# STUDENTS

**4.1—RESIDENCE REQUIREMENTS**

The Imboden Area Charter School shall be open and free through the completion of the eighth grade, as offered, to all persons between the ages of five (5) and twenty one (21), regardless of their residence.

Legal References: A.C.A. § 6-18-202

 A.C.A. § 6-18-203

Date Adopted: September 3, 2002

Last Revised:

**4.2—ENTRANCE REQUIREMENT**

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 may be enrolled in kindergarten.

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 school and may be placed in the first grade if the results of the evaluation justify placement in the first grade and the child’s parent or legal guardian agrees with placement in the first grade; otherwise the child shall be placed in kindergarten.

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

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

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

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

Prior to the child’s admission to the school:

1. The parent, guardian, or other responsible person shall furnish the child’s social security number, or if they request, the school 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:
3. A birth certificate;
4. A statement by the local registrar or a county recorder certifying the child’s date of birth;
5. An attested baptismal certificate;
6. A passport;
7. An affidavit of the date and place of birth by the child’s parent or guardian;
8. United States military identification; or
9. Previous school records.
10. The parent, guardian, or other responsible person shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding.The Board of Education reserves the right, after a hearing before the Board, not to allow any person who has been expelled from another school district to enroll as a student until the time of the person's expulsion has expired.

In accordance with Policy 4.57—IMMUNIZATIONS, the child shall be age appropriately immunized or have an exemption issued by the Arkansas Department of Health.

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

**Uniformed Services Member's Children**

For the purposes of this policy, "active duty4 members of the uniformed services" includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;

"uniformed services"**4** means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services;

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

“Eligible child” means the children of:

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

An eligible child as defined in this policy shall:

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

Cross References: 4.1—RESIDENCE REQUIREMENTS

4.4—STUDENT TRANSFERS

 4.5—SCHOOL CHOICE

 4.34—COMMUNICABLE DISEASES AND PARASITES

4.40—HOMELESS STUDENTS

Legal References: A.C.A. § 6-4-302

A.C.A. § 6-18-201 (c)

 A.C.A. § 6-18-207

A.C.A. § 6-18-208

A.C.A. § 6-18-510

 A.C.A. § 6-18-702

 A.C.A. § 6-15-504 (f)

A.C.A. § 9-28-113

Plyler v Doe 457 US 202,221 (1982)

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.3—COMPULSORY ATTENDANCE REQUIREMENTS**

Every parent, guardian, or other person having custody or charge of any child age five (5) through seventeen (17) years on or before August 1 of that year shall enroll and send the child to a public school with the following exceptions.

The child is enrolled in private or parochial school.

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

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

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

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

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

Legal Reference: A.C.A. § 6-18-201

 A.C.A. § 6-18-207

Date Adopted: September 3, 2002

Last Revised: March 15, 2011

**4.4—STUDENT TRANSFERS**

The Imboden Area Charter School shall review requests for transfers, both into and out of the School, on a case-by-case basis based upon the age of the student and the space available in that age group.

Any student transferring from a school accredited by the Department of Education to this School shall be placed in the same grade the student would have been in had the student remained at the former school.

Any student transferring from home school or a school that is not accredited by the Department of Education to this school shall be evaluated by school staff to determine the student’s appropriate grade placement. Any grades, course credits, and/or promotions received by a student while enrolled in the Division of Youth Services system of education shall be considered transferable in the same manner as those grades, course credits, and promotions from other accredited Arkansas public educational entities.

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

Legal References: A.C.A. § 6-18-316

 A.C.A. § 6-18-510

 A.C.A. § 6-15-504 (f)

 A.C.A. § 9-28-205

 State Board of Education Standards of Accreditation 12.05

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

4.7—ABSENCES

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

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

**Excused Absences**

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

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 Director.
2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the Director; or
7. Participation in an FFA, FHA, or 4-H sanctioned activity;
8. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the Director.

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

**Unexcused Absences**

Absences not defined above or not having an accompanying note from the parent or legal guardian, presented in the timeline required by this policy, shall be considered as unexcused absences. Students with 9 unexcused absences in a course in a semester shall not receive credit for that course. At the discretion of the director after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has 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.

Whenever a student exceeds 9 unexcused absences in a semester, the School 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.

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

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

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

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

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

Legal References: A.C.A. § 6-4-302

A.C.A. § 6-18-209

A.C.A. § 6-18-220

A.C.A. § 6-18-222

A.C.A. § 6-18-229

A.C.A. § 6-18-231

A.C.A. § 6-18-507(g)

A.C.A. § 7-4-116

A.C.A. § 9-28-113(f)

A.C.A. § 27-16-701

Date Adopted: September 3, 2002

Last Revised: May 19, 2015

**4.8—MAKE-UP WORK**

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

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

Work may not be made up for credit for unexcused absences **unless** the unexcused absences are part of a signed agreement as permitted by policy 4.7—ABSENCES. Out-of-school suspensions are unexcused absences.

Work missed while a student is expelled from school may not be made up for credit and students shall receive a zero for missed assignments.

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

Cross Reference: 4.7—ABSENCES

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.9—TARDIES/EARLY CHECKOUT**

Promptness is an important character trait that school staff is to encourage 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. Students arriving at school after 8:00 a.m. will be considered tardy. Students arriving at school later than 8:15 a.m. will receive ½ day unexcused absence. Any student checking out of school without a valid excuse before the end of the school day will receive ½ day unexcused absence.

Date Adopted: September 3, 2002

Last Revised: August 20, 2013

**4.10—CLOSED CAMPUS**

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

Date Adopted: September 3, 2002

Last Revised: April 26, 2012

**4.11—EQUAL EDUCATIONAL OPPORTUNITY**

No student in the Imboden Area Charter School 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 school.

The Imboden Area Charter School has adopted the Individuals with Disabilities Special Education and Related Services Procedural Requirements and Program Standards of the Arkansas Department of Education for ensuring that the rights and protections under Part B of the IDEA are given to children with disabilities.

The Imboden Area Charter School ensures that each child with a disability will receive the related services necessary to benefit from special education. Stringent efforts will be taken to secure and retain the services of qualified providers, whether employed directly by the public agency or through a purchase of service arrangement, by advertising and making contacts with all entities that may have knowledge of provider whereabouts, including Arkansas State University, the Arkansas Department of Education, and the Northeast Arkansas Cooperative. Parents will be informed by letter, if a lapse in the provision of a related service is anticipated or occurs, stating the willingness of the Imboden Area Charter School to pay for the provision of the required related service, should the parent locate an interim service provider, until such time as a replacement can be located.

The School has a limited open forum granting equal access to the Boy Scouts of America and other youth groups.

Inquiries on non discrimination may be directed to the director, who may be reached at 870-869-3015.

For further information on notice of non-discrimination or to file a complaint, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Legal References: 28 C.F.R. § 35.106

34 C.F.R. § 100.6

34 C.F.R. § 104.8

34 C.F.R. § 106.9

34 C.F.R. § 108.9

34 C.F.R. § 110.25

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS**

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.

* The meeting is to be voluntary and student initiated;
* There is no sponsorship of the meeting by the school, the government, or its agents or employees;
* The meeting must occur during non-instructional time;
* Employees or agents of the school are present at religious meetings only in a non-participatory capacity;
* The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
* Non-school persons may not direct, conduct, control, or regularly attend activities of student groups.

All meetings held on school premises must be scheduled and approved by the Director. The school, its agents, and employees retain the authority to maintain order and discipline, to protect the well being of students and faculty, and to assure that attendance of students at meetings is voluntary.

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

Students who are convicted of participation in hazing or the failure to report hazing shall be expelled.

Legal References: A.C.A. § 6-5-201 et seq.

A.C.A. § 6-21-201 et seq.

 20 U.S.C. 4071 Equal Access Act

 Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990)

 A.C.A. § 6-18-601 et seq.

Date Adopted: September 3, 2002

Last Revised: May 19, 2015

**4.13—PRIVACY OF STUDENTS’ RECORDS/DIRECTORY INFORMATION**

Except when a court order regarding a student has been presented to the school to the contrary, all students’ educational records are available for inspection and copying by the parent of his/her student who is under the age of eighteen (18). At the age of eighteen (18), the right to inspect and copy a student’s records transfers to the student. A student’s parent or the student, if over the age of 18, requesting to review the student’s education records will be allowed to do so within no more than forty-five (45) days of the request. The school forwards education records, including disciplinary records, to schools that have requested them and in which the student seeks or intends to enroll, or is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.

The school shall receive written permission before releasing educational records to any agency or individual not authorized by law to receive and/or view the educational records without prior parental permission. The school shall maintain a record of requests by such agencies or individuals for access to, and each disclosure of, personally identifiable information (“PII”) from the education records of each student. Disclosure of education records is authorized by law to school officials with legitimate educational interests. A personal record kept by a school staff member is not considered an education record if it meets the following tests. It is in the sole possession of the individual who made it; it is used only as a personal memory aid; and information contained in it has never been revealed or made available to any other person, except the maker’s temporary substitute.

For the purposes of this policy a school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

For the purposes of this policy a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility, contracted duty, or duty of elected office.

In addition to releasing PII to school officials without permission, the School may disclose PII from the education records of students in foster care placement to the student’s caseworker or to the caseworker’s representative without getting prior consent of the parent (or the student if the student is over eighteen (18)). For the School to release the student’s PII without getting permission:

* The student must be in foster care;
* The individual to whom the PII will be released must have legal access to the student’s case plan; and
* The Arkansas Department of Human Services, or a sub-agency of the Department, must be legally responsible for the care and protection of the student.

The school discloses PII from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The Director or designee shall determine who will have access to and the responsibility for disclosing information in emergency situations.

When deciding whether to release PII in a health or safety emergency, the school 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 school determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

For purposes of this policy, the Imboden Area Charter School does not distinguish between a custodial and noncustodial, or a non-parent such as a person acting in loco parentis or a foster parent parent with respect to gaining access to a student’s records. Unless a court order restricting such access has been presented to the school to the contrary, the fact of a person’s status as parent or guardian, alone, enables that parent or guardian to review and copy his child’s records.

If there exists a court order which directs that a parent not have access to a student or his records, the parent, guardian, person acting in loco parentis, or an agent of the Department of Human Services must present a file-marked copy of such order to the Director. The school will make good-faith efforts to act in accordance with such court order, but the failure to do so does not impose legal liability upon the school. The actual responsibility for enforcement of such court orders rests with the parents or guardians, their attorneys and the court which issued the order.

A parent or guardian does not have the right to remove any material from a student’s records, but such parent or guardian may challenge the accuracy of a record. The right to challenge the accuracy of a record does not include the right to dispute a grade, disciplinary rulings, disability placements, or other such determinations, which must be done only through the appropriate teacher and/or Director, the decision of whom is final. A challenge to the accuracy of material contained in a student’s file must be initiated with the Assistant Director, with an appeal available to the Director. 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. Any appeal above that level will be subject to the procedure set out in federal; law and/or regulation. If the school determines not to amend the record as requested, the school will notify the requesting parent or student of the decision and inform them of their right to a hearing regarding the request for amending the record. The parent or eligible student will be provided information regarding the hearing procedure when notified of the right to a hearing.

Unless the parent or guardian of a student (or student, if above the age of eighteen [18]) objects, "directory information" about a student may be made available to the public, military recruiters, post-secondary educational institutions, prospective employers of those students, as well as school publications such as annual yearbooks and graduation announcements. “Directory information” includes, but is not limited to, a student’s name, address, telephone number, electronic mail address, photograph, date and place of birth, dates of attendance, his/her placement on the honor role (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the School. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user.

The form for objecting to making directory information available is located in the school office and must be completed and signed by the parent or age-eligible student and filed with the school office no later than ten (10) school days after the beginning of each school year or the date the student is enrolled for school. Failure to file an objection by that time is considered a specific grant of permission. The school is required to continue to honor any signed-opt out form for any student no longer in attendance at the school.

The right to opt out of the disclosure of directory information under Family Educational Rights and Privacy Act (FERPA) does not prevent the school from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled.

Parents and students over the age of 18 who believe the school 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 References: A.C.A. § 9-28-113(b)(6)

20 U.S.C. § 1232g

 20 U.S.C. § 7908

34 CFR 99.3, 99.7, 99.21, 99.22, 99.30, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37, 99.63, 99.64

Cross References: Policy 4.34 – Communicable Diseases and Parasites

Policy 5.20—District Web Site

 Policy 5.20.1—Web Site Privacy Policy

 Policy 5.20F1—Permission to Display Photo of Student on Web Site

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.13F—OBJECTION TO PUBLICATION OF DIRECTORY INFORMATION** (Not to be filed if the parent/student has no objection)

I, the undersigned, being a parent of a student or a student eighteen (18) years of age or older, hereby note my objection to the disclosure or publication by the Imboden Area Charter School of directory information, as defined in Policy No. 4.11 (Privacy of Students’ Records), concerning the student named below. The school is required to continue to honor any signed opt-out form for any student no longer in attendance at the school.

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of student (Printed)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

**4.14—STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE**

**Student Publications**

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 school’s Director whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations.

Advertising may be accepted for publications that do not condone or promote products that are inappropriate for the age and maturity of the audience or that endorses such things as tobacco, alcohol, or drugs.

Publications may be regulated to prohibit writings that are, in the opinion of the appropriate teacher and/or Director, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

Prohibited publications include:

* Those that are obscene as to minors;
* 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;
* Those that constitute an unwarranted invasion of privacy as defined by state law,
* Publications that suggest or urge the commission of unlawful acts on the school premises;
* Publications that suggest or urge the violation of lawful school regulations;
* Hate literature that scurrilously attacks ethnic, religious, or racial groups.

**Student Publications on School Web Pages**

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

1. Not contain any non-educational advertisements. Additionally, student web publications shall;

2. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using a student’s photograph when associated with the student’s name unless written permission has been received from the student’s parent or student if over the age of 18.

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

**Student Distribution of Non-School Literature, Publications, and Materials**

A student or group of students who wish to distribute ten copies of 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 any materials shall have school authorities review their non-school materials at least three (3) school days in advance of their desired time of dissemination. The Assistant Director 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 Assistant Director shall be heard by the Director, whose decision shall be final.

The Director shall establish reasonable regulations governing the time, place, and manner of student distribution of non-school materials.

The regulations shall:

* Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
* Be uniformly applied to all forms of non-school materials;
* Allow no interference with classes or school activities;
* Specify times places, and manner where distribution may and may not occur; and
* Not inhibit a person’s right to accept or reject any literature distributed in accordance with the regulations
* Students shall be responsible for the removal of excess literature that is left at the distribution point for more than seven days

The Director, 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*, 4, U.S. 675 (1986)

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

Date Adopted: September 3, 2002

Last Revised: July 15, 2008

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

## CONTACT BY PARENTS

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

## CONTACT BY NON-CUSTODIAL PARENTS

If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the Director 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 Director 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 Director 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 Director. Such contact is subject to the limitations outline in Policy 4.14, Policy 6.5, and any other policies that may apply.

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

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

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

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

In instances other than those related to cases of suspected child abuse, the Director 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 Director 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 Director 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 Director, and leave both a day and an after hours telephone number.

**Contact by Professional Licensure Standards Board Investigators**

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

Legal Reference: A.C.A. § 6-18-513

 A.C.A. 9-13-104

 A.C.A. § 12-18-609, 610, 613

A.C.A. § 12-18-1001, 1005

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.16—STUDENT VISITORS**

The board strongly believes that the purpose of school is for learning. Social visitors, generally, disrupt the classroom and interfere with learning that should be taking place. Therefore, visiting with students at school is strongly discouraged, unless approved by the Director 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 Director and all visitors must first register at the office.

Cross References: For Adult visits see Policy 4.13 – CONTACT WITH STUDENTS WHILE AT SCHOOL and Policy 6.5 – VISITORS TO THE SCHOOL

Date Adopted: September 3, 2002

Last Revised: August 16, 2005

**4.17—STUDENT DISCIPLINE**

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

The school’s Director 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 school shall be in accordance with the student’s appropriate due process rights.

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

The school’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 acknowledgment form documenting that they have received the policies.

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

Legal Reference: A.C.A. § 6-18-502

 A.C.A. § 6-17-113

Date Adopted: September 3, 2002

Last Revised: March 26, 2013

**4.18—PROHIBITED CONDUCT**

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

* Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
* Disruptive behavior that interferes with orderly school operations;
* Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
* Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
* Possession or use of tobacco in any form on any property owned or leased by any public school;
* Willfully or intentionally damaging, destroying, or stealing school property;
* Possession of any paging device, beeper, or similar electronic communication devices on the school campus during normal school hours unless specifically exempted by the Director for health or other compelling reasons.
* 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;
* Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
* Inappropriate public displays of affection;
* Cheating, copying, or claiming another person's work to be his/her own;
* Gambling;
* Inappropriate student dress;
* Use of vulgar, profane, or obscene language or gestures;
* Truancy;
* Excessive tardiness;
* Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability;
* Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
* Hazing, or aiding in the hazing of another student.
* 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;
* Sexual harassment.
* Bullying; and
* Operating a vehicle on school grounds while using a wireless communication device.

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

Legal References: A.C.A. § 6-18-502

 A.C.A. § 6-18-707

 A.C.A. § 6-15-1005

 A.C.A. § 6-21-609

 A.C.A. § 6-18-506

 A.C.A. § 6-18-222

 A.C.A. § 6-5-201

 A.C.A. S 6-18-514

A.C.A. § 27-51-1602

A.C.A. § 27-51-1603

A.C.A. § 27-51-1609

Cross References: Prohibited Conduct #1—Policy # 3.17

 Prohibited Conduct #2— Policy # 4.20

 Prohibited Conduct #3— Policy # 4.21, 4.26

 Prohibited Conduct #4— Policy # 4.22

 Prohibited Conduct #5— Policy # 4.23

 Prohibited Conduct #7— Policy #4.47

 Prohibited Conduct #8— Policy # 4.24

 Prohibited Conduct #13— Policy # 4.25

 Prohibited Conduct #14— Policy # 4.21

 Prohibited Conduct #15— Policy # 4.7

 Prohibited Conduct #16— Policy # 4.9

Prohibited Conduct #17— Policy # 4.43

 Prohibited Conduct #19— Policy # 4.12

 Prohibited Conduct #20— Policy # 4.26

 Prohibited Conduct #21-- Policy #4.27

 Prohibited Conduct #22— Policy # 4.43

 Prohibited Conduct #23- Policy #4.47

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY**

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

The preceding paragraph also applies to student conduct while on school buses. Students shall be instructed in safe riding practices. The driver of a school bus shall not operate the school bus until every passenger is seated. Disciplinary measures for problems related to bus behavior shall include suspension or expulsion from school, or suspending or terminating the student’s bus transportation privileges. Transporting students to and from school who have lost their bus transportation privileges shall become the responsibility of the student’s parent or legal guardian.

All students are eligible to receive bus transportation if they live along bus routes. The Director shall annually establish the routes and modify them as needed.

Specific rules to riding the school bus:

1. Follow directions of the driver

2. Stay seated at all times

3. Speak quietly

4. No eating or drinking

5. Keep all parts of body and objects inside the bus

The bus driver is the authority on the school bus and will report all infractions of the rules to the Director. A security camera may be used on the bus to document student behavior.

Depending upon the severity of the violation, consequences for disobeying the specific school bus rules are as follows:

 Minimum Consequences: Parent Call

Maximum Consequences: Suspension of bus privileges for the remainder of the school year

Legal Reference: A.C.A. § 6-19-119 (b)

Date Adopted: September 3, 2002

Last Revised: November 24, 2008

**4.20—DISRUPTION OF SCHOOL**

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

Disorderly activities by any student or group of students that adversely affect the school’s orderly educational environment shall not be tolerated at any time on school grounds. Teachers may remove from class and send to the Director’s 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 Director.

The use of a time-out/seclusion room may be used for behaviors that are destructive to property, aggressive toward others or severely disruptive to the class environment. The time-out seclusion room should only be used as a last resort if and when less restrictive means of controlling behavior have proven ineffective. A teacher or behavioral specialist should have documentation that milder forms of time-out or reduction techniques have proven ineffective in suppressing the inappropriate behavior. Time-out must be paired with a behavioral plan to provide positive reinforcement for appropriate behaviors and be included in the student’s IEP if the student is in special education. The use of the time-out/seclusion area and the behaviors which will result in its use must also be explicitly stated in the IEP and parental consent for its use must be documented.

The time-out/seclusion area must be at least 4’ X 4’ and no larger than 6’ X 6’ in size, be properly lighted and ventilated, be free of objects and fixtures; provide the means by which an adult, who possesses the required training, can continuously monitor the student’s behavior both visually and auditorily; have an unlocked door if one is used, and meet state and county fire and safety codes.

The length of time spent in the time-out/seclusion room must be documented and be no longer than 15 minutes for each exclusion in grades kindergarten through third grade and no longer than 20 minutes for each exclusion for grades fourth through sixth. At the end of the prescribed time, the student should be offered the opportunity to rejoin the class. If the student chooses to stay in time-out, the door must be left open at this time. Should there be a need for a time-out period to extend past the prescribed time limits, the appropriateness of continuing the time-out procedure should be evaluated immediately by knowledgeable professionals such as the director, counselor, or special education staff.

Records that must be kept of each occasion when time-out is used should include the student’s name, the behavior for which time-out is being used, and the time of day the student was placed in and released from time-out.

It is recommended that the use of time-out be reviewed by a knowledgeable professional twice monthly. The use of the time-out/seclusion procedure shall be altered or discontinued as a behavioral management technique if data do not support its effectiveness.

Consequences for repeated disruption are as follows:

Minimum Consequences: Parent Call

Maximum Consequences: Expulsion

Legal Reference: A.C.A. § 6-18-511

Date Adopted: September 3, 2002

Last Revised: November 24, 2008

**4.21—STUDENT ASSAULT OR BATTERY**

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

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

Consequences for assault or battery are as follows:

Minimum Consequence: Call to police, parent call, and 1-5 days out-of- school suspension

Maximum Consequence: Expulsion

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

Date Adopted: September 3, 2002

Last Revised: November 24, 2008

**4.22—WEAPONS AND DANGEROUS INSTRUMENTS**

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

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

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

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

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

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

Consequences for weapons possession are as follows:

Minimum Consequence: Call to police, parent call

Maximum Consequence: Expulsion

Cross Reference: Policy 4.31—EXPULSION

Legal References: A.C.A. § 6-18-502 (c) (2)(A)(B)

A.C.A. § 6-18-507 (e) (1)(2)

A.C.A. § 6-21-608

A.C.A. § 5-4-201

 A.C.A. § 5-4-401

A.C.A. § 5-27-210

A.C.A. § 5-73-119(b)(e)(8)(9)(10)

 20 USCS § 7151

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**5-4-201. Fines — Limitations on amount.**

**(a)** A defendant convicted of a felony may be sentenced to pay a fine:

**(1)** Not exceeding fifteen thousand dollars ($15,000) if the conviction is of a Class A felony or Class B felony;

**(2)** Not exceeding ten thousand dollars ($10,000) if the conviction is of a Class C felony or Class D felony;

**(3)** In accordance with a limitation of the statute defining the felony if the conviction is of an unclassified felony.

**(b)** A defendant convicted of a misdemeanor may be sentenced to pay a fine:

**(1)** Not exceeding two thousand five hundred dollars ($2,500) if the conviction is of a Class A misdemeanor;

**(2)** Not exceeding one thousand dollars ($1,000) if the conviction is of a Class B misdemeanor;

**(3)** Not exceeding five hundred dollars ($500) if the conviction is of a Class C misdemeanor; or

**(4)** In accordance with a limitation of the statute defining the misdemeanor if the conviction is of an unclassified misdemeanor.

**(c)** A defendant convicted of a violation may be sentenced to pay a fine:

**(1)** Not exceeding one hundred dollars ($100) if the violation is defined by the Arkansas Criminal Code or defined by a statute enacted subsequent to January 1, 1976, that does not prescribe a different limitation on the amount of the fine; or

**(2)** In accordance with a limitation of the statute defining the violation if that statute prescribes limitations on the amount of the fine.

**(d) (1)** Notwithstanding a limit imposed by this section, if the defendant has derived pecuniary gain from commission of an offense, then upon conviction of the offense the defendant may be sentenced to pay a fine not exceeding two (2) times the amount of the pecuniary gain.

**(2)** As used in this subsection, “pecuniary gain” means the amount of money or the value of property derived from the commission of the offense, less the amount of money or the value of property returned to the victim of the crime or seized by or surrendered to a lawful authority prior to the time sentence is imposed.

**(e)** An organization convicted of an offense may be sentenced to pay a fine authorized by subsection (d) of this section or not exceeding two (2) times the maximum fine otherwise authorized upon conviction of the offense by subsections (a), (b), or (c) of this section.

**(f) (1)** Notwithstanding a limit imposed by this section or the section defining the felony offense, if a defendant has derived pecuniary gain from the commission of a felony offense under § 5-68-201 et seq., § 5-68-301 et seq., the Arkansas Law on Obscenity, § 5-68-401 et seq., or § 5-68-501 et seq., then upon conviction of the felony offense, the defendant may be sentenced to pay a fine not exceeding two hundred fifty thousand dollars ($250,000).

**(2)** As used in this subsection, “derived pecuniary gain” means that a defendant received income, benefit, property, money, or anything of value from the commission of a felony offense under § 5-68-201 et seq., § 5-68-301 et seq., the Arkansas Law on Obscenity, § 5-68-401 et seq., or § 5-68-501 et seq.

**History.** Acts 1975, No. 280, § 1101; A.S.A. 1947, § 41-1101; Acts 2007, No. 346, § 1; 2009,

No. 209, § 1.

**5-4-401. Sentence.**

**(a)** A defendant convicted of a felony shall receive a determinate sentence according to the following limitations:

**(1)** For a Class Y felony, the sentence shall be not less than ten (10) years and not more than forty (40) years, or life;

**(2)** For a Class A felony, the sentence shall be not less than six (6) years nor more than thirty (30) years;

**(3)** For a Class B felony, the sentence shall be not less than five (5) years nor more than twenty (20) years;

**(4)** For a Class C felony, the sentence shall be not less than three (3) years nor more than ten (10) years;

**(5)** For a Class D felony, the sentence shall not exceed six (6) years; and

**(6)** For an unclassified felony, the sentence shall be in accordance with a limitation of the statute defining the felony.

**(b)** A defendant convicted of a misdemeanor may be sentenced according to the following limitations:

**(1)** For a Class A misdemeanor, the sentence shall not exceed one (1) year;

**(2)** For a Class B misdemeanor, the sentence shall not exceed ninety (90) days;

**(3)** For a Class C misdemeanor, the sentence shall not exceed thirty (30) days; and

**(4)** For an unclassified misdemeanor, the sentence shall be in accordance with a limitation of the statute defining the misdemeanor.

**History.** Acts 1975, No. 280, § 901; 1977, No. 474, § 3; 1981, No. 620, § 8; 1983, No. 409, § 2; A.S.A. 1947, § 41-901.

**5-27-210. Parental responsibility for student's firearm possession.**

**(a)** As used in this section:

**(1)** “Firearm” means:

**(A)** Any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use, including such a device that is not loaded or lacks a clip or other component to render it immediately operable; or

**(B)** Components that can readily be assembled into a device described in subdivision (a)(1)(A) of this section; and

**(2)** “Parent” means a parent, stepparent, legal guardian, or person in loco parentis or who has legal custody of a student pursuant to a court order and with whom the student resides.

**(b)** A parent of a minor is guilty of a Class B misdemeanor if:

**(1)** The parent knows that the minor is in illegal possession of a firearm in or upon:

**(A)** The premises of a public or private school;

**(B)** A public or private school's athletic stadium or other facility or building in which school-sponsored events are conducted; or

**(C)** A public park, playground, or civic center; and

**(2)** The parent fails to:

**(A)** Prevent the illegal possession; or

**(B)** Report the illegal possession to an appropriate school or law enforcement official.

**History.** Acts 1999, No. 1149, §§ 1, 2.

**4.23—TOBACCO AND TOBACCO PRODUCTS**

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

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

Consequences for possessing tobacco are as follows:

Minimum Consequence: Call to police, parent call, and 1-5 days out-of-school suspension

Maximum Consequence: Expulsion

Legal Reference: A.C.A. § 6-21-609

Date Adopted: September 3, 2002

Last Revised: July 1, 2013

**4.24—DRUGS AND ALCOHOL**

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

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

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

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

Consequences for possession of drugs are as follows:

Minimum Consequence: Call to police, parent call, and 1-5 days out-of-school suspension

Maximum Consequence: Expulsion

Date Adopted: September 3, 2002

Last Revised: April 26, 2012

**4.25—STUDENT DRESS AND GROOMING**

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

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

The Director shall establish student dress codes for the school, to be included in the student handbook, and are consistent with the above criteria.

Legal References: A.C.A. § 6-18-502(c)(1)

 A.C.A. § 6-18-503(c)

Date Adopted: September 3, 2002

Last Revised: June 21, 2011

**4.26—GANGS AND GANG ACTIVITY**

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

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

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

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

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

Consequences for gang activity are as follows:

Minimum Consequence: Parent call, exclusion from privileges and 1-3 days out-of-school suspension

Maximum Consequence: Expulsion

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

 A.C.A. § 5-74-201

Date Adopted: September 3, 2002

Last Revised: March 15, 2011

**4.27—STUDENT SEXUAL HARASSMENT**

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

Believing that prevention is the best policy, the school 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 school does not tolerate sexual harassment and that students can report inappropriate behavior of a sexual nature without fear of adverse consequences. The information will take into account and be appropriate to the age of the students.

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

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

Submission to the conduct is made, either explicitly or implicitly, a term or

condition of an individual’s education;

Submission to, or rejection of, such conduct by an individual is used as the

basis for academic decisions affecting that individual; and/or

Such conduct has the purpose or effect of substantially interfering with an

individual’s academic performance or creates an intimidating, hostile, or offensive academic environment.

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

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

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

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

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

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

Consequences for students found guilty of sexual harassment are as follows:

Minimum Consequence: Parent/student/Director conference, school counselor conference, and 3-5 days out-of-school suspension

Maximum Consequence: Expulsion

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

 A.C.A. § 6-15-1005 (b) (1)

Date Adopted: September 3, 2002

Last Revised: March 15, 2011

**4.28—LASER POINTERS**

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

Legal References: A.C.A. § 6-18-512

 A.C.A. § 5-60-122

Date Adopted: September 3, 2002

Last Revised:

**4.29—INTERNET SAFETY AND ELECTRONIC DEVICE USE POLICY**

**Definition**

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

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

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

**Technology Protection Measures**

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

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

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

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

**Internet Use and Safety**

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

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

**Misuse of Internet**

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

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

Legal References: Children’s Internet Protection Act; PL 106-554

FCC Final Rules 11-125 August 11,2011

20 USC 6777

47 USC 254(h)(l)

47 CFR 54.520

47 CFR 520(c)(4)

A.C.A. § 6-21-107

A.C.A. § 6-21-111

Date Adopted: September 3, 2002

Last Revised: 2014

**4.29F—STUDENT ELECTRONIC DEVICE AND INTERNET USE AGREEMENT**

Student’s Name (Please Print)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_Grade Level\_\_\_\_\_\_\_

Date\_\_\_\_\_\_\_\_\_\_\_\_

The Imboden Area Charter School agrees to allow the student identified above (student) to use the school’s technology to access the Internet under the following terms and conditions which apply whether the access is through a school or student owned electronic device (as used in this Agreement, “electronic device” means anything that can be used to transmit or capture images, sound, or data):

1. Conditional Privilege: The Student’s use of the school’s access to the Internet is a privilege conditioned on the student’s abiding to this agreement. No student may use the school’s access to the Internet whether through a school or studnets owned electronic device unless the student and his/her parent or guardian have read and signed this agreement.
2. Acceptable Use: The student agrees that he/she will use the school’s Internet access for educational purposes only. In using the Internet, the student agrees to obey all federal and state laws and regulations. The student also agrees to abide by any Internet use rules instituted at the student’s school or class, whether those rules are written or oral.
3. Penalties for Improper Use: If the student violates this agreement and misuses the Internet, the student will be subject to the following disciplinary actions:

 First offense No computer use for one week.

 Second offense No computer use for one quarter.

 Third offense No computer use for the rest of the school year.

1. “Misuse of the school’s access to the Internet” includes, but is not limited to, the following:
	1. using the Internet for other than educational purposes;
	2. gaining intentional access or maintaining access to materials which

are “harmful to minors” as defined by Arkansas Law;

* 1. using the Internet for any illegal activity, including computer hacking

and copyright or intellectual property law violations;

* 1. making unauthorized copies of computer software;
	2. accessing “chat lines” unless authorized by the instructor for a class

activity directly supervised by a staff member;

* 1. using abusive or profane language in private messages on the

system; or using the system to harass, insult, or verbally attack others;

* 1. posting anonymous messages on the system;
	2. using encryption software;
	3. wasteful use of limited resources provided by the school, including paper;
	4. causing congestion of the network through lengthy downloads of files;
	5. vandalizing data of another user;
	6. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
	7. gaining or attempting to gain unauthorized access to resources or files;
	8. identifying oneself with another person’s name or password or using an account or password of another user without proper authorization;
	9. invading the privacy of individuals;
	10. divulging personally identifying information about himself/herself or anyone else either on the Internet or in an e-mail unless it is a necessary and integral part of the student’s academic endeavor. Personally identifying information includes full names, address, and phone number.
	11. using the network for financial or commercial gain without school permission;
	12. theft or vandalism of data, equipment, or intellectual property;
	13. attempting to gain access or gaining access to student records, grades, or files;
	14. introducing a virus to, or otherwise improperly tampering with the system;
	15. degrading or disrupting equipment or system performance;
	16. creating a web page or associating a web page with the school without proper authorization;
	17. providing access to the school’s internet access to unauthorized individuals;
	18. failing to obey school or classroom internet use rules;
	19. taking part in any activity related to internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the school;
	20. installing or downloading software on school computers without prior approval of the Director.
1. Liability for debts: Students and their cosigners shall be liable for any and all costs (debts) incurred through the student’s use of the computers or access to the internet including penalties for copyright violations.
2. No Expectation of Privacy: The student and parent/guardian signing below agree that if the student uses the Internet through the school’s access, that the student waives any right to privacy the student may have for such use. The student and the parent/guardian agree that the school may monitor the student’s use of the school’s internet access and may also examine all system activities the student participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system. The school may share such transmissions with the student’s parents/guardians.
3. No Guarantees: The school will make good faith efforts to protect children from improper or harmful matter that may be on the internet. At the same time, in signing this agreement, the parent and student recognize that the school makes no guarantees about preventing improper access to such materials on the part of the student.
4. Signatures: We, the persons who have signed below, have read this agreement and agree to be bound by the terms and conditions of this agreement.

Student’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date \_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/Legal Guardian Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date \_\_\_\_\_\_\_\_\_\_\_\_\_

Date Adopted: September 3, 2002

Last Revised: 2014

**4.30—SUSPENSION FROM SCHOOL**

Students not present at school cannot benefit from the educational opportunities the school environment affords. The Director, 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 the Director to suspend students for disciplinary reasons for a period of time not to exceed ten (10) school days, including the day upon which the suspension is imposed. The suspension may be in school or out of school. Students are responsible for their conduct that occurs: at any time on the school grounds; off school grounds at a school-sponsored function, activity, or event; going to and from school or a school activity. A student may be suspended for behavior including, but not limited to that which:

* Is in violation of school policies, rules, or regulations;
* Substantially interferes with the safe and orderly educational environment;
* The Director believes will result in the substantial interference with the safe and orderly educational environment; and/or
* Is insubordinate, incorrigible, violent, or involves moral turpitude.

The Director shall proceed as follows in deciding whether or not to suspend a student:

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

When possible, notice of the suspension, its duration, and any stipulations for the student’s 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.

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

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

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

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

During the period of their suspension, students serving out-of-school suspensions shall not be permitted on campus except to attend a student/parent/director conference.

During the period of their suspension, students serving in-school suspension shall not attend any school-sponsored activities during the imposed suspension nor shall the student participate in any school-sponsored activities.

Suspensions initiated by the Assistant Director may be appealed to the Director, but not to the Board.

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

Cross Reference: 4.7 - ABSENCES

Legal References: A.C.A. § 6-18-507

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

Date Adopted: September 3, 2002

Last Revised: April 26, 2012

**4.31—EXPULSION**

The Board of Education may expel a student for a period longer than ten (10) school days for violation of the school’s written discipline policies. The Director may make a recommendation of expulsion to the Board of Education for student conduct deemed to be of such gravity that suspension would be inappropriate, or where the student’s continued attendance at school would disrupt the orderly learning environment or would pose an unreasonable danger to the welfare of other students or staff.

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

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

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

During the hearing, the Director, 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 Director, the student, or his/her representative may question anyone making a statement and/or the student. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

Except as permitted by policy 4.22, the Director 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 Director shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The Director 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.

Cross Reference: Policy 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Legal Reference: A.C.A. § 6-18-507

Date Adopted: September 3, 2002

Last Revised: March 30, 2009

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

The school 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 school in order to promote an environment conducive to student learning. The Director has the right to inspect and search school property and equipment. He/she may also search students and their personal property in which the student has a reasonable expectation of privacy, when there is reasonable and individualized suspicion to believe such student or property contains illegal items or other items in violation of Board policy or dangerous to the school community. The Director may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.

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

The Director may request the assistance of law enforcement officials to help conduct searches. Such searches may include the use of specially trained dogs.

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

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

If the school 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 Director 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 indicated on student enrollment forms. The Director shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, custodian, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Department of Arkansas State Police, or an investigator or employee of the Department of Human Services.

In instances other than those related to cases of suspected child abuse, the Director 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 Director 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 Director 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 Director, and leave both a day and an after hours telephone number.

Legal Reference: A.C.A. § 6-18-513

                                 A.C.A. § 9-13-104

A.C.A. § 12-18-609, 610, 613

A.C.A. § 12-18-1001, 1005

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.33—STUDENTS’ VEHICLES**

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

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

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

Date Adopted: September 3, 2002

Last Revised: April 26, 2012

**4.34—COMMUNICABLE DISEASES AND PARASITES**

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

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

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

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

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

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

Cross References: 4.2—ENTRANCE REQUIREMENTS

 4.13—PRIVACY OF STUDENTS’ RECORDS/ DIRECTORY

 INFORMATION

Legal References: A.C.A. § 6-18-702

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

Date Adopted: September 3, 2002

Last Revised: March 26, 2013

**4.35—STUDENT MEDICATIONS**

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

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

Medications, including those for self-administration, must be in the original container and be properly labeled with the student’s name, the ordering health care provider’s name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings. Schedule II medications that are permitted by this policy to be brought to school shall be stored in a double locked cabinet.

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

Students taking Schedule II medications methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse)**1** shall be allowed to attend school.

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

The school’s supervising registered nurse shall be responsible for creating both on campus and off campus procedures for administering medications.

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

 1) Self-administer either a rescue inhaler or auto-injectable epinephrine;

 2) Perform his/her own blood glucose checks;

 3) Administer insulin through the insulin delivery system the student uses;

 4) Treat the student’s own hypoglycemia and hyperglycemia; or

5) Possess on his or her person:

1. A rescue inhaler or auto-injectable epinephrine; or
2. the necessary supplies and equipment to perform his/her own diabetes monitoring and treatment functions.

Students who have a current consent form on file shall be allowed to carry and self-administer such medication while:

* In school;
* At an on-site school sponsored activity;
* While traveling to or from school; or
* At an off-site school sponsored activity.

A student is prohibited from sharing, transferring, or in any way diverting his/her medications to any other person. The fact that a student with a completed consent form on file is allowed to carry a rescue inhaler, auto-injectable epinephrine, diabetes medication, or combination does not require him/her to have such on his/her person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler, auto- injectable epinephrine, diabetes medication, or any combination on his/her person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

Students may be administered Glucagon, insulin, or both in emergency situations by the school nurse or, in the absence of the school nurse, a trained volunteer school employee designated as a care provider, provided the student has:

1. an IHP that provides for the administration of Glucagon, insulin, or both in emergency situations; and
2. a current, valid consent form on file from their parent or guardian.

A student shall have access to a private area to perform diabetes monitoring and treatment functions as outlined in the student's IHP.

Emergency Administration of Epinephrine

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

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

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

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

The school shall not keep outdated medications or any medications past the end of the school year. By this policy, parents are notified that ten (10) days after the last day of school, all medications will be disposed of that are left at the school. Medications not picked up by the parents or legal guardians within the ten (10) day period shall be disposed of by the school nurse in accordance with current law and regulations.

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

 Arkansas Department of Education and Arkansas State Board of Nursing Rules Governing the Administration of Glucagon to Arkansas Public School Students Suffering from Type I Diabetes

 A.C.A. § 6-18-707

 A.C.A. § 6-18-711

 A.C.A. § 6-18-1005(a)(6)

A.C.A. § 17-87-103 (11)

A.C.A. § 20-13-405

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.35F—MEDICATION ADMINISTRATION CONSENT FORM**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Student’s Name (Please Print)

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

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

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name(s) of medication(s)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of physician or dentist (if applicable)

Dosage \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Instructions for administering the medication \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other instructions \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent or legal guardian signature

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Adopted: September 3, 2002

Last Revised: July 1, 2013

**4.35F2—MEDICATION SELF-ADMINISTRATION CONSENT FORM**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Student’s Name (Please Print)

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

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

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

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

Rescue inhalers and/or auto-injectable epinephrine for a student's self-administration shall be supplied by the student’s parent or guardian and be in the original container properly labeled with the student’s name, the ordering provider’s name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings. Students who self-carry a rescue inhaler or an epinephrine auto-injector shall also provide the school nurse with a rescue inhaler or an epinephrine auto-injector to be used in emergency situations.

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Date Adopted: June 28, 2005

Last Revised: July 1, 2013

4.35F3—Glucagon AND/OR INSULIN ADMINISTRATION CONSENT FORM

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

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

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

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

Glucagon \_\_\_\_\_\_

Insulin \_\_\_\_\_\_

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

I acknowledge that the School, its Board of Directors, its employees, or an agent of the District, including a healthcare professional who trained volunteer school personnel designated as care providers shall not be liable for any damages resulting from his/her actions or inactions in the administration of Glucagon or insulin in accordance with this consent form and the IHP.

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

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Adopted: April 26, 2012

Last Revised: February 3, 2015

4.35F4—EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM

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

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

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

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

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

Circumstances under which Epinephrine may be administered \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other instructions \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Adopted: July 1, 2013

Last Revised:

**4.36—STUDENT ILLNESS/ACCIDENT**

If a student becomes too ill to remain in class and/or could be contagious to other students, the Director 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. Students who are 18 years of age or older are considered to be legal adults, and as such have the right to check themselves out of school.

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

Date Adopted: September 3, 2002

Last Revised: May 25, 2004

**4.37—EMERGENCY DRILLS**

The school shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than three (3) times per year with at least one each in the months of September, January, and February. Students who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.

The School shall annually conduct an active shooter drill and school safety assessment for the school in collaboration with local law enforcement and emergency management personnel. The training will include a lockdown exercise with panic button alert system training. Students will be included in the drills to the extent that is developmentally appropriate to the age of both the students and grade configuration of the school.

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

Other types of emergency drills may also be conducted to test the implementation of the School's emergency plans in the event of violence, terrorist attack, natural disaster, other emergency, or the School’s Panic Button Alert System. Students shall be included in the drills to the extent practicable.

Legal References: A.C.A. § 12-13-109

A.C.A. § 6-10-110

 A.C.A. § 6-10-121

 A.C.A. § 6-15-1302

A.C.A. § 6-15-1303

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

Date Adopted: September 3, 2002

Last Revised: February 3, 2015

**4.38—PERMANENT RECORDS**

Permanent school records, as required by the Arkansas Department of Education, shall be maintained for each student enrolled in the School 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 within ten (10) school days after the date a request from the receiving school district is received.

Legal References: A.C.A. § 6-18-901

 ADE Rule *Student Permanent Records*

Date Adopted: September 3, 2002

Last Revised: July 15, 2008

**4.39 - CORPORAL PUNISHMENT**

The Imboden Area Charter School authorizes the use of corporal punishment to be administered in accordance with this policy by the Director or Assistant Director who are required to have a state-issued license as a condition of their employment.

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

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

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

A.C.A. S 6-18-505(c)(1)

Date Adopted: September 3, 2002

Last Revised: April 26, 2012

**4.40 - HOMELESS STUDENTS**

The Imboden Area Charter School will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Director shall be the local educational liaison for homeless children and youth whose responsibilities shall include coordinating with the state educational liaison for homeless children and youth to ensure that homeless children are not stigmatized or segregated on the basis of their status as homeless and such other duties as are prescribed by law and this policy.

Notwithstanding Policy 4.1, homeless students are entitled to enroll in the 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 school’s local educational liaison for homeless children and youth to carry out the dispute resolution process.

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

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

In any instance where the child is unaccompanied by a parent or guardian, the school’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.

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;
2. are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
4. 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;
5. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and includes
6. are migratory children who are living in circumstances described in clauses (a) through (c).

Legal References\*\*: 42 U.S.C. S 11431 et seq.

 42 U.S.C. S 11432 (2)

 42 U.S.C. S 11432 (g)(1)(H)(I)

 42 U.S.C. S 11432 (g)(1)(J)(i), (ii), (iii), (iii)(I), (iii)(II)

 42 U.S.C. S 11432 (g)(3)(A), (A)(i), (A)(i)(I), (A)(i)(II), (A)(ii)

 42 U.S.C. S 11432 (g)(3)(B)(i), (ii), (iii)

 42 U.S.C. S 11432 (g)(3)(C)(i), (ii), (iii)

 42 U.S.C. S 11432 (g)(3)(E)(i), (ii), (iii)

 42 U.S.C. S 11432 (g)(3)(G)

42 U.S.C. S 11432 (g)(4)(A), (B), (C), (D), (E)

 42 U.S.C. S 11434a

Date Adopted: April 7, 2003

Last Revised: April 26, 2012

\*\***42 U.S.C. S11431 et seq.** as it is included in the NCLB Act of 2001 is Title X, Part C, Subtitle B, Sections 721 through 726. If you prefer to locate the legal references through the NCLB Act, change the 42 U.S.C. S11431 to 721, 42 U.S.C. S11432 to 722, etc. with the numbers and letters that follow those references remaining the same.

**4.41 - PHYSICAL EXAMINATIONS OR SCREENINGS**

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

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

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

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

Date Adopted: April 7, 2003

Date Revised: March 30, 2009

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

I, the undersigned, being a parent or guardian of a student hereby note my objection to the physical examination or screening of the student named below.

Physical examination or screening being objected to:

\_\_\_\_\_ Vision Test

\_\_\_\_\_ Hearing Test

\_\_\_\_\_ Scoliosis Test

\_\_\_\_\_Body Mass Index

Comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Student (Printed)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Parent

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

**4.42 - STUDENT HANDBOOK**

It shall be the policy of the Imboden Area Charter School that the most recently adopted version of the student handbook be incorporated by reference into the policies of this school. In the event that there is a conflict between the student handbook and a general board policy or policies, the more recently adopted language will be considered binding and controlling on the matter provided the parent(s) of the student, or the student if 18 years of age or older have acknowledged receipt of the controlling language.

The Director shall review all changes to student policies and ensure that such changes are provided to students and parents, either in the Handbook or, if changes are made after the handbook is printed, as an addendum to the handbook.

The Director and the Counselor shall also review Policies 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS and the current ADE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, corrections shall be made and notice of the requirements given to students and parents.

Date Adopted: April 7, 2003

Last Revised: March 26, 2013

**4.43 -BULLYING**

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

The Director or designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

Definitions:

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

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

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

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

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

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

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

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

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

1. Building a fake profile or website of the employee;
2. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
3. Posting an original or edited image of the school employee on the Internet;
4. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee; making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
5. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;
6. Signing up a school employee for a pornographic Internet site; or
7. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

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

1. Sarcastic comments "compliments" about another student’s personal appearance or actual or perceived attributes,

2. Pointed questions intended to embarrass or humiliate,

3. Mocking, taunting or belittling,

4. Nonverbal threats and/or intimidation such as “fronting” or “chesting” a person,

5. Demeaning humor relating to a student’s race, gender, ethnicity or actual or perceived attributes,

6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,

7. Blocking access to school property or facilities,

8. Deliberate physical contact or injury to person or property,

9. Stealing or hiding books or belongings, and/or

10. Threats of harm to student(s), possessions, or others

11. Sexual harassment, as governed by policy 4.27, is also a form of bullying,

12. Teasing or name-calling based on the belief or perception that an individual is not conforming to expected gender roles (Example: “Slut”) or conduct or is homosexual, regardless of whether the student self-identifies as homosexual (Examples: “You are so gay.” “Fag” “Queer”).

Students are encouraged to report behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, to their teacher or the Director. 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 Director. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the Director. The Director shall be responsible for investigating the incident(s) to determine if disciplinary action is warranted.

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

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

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

Copies of this policy shall be available upon request.

Consequences for students found guilty of bullying are as follows:

Minimum - Parent call and conference with teacher

Maximum - Expulsion

Legal Reference: A.C.A. S 6-18-514

A.C.A. § 5-71-217

Date Adopted: July 15, 2003

Last Revised: July 1, 2013

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

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

Study Halls

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

Extracurricular Classes

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

Course Enrollment Outside of School

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 school 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 school may grant a wavier for the student for the duration of the semester in which the placement is unable to be made.

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

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

Legal References: A.C.A. § 6-18-210, 211

Arkansas Department of Education Rules Governing the Mandatory Attendance

 Requirements for Students in Grades Nine through Twelve

Date Adopted: June 20, 2004

Last Revised:

**4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2016 AND 2017**

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year to determine if changes need to be made to better serve the needs of the school’s students. The Director shall select the composition of the review panel.

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

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

The Director, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The school’s annual professional development shall include the training required by this paragraph.

**GRADUATION REQUIREMENTS**

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

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

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

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

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

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

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

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

3. Algebra II; and

4. The fourth unit may be either:

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

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

One unit of Biology; and either:

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

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

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

Social Studies: three (3) units

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

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

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

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

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

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

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

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

**CORE: Sixteen (16) units**

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

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

Mathematics: four (4) units

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

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

Science: three (3) units

* at least one (1) unit of biology or its equivalent

Two units chosen from the following three categories:

* Physical Science;
* Chemistry;
* Physics; or

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

Social Studies: three (3) units

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

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

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

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

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

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

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

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

Cross References: 4.55-STUDENT PROMOTION AND RETENTION

Legal References: Standards For Accreditation 9.03 – 9.03.1.9, 14.02

ADE Guidelines for the Development of Smart Core Curriculum Policy

 Smart Core Informed Consent Form 2014

 Smart Core Waiver Form 2014

Date Adopted: March 16, 2010

Last Revised: May 19, 2015

4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2018 AND THEREAFTER

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

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

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

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

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

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

**GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of 22 units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Arkansas

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

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

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

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

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

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

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

3. Algebra II; and

4. The fourth unit may be either:

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

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

One unit of Biology; and either:

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

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

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

Social Studies: three (3) units

* Civics one-half (½) unit
* World History - one unit
* American History - one unit

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

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

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

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

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

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

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

**CORE: Sixteen (16) units**

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

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

Mathematics: four (4) units

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

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

Science: three (3) units

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

Two units chosen from the following three categories:

* Physical Science;
* Chemistry;
* Physics; or

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

Social Studies: three (3) units

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

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

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

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

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

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

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

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

Cross References: 4.55—STUDENT PROMOTION AND RETENTION

5.11—DIGITAL LEARNING COURSES

Legal References: Standards For Accreditation 9.03 – 9.03.1.9, 14.02

 ADE Guidelines for the Development of Smart Core Curriculum Policy

 ADE Rules Governing the Digital Learning Act of 2013

 Smart Core Informed Consent Form 2016

 Smart Core Waiver Form 2016

 A.C.A. § 6-16-1406

Date Adopted: 2014

Last Revised: May 19, 2015

**4.46—PLEDGE OF ALLEGIANCE**

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

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

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

Legal Reference: A.C.A. § 6-16-108

Date Adopted: February 22, 2005

Last Revised:

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

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

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

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

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

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

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

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

The student and/or the student’s parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the Director’s office by the student’s parents or guardians.Students have no right of privacy as to the content contained on any electronic devices that have been confiscated.

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

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

Legal References: A.C.A. § 6-18-515

A.C.A. § 27-51-1602

A.C.A. § 27-51-1603

A.C.A. § 27-51-1609

Date Adopted: June 28, 2005

Last Revised: February 3, 2015

4.48—VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING

The Board of Directors has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding school 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 school equipment, students, and/or personnel.

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

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

The school shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording. Other than video recordings being retained under the provisions of this policy’s following paragraph, the school’s video recordings may be erased any time greater than 1 year after they were created.

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

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

Legal References: 20 USC 1232(g)

 20 U.S.C. 7115

 34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31

Date Adopted: June 19, 2007

Last Revised: 2014

4.49—SPECIAL EDUCATION

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

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

For students eligible for services under IDEA, the school 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 school's obligation to provide a free and appropriate education under Section 504.

The Board directs the Director 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 Director is responsible for overseeing school fulfillment of its responsibilities regarding handicapped students. Among the responsibilities shall be ensuring school enforcement of the due process rights of handicapped students and their parents.

Legal References: 34 C.F.R. 300 et seq. 42 U.S.C. §12101 et seq. American with Disabilities Act, 29

 U.S.C. § 794 Rehabilitation Act of 1973, Section 504,

20 U.S.C. §1400 et seq. Individuals with Disabilities Education Act, P.L. 108-446

The 2004 Reauthorization of the Individuals with Disabilities Act

 A.C.A. § 6-41-201 et seq.

Date Adopted: July 15, 2008

Last Revised:

**4.50 – SCHOOL LUNCH SUBSTITUTIONS**

The school 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 school’s Director of Child Nutrition.

The school 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)

Date Adopted: March 30, 2009

Last Revised:

4.51— FOOD SERVICE PREPAYMENT

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

Notes: The federal Fair and Accurate Credit Transaction Act of 2007 (15 USC. § 1601 *et seq*.), along with its accompanying regulations (16 CFR 681, effective 5/1/2009), require “creditors” to implement an Identity Theft Protection Program. This is a financial and potentially time-consuming burden that districts can avoid by not having practices deemed to make them “creditors.” This is accomplished by the language in this policy. It is **not** intended to be as draconian as it sounds. While districts cannot allow students or parents to routinely pay for meals at the end of the month, districts are **not** prohibited from feeding the student who happened to forget his/her lunch money at home or whose parents don’t get paid until the end of the week. Hungry students are seldom learning students.

This policy is similar to policies 3.45 and 8.37. If you change this policy, please review 3.45 and 8.37 at the same time to ensure applicable consistency between them.

Date Adopted: August 3, 2009

Last Revised:

4.52—STUDENTS WHO ARE FOSTER CHILDREN

The School will afford the same services and educational opportunities to foster children that are afforded other children and youth. The School shall work with the Department of Human Services (“DHS”), the Arkansas Department of Education (ADE), and individuals involved with each foster child to ensure that he/she is able to maintain his/her continuity of educational services to the fullest extent that is practical and reasonable.

The Director shall be the local educational liaison for foster children and youth whose responsibilities shall include ensuring the timely school enrollment of each foster child and assisting foster children who transfer between schools by expediting the transfer of relevant educational records.

The School, working with other individuals and agencies shall, unless the presiding court rules otherwise, ensure that the foster child remains in his/her school of origin. In such a situation, the School will work with DHS to arrange for transportation to and from the School for the foster child to the extent it is reasonable and practical.

Upon notification to the school’s foster care liaison by a foster child’s caseworker that a foster child’s is being enrolled, immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.

A foster child’s grades shall not be lowered due to absence from school that is caused by a change in the child’s school enrollment, the child’s attendance at dependency-neglect court proceedings, or other court-ordered counseling or treatment.

Any course work completed by the foster child prior to a school enrollment change shall be accepted as academic credit so long as the child has satisfactorily completed the appropriate academic placement assessment.

If a foster child was enrolled in the school immediately prior to completing his/her graduation requirements while detained in a juvenile detention facility or while committed to the Division of Youth Services of DHS, the school shall issue the child a diploma.

Cross References: Policies 4.1—RESIDENCE REQUIREMENTS, 4.2— ENTRANCE REQUIREMENTS, 4.7—ABSENCES

Legal Reference: A.C.A. § 9-28-113

Date Adopted: June 21, 2011

Last Revised: May 19, 2015

4.54 - STUDENT ACCELERATION

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

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

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

The Director will create a written format to govern the referral and determination process which shall be made available to any parent or staff member upon request.

The parents/guardians of any student whose request for acceleration has been denied may appeal the decision, in writing, to the Board of Directors. The The Board of Directors will thoroughly review the case study that was completed on the student. Upon completion of the review, the Board of Directors will either request additional new testing be conducted or it will uphold the initial decision. The Board of Directors’ decision may not be further appealed.

Legal Reference: ADE Gifted and Talented Rules

Date adopted: March 26, 2013

Last Revised:

**4.55—STUDENT PROMOTION AND RETENTION**

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

Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria:

 Making satisfactory progress in reading and math so as to be at or near grade level or the potential to meet this criteria within the first few months of the following school year. If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference shall be held before a final decision is made that includes the following individuals~~.~~:

1. The director or designee;
2. The student’s teacher(s);
3. School counselor
4. A 504/special education representative (if applicable); and
5. The student’s parents.

 If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference between the Director, the student’s teacher(s), counselor, a 504/special education representative (if applicable), and the student’s parents shall be held before a final decision is made. The conference shall be held at a time and place that best accommodates those participating in the conference. The school shall document participation or non-participation in required conferences. If the conference attendees fail to agree concerning the student’s placement or receipt of course credit, the final decision shall rest with the Director.

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

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

The Director may wave this provision when the student’s failure was due to exceptional or extraordinary circumstances.

Students who do not score proficient or above on their grade level State assessments shall be required to participate in an Academic Improvement Plan (AIP). Each AIP shall be developed by school personnel and the student’s parents and shall be designed to assist the student in attaining the expected achievement level. The AIP shall also state the parent’s role as well as the consequences for the student’s failure to participate in the plan, which shall include the student’s retention in their present grade.

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

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

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

Cross References: 3.30—PARENT-TEACHER COMMUNICATION

4.56—EXTRACURRICULAR ACTIVITIES - SECONDARY SCHOOLS

4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: A.C.A. 6-15-433

A.C.A. § 6-15-2001

A.C.A. § 6-15-2005

A.C.A. § 6-15-2009

ADE Rules Governing the Arkansas Comprehensive Testing, Assessment, and Accountability Program and the Academic Distress Program

ADE Rules Governing Public School End-Of-Course Assessments and Remediation

Murphy v. State of Ark., 852 F.2d 1039 (8th Cir. 1988)

Date Adopted: 2014

Last Revised: February 3, 2015

**4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS**

**Definitions:**

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

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

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

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

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

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

**Extracurricular Eligibility**

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted)**2**. Additionally, a student’s participation in, and the School’s operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

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

**Interscholastic Activities**

The School shall post on its website its schedule of interscholastic activities, including sign-up, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.

**ACADEMIC REQUIREMENTS: Junior High**

A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the first semester. The second semester eighth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester, three (3) of which shall be in the core curriculum areas specified by ADE’s Standards for Accreditation of Arkansas Public Schools.

The first semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester, three (3) of which shall be in the core curriculum areas specified by ADE’s Standards for Accreditation of Arkansas Public Schools.

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

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

**ACADEMIC REQUIREMENTS: Senior High**

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

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

**STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM**

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

**ARKANSAS ACTIVITIES ASSOCIATION**

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

**Intrascholastic Activities**

**AAA Governed Activities**

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

**Non-AAA Governed Activities**

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

Cross References: 4.55—STUDENT PROMOTION AND RETENTION

4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: State Board of Education Standards for Accreditation 10.05 and 10.06

Arkansas Activities Association Handbook

Date Adopted: May 19, 2015

Last Revised:

4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

**Definitions**

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

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

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

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

**Extracurricular Eligibility**

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

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

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

Cross References: 4.55—STUDENT PROMOTION AND RETENTION

4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Legal Reference: State Board of Education Standards for Accreditation 10.05 and 10.06

Date Adopted: 2014

Last Revised:

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

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

Parent or Guardian's Resident Address

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

City \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ State \_\_\_\_\_

Zip Code\_\_\_\_\_\_\_\_\_\_\_

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

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

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

Extracurricular activity(ies) the student requests to participate in

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Proof of identity \_\_\_\_

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

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

Date Adopted: May 19, 2015

Last Revised:

**4.57 - STUDENT SELECTION**

Students will be admitted to the Imboden Area Charter School until the 150 student quota has been met or until the current building is filled to capacity, providing students are somewhat evenly dispersed across grade levels. Individual classrooms may be full before the school’s student quota is met. Students who apply after the classroom or school quota has been met will be selected randomly by drawing to fill openings as they occur in individual classrooms.

Students attending the Imboden Area Charter School are placed on the fall roster upon completion of a registration form. Siblings of students enrolled will be placed on the roster next. New students, who have completed a registration form before July 1st, will then be randomly selected to fill the available openings.

Students not randomly chosen or who apply after the quota has been met will be placed on a waiting list and selected randomly to fill openings in individual classrooms as they occur.

Date Adopted: September 3, 2002

Last Revised: June 22, 2010

4.58—FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA

**Food Sharing Table**

**Option 1**: In an effort to reduce wasted food and to provide students access to healthy foods when possible, the School will have a food sharing table located in each classroom. Students may place on or retrieve items from the table, provided the item is whole or unopened.

Remaining items will be brought to the front office following the lunch period.

Date Adopted: May 19, 2015

**4.59—IMMUNIZATIONS**

**Definitions**

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

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

**General Requirements**

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

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

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

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

1. Licensed physician;
2. Health department;
3. Military service; or
4. Official record from another educational institution in Arkansas.

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

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

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

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

**Temporary Admittance**

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

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

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

**Exclusion From School**

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

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

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

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

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

Cross References: 4.2—ENTRANCE REQUIREMENTS

 4.7—ABSENCES

 4.8—MAKE-UP WORK

Legal References: A.C.A. § 6-18-702

ADE Rules Governing Kindergarten Through 12th Grade Immunization Requirements In Arkansas Public Schools

ADH Rules and Regulations Pertaining to Immunization Requirements

Date Adopted: February 3, 2015

Last Revised: