99.3 exempts records of law enforcement units (which for the purposes of this policy would include SROs, 34 CFR 99.8(b) effectively negates that exemption in relation to this policy with the following language.

(2) Records of a law enforcement unit does not mean--

(i) Records created by a law enforcement unit for a law enforcement purpose that are maintained by a component of the educational agency or institution other than the law enforcement unit; or (ii) Records created and maintained by a law enforcement unit exclusively for a non-law enforcement purpose, such as a disciplinary action or proceeding conducted by the educational agency or institution.

The law goes on to say that education records retain their status as such even when in the possession of a law enforcement unit and thus remain subject to the restrictions on the release of education records contained in FERPA. In short, you cannot deny access to the video recordings that may be used for student or staff disciplinary purposes by “hiding” them in your school’s law enforcement unit.

¹ You may recycle your videos on whatever schedule works for your district (insert the length of time you choose to retain the videos in the paragraph’s following sentence), but you may not destroy any recordings as long as there is an outstanding request to inspect and review them (34 CFR 99.10). The right to inspect is triggered only for those parents whose students are the cause for the retention of the video recordings. Parents of students “inadvertently” caught in the video do not have the right to inspect then. **Please note, however**, that if a student was not “involved” in the altercation prompting the disciplinary action, but happened to get pushed by one of the students in the fight, the pushed student’s parents have the right to review the video. You must permit viewing of education records within a “reasonable” period of time, but in no case may it be longer than 45 days. (34 CFR 99.10)

²The issues involved in parental rights to viewing videos are complicated, but the Family Policy Compliance Office (FPCO) of the Family Educational and Right Act (FERPA), has recently simplified the matter. A video of, for example, a fight between two (or even several) students in which other students happen to have been incidentally included in the background of the video generates the following viewing conditions.

- a. Either or both of the students’ parents may view the video **without** first having to receive permission from the other student’s parent(s). None of the parents of the “incidental” students have to give their permission for the viewing of the video by the “involved” students’ parents.
- b. If a student’s parent lives beyond a reasonable distance to physically come to view the video, the your district may mail the video to a “receiving” school near to the parent, where the parent may view the video and then the receiving school will mail the video back to your district. The personnel at the receiving school should not view the video, but merely arrange for the parent to view it by himself/herself.
- c. The district is **not** obligated to give a copy of the video to the parent or their lawyer. If, however, you choose to give the parent a video, you are obligated to go through all of the hoops that used to be the case for simple viewing of the video. Specifically, faces of the “involved” students other than that of the parent’s student must be redacted or else you will have to receive written permission from the parents of the other involved students.
- d. Remember that the rights of the parents transfer to the students once the student turns 18.
- e. Once the video has been viewed by the parties requesting to view it, the law does not require you to keep the video. Common sense would suggest, however, retaining the video at least until the disciplinary process is completed.

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

History BOE: Adopted 6/11/07 Revised 6/9/08, 3/14/11

4.49 SPECIAL EDUCATION

EFFECTIVE: July 14, 2008

- A. The South Conway County School 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.
- B. It is the intent of the South Conway County School 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.

- C. For students eligible for services under IDEA, the South Conway County School 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.
- D. 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.¹ Among the coordinator's responsibilities shall be ensuring district enforcement of the due process rights of handicapped students and their parents.

Note:¹ The Office of Civil Rights prefers that the name of the coordinator, or at least a contact person or phone number to call to get the name of the coordinator, is made readily available to the public. 34CFR104.32 stipulates that as part of "child find" responsibilities, districts take appropriate steps to notify handicapped persons and their parents or guardians of the district's child find duty.

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.

History BOE: Adopted 7/14/08

4.50 SCHOOL LUNCH SUBSTITUTIONS **EFFECTIVE: July 1, 2009**

- A. The district only provides substitute meal components on menus to accommodate students with handicapping conditions meeting the definition of a disability as defined in USDA regulations. A parent/guardian wishing to request such a dietary accommodation must submit a Certification of Disability for Special Dietary Needs Form completed by a licensed physician to the district's Child Nutrition Supervisor.
- B. The district will not prepare meals outside the normal menu to accommodate a family's religious or personal health beliefs.

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

History BOE: Adopted 5/11/09

4.51 - 4.54 RESERVED FOR FUTURE USE

History BOE:

4.55 FOREIGN STUDENT EXCHANGE PROGRAM

EFFECTIVE: June 14, 2004

- A. Morrilton High School will operate its Foreign Student Exchange Program under the following guidelines:
1. All students from foreign student exchange programs accepted by the South Conway County School District must be from a program accredited by the Council on Standards for International Educational Travel.
 2. There shall be no more than two students from the same home country.
 3. There shall be no more than four students from the same accredited organization during any one school year.
 4. There shall be no more than three students allowed per grade level. No more than six total.
 5. Students and/or the foreign student exchange program shall furnish a transcript written in the English language upon entering the school. The transcript shall include the following information:
 - a. Course titles for each subject taken.
 - b. The school year each class was taken.
 - c. Number of class meetings for each subject per week.
 - d. Number of minutes in each class meeting.
 - e. Grade earned for each class (the grade will be converted to the South Conway County School District system).
 6. Credit will not be awarded to students not proficient in the English language. Students affected by this situation will be considered to have a cultural experience only.
 7. Students must be permanently placed in an American host family prior to enrollment, and the host family will be domiciled in the South Conway County School District.
 8. All students must be enrolled in one year study programs.

History BOE: Revised 6/14/04

4.56 DAILY ATTENDANCE FOR PARTICIPATION

EFFECTIVE: June 14, 2004

- A. Students that miss any part of the regular school day are ineligible to participate in games, practices, performances, contests, or credited work programs unless the absence is cleared by the building principal.

History BOE: Revised 6/14/04

4.57 TRUANCY

EFFECTIVE: June 14, 2004

- A. Truancy shall be defined as any absence from school or class without prior parental knowledge and consent.
- B. To promote regular attendance, the school regards truancy as unacceptable. Truancy will result in disciplinary action.

History BOE: Revised 6/14/04

4.58 COLLEGE DAYS

EFFECTIVE: June 14, 2004

- A. Seniors are allowed to visit colleges during their senior year. College visitation will be considered school business. However, the student must arrange with his/her teachers and the Assistant Principal before the visitation and must secure a letter from the Admissions Office of the college concerned stating that the student visited on a given date. The student then presents this statement to the Assistant Principal the following day for this to be considered school business. Failure to present the statement the day following the visit causes it to be counted as a normal excused absence. Seniors are permitted two college days per year.

History BOE: Revised 6/14/04

4.59 CONDUCT - ELEMENTARY

EFFECTIVE: June 14, 2004

- A. Classroom Rules
 - 1. Be in classroom on time.
 - 2. Follow directions
 - 3. be courteous; do not interrupt others.
 - 4. Stay in your seat; keep your hands, feet and other objects to yourself.
 - 5. Toys will not be allowed.

- B. Corridor Rules
 - 1. Running will not be allowed.
 - 2. Keep hands, feet and objects to yourself.
 - 3. Move in a quiet, orderly fashion to and from class.
 - 4. Show respect to others.

- C. Cafeteria Rules
 - 1. Observe good manners and show respect.
 - 2. Stay in your seat; do not rearrange the chairs or tables.
 - 3. Move in a quiet, orderly fashion to and from the cafeteria.
 - 4. Running in the cafeteria will not be allowed.
 - 5. Join the line at the end and remain in line until you are served.
 - 6. Keep your hands, feet and objects to yourself.

- D. Assembly Rules
 - 1. Move in a quiet, orderly fashion to and from the assembly.
 - 2. Remain seated in assigned seats or area.
 - 3. Keep hands, feet or objects to yourself.
 - 4. Show respect and observe good manners.

- E. Bus Line Rules
 - 1. Stay in designated area.
 - 2. Keep hands, feet and objects to yourself.
 - 3. Students are responsible to the duty personnel and principal at bus loading zone.
 - 4. Students are not allowed to leave designated bus zones at any time.
 - 5. Students must behave in an orderly fashion to and from bus.
 - 6. Students will respect the bus driver's authority.

- F. Playground Rules
 - 1. Stay in boundaries and follow school rules.
 - 2. Play activity may not involve physical contact, running on the paved area, or throwing objects.
 - 3. Stay out of the snow, ice and water.
 - 4. Observe good manners and show respect to others.
 - 5. Severe behavior problems such as fighting, insubordination, physical abuse, and refusing to follow authorized school personnel will be dealt with in a more severe manner.

- G. Abusive and Foul Language -There are three related types of incidents involving the use of foul and abusive language which the school district wishes to eliminate.
These are:
1. Student-reported incidents of another student using foul or abusive language.
 2. Student-to-student interaction which can be divided into two parts: flagrant and casual. The casual violation of student-to-student interaction using foul or abusive language would be considered when students are overheard talking by either students or teachers and are using foul or abusive language. In the case of flagrant student-to-student interaction, this would be defined as one student using foul or abusive language toward another student to such extent that a number of the student body would be subjected to it.
 3. The third type of foul or abusive language that the school district desires to stop is student-to-teacher interaction. This would include any incident in which a student uses foul or abusive language or in any way abuses a teacher, whether verbal or physical.
- H. Damage or Destruction of School Property (Act 104 of 1983 Special Session)
1. A student shall not cause or attempt to cause damage to school property or steal or attempt to steal school property.
 2. The school district will attempt to recover damages from the student destroying school property.
- I. Theft - A student shall not steal or attempt to steal property belonging to the school or public or private property while under jurisdiction of the school.

Legal References: Act 104 of 1983, Special Session; Act 146 of 1989, Act 590 of 1971

History BOE: Revised 6/14/04

4.60 COMPLAINTS AND GRIEVANCES

EFFECTIVE: June 14, 2004

- A. The South Conway County School District's grievance procedure, including steps to be followed by students to resolve a grievance is as follows.
- B. The following procedures will be used for filing, processing and resolving alleged Title VI (race), Title IX (sex), Section 504 (handicap) and discrimination complaints of students.
- C. Every student of the South Conway County School District is guaranteed the right to present his grievance, in accordance with the provisions of this policy, free from interference, coercion, restraint, discrimination or reprisal.

D. DEFINITIONS

1. Discrimination Complaint: A complaint alleging any policy, procedure or practice which discriminates on the basis of race, color, national origin, sex, qualified handicap or age.
2. Student Grievant: A student of the South Conway County School District who submits a complaint alleging discrimination based on race, color, national origin, sex or qualified handicap.
3. Equity Coordinator: The person(s) designated to coordinate efforts to comply with and carry out responsibilities under the Civil Rights Laws and other State and Federal Laws addressing equal educational opportunity. The Coordinator is responsible for processing complaints.
4. Respondent: The person alleged to be responsible for the violation alleged in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisor responsibility for procedures and policies in those areas covered in the complaint.
5. Day: Means a working day. The calculation of days shall exclude Saturdays, Sundays and holidays.

E. Filing and Processing Discrimination Complaints

1. Step I - The grievant submits complaint to the Equity Coordinator, stating name, nature and date of alleged violation; names of persons responsible (where known); and requested action. Complaint must be submitted within thirty (30) days of alleged violation. Complaint forms are available in the school office or the Equity Coordinator's office. The Equity Coordinator issues a decision to the student or employee. If the grievant or respondent is not satisfied with the decision, they must notify the Equity Coordinator and request a hearing with the Superintendent.
2. Step II - The Equity Coordinator schedules a hearing with the grievant and Superintendent. The Superintendent issues a decision following the hearing. If the grievant or respondent is not satisfied with the decision, they must notify the Equity Coordinator and request a hearing with the governing board.
3. Step III - The Equity Coordinator notifies the governing board after receiving the request. The Equity Coordinator schedules a hearing with the governing board. A hearing is to be conducted within thirty (30) days from the date of notification to the governing board. The governing board issues a final written decision after the hearing regarding the validity of the grievance and any action to be taken.

F. General Provisions

1. Extension of Time: Any time limits set by these procedures may be extended by mutual consent of parties involved. The total number of days from the date that complaint is filed until complaint is resolved shall be no more than 180 days.
2. Access to Records and Regulations: The South Conway County School District shall provide copies of all regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age, qualified handicap or veteran upon request. All parties to the grievance procedure shall have the right to examine any and all records relating to the complaint. For the purpose of confidentiality, names may be omitted.

3. Confidentiality of Records: Complaint records will remain confidential unless permission is given by the parties involved to release such information. No complaint record shall be entered in the permanent record file. Complaint records shall be maintained on file for three years after complaint resolution.
- G. All parties will be provided with an appropriate amount of time, as established by the governing board, for a general presentation of the situation;
 - H. Each party will be provided with the opportunity to provide witnesses and evidence and the right to question opposing witnesses concerning the situation;
 - I. Each party will have the right to be represented in whole or in part by a person of his/her own choosing;
 - J. The grievant will have the right to a confidential or public grievance hearing.

History BOE: Revised 6/14/04

4.61 RESERVED FOR FUTURE USE

EFFECTIVE:

History BOE:

4.62 STUDENT HEALTH SERVICES - STUDENTS

Revised: June 14, 2004

- A. The district shall provide a health service program under the direction of a licensed nurse. The program shall include screening, referral, and follow-up procedures for all students. Facilities, equipment and materials necessary for the operation of the program shall be provided at each school. Current health appraisal records for all students will be maintained in accordance with guidelines provided by the Arkansas Department of Education.

Legal References: *Standards for Accreditation of Arkansas Public Schools, (XI)*

History BOE: Revised 6/14/04

4.63 BOMB THREATS - STUDENTS

EFFECTIVE: June 14, 2004

- A. A student who calls in a bomb threat to a school will be referred to the legal authorities and will be recommended for expulsion.

History BOE: Revised 6/14/04

4.64 SCHOOL SPONSORED TRIPS

EFFECTIVE: June 14, 2004

- A. Students shall be permitted to return from school-sponsored events with parents upon request of the parents. The parent will sign out the student at the school event.

History BOE: Revised 6/14/04

4.65 RESERVED FOR FUTURE USE

EFFECTIVE:

History BOE:

4.66 FOOD SERVICES

EFFECTIVE: June 14, 2004

It shall be the policy of the Board of Education that:

- A. Free or reduced price lunches shall be provided for children whose parents meet eligibility requirements as set by the Arkansas Department of Education and the U.S. Department of Agriculture. Parents must fill out forms provided by the school to determine eligibility before free and reduced lunches can be served.
- B. Student Lunch Charges - Students who need to charge meals for any reason will be allowed to do so up to a maximum of five (5) times.
 - 1. When a student has five (5) unpaid charges, he (or) she will no longer be able to charge a meal.
 - 2. When a student has four (4) charges, the student and the parent shall be notified of the number of charges the student has, and that after one more charge the student will no longer be served lunch in the school cafeterias until such time as the lunch room charges are paid in full.

3. Parents who wish may request that their child be served a sandwich after the maximum five charges and until such time as the lunch room charges are paid in full. Normally this sandwich will be peanut butter. A glass of water will be available to the student if he/she desires.

C. Student lunch charges will not be permitted after May 1.

Legal References: Act 826 of 1991.

History BOE: Revised 6/14/04

4.67 USE OF STUDENTS BY COMMUNITY ORGANIZATIONS

EFFECTIVE: June 14, 2004

- A. Community organizations wishing to use students in speeches, programs, etc. shall make their requests known to the appropriate principal at least one day in advance. These students shall be excused only when the permission of the parent is given. The principal shall insure that a minimum of classes will be missed by the student.

History BOE: Revised 6/14/04

4.68 SOLICITATIONS - STUDENTS

EFFECTIVE: June 14, 2004

- A. Outside organizations shall not be permitted to solicit, advertise, or sell goods or services through the schools of the district unless authorized by the Superintendent.
- B. Participation in any fund raising or charity drive sponsored by the school or outside agency shall be entirely voluntary as far as each student is concerned. There shall be no cause for embarrassment to those who do not or cannot participate or contribute.
- C. All fund raising and charity drives sponsored by a school must receive the approval of the Principal and the Superintendent. In no case will approval be given for such activities during the regular school day.

The following policies are applicable:

- D. SOLICITATION-Prohibited
 1. Commercial solicitation of school employees or pupils during school hours by agents, solicitors or salesmen is prohibited. However, individual teachers may confer with them on business at times when they are not engaged in school duties, provided they have the approval of their principals.

2. No employee of the school district is permitted to use his position in soliciting children or parents in projects which involve the expenditure of money for goods, services, summer camp attendance and the like.
- E. Activities Requiring Written Approval by the Superintendent of Schools
1. Taking pictures of school buildings or pupils for commercial purposes.
 2. Soliciting for any purpose, which includes exhibiting and selling of any book, paper, map, globe, or other article.
 3. Receiving contributions in any school building or on the school premises.
- F. ADVERTISING IN THE SCHOOLS
1. Commercial advertising, as such, shall in no way be allowed in the schools.
 2. Lists of names and addresses of teachers, pupils and/or parents shall not be given to any commercial firms for advertising purposes except by direction from the Superintendent of Schools.
- G. DISTRIBUTION OF MATERIALS AND LITERATURE THROUGH SCHOOLS
1. Materials submitted by outside agencies are not to be distributed to the pupils or sent to the homes unless authorization of such distribution has come from the Superintendent.
- H. EDUCATIONAL/CULTURAL OCCASIONS
1. For occasions of an educational or cultural nature, with the approval of the superintendent, it is the practice to extend cooperation of schools in the following ways:
 - a. To allow advertising posters of a size suitable for school bulletin boards to be placed in schools.
 - b. To allow announcements about the occasion to be made at an appropriate time to students during the school hours.
 - c. To allow principals to excuse early from school a student whose school grades are satisfactory, who has a ticket, and who presents written permission or request by his parents, to attend such an educational affair.

History BOE: Revised 6/14/04