

Section 2

Parent Information Section

Dear Parents or Guardians:

This handbook is a summary of the policies of the Nemo Vista School District as adopted by the Nemo Vista Board of Education at a meeting of the school board on Thursday, July, 2005 (Revised June, 2008) (June, 2009) (June, 2010) (May, 2011) (June, 2011) (June, 2012) (June, 2013) (June, 2014) (June, 2015) (July, 2015) (May, 2016) (June, 2016) (Jan. 2017) (April 2017) (June 2017) (July 2018) (June 2019), (July 2020), (June 2021) (June 2022). The adopted policies cover all students in Kindergarten through the Twelfth grades in the Nemo Vista School District.

A committee of teachers, staff members, parents, students were involved in the development and /or revision of these policies.

Parents are required to sign and return a Statement of Responsibility indication that they have received a copy of the handbook and have read and understand the policies contained therein. This form will be kept on file in the principal's office.

Sincerely,

Logan Williams
Superintendent

Dear Parents and Guardians:

The faculty and staff of Nemo Vista Elementary School, Nemo Vista Middle School, and Nemo Vista High School want to welcome you and your children to our school. Our school district has the good fortune to be among those community schools which enjoy the support of parents in their desire and commitment for quality education. Faculty and staff members of Nemo Vista Elementary School, Middle School, and High School are also committed to quality education.

This commitment is expressed in our **schools' mottos**:

At Nemo Vista Elementary, our mission is Every Child Every Chance.

At Nemo Vista Elementary, our children's mission is to be respectful, be responsible, and to be engaged. No excuses! Find a way!

At Nemo Vista Middle School, our mission is Every Child Every Chance.

At Nemo Vista High School, our mission is success for tomorrow through education today.

Sincerely,

Nemo Vista K-12th Grade Faculty and Staff

Parental/Community Involvement

School Board Policy: 6.12---PARENTAL, Family, and Community Engagement - School

Nemo Vista School understands the importance of involving parents and the community as a whole in promoting higher student achievement and general good will between the school and those it serves. Therefore, Nemo Vista School shall strive to develop and maintain the capacity for meaningful and productive parental and community involvement that will result in partnerships that are mutually beneficial to the school, students, parents, and the community.

To achieve such ends, the school shall work to

1. Involve parents and the community in the development and improvement of Title I programs for the school;
2. Have a coordinated involvement program where the involvement activities of the school enhance the involvement strategies of other programs such as Head Start, HIPPIY, Parents as Partners, Parents as Teachers, ABC, ABC for School Success, area Pre-K programs, and Even Start;
3. Explain to parents and the community the State's content and achievement standards, State and local student assessments and how the school's curriculum is aligned with the assessments and how parents can work with the school to improve their child's academic achievement;
4. Provide parents with the materials and training they need to be better able to help their child achieve. The school may use parent resource centers or other community based organizations to foster parent and family engagement and provide literacy and technology training to parents.
5. Educate school staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent, family, and community engagement programs that will promote positive partnerships between the school and parents, families, and the community;
6. Keep parents, families, and the community informed about parent, family, and community engagement programs, meetings, and other activities they could be involved in. Such communication shall be, to the extent practicable, in a language the parents and families can understand;
7. Find ways to eliminate barriers that work to keep parents and families from being involved in their child's education. This may include providing transportation and child care to enable parents to participate, arranging meetings at a variety of times, and being creative with parent/teacher conferences;
8. Find and modify other successful parent, family, and community engagement programs to suit the needs of our school;
9. Train parents, families, and the community to enhance and promote the involvement of other parents, families, and members of the community;
10. Provide reasonable support for other parent, family, community engagement activities as parents may reasonably request.

Elementary Title 1:

To help promote an understanding of each party's role in improving student learning, Nemo Vista Elementary School shall develop a compact that outlines the responsibilities of parents, students, and the school staff in raising student academic achievement and in building the partnerships that will enable students to meet the State's academic standards.

Nemo Vista Elementary School shall convene an annual meeting, or several meetings at varying times if necessary to adequately reach parents of participating students, to inform parents and families of the school's participation in Title I, its requirements regarding parent, family, and community engagement, and the parent's right to be involved in the education of their child.

Nemo Vista Elementary School shall, at least annually, involve parents, families, and the community in reviewing the school's Title I program and parent, family, and community engagement policy in order to help ensure their continued improvement.

This policy shall be part of the school's Title I plan and shall be distributed to parents of the district's students and provided to the extent practicable, in a language the parents can understand.

Legal References: 20 U.S.C. § 6318
A.C.A. § 6-15-1702
A.C.A. § 6-15-1703
A.C.A. § 6-15-1704
Division of Elementary and Secondary Education Rules Governing Parental Involvement Plans
And Family and Community Engagement
Commissioner's Memo COM-20-021

Date Adopted: Oct. 2010

Last Revised: July 2021

Nemo Vista Elementary School, Parent and Family Engagement Plan 2022-2023

Nemo Vista Elementary is committed to providing a quality education for all students and to recognizing the essential role of parents and the value of their input. The mission of our School, Parent and Family Engagement Plan is to describe programs and practices in place at Nemo Vista Elementary that create and support active parental involvement and meet the needs of students and their families. Nemo Vista encourages parents to become actively involved in their child's education. To achieve such ends,

Nemo Vista Elementary shall work to:

1. Provide parents with the opportunity to have input in the School, Parent and Family Engagement Plan at their child's school.
 - Provide parents with a copy of the school's School, Parent and Family Engagement Plan via the school registration packet, Student Handbook, Open House, and attached to Parent's Newsletter at the beginning of each semester.
 - Provide parents with opportunities to give input and suggestions for revision of the school plan through grade level informational meetings and the general meeting during opening house.
 - Provide parents with a copy of the District's School, Parent and Family Engagement Plan via website.
 - Provide parents with copy of Elementary School, Parent and Family Engagement Plan via school district website.
2. Explain to parents the State's content and achievement standards, State and local student assessments, and how the district's curriculum is aligned with the assessments, and how parents can work with the school to improve their child's academic achievement.
 - Provide parents with opportunities to attend grade level informational meetings to explain curriculum, assessment, and expectations.
 - Provide parents with opportunities to attend Literacy and Math Nights to understand the State's achievement tests, and how they align with Nemo Vista's curriculum.
 - Provide parents with opportunities to meet with principal, counselor, and teachers to discuss their child's standardized test scores.
 - Provide parents with opportunities to meet with their child's RTI team to discuss and establish plan of remediation.
3. Provide an opportunity for parents and Nemo Vista Elementary to jointly develop a School-Parent Compact that is to be implemented annually and shall include: the school's responsibility to provide high quality curriculum and instruction in a supportive and effective learning environment; the way in which each parent will

be responsible for supporting their child's learning; and addressing the importance of ongoing communication between teachers and parents.

- Review the School-Parent Compact annually for revisions by the Parent/Teacher Involvement Task Force.
 - Provide opportunities to review the Compact with parents during grade level informational meetings and open house general meeting.
4. Keep parents informed about parental engagement programs, meeting, and other activities they could be involved in.
 - Notify parents through weekly newsletters from the elementary principal's office.
 - Notify parents through monthly newsletters and calendar of upcoming events from the elementary parent facilitator.
 - Notify parents through monthly or quarterly PTO meetings.
 - Notify parents through the school district's marquee.
 - Notify parents through Petit Jean Country Headlight (local newspaper).
 - Notify parents through homeroom mothers.
 - Notify parents through the district website.
 - Notify parents through Remind 101
 5. Coordinate involvement program where the involvement activities of the school enhance the involvement strategies of other programs.
 - Coordinate activities between ABC for School Success, Nemo Vista Fee Paying Preschool, and Nemo Vista Elementary.
 - Coordinate activities between the Conway County Head Start and the Nemo Vista Elementary.
 - Incorporate Math, Science, and Literacy Night with PTO
 - Coordinate PTO sign-up with elementary open house.
 6. Provide parents with the materials and training they need to be better able to help their child achieve.
 - Provide eSchool (On-line grade program) training for parents.
 - Provide basic computer training for parents.
 - Provide Website information for parents.
 - Provide instructional materials for parents to check-out to use with their child.
 - Provide list of material and magazine for parents to check out.
 - Provide computer station in elementary library for parents to use during school hours and twice the nine weeks during after hours.
 - Provide "How to Videos" for parents to reference to on the following: Checking AR Points, Grades in eSchool, Protopage, IXL, etc.

7. Educate school staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent engagement programs that will promote positive partnerships between the school and parents.
 - Teachers will communicate with parents through weekly newsletters.
 - Teachers will communicate with parents through papers sent by the red communication folders weekly.
 - Teachers will communicate with parents if requested by emailing.
 - Teachers will communicate with parents if requested by texting and/or phone calls.
8. Find ways to eliminate barriers that work to keep parents from being involved in their child's education.
 - Two (2) Parent/Teacher conferences will be scheduled throughout the school year.
 - Alternative times and date for parent/teacher conferences will be individually scheduled with parents unable to attend the regularly scheduled conferences.
 - Phone conferences will be held with parents throughout the year as needed.
9. Find and modify other successful parent and community engagement programs to suit the needs of our school.
 - Nemo Vista Elementary will involve parents and grandparents in the Grandparents' Day Program.
 - Nemo Vista Elementary will honor community members during Veterans' Day Program.
 - Nemo Vista Elementary will involve parents, grandparents, and community members in honoring Accelerated Readers with Splash Day.
 - Nemo Vista Elementary will invite parents, grandparents, and community members to the annual 5th & 6th grade track meet, K-1st grade track meet, and 2nd-4th track meet.
 - Nemo Vista Elementary will invite parents, grandparents, and community members to the End-of-year Prek-5th Grade Honor Award Assembly.
 - Nemo Vista Elementary will invite parents and community members to read to classes.
 - Nemo Vista Elementary will invite parents to the Breakfast Bunch.
 - Nemo Vista Elementary will invite parent, grandparents, and community Science Fair Night.
 - Nemo Vista Elementary will invite parents and grandparents to Math, Science, and Literacy Night.
 - Banner on School Fence for Veteran's Day and Veteran's Day Program
10. Train parents to enhance and promote the involvement of other parents.

11. Provide reasonable support for other parental involvement activities as parents may reasonably request.

Nemo Vista Elementary School shall convene an annual meeting, or several meetings at varying times if necessary to adequately reach parents of participating students, to inform parents of the school's participation in Title I, its requirements regarding parental involvement, and the parent's right to be involved in the education of their child.

Nemo Vista Elementary School shall, at least annually, involve parents, family, and community in reviewing the school's Title I program and parent, family, and community engagement policy in order to help ensure their continued improvement.

This policy shall be part of the school's Title I plan and shall be distributed to parents of the district's students and provided to the extent practicable, in language the parents can understand.

Date Adopted: Oct. 2010
Last Revised: June 2021

Nemo Vista Middle School School, Parent and Family Engagement Plan 2022-2023

The administration, staff, and school board of **Nemo Vista Middle School** are committed to providing a quality education for all students and to recognize the essential role of parents and the value of their input in their child's educational experience. At NVMS we realize that parents are the first teachers a child encounters, and we wish to capitalize on that valuable resource. The mission of our School, Parent and Family Engagement Plan is to describe programs and practices in place at Nemo Vista Middle School that create and support active parental involvement and meet the needs of students and their families. Nemo Vista encourages parents to become actively involved in their child's education.

To achieve these goals, Nemo Vista Middle School will work to:

1. Provide parents with the opportunity to have input in the Parental Engagement Plan at their school.

- Provide parents with a copy of the School, Parent, and Family Engagement Plan.
- Provide parents with opportunities to give input and suggestions for revision of the school plan through CAPS meetings and the general meeting during open house.
- Have parent representatives on School Improvement Plan committees and other school committees.

- Yearly parental surveys will be distributed and analyzed to assess the plan and public response to it.
2. Explain to parents the State's content and achievement standards, state and local student assessments, how the district's curriculum is aligned with the assessments, and how parents can work with the school to improve their child's academic achievement.
- Provide meetings which help parents understand achievement tests and how they align with the NVMS curriculum.
 - Provide parents with the opportunity to meet with the principal, counselor, and teachers to discuss their child's standardized test scores and the implications for the child's program of study.
 - Provide parents with opportunities to attend informational meetings to learn about curriculum, assessment, and expectations.
3. Keep parents informed about parental involvement programs, meetings, and other activities in which they could be involved.
- Notify parents of important events and activities through memos from the office and newsletters from the parent liaison.
 - Notify parents through PTO meetings.
 - Notify parents through the district's marquee.
 - Notify parents through the Petit Jean Country Headlight.
 - Notify parents through the KVOM radio station.
 - Notify parents through the district website.
 - Notify parents through Remind 101
4. Provide parents with the materials and training that they need to help their child achieve.
- Provide E-School (online grade program) training for parents.
 - Provide website information for parents.
 - Provide instructional materials for parents to check out and use with their child.
 - Provide a parent center available with information for parents.
5. Educate school staff, with the assistance of parents, in ways to work with and communicate with one another and be knowledgeable of how to implement parent engagement programs that will promote positive partnerships between the school and parents.
- Teachers will communicate with parents by email if requested.
 - Teachers will communicate with parents if needed by texting and/or phone calls.
 - Teachers and administrators will receive required training in parental involvement.

6. Find ways to eliminate barriers that work to keep parents from being involved in their child's education.

- Two (2) Parent/Teacher Conferences will be scheduled throughout the school year.
- Alternative times and dates for parent/teacher conferences will be individually scheduled with parents unable to attend the regularly scheduled conferences.
- Phone conferences will be held with parents throughout the year.
- Students will be assigned to CAPS advisors who will meet with them and their parents.

7. Find and modify other successful parent and community involvement programs to suit the needs of our school.

- Effort will be taken to utilize parent and community volunteers whenever possible.

8. Train parents to enhance and promote the involvement of other parents.

9. Provide sufficient support for other reasonable parental engagement activities that parents may request.

Date Adopted: Oct. 2010

Last Revised: June 2021

Nemo Vista High School School, Parent and Family Engagement Plan 2022-2023

The administration, staff, and school board of Nemo Vista High School are committed to providing a quality education for all students and to recognizing the essential role of parents and the value of their input in their child's educational experience. At NVHS, we realize that parents are the first teachers a child encounters, and we wish to capitalize on that valuable resource. The mission of our School, Parent and Family Engagement Plan is to describe programs and practices in place at Nemo Vista High School that create and support active parental involvement and meet the needs of students and their families. Nemo Vista encourages parents to become actively involved in their child's education.

To achieve these goals, Nemo Vista High School will work to:

1. Provide parents with the opportunity to have input in the School, Parent and Family Engagement Plan at their child's school.

- Provide parents with a copy of the School, Parent and Family Engagement Plan via the school registration packet, the student handbook, and Open House.
 - Provide parents with opportunities to give input and suggestions for revision of the school plan through CAPS meetings and the general meeting during open house.
 - Have parent representatives on SIP committees and other school committees.
 - Yearly parental surveys will be distributed and analyzed to assess the plan and public response to it.
2. Explain to parents the State's content and achievement standards, state and local student assessments, how the district's curriculum is aligned with the assessments, and how parents can work with the school to improve their child's academic achievement.
 - Provide Act Aspire meetings which help parents understand the State's achievement tests and how they align with NVHS's curriculum.
 - Provide parents with the opportunity to meet with the principal, counselor, and teachers to discuss their child's standardized test scores and the implications for the child's program of study.
 - Provide parents with opportunities to attend informational meetings to learn about curriculum, assessment, and expectations.
 3. Keep parents informed about parental engagement programs, meetings, and other activities they could be involved in.
 - Notify parents of important events and activities through memos from the office and newsletters from the parent liaison.
 - Notify parents through PTO meetings.
 - Notify parents through the district's marquee.
 - Notify parents through the Petit Jean Country Headlight.
 - Notify parents through KVOM radio station.
 - Notify parents through the district website and teacher webpages.
 - Make phone or face to face contact with parents as needed.
 - Notify parents through Remind 101
 4. Provide parents with the materials and training that they need to be able to help their child achieve.
 - Provide eSchool (On-line grade program) training for parents.
 - Provide website information for parents.
 - Provide instructional materials for parents to check out to use with their child
 - A parent center is available with information for parents.
 - Hold a financial aid workshop for parents of seniors.

5. Educate school staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent engagement programs that will promote positive partnerships between the school and parents.
 - Teachers will communicate with parents by email if requested.
 - Teachers will communicate with parents if needed by texting and/or phone calls.
 - Teachers and administrators will receive training in Parent Engagement.
6. Find ways to eliminate barriers that work to keep parents from being involved in their child's education.
 - TWO (2) Parent/Teacher Conferences will be scheduled throughout the school year.
 - Alternative times and dates for parent/teacher conferences will be individually scheduled with parents unable to attend the regularly scheduled conferences.
 - Phone conferences will be held with parents throughout the year.
 - Students will be assigned to CAPS advisors who will meet with them and their parents.
7. Find and modify other successful parent and community engagement programs to suit the needs of our school.
 - Effort will be taken to utilize parent and community volunteers whenever possible.
8. Train parents to enhance and promote the involvement of other parents.
9. Provide sufficient support for other reasonable parental engagement activities that parents may request.

Date Adopted: October 2010
Date Revised: June 2021

Section 3

Civil Rights and Legal Protection

The Nemo Vista School District intends to comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, and the Office for Civil Rights Guidelines and the Americans with Disabilities Act. In regard to this information, no one will be discriminated against because race, creed, sex, handicap, or national origin.

Provisions of the Family Educational Rights and Privacy Act of 1974

As a parent you have the right to inspect your child's educational records, and the right for a hearing should you choose to challenge the contents of such records to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of such inaccurate, misleading, or otherwise inappropriate data contained therein and to insert into such records a written explanation by the parents respecting the contents of such records. Your request to inspect such records shall be complied with as soon as we can arrange it and in no case more than 45 days from the receipt of your request. The same time limits apply for a request for a hearing to challenge the content of such records.

The principal has a copy of the district's policy on student records which you may examine. You have the right to file a complaint with the Federal Office of Education concerning alleged failures of the district to comply with the requirements of 93.380.

We maintain three types of records: (1) records of academic progress, (2) records of behavior; and (3) health records. The principal is in charge of these records.

Any school that wishes to release personally identifiable data from a student's record must first obtain written permission (consent) from the parents of the student before releasing such information.

Only in two specific instances is written permission not required:

- (a) Other school officials within the same school may request and receive a student's record.
- (b) Officials of other schools or school systems in which the student has enrolled may request and receive a student's records.

Due Process

Every student is entitled to due process in every instance of disciplinary action for which the student may be subjected to penalties of suspension or expulsion. (See Ark. Stat. Ann. 90-1516)

1. Due process is afforded to students in disciplinary cases of some magnitude such as:
 - (a) expulsion
 - (b) statements removed from student's records and
 - (c) clearing one's reputation
2. The Supreme Court ruled in 1975 that, for every suspension not exceeding ten days, the student has the right to be accorded the minimum requirements of the due process clause of the Fourteenth Amendment of the Constitution of the United States.
3. Due process procedures must be known to all students and must comply with all state and federal laws.
4. Each school should establish procedures for notice to students and parents of charges, hearing, and other due process proceedings.
5. Each school district shall develop a grievance procedure including steps to be followed by students to resolve a grievance.
6. The due process rights of students and parents are as follows:
 - (a) Prior to any suspension, the school principal or his/her designee, shall advise the pupil in question of the particular misconduct of which he/she is accused, as well as the basis for such accusation.
 - (b) The pupil should be given an opportunity at that time to explain his/her version of the facts to the school principal or his/her designee.
 - (c) Written notice of suspension and the reason(s) for the suspension shall be given to the parent(s) of the pupil.
 - (d) Any parent(s), or legal guardian of a pupil suspended shall have the right to appeal to the superintendent of schools.
 - (e) Refusal to take corporal punishment may result in suspension or other disciplinary measures.
 - (f) A written report shall be filed in the principal's office by no later than the end of the school day.

Personal Search

School Board Policy 4.32-SEARCH, SEIZURE, AND INTERROGATIONS

The District respects the rights of its students against arbitrary intrusion of their person and property. At the same time, it is the responsibility of school officials to protect the health, safety, and welfare of all students enrolled in the

District in order to promote an environment conducive to student learning. The superintendent, principals, and their designees have the right to inspect and search school property and equipment. They may also search students and their personal property in which the student has a reasonable expectation of privacy, when there is reasonable suspicion to believe such student or property contains illegal items or other items in violation of Board policy or dangerous to the school community. School administrators have the responsibility to make a determination at what point the student's right to protection against unreasonable search and seizure is in conflict with the official duty to maintain a safe, orderly, and efficient school. School authorities may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.

School property shall include, but not be limited to, lockers, desks, and parking lots, as well as personal effects left there by students. The Board of Education is charged with maintenance of such property items and thus

authorizes inspection for maintenance related reasons. When possible prior notice will be given, and the student will be allowed to be present along with an adult witness; however, searches may be done at any time with or without notice or the student's consent. A personal search must not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

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

A school official of the same sex shall conduct personal searches with an adult witness of the same sex present. State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes against Children Division of the Division 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 if student is above eighteen (18) year of age, or in response to a subpoena or arrest warrant).

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, person having lawful control of the student, 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 Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

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

Legal Reference: A.C.A. § 6-18-513

A.C.A. § 9-13-104

A.C.A. § 12-18-608, 609, 610, 613

A.C.A. § 12-18-1001, 1005

Date Adopted: Oct. 2010

Last Revised: June 2019

Special Education

School Board Policy 4.49 Special Education

The district shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, required under the Individuals with Disabilities Education Act (IDEA),

Section 504 of the Rehabilitation Act of 1973, the American with Disabilities Act, and Arkansas Statutes.

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

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

The Board directs the superintendent to ensure procedures are in place for the implementation of special education services, and that programs are developed to conform to the requirements of state and federal legislation. The superintendent is responsible for appointing a district coordinator for overseeing district fulfillment of its responsibilities regarding students with disabilities. Among the coordinator's responsibilities shall be ensuring district enforcement of the due process rights of students with disabilities 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. § 6-41-102

A.C.A. § 6-41-103

A.C.A. § 6-41-201 et seq.

Date Adopted: June 2009

Last Revised: June 2017

Homeless Policy

School Board Policy 4.40-HOMELESS STUDENTS

The Nemo Vista School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational liaison for homeless children and youth whose responsibilities shall include, but are not limited to:

- Receive appropriate time and training in order to carry out the duties required by law and this policy;
- Coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensure that school personnel receive professional development and other support regarding their duties and responsibilities for homeless youths;
- Ensure that unaccompanied homeless youths;
 - Are enrolled in school;
 - Have opportunities to meet the same challenging State academic standards as other children and youths; and
 - Are informed of their status as independent student under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive

verification of such status for purposes of the Free Application for Federal Student Aid;

- Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.

To the extent possible, the LEA liaison and the building principal shall work together to ensure no homeless child or youth is harmed due to conflicts with District policies solely because of the homeless child or youth's living situation; this is especially true for District policies governing fees, fines, and absences.

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

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

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

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

- Continue the child's or youth's education in the school of origin for the duration of homelessness;
 - In any case in which a family becomes homeless between academic years or during an academic year; and
 - For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
- Enroll the child or youth in any public school that no homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

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

- Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth.

If the District determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, the District shall provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth including information regarding the right to appeal. For an unaccompanied youth, the District shall ensure that the LEA liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

The homeless child or youth must be immediately enrolled in the selected school regardless of whether application or enrollment deadlines were missed during the period of homelessness.

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

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;
 - Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate Accommodations;
 - Living in emergency or transitional shelters;
 - Abandoned in hospitals; or
2. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. Are migratory children who are living in circumstances described in clauses (a) through (c)?

In accordance with Federal law, information on a homeless child or youth's living situation is part of the student's education record and shall not be considered, or added, to the list of directory information in Policy 4.13.

Legal References:**

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

Date Adopted: Oct. 2010

Last Revised: Feb. 2018

Foster children

School Board Policy 4.52 – Students who are Foster Children

The District will afford the same services and educational opportunities to foster children that are afforded other children and youth. The District shall work with the Department of Human Services ("DHS"), the Division of Elementary and Secondary Education (DESE), and individuals involved with each foster child to ensure that the foster child is able to maintain his/her continuity of educational services to the fullest extent that is practical and reasonable.

The Superintendent or his/her designee shall appoint an appropriate staff person to be local educational liaison for foster children and youth whose responsibilities shall include ensuring the timely school enrollment of each foster child and assisting foster children who transfer between schools by expediting the transfer of relevant educational records.

The District, working with other individuals and agencies shall, unless the presiding court rules otherwise or

DHS grants a request to transfer under Foster Child School Choice, ensure that the foster child remains in his/her school of origin, even if a change in the foster child's placement results in a residency that is outside the district. In such a situation, the District will work with DHS to arrange for transportation to and from school for the foster child to the extent it is reasonable and practical.

Upon notification to the District's foster care liaison by foster child's caseworker that a foster child's school enrollment is being changed to one of the District's schools, the school receiving the child must immediately enroll him/her. Immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.

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

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

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

Foster Child School Choice

If DHS approves a request from a foster parent, or the foster child if the foster is eighteen (18) years of age, to transfer to another school in the District as being in the best interest of the foster child, the District shall allow the foster child to transfer to another school in the District or into the District if the foster parent, or the foster child if the foster child is eighteen (18) years of age, submits a request to transfer on a form approved by DESE that is postmarked by no later than May 1 of the year the student seeks to begin the fall semester at another school in the District or in the District.

By July 1 of the school year in which the student seeks to transfer under this section, the superintendent shall notify the foster parent, or the foster child if the foster child is eighteen (18) years of age, in writing whether the application has been accepted or rejected. If the application is accepted, the superintendent shall state in the notification letter a reasonable deadline for the foster child to enroll in the new school or the District and that failure to enroll by the date shall void the school choice acceptance. If the application is rejected and that foster parent, or the foster child if the foster child is eighteen (18) years of age, may submit a written appeal of the rejection to the State board within ten (10) days of receiving the notification letter.

The District shall only reject a Foster Child School Choice application if:

1. The public school or District has reached the maximum student-to-teacher ratio allowed under federal laws, state law, rules for standards of accreditation, or other applicable rule or regulation; or
2. Approving the transfer would conflict with a provision of an enforceable desegregation court order or a public school district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment.

The foster child whose application is rejected by the District may submit a written request within ten (10) days following the receipt of the rejection letter from the superintendent to the State Board of Education for the State Board to reconsider the transfer.

A Foster Child School Choice transfer shall remain in effect until the foster child'

- Graduates from high school; or
- Transfers to another school or school district under:
 - The Foster Child School Choice Act;
 - Opportunity Public School Choice Act;
 - The Public School Choice Act of 2015; or
 - Any other law that allows a transfer.

The District shall accept credits toward graduation that were awarded by another public school district.

When a foster child transfers from the foster child's school of origin to another school in the District or into the District, the foster child or the foster parent is responsible for the foster child's transportation to and from the school the foster child transferred to. The District and the foster parent, or the foster child if the foster child is eighteen (18) of age, may enter into a written agreement for the District to provide the transportation to and from the school the foster child transferred to.

Cross Reference: Policies 4.1 --- Residence Requirements, 4.2--- Entrance Requirements, 4-7 --- Absences,
4.5---School Choice

Legal Reference: A.C.A. § 9-28-113
A.C.A. § 6-18-233

Date Adopted: June 2011
Last Revised: June 2021

Multiple Birth Siblings

School Board Policy 4.53 --- Placement of Multiple Birth Siblings

The parent, guardian or other person having charge or custody of multiple birth siblings in grades pre-K through 6 may request that the multiple birth siblings are placed in either the same or separate classrooms. The request shall be in writing not later than the 14th calendar day prior to the first day of classes at the beginning of the academic year. The school shall honor the request unless it would require the school to add an additional class to the sibling's grade level. If one parent of multiple birth siblings requests a placement that differs from that of the other parent of the same multiple birth siblings, the school shall determine the appropriate placement of the siblings.

The school may change the classroom placement of one or more of the multiple birth siblings if:

- There have been a minimum of 30 instructional days since the start of the school year; and
 - After consulting with each classroom teacher in which the siblings were placed, the school determines the parent's classroom placement request is:
 - Detrimental to the educational achievement of one or more of the siblings;
 - Disruptive to the siblings' assigned classroom learning environment; or
 - Disruptive to the school's educational or disciplinary environment.

If a parent believes the school has not followed the requirements of this policy, the parent may appeal the multiple birth siblings' classroom placement to the Superintendent. The Superintendent's decision regarding the appeal shall be final.

Legal Reference: A.C.A. § 6-18-106

Date Adopted: June 2011

Student Acceleration

School Board Policy 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 administrator who shall convene the individuals necessary to make an informed decision which shall include the student's parents or guardians.

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

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

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

Legal References: DESE Gifted and Talented Rules

Date Adopted: June 2013

Last Revised: June 2019

Video Surveillance

School Board Policy 4.48 – Video Surveillance and Other Student Monitoring

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

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

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

The district shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording. Other than video recordings being retained under the provisions of this policy's following paragraph, the district's video recordings may be erased any time greater than 1 month 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 Reference: 20 USC 1232(g)
20 U.S.C. 7115
34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31

Date Adopted: Oct. 2010

Last Revised: June 2015

SECTION 4

Grievance/Complaint Procedure

Grievance

Any person who feels aggrieved concerning any matter connected with school should:

1. Discuss the matter first with the teacher.
2. If the matter is not resolved in step 1, they may meet with the principal.
3. If the matter has not been satisfactorily resolved, the superintendent may be contacted.
4. If the superintendent is unable to adjust the difficulty, then the person making the complaint is invited to refer the matter to the school board.
5. The procedure for referring a matter to the school board is to address a letter to the school board in care of the superintendent. This should be done at least one week in advance of the meeting of the school board.

Disciplinary Complaint

If a student and/or parent of a student involved in a disciplinary ruling wishes to contest a disciplinary ruling, they must state their complaint in writing to the school principal asking that the ruling be changed. If the complaint is not satisfactorily resolved by the principal, the matter may be appealed to the superintendent, then the school board.

SECTION 5

Admission Requirements

School Board Policy 4.1-RESIDENCE REQUIREMENTS

Definitions:

"In loco parentis" means relating to the responsibility to undertake the care and control of another person in the absence of;

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

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

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

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

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

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

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District's schools separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis, the student is required to reside in the District for a primary purpose other than that of school attendance. However, a student previously enrolled in the district who is placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty may continue to attend district schools. A foster child who was previously enrolled in a District school and who has had a change in placement to a residence outside the District, may continue to remain enrolled in his/her current school unless the presiding court rules otherwise.

Under instances prescribed in A.C.A. § 6-18-203, a child or ward of an employee of the district or of the

education coop to which the district belongs may enroll in the district even though the employee and his/her child or ward reside outside the district.

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

Nemo Vista requires proof of residency when enrolling a student.

-Cross References: Policy 4.40-HOMELESS STUDENTS

Policy 4.52-STUDENTS WHO ARE FOSTER CHILDREN

Legal References: A.C.A. § 6-4-302

A.C.A. § 6-18-108

A.C.A. § 6-18-202

A.C.A. § 6-18-203

A.C.A. § 9-28-113

Date Adopted: Oct. 2010

Last Revised: June 2021

Initial Enrollment

SCHOOL BOARD POLICY - 4.2 ENTRANCE REQUIREMENTS

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

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

Any child who will be six (6) years of age on or before October 1st of the school year of enrollment and who has not completed a state-accredited kindergarten program shall be evaluated by the district and may be placed in the first grade if the results of the evaluation justify placement in the first grade, and the child's parent or legal guardian agrees with placement in the first grade; otherwise the child shall be placed in kindergarten. (Nemo Vista Elem.) The evaluation may include but not limited to the Bear Necessities Test of Basic Skills for Kindergarten, DAR assessment, Nemo Vista end-of-year Kindergarten Evaluation, Woodcock Reading Mastery Test, Early Star Reading Assessment, and Keymath Diagnostic Math Inventory.

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

in a public school in Arkansas.

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

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

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

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

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

Uniformed Services Member's Children

For the purposes of this policy:

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

"Active duty" means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. §§ 1209, 1210, and 1211.

"Deployment" means a period of time extending from six (6) months before a member of the uniformed services'

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

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

“Eligible child” means the children of:

- Active members of the uniformed services;
- Members of the active and activated reserve components of the uniformed services;
- Members of 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;
- Dual status military technicians; and
- Traditional members of the National Guard and reserve components of the armed forces who are relocating to the state for employment or to serve as a member of an Arkansas-based reserve component unit.

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

“Transition” means the:

- Formal and physical process of transitioning from public school to public school; or
- Period of time in which a student moves from a sending district to a receiving district.

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

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

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

An eligible child as defined in its policy shall:

1. Be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. Be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. Enter the District’s school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year’
4. Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to extent that space is available. This does not prohibit the District from performing the subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs.
5. Be provided services comparable to those the student with disabilities received in his/her previous

school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;

6. Make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
7. Be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
8. Be eligible to continue attending District schools if he/she been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

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

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

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

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

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

(Nemo Vista) Students who transfer from another school, either within the state or from out of state, will be conditionally admitted. A maximum of thirty (30) calendar days will be given for the students to produce documentation of immunization or be excluded from school.

-Cross References: 4.1---RESIDENCE REQUIREMENTS

4.4 ---STUDENT TRANSFERS

4.5---SCHOOL CHOICE

4.6---HOME SCHOOLING

4.34--COMMUNICABLE DISEASES AND PARASITES

4.40--HOMELESS STUDENTS

4.52---STUDENTS WHO ARE FOSTER CHILDREN

4.57--IMMUNIZATIONS

-Legal References: A.C.A. § 6-4-302

A. C.A. § 6-4-309

A.C.A. § 6-15-504

A.C.A. § 6-18-107

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. § 6-28-101 et seq
A.C.A. § 9-28-113
DESE Rules Governing Student Discipline and School Safety
Plyler v Doe 457 US 202,221 (1982)

Date Adopted: June 2011

Last Revised: July 2021

Placement of Transfer Students from Accredited Schools

School Board Policy 4.4 Student Transfers

The Nemo Vista District shall review and accept or reject requests for transfers, both into and out of the district, on a case by case basis at regularly scheduled board meeting.

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

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

Any student transferring from a school not accredited by the State Department of Education to a District school shall be evaluated by District staff to determine the student's appropriate grade placement. A student transferring from home school will be placed in accordance with Policy 4.6---HOME SCHOOLING.

(Nemo Vista Elem. /MS) Evaluation Plan for Transfer Students from **No Accredited** Schools:

- (a) The student will be placed temporarily at the grade level placement assigned in the previous school (up to three weeks).
- (b) Parents will be notified of policy pertaining to their child's placement.
- (c) Results of standardized tests from schools previously attended will be evaluated.
- (d) Other tests which may be administered include but not limited to: (Elem. /MS) Early Star Reading Assessment, Star Reading Assessment, DRA assessment, the Keymath Diagnostic Math Inventory, Star Math, and the Woodcock Reading Mastery Test. (High School) Students will be given the most current Nemo Vista final exam available in each course taken in a non-accredited school setting. Non-accredited is defined as not accredited by the official accrediting unit of the Arkansas Department of Education. The grade the student receives on the final will be the grade given for each course. Courses with no equivalent at Nemo Vista will be reviewed by administration and credit will be denied or given on a case by case basis. Exception will be made for students transferring from a public school in another state or an Arkansas private school accredited by the Arkansas Non-Public School Accrediting Association (ANSAA). Credit in these two situations will be awarded in the same manner as if student remained enrolled in former school.
- (e) The Teacher Observation Checklist for Student Transfers will be completed by the teacher where the

child is temporarily placed.

- (f) A conference will be held between the parents, counselor, and principal to discuss the test results and checklist. Permanent placement will then be decided.

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

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

Cross Reference: 4.6---HOME SCHOOLING

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

Adopted: Oct. 2010
Last Revised: June 2019

NOTICE INFORMING PARENTS OR STUDENTS OF THEIR RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT-1974.

As a parent or a student over 18 years of age, you have the right to inspect your educational records. You have the right to a hearing should you chose to challenge the contents of such records to insure that the records are not inaccurate, misleading, and to provide an opportunity for the correction or deletion of such inaccurate, misleading, or otherwise inappropriate data contained therein and to insert into such records a written explanation by the parents respecting the contents of such records. Your request to inspect such records shall be complied with as soon as we can arrange it and in no case more that 45 days form the receipt of your request. The same time limits apply for a request for a hearing to challenge the content of such records.

The principal has a copy of the district's policy on student records, which you may examine. You have the right to file a complaint with the Federal Office of Education concerning alleged failures of the district to comply with the requirements of 93.380. We maintain three types of records: (1) THOSE OF ACADEMIC PROGRESS (2) behavior records, and (3) health records. The principal is on charge of these records.

4.59---Academic Course Attendance by Private School and Home Schooled Students

The District allows private school and home school students whose parents, legal guardians, or other responsible adult with whom the student resides are residents of the District to attend academic courses offered by the District. The District will place a list of courses that a private school or home school student may request to attend on its website by:

1. June 1 for courses to be offered during the Fall semester; and
2. November 1 for courses to be offered during the spring semester.

A private school or home schooled student who desires to attend one or more of the available academic courses shall submit a written request to attend the academic course(s) to the superintendent, or designee, no later than:

- a. August 1 for Fall semester courses; or
- b. December 1 for spring semester courses.

The superintendent, or designee, is authorized to waive the application deadline ono a case by case basis.

The District permits a private school or home schooled student to attend a maximum of six (6) courses per semester.

The District may reject a private school or home schooled student's request for attendance if the District's acceptance would:

- Require the addition of staff or classrooms;
- Exceed the capacity of a program, class, grade level, or school building;
- Cost the District more for the student to attend the academic course than the District receives for the student's attendance;
- Cause the District to provide educational services the District does not currently provide at a financial burden to the District; or
- Cause the District to be out of compliance with applicable laws and regulations regarding desegregation.

Requests to attend an academic course will be granted in the order the requests are received. Upon the receipt of a private or home schooled student's request to attend academic course(s), the District will date and time stamp the request for attendance. If a private school or home schooled student is denied attendance based on a lack of capacity and an opening in the requested course occurs prior to the start of the course, the District will use the date and time stamp on the request for attendance to determine the private school or home schooled student who will be notified of an opening in the requested course.

As part of the request to attend academic courses in the District, a private school or home schooled student shall:

- Indicate the course(s) the private school or home schooled student is interested in attending;
- If the course(s) the private school or home schooled student is interested in attending is being offered by the District in both a physical and digital format, whether the private school or home schooled student intends to attend the physical course or the digital course;
 - Submit, along with the student's application, a copy of the student's transcript indication that the student has received credit for the course(s), or equivalent course(s), that are a prerequisite to the course(s) the student desires to attend the District;
- Agree to follow the District's discipline policies; and
- Submit immunization documentation required by Policy 4.57---IMMUNIZATIONS.

A private school or home schooled student who fails to attend an academic course by the eleventh (11) day of class or who is absent without excuse for eleven (11) consecutive days during the semester shall be dropped from the course; however, a private school or home schooled student shall not be considered truant for unexcused absences from the course(s) the student is attending at the District.

Private school or home schooled students shall receive a final grade and transcript for each academic course the student completes.

The responsibility for transportation of any private school or home schooled student attending academic courses in the District shall be borne by the student or the student's parents.

The opportunity provided to home schooled students under this policy is in addition to the opportunity provided in Policy 4.56.2---EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS.

Cross References: 4.6---Homeschooling
4.56.2---Extracurricular Activity Eligibility for Home Schooled Students
4.57---Immunizations

Legal References: A.C.A. § 6.15-509
A.C.A. § 6.18-232
A.C.A. § 6-18-702
A.C.A. § 6-47-401 ET sq.
DESE Rules Governing Distance and Digital Learning
DESE Rules Governing Kindergarten through 12th Grade Immunization Requirements in Arkansas Public Schools
Commissioner's Memo COM-19-021

Date Adopted: June 2017

Last Revised: June 2019

SECTION 6

Academic Performance

(All grades are based on educational objectives.)

Grading System

School Board Policy - 5.15 GRADING

Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, persons having lawful control of a student, persons standing I loco parentis, or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation, which may enhance the probability of the student succeeding. The school shall

also send timely progress reports and issue grades for each nine (9) week grading period to keep parents/guardians informed of their student's progress.

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

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

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

Kindergarten: There will be no report cards for students in kindergarten. These students will be assessed by using a combination of checklists, teacher observations, and skills testing which measure progress in the areas of academic, physical, social, and emotional development. Parents will receive a written record of progress in one or more of these areas at each nine-week reporting period. Students will also be evaluated with the Nemo Vista End-of-year Kindergarten Evaluation to determine the degree of success achieved by each student. Students must score 88% on Nemo Vista End-of-year Kindergarten Evaluation in the area of math and/or reading to be promoted to first grade.

First Grade: The subject areas of English, Math, Phonics, and Spelling will utilize the following grading scale: (Science, Arkansas History, and Social Studies skills will be covered in the other subject areas.)

A=100-90 B=89-80 C=79-70 D=69-60 F = 59 and below

Grading system for 1st grade Reading shall be as follows:

81-100 = M – Mastery

76-80 = N – Needs to Improve – Recommend Retention

Students will be retested in August

0-75 = U – Unsatisfactory – Retention

Students can be retested in August

Second Grade: The subject areas of English, Math, Spelling, and Science will utilize the following grading scale: (Arkansas History and Social Studies skills will be covered in the other subject areas.)

A=100-90 B=89-80 C=79-70 D=69-60 F=59 and below

Grading system for 2nd grade Reading shall be as follows:

76-100 = M – Mastery

71-75 = N – Needs to Improve – Recommend Retention

Students will be retested in August

0-70 = U – Unsatisfactory – Retention

Students can be retested in August

Third Grade: The subject areas of English, Math, Spelling, Science, Social Studies, Arkansas History, and Health will utilize the following grading scale:

A=100-90 B=89-80 C=79-70 D=69-60 F=59 and below

Grading system for 3rd grade Reading shall be as follows:

71-100 = M – Mastery

70-66 = N – Needs to Improve-Recommend Retention

Students will be retested in August

0-65 = U – Unsatisfactory – Retention

Students can be retested in August

Fourth-Fifth Grades: The subject areas of English, Math, Reading, Science, Social Studies, Arkansas History, and Health will utilize the following grading scale:

A=100-90 B=89-80 C=79-70 D=69-60 F=59 and below

Sixth-Twelfth Grades: The grading scale for all courses shall be as follows:

- A = 100-90
- B = 89-80
- C = 79-70
- D = 69-60
- F = 59 and Below

For the purpose of determining grade point average, the numeric value of each letter grade shall be

- A = 4 points
- B = 3 points
- C = 2 points
- D = 1 points
- F = 0 points

The grade point values for Advanced Placement (AP), approved courses for weighted credit, and Intentional Baccalaureate (IB), and approved honor courses shall be one (1) point greater than for regular courses with the exception that an F shall still be worth zero (0) points.

The final grades of students who transfer in for part of a semester will be determined by blending the grades earned in the district with those earned outside the district. Each final grade will be the sum of the percentage of days in the grading period transferred from outside the district plus the percentage of days in the grading period while in the district times the grade earned in the district.

For example: The grading period had forty (40) days. A student transferred in with a grade of eighty-three percent (83%) earned in ten (10) days at the previous school. The student had a grade of seventy-five (75%) in our district's school earned in the remaining thirty (30) days of the grading period. Ten (10) days is twenty-five (25%) of forty (40) days while thirty (30) days is seventy-five (75%) of forty (40) days. Thus the final grade would be $(.25 \times 83) + (.75 \times 75) = 77\%$.

Classification of Students

Students who have:

- Less than 5.5 credits..... 9th Grade
- Completed more than 5.5..... 10th Grade
- Completed more than 11.....11th Grade
- Completed more than 16.5.....12th Grade

Kindergarten –Fifth Grades: The subject areas of handwriting, physical, social, emotional development, music, art, library media, and conduct will be reported to parents according to the areas that are satisfactory and the areas that need improvement.

S=Satisfactory N=Needs Improvement U=Unsatisfactory

Legal References: A.C.A. § 6-15-902

A.C.A. § 9-28-113(f)

Standards for Accreditation 5-A.1

Division of Elementary and Secondary Education Rules Governing Grading and Course Credit

Date Adopted: Oct. 2010

Last Revised: July 2020

Middle School Nine Weeks Tests:

All middle school students will take a 1st and 3rd nine weeks' test in Math and Literacy. These tests will be cumulative for the nine weeks in which the test is given and will count as a regular test grade.

Exemptions:

All students 6th through 12th Grades are eligible. To be exempt students must meet the following criteria:

- Maintain an “A” and have no more than 4 absences per semester.
- Maintain a “B” and have no more than 3 absences per semester.
 - Middle School students will be eligible for exemptions at the end of each semester.
 - High School students will be eligible for exemptions at the end of the **2nd Semester Only.**

Middle School: (Grade calculation for semester tests)

Grade calculation will be as follows:

- Non-Exempt Students
 $(9\text{wks grade} \times 4) + (9\text{wks grade} \times 4) + (\text{Semester Test Grade} \times 2) = \text{Raw Score}/10 = \text{Semester Grade}$
- Exempt Student
 $(9\text{wks grade}) + (9\text{weeks grade}) = \text{Raw Score}/2 = \text{Semester Grade}$

High School 1st Semester Tests:

All students 9-12 will take the 1st semester tests. These will be cumulative tests and count for 10% of the semester grade. One semester courses may or may not give a cumulative semester test at the discretion of the teacher.

High School 2nd Semester Test Exemption:

Semester test at Nemo Vista High School shall be comprehensive in nature and shall cover a range of material from the beginning to the end of the term (semester). Semester test shall be given at the end of each term on days designated on school calendar. The principal or his/her designee shall stipulate which periods will test on which days by means of a “Semester Test Schedule” with ample lead time for teachers and student to know the periods that will be tested.

Grade calculation will be as follows:

- Non-Exempt Students
 $(9\text{wks grade} \times 4) + (9\text{wks grade} \times 4) + (\text{Semester Test Grade} \times 2) = \text{Raw Score}/10 = \text{Semester Grade}$
- Exempt Student
 $(9\text{wks grade}) + (9\text{weeks grade}) = \text{Raw Score}/2 = \text{Semester Grade}$

Curriculum Development

School Board Policy—5.3--- CURRICULUM DEVELOPMENT

Sequential curricula should be developed for each subject area. Curricula should be in alignment with the District’s vision, mission, goals, and educational philosophy. Student achievement is increased through an integrated curriculum that promotes continuity and a growth in skills and knowledge from grade to grade and from school to school. Therefore, the Board desires that unnecessary duplication of work among the various grades and schools be eliminated and that courses of study and their corresponding content guides be coordinated effectively.

The Board of Education is responsible for reviewing and approving all instructional programs offered by the District as well as approving significant changes to courses or course materials before they are implemented. The Superintendent is responsible for making curriculum recommendations.

Each school shall review each curriculum area annually to address the continued relevancy, adequacy, and cost effectiveness of individual courses and instructional programs and to ensure each area is aligned with the current curriculum frameworks and course content standards approved by the State Board of Education. Each school’s administration shall implement a monitoring process to ensure that the instructional content of each course offered is consistent with the content standards and curriculum frameworks approved by the State Board of Education.

The District shall not purchase curriculum for the District’s reading program that is not from the list of curricula approved by the Division of Elementary and Secondary Education.

Legal References: Standards for Accreditation 1-A.1, 1-A.4

A.C.A § 6-15-101

A.C.A § 6-15-1505(a)

A.C.A § 6-15-2906

A.C.A. § 6-17-429

Date Adopted: July 2018

Last Revised: June 2021

Report Cards

Report cards are issued each nine weeks throughout the school year. Parents are to sign and return (elementary only) the report card to their child's homeroom teacher. The fourth nine weeks' report card will indicate grade advancement or retention. This report card need not be returned.

Parent Conferences

School Board Policy – 3.30 – PARENT-TEACHER COMMUNICATION

The district recognizes the importance of communication between teachers and parents/legal guardians. To help promote positive communication, parent/teacher conferences shall be held once each semester. Parent-teacher conferences are encouraged and may be requested by parents or guardians when they feel they need to discuss their child's progress with his/her teacher.

Teachers are required to communicate during the school year with the parent(s), legal guardian(s), or caregiving adult or adults in a student's home to discuss the student's academic progress unless the student has been placed in the custody of the Department of Human Services and the school has received a court order prohibiting parent or legal guardian participation in parent/teacher conferences. More frequent communication is required with the parent(s) or legal guardian(s) of students who are performing below grade level.

All parent/teacher conferences shall be scheduled at a time and place to best accommodate those participating in the conference. Each teacher shall document the participation or non-participation of parent(s)/legal guardian(s) for each scheduled conference.

If a student is to be retained at any grade level or denied course credit, notice of, and the reasons for retention shall be communicated promptly in a personal conference.

Legal References: For Accreditation 5-A.1

A.C.A § 6-15-1702(b) (3) (B) (ii)

Adopted: Oct., 2010

Last Revised: July 2018

Progress Reports

Parents or guardians shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation which may enhance the probability of the student succeeding. The school shall also send timely progress reports and issue grades for each nine-(9) week grading period to keep parents/guardians informed of their student's progress

Legal References: A.C.A § 6-15-902

State Board of Education: Standards of Accreditation 12.02

Arkansas Department of Education Rules and Regulations Governing

Uniform Grading Scales for Public Secondary Schools

Date Adopted: Oct. 2010

Last Revised: May 2016

Homework Policy

School Board Policy -5.14 HOMEWORK

Homework is considered to be part of the education program of the District. Assignment shall be an extension of the teaching/learning experience that promotes the student's educational development. As an extension of the classroom, homework must be planned and organized and should be viewed by the students as purposeful.

Teachers should be aware of the potential problem students may have completing assignments from multiple teachers and vary the amount of homework they give from day today.

Parents shall be notified of this policy at the beginning of each school year.

Date Adopted: October 2010

Last Revised: July 2018

Middle School/High School Homework Policy:

When homework is not completed on predestinated time set by the teacher the homework is considered late. Once homework is considered late the teacher will document the occasion and notify the principal. Failure to complete homework could result in disciplinary action.

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

Date Adopted: Oct. 2010

Last Revised: July 2020

Testing Program

Nemo Vista School District's testing program consists of the regular classroom academic test used to measure competence and mastery of material presented in each class. Additionally, elementary achievement tests, Early Star Reading assessment, Star Reading, Star Math, aptitude tests, and interest inventories may be used to plan instructional techniques and programs.

The State Examinations are given in the spring to required grades. The tests are administered during the spring semester in the areas of mathematics, literacy and science. Results from these tests are used to track student's achievement, identify weak areas, and evaluate the school's curriculum. A copy of scores from these tests will be sent home to parents, and a copy will be kept in the student's permanent record.

The ASVAB is an aptitude test administered to students in the 11th and 12th grades by the armed services. It yields a verbal and mathematical ability score, as well as, student aptitude in other areas.

The school administer, upon sufficient interest by the students, the PSAT (Primary Scholastic Aptitude Test) to students in grades nine, ten, and eleven, respectively, who are considering attending college upon graduate on from high school.

Students may take the ACT and SAT tests at selected locations around the state.

Last Revised: July 2018

Intensive Reading Intervention(s)

Intensive Reading Intervention(s) (IRI) are research based interventions developed by a committee for students that score below basic in reading on the ITBS in grades 1-2. Students in kindergarten will be placed on IRI's based on fall testing conducted by classroom teachers and the K-2 reading interventionist. The district shall notify the student's parent(s) of the parent's role and responsibilities as well as the consequences for the student's failure to participate in the plan. Students identified for an IRI plan who do not participate in the program shall be retained.

School Improvement Plans

School Board Policy 5.2 ---- Planning for Educational Improvement

Each school in the district in collaboration with administrations, teachers, other school staff, parents, the community, and students, shall develop a school-level improvement plan (SLIP) to;

- Establish goals or anticipated outcomes based on an analysis of students' needs;
- Identify student supports and evidence-based interventions and practices to be implemented;
- Describe the professional learning necessary for adults to deliver the supports or interventions;
- Describe the implementation timeline for monitoring of the interventions and practices for effectiveness;
- Describe the timeline and procedures for evaluation of the interventions and practices for effectiveness; and
- Evaluate and modify a parent, family, and community engagement plan.

Each SLIP shall include a literacy plan that includes a curriculum program and a professional development program that is aligned with the District's literacy needs and is based on the science of reading.

Some of the data that shall be considered when developing the SLIP includes, but is not limited to:

- Statewide assessment results;
- Interim assessment results;
- Similarly, situated school's SLIPs; and
- Evaluation(s) including staff, student, and community feedback, of the existing SLIP.

The SLIP is to be reviewed on an ongoing basis with reports to the board on the implementation progress of the SLIP throughout the year of implementation. By May 1 of each year, the SLIP to be implemented in the upcoming school year shall be presented to the District Board of Directors for review and approval. The District will post the District's SLIP(s) to the District website under State-Required Information by August 1 of each year.

The district shall develop, with appropriate staff; school board members; and community input, a school district support plan (SDSP). The SDSP, in coordination with the District's SLIP, shall:

- Specify the support the District will provide to the District's schools;
- Collaboratively establish priorities regarding goals or anticipated outcomes with the District's school, including feeder schools;
- Identify resources to support the established priorities;
- Describe the time and pace of providing support and monitoring for the established priorities;
- Describe the measures for analyzing and evaluating that the District support was effective in improving the school performance;
- Establish, evaluate, and update a parent, family, and community engagement plan; and
- Direct the use of Enhanced Student Achievement funding for strategies to close gaps in academic achievement.

If the District data reflects a disproportionality in equitable access to qualified and effective teachers and

administrators, the District shall develop and implement strategies to provide equitable access as part of the SDSP.

The District shall post the District's SDSP to the District's website under State-Required Information, including any updates to the District's SDSP.

If forty percent (40%) or more of the District's students scored "in need of support" on the prior year's statewide assessment for reading, the District shall develop a literacy plan as part of the SDSP that includes:

- Goals for improving reading achievement throughout the District; and
- Information regarding the prioritization of funding, including without limitation, Enhanced Student Achievement funding, for strategies to improve reading achievement throughout the District.

The District shall post the District's SDSP to the District's website under State-Required Information, including any updates to the District's SDSP.

The District's Board of Directors shall hold a meeting annually to provide a report that systematically explains the District's policies, programs, and goals to the community. The District's report shall detail the progress of the District and the District's schools toward accomplishing program goals, accreditation standards, and proposals to correct any deficiencies. The report shall be made available to the public, including by posting a copy on the District's website under State-Required Information no later than ten (10) days following the meeting, with the most recent annual report posted by August 1 of each year. The meeting shall provide parents and other members of the community the opportunity to ask questions and make suggestions concerning the District's program.

Legal References: A.C.A. § 6-15-2914

DESE Rules Governing the Arkansas Educational Support and Accountability Act

DESE Rules Governing Parental Involvement Plans and Family and Community Engagement

DESE Rules Governing Documents Posted to School District and Education Service
Cooperative Websites

Standards for Accreditation 1-B.4, 3-B.1, 3-B.2, 3-B.2.1, 5-A.1

Commissioner's Memo COM-20-021

Date Adopted: July 2018

Last Revised: June 2022

Alternative Education

School Board Policy 5.26---Alternative Education

Nemo Vista School shall provide an eligible alternative learning environment (ALE) for each eligible ALE student enrolled in a District school. The ALE shall be part of an intervention program designed to provide guidance, counseling, and academic support to students who are experiencing emotional, social, or academic problems. Placement of a student in an ALE shall not be punitive in nature.

The superintendent or designee shall appoint an Alternative Education Placement Team which shall have the responsibility of determining student placement in the ALE. A student may be enrolled in an ALE only on the referral of the Alternative Education Placement Team. The team's placement decision is final and may not be appealed.

The team is to be comprised of the following:

- a school counselor from the referring school;
- the ALE administrator and/or ALE teacher;
- the building principal or assistant principal from the referring school;
- a parent, legal guardian, person having lawful control of the student, or person standing in loco

parentis (if they choose to participate);

- The District shall document its efforts to contact the student's parent, legal guardian, persons having lawful control of the student, or person standing in loco parentis to schedule a meeting or a phone call for a placement meeting at the convenience of the parent, legal guardian, person having lawful control of the student, or person standing, or person standing in loco parentis, and maintain such documentation in the student's Student Action Plan (SAP)
- LEA special education/504 representative (if applicable);
- at least one (1) of the student's regular classroom teacher(s); and
- If the District so chooses, the student.

Students who are placed in the ALE shall exhibit at least two (2) of the following characteristics:

1. Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics;
2. Abuse: Physical, mental, or sexual;
3. Frequent relocation of residency;
4. Homelessness;
5. Inadequate emotional support;
6. Mental/physical health problems;
7. Pregnancy;
8. Being a single parent;
9. Personal or family problems or situations;
10. Recurring absenteeism
11. Dropping out from school; or
12. Disruptive behavior

Before or upon entry in the ALE, the ALE program shall assess the student in order to provide intervention services designed to address the student's specific educational and behavioral needs, with the focus for behavioral needs on long-term improvement of the student's ability to control the student's behavior.

No later than five (5) school days after a student begins alternative education interventions, the Alternative Education Placement Team shall develop a signed agreement between the ALE; the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis (if they choose to participate); and the student, outlining the responsibility of the ALE; parent, legal guardian, person having lawful control of the student, or person standing in loco parentis; and the student to provide assurance that the plan for each student is successful.

No later than one (1) week after a student begins alternative education interventions, the Alternative Education Placement Team shall assess the student's current functioning abilities and all relevant social, emotional, academic, career, and behavioral information and develop an SAP outlining the intervention services to be provided to the student. The SAP may be revised from time to time by the ALE placement team. The SAP shall contain at a minimum:

- a) A plan of intervention services to be provided to address the student's specific educational needs and, if appropriate, the student's behavioral needs;
- b) Goals and objectives necessary to achieve positive reintegration into the regular educational environment;
- c) Exit criteria on which to base a student's return to the regular educational environment;
- d) Documentation of the presence of the characteristics listed above that were the reason for the student's referral to the ALE program;
- e) Documentation of the specific ALE programming and supports that will address each identified

characteristic or situation causing a barrier to the student's success; and

- f) A positive behavior or transitional plan prior to a student's return to the regular educational environment.

The district's ALE program shall follow class size, staffing, curriculum, and expenditure requirements identified in the Division of Elementary and Secondary Education (DESE) Rules.

Legal References: A.C.A. § 6-20-2305(b) (2)
 A.C.A. § 6-48-101 et seq.
 DESE Rules Governing Student Special Needs Funding---3.01, 4.00, and 8.0
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2022

School Board Policy 5.26.1 --- ALE Program Evaluation

The ALE program shall be evaluated at least annually to determine its overall effectiveness at providing a non-punitive environment that is conducive to learning that eliminates traditional barriers to learning, and at compliance with the Division of Elementary and Secondary Education Rules Governing Student Special Needs Funding. The evaluation shall specifically address how the use of ALE funds is in alignment with the district's school district support plan in addressing identified achievement gaps and student performance deficiencies.

Legal References: A.C.A. § 6-15-2914
 DESE Rules Governing Student Special Needs Funding

Date Adopted: June 2018

Last Revised: July 2022

Retention Policy

School Board Policy 4.55---Student Promotion and Retention

A disservice is done to students through social promotion and is prohibited by state law. The district shall, at a minimum, evaluate each student annually in an effort to help each student who is not performing at grade level. Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall be kept informed concerning the progress of their student(s). Notice of student's possible retention 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.

At least once each semester, the Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis, and teacher(s) of a student in kindergarten through eighth (8th) grade shall be notified in writing of the student's independent grade-level-equivalency in reading.

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

Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria. If there is doubt concerning the promotion or retention of a student or his/her required retaking of a

course, a conference shall be held before a final decision is made that includes the following individuals:

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

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

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

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

By the end of grade eight (8), the student's SSP shall;

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

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

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

An SSP shall be created;

1. By no later than the end of the school year for a student in grade eight (8) or below who enrolls in the District during the school year; or
2. As soon as reasonably possible for a student in grade nine (9) or above who enrolls in the District at the beginning or during the school year.

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

Students who either refuse to sit for a Statewide assessment or attempt to boycott a 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 statewide assessment, as applicable. The Superintendent or designee may wave this paragraph's provisions when the student's failure was

due to exceptional or extraordinary circumstances. Students failing under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

(Nemo Vista Elementary: Emphasis will be placed on reading when retention is being considered in grades 4th-5th. In grades 1st -3rd, students will be retained if reading grades are below mastery level.)

Cross References: 3.30---Parent-Teacher Communication
4.56---Extracurricular Activities-Secondary Schools
4.56.1---Extracurricular Activities-Elementary

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

Date Adopted: Oct. 2010

Last Revised: July 2020

Summer School

School Board Policy 5.13 – Summer School

The Nemo Vista School District will offer a summer school program if the board and administration deem it necessary. The Nemo Vista School District shall offer remediation programs during the school year to those students in kindergarten through third grade (K-3) not performing at grade level.

Legal Reference: A.C.A. § 6-16-704

Date Adopted: Oct. 2010

Gifted and Talented

Gifted and talented students are those of high potential or ability whose learning characteristics and educational needs require qualitatively differentiated educational experiences and/or services.

Possession of these gifts and talents, or the potential for their development, will be evidenced through an interaction of above average intellectual ability, task commitment and/or motivation, and creative ability.

The overall objective of the program is to improve research, thinking, and communication skills in children who have been identified as gifted by providing a flexible curriculum that is qualitatively different, above and beyond what is provided in the standard school program. This program is intended to provide students with opportunities which will further develop their exceptional talents for future roles in society, to help students improve their higher level thinking skills, and to motivate them to develop their potential abilities to the fullest.

Students will work in all areas of curriculum, but with major emphasis in the areas of language arts, mathematics, science, and social studies. The learning experiences in which the students participate will be for the purpose of broadening and enriching. Specific subject areas and amount of time spent will vary from class-to-class, depending on student interest.

The process for identifying:

1. Nominations are accepted through out the year.
2. Parental permission is sought to test.
3. Parents fill out appropriate forms.
4. Data is collected from variety of sources for the case study.
5. Case study is reviewed by the identification committee.
6. Placement is decided.

After final identification of a student is made, parents will be sent a letter informing them of their child's selection for participation in the program. Parents will be required to sign a permission form before their child may participate in the program. Students' progress and performance are reviewed annually after placement. An exit policy is in place if needed.

SECTION 7

Attendance Policies

The Nemo Vista School District supports the philosophy that the instructional program is the vital part of a formal education. Therefore, it is necessary to require a student to be in attendance a minimum number of days each school year. Students have the right to attend school in the Nemo Vista School District in accordance with state law, Board of Education policies, and school procedures.

Legal References: A.C. A § 6-18-209,
A.C.A § 6-18-220,
A.C.A § 6-18-222,
A.C.A § 27-16-701,
A.C. A. § 7-4-116

Compulsory Attendance

School Board Policy 4.3 – COMPULSORY ATTENDANCE REQUIREMENT

Every parent, legal guardian, person having lawful control of the child, or person standing in loco parentis of any child **age five (5) through seventeen (17) years on or before August 1** of that year who resides, as defined by policy (4.1---RESIDENCE REQUIREMENTS), within the District shall enroll the child and ensure the attendance of the child at a District school with the following exceptions.

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

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

Date Adopted: May 2011
Last Revised: June 2021

Absences

School Board Policy 4.7 ABSENCES

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

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

Absences for students enrolled in synchronous digital courses shall be determined in the same manner as for District students attending courses in person.

Excused Absences

Nemo Vista will allow a maximum of eight (8) excused absences per semester. If the student's absences will exceed the maximum of the eight (8) allowed excused days, the parent/guardian must contact the principal for preapproval of the absences. This may be by phone or in person. If the parent/guardian does not seek preapproval or is not approved for the extended absences, these absents will be considered unexcused (see the paragraph concerning unexcused absences).

Excused absences are those where the student was on official school business or when the absence was due to one of the following reason. Parents need to keep all documentation, just in case their child misses 8 days. This documentation will need to be presented to the principal in order to receive extended absences.

1. The student's illness or when attendance could jeopardize the health of other students
(with medical documentation)
2. Death or serious illness in their immediate family;
3. Observance or recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at the medical appointment: All Doctor's statements are required to be on the doctor's letterhead with an original signature (no stamps). (Nemo Vista: The district reserves the right to require confirmation of the medical documentation through direct communication with the medical personnel responsible for the documentation and if the district is unable to confirm or verify the absence or the reason for the absence, to consider the absence to be unexcused;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, FHA, or 4-H sanctioned activity;
8. Participate in the election poll workers program for high school student;
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).

11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.

Nemo Vista requires that all notes explaining reasons for excused absences be kept at home by parents. If the principal questions the numbers of days that a student is absent, the parent will be required to bring the notes to a meeting with the principal or their designee. The principal or their designee will discuss the notes with the parents and declare the total of excused absences.

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

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

Unexcused Absences

Absences not defined above; do not having have an accompanying note from the parents, legal guardian; person having lawful control of the student; or person standing loco parentis; or have an accompanying note that is not presented or uploaded in within the timeline required by this policy; shall be considered as unexcused absences. Students with more than eight (8) unexcused absences in a course in a semester may not receive credit for that course. Students in grades 9-12 who have more than eight (8) unexcused absences in a specific class period could potentially lose credit for that course at administration discretion. At the discretion of the principal after consultation with persons having knowledge of the circumstances for the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason from expulsion or dismissal of a student.

When a student exceeds the eight (8) excused absences per semester and no conference has been held with the building level administrator, these day will be considered unexcused. The principal will contact the parent, guardian, or person in loco parentis to inform them of the policy and schedule a conference with parent, guardian, or loco parentis and/or student. If the absences continue with no preapproved circumstances, the building principal will send a letter to the parent, guardian, or person in loco parentis and the prosecuting attorney will be notified.

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

It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Therefore, at any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, legal guardian, person with lawful control of the student, or person standing in loco parentis may petition the school or district's administration for special arrangements to address the student's unexcused absences. If the 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; parentis; and the school or district administrator or designee.

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

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

---Cross Reference 4.8-Make-up Work.

Other Attendance Policies

A student must be in attendance for three (3) hours to be eligible to participate in any **school function** that day or night. The superintendent or principal may wave this rule in the event of extenuating circumstances.

When a student has been checked out from his/her school, the student must leave campus. A student **cannot** be checked out from one school to attend a function in another school without prior permission from the principal.

When students are not present at school, they may not attend a school event without prior permission from the building principal.

Cross References: 4.8 ---MAKE-UP WORK

4.57---IMMUNIZATIONS

5.11---DIGITAL LEARNING COURSES

Legal References: A.C.A. § 6-4-302

A.C.A. § 6-18-209

A.C.A. § 6-18-213

A.C.A. § 6-18-220

A.C.A. § 6-18-222

A.C.A. § 6-18-229

A.C.A. § 6-18-231

A.C.A. § 6-18-507(g)

A.C.A. § 6-18-702

A.C.A. § 6-28-114

A.C.A. § 9-28-113(f)

A.C.A. § 7-4-116

A.C.A. § 27-16-701

Date Adopted: Oct. 2010

Last Revised: June 2021

Definition of a Full Day (Elementary Only)

A full day of school is defined by the State Department of Education as six (6) hours of instruction time for the 7student. This excludes lunch and recess time. To be counted in attendance for a full day, a student must arrive before 8:30 A.M. and stay the remainder of the day. If a student checks out early he must not leave before 2:30 P.M. to be considered in full attendance.

Definition of a Half Day (Elementary Only)

With the definition of a full day being six (6) hours of instruction, a half day will be 2 instructional hours before lunch/recess or 2 instructional hours after lunch/recess

Definition of Half Day (Middle School/High School)

In Middle School and High School attendance is taken on a period by period basis. Once a student has missed 5 more class periods, they will be considered a full day absence. Students missing 3 class periods will be considered as a ½ day absences.

Tardy

School Board Policy 4.9- Tardies

Promptness is an important character trait that District 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.

Date Adopted: Oct. 2010

Elementary Tardies: If a student arrives at school after 8:05 A.M. he/she will be considered tardy and must check in through the principal's office.

Students will not be counted tardy in the event of bus delays.

Parents who drop off children should make every effort to get their children to school in time to have breakfast and get to their classrooms before 8:05. There is a considerable amount of work involved in correcting records for students who come in late.

Parents of students who are tardy are asked to come to the office and sign their child/children in before they will be allowed to attend class.

5 (five) unexcused tardy's within a semester will be accumulated and considered full day unexcused absent. Parents will receive a phone call or have a conference with the principal upon 3 (three) unexcused tardies in a semester. (Definition of unexcused tardy will follow the same guidelines as unexcused absences.)

Last Revised: June 2014

Elementary Early Sign-out:

Students may be signed out between 2:30 and 3:00 without it being counted as a half-day absence. Five (5) early sign-outs within a semester will be accumulated and considered full day unexcused absent. Parents may receive a phone call or have a conference with the principal upon three (3) early sign-outs in a semester.

Middle School/High School Tardies:

A student will be prompt on arriving at school and to class. Teachers will tell a student when they are tardy, and the tardy will be turned into the office. Students are expected to be in their designated rooms in their seats when the tardy bell rings. If a teacher holds a student between classes, the student should obtain an excused tardy slip from that teacher. Excessive unexcused tardies will result in disciplinary action.

Unexcused tardies:

1. 3rd Tardy (semester only) – Conference with student and warning (Minimal)
2. 4th Tardy (semester only) – Corporal punishment/In-school isolation

Five (5) unexcused tardy within a semester will be accumulated and considered a full day unexcused absence.

Middle School/High School Sign-out:

Students may be signed out between 2:30 and 3:10 without it being counted as a half-day absence. Five (5) early sign-outs within a semester will be accumulated and considered full day unexcused absent. Parents may receive a phone call or have a conference with the principal upon three (3) early sign-outs in a semester.

Last Revised: June 2021

Make-up Work

School Board Policy 4.8 – Make-up Work

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

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

2. Teachers are responsible for providing the missed assignments when asked by a returning student.
3. Students are required to ask for their assignments on their first day back at school or their first class day after their return.
4. Make-up tests are to be rescheduled at the discretion of the teacher, but must be aligned with the schedule of the missed work to be made up.
5. Student 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.

Work for students serving an out-of-school suspension or expulsion shall be in accordance with the District's programs, measures, or alternative means and methods to continue student engagement and access to education during the student's period of suspension or expulsion, including offering an expelled student an opportunity for enrollment in digital learning courses or other alternative educational courses that result in the receipt of academic credit that is at least equal to credit the expelled student may have received from the District if the student had not been expelled.

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---IMMUNIZATION.

Parents who wish to pick up a child's work for the day(s) missed should notify the child's teacher early in the morning so the teacher will have ample time to get the work together.

Cross Reference: 4.7---ABSENCES

4.30---SUSPENSION FROM SCHOOL

4.31---EXPULSION

4.57---IMMUNIZATIONS

Legal References: A.C.A. § 6-16-1406

A.C.A. § 6-18-502

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2020

Check-out Policy

Whenever parents check a child out of school early, they must sign the child out through the office. Only adults that the parent(s) have designated on their child's call sheet can pick up a student. If other arrangements need to be made, a note or a phone call must be received in the office.

The child must have a note giving written permission or the parent may call to give phone permission if a child is to take an alternative way home. A note will be taken to the child's teacher from the office.

When a student is checked out early, they may not attend a function at another school at Nemo Vista without prior permission from the principal where they are enrolled.

Students who are eighteen (18) years of age are able to check themselves in and out of the school.

SECTION 8

Discipline Policies

School Board Policy 4.17 – Student Discipline

The Nemo Vista Board of Education has a responsibility to protect the health, safety, and welfare of the District's students and employees. To help maintain a safe environment conducive to high student achievement, the Board establishes policies necessary to regulate student behavior to promote an orderly school environment that is respectful of the rights of others and ensures the uniform enforcement of student discipline. Students are responsible for their conduct that occurs:

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

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

The District shall incorporate the District's implementation of positive behavioral supports in accordance with Policy 4.60 in the application of student discipline.

The District's personnel policy committees shall annually review the District's student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Nemo Vista School Board. The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies.

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

The District shall develop and provide programs, measures, or alternative means and methods for continued student engagement and educational access during periods of suspension or expulsion.

The superintendent is authorized to modify the penalties set forth in the District's student discipline policies on a case-by-case basis.

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

The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation: the number of incidents of bullying reported and the actions taken regarding the

reported incidents of bullying.

Cross References: 1.9—Policy Formulation

4.60---Student Behavioral Intervention and Restraint

Legal Reference: A.C.A. § 6-17-113

A.C.A. § 6-18-502

A.C.A. § 6-18-514

A.C.A. § 6-18-2401 et seq

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last revised: June 2022

Prohibited Conduct

School Board Policy 4.18—PROHIBITED CONDUCT

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

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

17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, sexual orientation, gender identity, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, “throwing signs” or other gestures associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying;
23. Operating a vehicle on school grounds while using a wireless communication device; and
24. Theft of another individual’s personal property.

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

Legal References: A.C.A. § 6-18-502
 A.C.A. §6-18-707
 A.C.A. § 6-15-1005
 A.C.A. § 6-21-609
 A.C.A. § 6-18-222
 A.C.A. § 6-5-201
 A.C.A. § 6-18-514
 A.C.A. § 27-51-1602
 A.C.A. § 27-51-1603
 A.C.A. § 27-51-1609
 DESE Rules Governing Student Discipline and School Safety

Cross-References: 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 #20—Policy #4.26
 Prohibited Conduct #21—Policy #4.27
 Prohibited Conduct #22---Policy #4.43
 Prohibited Conduct #23---Policy #4.47

Date Adopted: Oct. 2010

Last Revised: July 2020

Improper Conduct

Rule 1: Disruption and interference with school

School Board Policy 4.20 – Disruption of School

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

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

Legal Reference: A.C.A. § 6-18-511

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2015

Last Revised: July 2020

Rule 2: Damage or Destruction of School Property

- (a) A student shall not cause or attempt to cause damage to school property or steal or attempt to steal school property. The school district will attempt to recover damages from the student destroying school property. Parents of any student may be liable for damages caused in an amount not in excess of \$2,500.00.
- (b) Students should not mark or mar any surface, sit on tables or chair tops, or perform any other behavior which is likely to damage school property.
- (c) No school property will be loaned to anyone unless authorized by the principal or superintendent.

Rule 3: Damage or Destruction of Private or Public Property

- a. A student shall not cause or attempt to cause damage or steal or attempt to steal private or public property.

Rule 4: Narcotics: Beverage Containing Alcohol and/or Drugs

School Board Policy 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 and disruptive to the educational environment, and diminishes the capacity of students to learn and function properly in our schools.

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

The sale, distribution, or attempted sale or distribution of over-the-counter (OTC) medications, dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, or prescription drugs is prohibited. The possession or use of OTC medications, dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, or prescription drugs is prohibited except as permitted under policy 4.35---STUDENT MEDICATIONS.

Cross Reference: 4.35----STUDENT MEDICATIONS

Legal References: A.C.A. § 6-18-502

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2020

Rule 5: Weapons, Dangerous Instruments, and Contraband

School Board Policy 4.22-WEAPONS AND DANGEROUS INSTRUMENTS

Definitions

“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 on the student’s body or in an area under the student’s control.

“Weapon” means any:

- Firearm;
- Knife;
- Razor;
- Ice pick;
- Dirk;
- Box cutter;
- Nun chucks;
- Pepper Spray, mace, or other noxious spray;
- Explosive;
- Taser or other instrument that used electrical current to cause neuromuscular incapacitation; or
- Any other instrument or substance capable of causing bodily harm.

No student, except for Military personnel (such as ROTC cadets) acting in the course of their official duties or as otherwise expressly permitted by this policy, shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon before or after school while:

- In a school building;
- On or about school property;
- At any school sponsored activity or event;
- On route to or from school or any school sponsored activity; or
- Off the school grounds at any school but stop.

If, a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be considered to be in

possession of a weapon, unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student's parent/legal guardian shall pick up the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of one (1) year. The School Board 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 firearms 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 firearms policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for knowing a child to possess firearms on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

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

Cross Reference: Policy 4.31--EXPULSION

Legal References: A.C.A. § 6-18-502

A.C.A. § 6-18-507

A.C.A. § 6-21-608

A.C.A. § 5-73-119 (b) (e) (8), (9), (10)

A.C.A. § 5-73-133

20 USCS § 7961

A.C.A. § 5-4-201

A.C.A. § 5-4-401

A.C.A. § 5-27-210

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2020

Rule 6: Tobacco

School Board Policy 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 property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

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

First Offense:

1. A parent/guardian will be notified.
2. Two (2) days of In-School Suspension (ISS)-While attending ISS, student must complete a school provided assignment on the dangers of tobacco, cessation programs, etc. in addition to other class assignments provided by teachers, administration, and/or ISS supervisor.
3. Student and parent/guardian will be provided information about available cessation programs.

Second Offense:

1. A parent/guardian will be notified.
2. Three (3) days of In-School Suspension (ISS)-While attending ISS, student must complete a school provided assignment on the dangers of tobacco, cessation programs, etc. in addition to other class assignments provided by teachers, administration, and/or ISS supervisor.
3. Student and parent/guardian will be provided information about available cessation programs.

Third Offense:

1. The parent/guardian will be notified.
2. Five (5) days of In-School Suspension.
3. A parent/guardian-principal conference must be held before the student is allowed to return to class.
4. Student and parent/guardian will be provided information about available cessation programs.

Fourth Offense:

1. The parent/guardian will be notified.
2. Three (3) days of Out-Of-School Suspension.
3. A parent/guardian-principal conference must be held before the student is allowed to return to class.
4. Student and parent/guardian will be provided information about available cessation programs.

Additional offenses, disciplinary action(s) will be subject to administration's discretion.

Legal Reference: AC.A. § 6-21-609

Date Adopted: Oct. 2010

Last Revised: June 2019

Rule 7: Immorality

A student shall abstain from indecent and immoral acts.

Rule 8: Display of Affection

Public display of affection is not acceptable. Holding hands, placing arms around each other, and kissing is prohibited at school and at all school activities, including after school activities.

Rule 9: Fireworks

A student shall not possess, handle or store firecrackers, smoke bombs, cherry bombs, or any other kind of fireworks that reasonably could be a danger to himself/herself or to other students, that could cause damage to school property or that could be disruptive to the learning climate of the school.

Rule 10: Gambling

A student shall not participate in any activity which may be termed gambling or wagering where the stakes

are money or any other object or objects of value.

Rule 11: Physical Abuse or Assault of School Staff (Act 104 or 1983 Special Session)

School Board Policy 4.21 – Student Assault or Battery

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

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

- a. Cause a breach of the peace;
- b. Materially and substantially interfere with the operation of the school; or
- 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 any student disciplinary measures.

Legal References: A.C.A § 6-17-106

DESE Rules Governing Student Discipline and School Safety

Date Adopted: June 2010

Last Revised: July 2020

Rule 12: Theft – Stealing – Possession

Students caught stealing or in the possession of stolen materials may be temporarily suspended with a chance of possible expulsion from school. Parents and law officials may be notified.

Rule 13: Insubordination

A student shall not fail to comply with reasonable directions or commands of teachers, substitute teachers, teachers' aides, principals, administrative personnel, superintendent, school bus drivers, cooks, and other authorized school personnel.

Rule 14: Laser Pointers

School Board Policy 4.28 – Laser Pointers

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

Legal References: A.C.A § 6-18-512

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2020

Rule 15: Electronic Devices

School Board Policy 4.47 – Possession and Use of Cell Phones and other Electronic Devices

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

To protect the security of statewide assessment, no electronic device as defined in this policy shall be assessable by a student at any time during assessment administration unless specifically permitted by a student's individualized education program (IEP) or individual health plan this means that when a student is taking an AESAA 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. The prohibition in this policy does not extend to the electronic device the District provided the student for the student's use during assessment administration to the extent the student is using the district provided device to complete the assessment.

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 classroom in any manner other than specifically permitted by the classroom instructor for academic purposes only.
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 record audio or video or to take photographs in areas where a general expectation of personal privacy exists, including but not limited to locker rooms and 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 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.

A parent shall obtain approval from the student's building principal before operating a student-tracking safety device at school or at a school-sponsored event if the device has recording or listen-in capability. The District requires the device's recording and listen-in technology to be disabled while the device is on the campus or at the school-sponsored event because of student privacy concerns. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other students. The student's parent shall agree in writing to the requirement for the device's recording and listening-in technology to be disabled and that the District may prohibit future use of the device on campus or at a school-sponsored activity if it is determined that the device's recording or listening-in capabilities were used in violation of this policy before the student safety tracking device may be on campus or at a school-sponsored event.

The student and/or the student/s parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the school's administration office by the student's parents or guardians. Students have no right of privacy as to the content contained on any electronic devices that have been confiscated. A search of a confiscated device shall meet the reasonable individualized suspicion requirements of Policy 4.32—

SEARCH, SEIZURE, AND INTERROGATIONS.

Students who use a school issued cell phones and/or computers for non-school purposes, except as permitted by the district's Internet/computer use policy, shall be subject to discipline, up to and including suspension or expulsion. Students are forbidden from using school issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including expulsion. No cell phones are allowed on bus routes.

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 in motion and on school property. Violation may result in disciplinary action up to and including suspension.

Nemo Vista Elementary

Students are not to bring these items to school (cell phones or electronic devices). If for a special reason these devices are required in a class, permission from the principal must be obtained prior to bringing the devices to school. Unauthorized electronic devices will be taken and secured in the office to be picked up by the student's parents. Students have no right of privacy as to the content contained on any cell phones and other electronic communication devices that have been confiscated. These items should not be taken on school sponsored trips unless permission has been granted by the principal.

Nemo Vista High School/Middle School

Students may possess cell phones and other electronic devices. At no time during normal school hours (which includes bus) can these items be visible and/or in use and/or heard without permission from the administration. (High School: Exception will be made for academic purposes with prior permission from principal). Items will be confiscated and the student's parent(s) must pick up the item and/or the student will receive other disciplinary actions if the rule is violated.

When a student must leave the class to use the restroom or similar circumstance their cell phone (if possessed) must be placed on the teacher's desk, to be returned upon the student re-entering the classroom.

Middle School/High School Cell Phone Consequences:

- 1st offense...Cell phone will be returned at the end of day...warning issued
- 2nd offense...Parent pick up cell phone
- 3rd offense...Parent pick up cell phone and corporal punishment/suspension

Legal Reference: A.C.A. § 6-15-2907

A.C.A. § 6-18-515

A.C.A. § 27-51-1602

A.C.A. § 27-51-1603

A.C.A. § 27-51-1609

DESE Test Administration Manual

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Revised: July 2020

Rule 16: Fighting

Wrestling, hitting, or kicking is considered "fighting" which is not allowed. If a child hits or kicks another child while on school grounds, buses, or at school sponsored activities, the child who is hit is instructed to find the teacher on duty or the bus driver and report the incident immediately or as soon as the bus is stopped. Hitting or

kicking back puts the blame on both the children. Therefore, they are equally guilty of fighting. Blind-siding another student during a fight will increase the level of punishment.

Last Revised: June 2013

Rule 17: Appearance and Dress Code

School Board Policy – 4.25 Students Dress and Grooming

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

Students are prohibited from wearing, while on the school grounds during the school day and at school-sponsored events, clothing that exposes underwear, buttocks, or the breast of a female.

The Superintendent shall establish student dress codes for the District's schools.

The primary responsibility for dress, grooming, and overall appearance of student rests with the parents of individual students and the students themselves.

General Rules:

1. Students may not wear clothing or hair styles which can be hazardous in their educational activities.
2. Caps, hats, and/or unusual headdress cannot be worn inside buildings or any place designated by the administration and school board as prohibited. **(High School ONLY: Hats maybe worn outside the buildings, at prom, in the gym at ballgames, if deemed appropriate. Hats may not be worn in buildings, graduation, homecoming, or any other formal event as determined by the principal.)**
3. Students in grades K-12 should not wear shirts which expose the midriff. Shirt sleeves should extend to shoulder (no spaghetti string tank tops), no mesh, cut-out sleeves or see-through tops.
4. No clothing with obscene language or rude or suggestive pictures will be worn.
5. Pajamas may not be worn except during designated dress-up days.
6. 6th – 12th: Tights and leggings must be worn with long tops (tunic) that covers to mid-thigh.
7. All students, K-12 may wear shorts to school.
K-2: shorts must have an inseam of 3 inches. Skirts and dresses must be worn with shorts underneath.
3-12: Shorts, skirts, and dresses must be mid-thigh. Compression shorts may be worn to mid-thigh with outer covering when outer covering is shorter than mid-thigh. No students will be allowed to wear clothing which is considered to be too revealing.
8. No sunglasses (excluding ballgames) unless prior approval is given by administration.
9. No cosmetic contacts
10. No student shall have visible body piercing that can be hazardous or distracting to their or their peer's educational needs.
11. **GANG ATTIRE IS NOT PERMITTED ON CAMPUS.**

The wearing of gang attire at school or school functions by gang members or by other students who imitate them is disruptive and dangerous. This attire identifies students to rival elements and can result in challenges. No caps on campus unless permitted or required by staff or other personnel.

Therefore, clothing than can be identified as: "GANG ATTIRE" will not be permitted nor tolerated on campus. This includes but not limited to:

- Hairnets
- Bandanas
- Caps worn in a specific matter

- Sagging or low riding pants or shorts
 - Any other clothing that be identified as gang attire
10. Decisions concerning appearance, dress code, and grooming will be at the principal's discretion.

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

A.C.A. § 6-18-5039(c)

Date Adopted: Oct. 2010

Last Revised: July 2015

Rule 18: Off Limit Areas

Students are not to be:

1. On the gym floor with street shoes on.
2. Blocking the hallways at the gym during school activities or ball games.
3. Touching or adjusting any heating or cooling thermostats.
4. Outside of the playground fence, without permission of the duty teacher or principal.
5. In teachers' lounge or teachers' bathroom.
6. In teachers' parking lots.
7. In student's parking lot.

Rule 19: Off Campus/After School Events

Students at school-sponsored activities or off campus events shall be governed by the school district rules and regulations and are subject to the authority of school district personnel. Failure to obey the rules and regulations and/or failure to obey reasonable instructions of school district personnel shall result in disciplinary action applicable under the regular school program.

1. Students will not run, jump, or play games during after school activities or basketball games.
2. During basketball games, students must remain in the gym.
3. Students should not be in the lobby during basketball games or school activities except to use the restroom or get refreshments.
4. Elementary students cannot attend after school events without adult supervision. High school students 18 years or older that are participating in the events are not considered adult supervisors.

Revised June 2014

Rule 20: Behavior Not Covered Above

The school district reserves the right to punish behavior which is subversive to good order and discipline in the schools even though such behavior is not specified in the preceding written rules.

Internet Policy Act 801 of 1997

School Board Policy – 4.29 Internet Safety and Electronic Device Use Policy

See Section 1 (page 7-8) for 4.29F-Student Internet Use Agreementthis form needs to be signed and returned to the office.

Definition

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

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

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

Technology Protection Measures

The Nemo Vista School District is dedicated to protecting students from materials on the Internet or world wide web that are inappropriate, obscene, or otherwise harmful to minors; therefore, it is the policy of the District to protect each electronic device with Internet filtering software that is designed to prevent students from accessing such materials. For purpose 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 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, lack serious literary, artistic, political, or scientific value as to minors.

Internet Use and Safety

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

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

Misuse of Internet

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

- The disabling or bypassing of security procedures, compromising, attempting to compromise, or defeating the district’s technology network security or Internet filtering software;
- The altering of data without authorization;
- Disclosing, using, or disseminating passwords, whether the passwords are the student’s own or those of another student/faculty/community member, to other students;
- Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student’s academic endeavor. Personally identifying information includes full name, 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.

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: Oct. 2010

Last Revised: June 2019

Teachers' Removal of Student

School Board Policy---Teachers' Removal of Student from Classroom

A teacher may remove a student from class whose behavior the teacher has documented to be repeatedly interfering with the teacher's ability to teach the students in the class or whose behavior is so unruly, disruptive or abusive that it interferes with the ability of the student's other classmates to learn. Students who have been removed from their classroom by a teacher shall be sent to the principal's or principal's designee's office for appropriate discipline.

The teacher's principal or the principal's designee may:

1. Place the student into another appropriate classroom
2. Place the student into in-school suspension;
3. Return the student to the class; or
4. Take other appropriate action consistent with the District's student discipline policies and state and federal law.

If a teacher removes a student from class two (2) times during any nine-week grading period, the principal or the principal's designee may not return the student to the teacher's class unless a conference has been held for the purpose of determining the cause of the problem and possible solutions. The conference is to be held with the following individuals present:

1. The principal or the principal's designee;
2. The teacher;
3. The school counselor;
4. The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis; and
5. The student, if appropriate.

However, the failure of the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis to attend the conference does not prevent any action from being taken as a result of the conference.

Legal References: A.C.A. § 6-18-511

Division of Elementary and Secondary Education Rules Governing Student Discipline and
School Safety.

Date Adopted: Oct. 2013

Last Revised: June 2021

Student Behavioral Intervention and Restraint

School Board Policy 4.60

Definitions

“Aversive behavioral intervention” means a physical or sensory intervention program that is intended to modify behavior through the use of a substance or stimulus that the intervention implementer knows will cause physical trauma, emotional trauma, or both, to a student, even when the substance or stimulus appears to be pleasant or neutral to others.

Examples of aversive behavioral interventions include, but are not limited to:

- Hitting;
- Pinching;
- Slapping;
- Using a water spray;
- Using noxious fumes;
- Requiring extreme physical exercise;
- Using loud auditory stimulus;
- Withholding meals, and
- Denying reasonable access to toileting facilities.

“Behavioral intervention” means the implementation of a service, support, or strategy to teach and increase appropriate behavior or substantially decrease or eliminate behavior that is dangerous, inappropriate, or otherwise impedes the learning of a student.

“Behavior Intervention Plan” (BIP) means a written plan that:

- Is developed by a problem-solving and intervention team and delineates emotional, social, or behavioral goals for a student and the steps that the school, student, parent of the student, and others will take to positively support the progress of the student towards the student’s emotional, social, or behavioral goals;
- Is comprised of practical and specific strategies to increase or reduce a defined behavior or one (1) or more patterns of behavior exhibited by a student; and
- Includes the following at a minimum;
 - A definition or description of the desired target behavior or outcome in specific measurable terms;
 - A plan for preventing and eliminating inappropriate student behavior by changing a condition that is triggering, motivating, underlying, or supporting that behavior as determined through a FBA;
 - A plan for teaching a student to demonstrate appropriate social, emotional, or behavioral self-management, or a new method to address or meet the student’s needs;
 - A description of how a specific incentive or consequence will be used as needed to decrease or eliminate inappropriate student behavior and increase appropriate behavior;
 - A plan for managing a crisis situation;
 - A system to collect, analyze, and evaluate data about the student;
 - The school personnel, resources, and training needed before implementation of the BIP; and

- The timeline for implementing different facets of an intervention, including without limitation when the intervention will be formally reviewed.

“Chemical restraint” means the use of a drug or medication to control the behavior of a student or restrict the free movement of the student; however, chemical restraint does not include the use of medication that is prescribed by a licensed physician, or other qualified health professional acting within the scope of the individual’s professional authority under state law, for the standard treatment of medical or psychiatric condition of a student and is administered as prescribed by the licensed physician or other qualified health professional acting within the scope of the individual’s professional authority under state law.

“Crisis” means a situation in which a student engages in a behavior that threatens the health and safety of the student or others and includes without limitation a situation in which the student becomes aggressive or violent at school and is unable to regain self-control without posing a danger of injury to himself or herself or others.

“Crisis intervention” means the implementation of a service, support, or strategy to immediately stabilize a crisis and prevent the crisis from reoccurring after the crisis ends.

“Dangerous behavior” means the behavior of a student that presents an imminent danger of serious physical harm to the student or others; however, dangerous behavior does not include the following:

- Disrespect;
- Noncompliance;
- Insubordination; or
- Destruction of property that does not create an imminent danger.

“De-escalation” means the use of a behavior management technique that helps a student increase the student’s control over the student’s emotions and behavior and results in a reduction of a present or potential level of danger that in turn reduces the level of imminent danger of serious physical harm to the student or others.

“Emergency” means a serious and unexpected situation that requires immediate action and which may be dangerous.

“Functional Behavior Assessment” (FBA) means a problem analysis step that;

- Occurs within the context of data-based problem-solving and involves;
 - The review of existing records and other sources of information;
 - Diagnostic or historical interviews;
 - Structured academic or behavioral observations; and
 - Authentic, criterion-referenced, or norm-referenced tests; and
- Is performed with the goal of determining why a specific problem or situation is occurring in order to directly link a strategic intervention to an assessment and solve or resolve the specific problem or situation.

“Imminent danger” means an existing dangerous situation that could reasonably be expected to immediately cause death or serious physical harm.

“Mechanical restraint” means the use of a device or equipment to restrict the free movement of a student; however, mechanical restraint does not include a device that is used by trained school personnel or a student for a specific and approved therapeutic purpose or safety purpose for which the device was designed or prescribed or a vehicle safety restraint that is appropriately used in the manner for which it was designed during the transport of a student in a moving vehicle.

“Physical escort” means a temporary touching or holding of the hand, wrist, arm, shoulder, or back of as

student for the purpose of redirecting or inducing the student to move to a safe location.

“Positive behavioral support” means the application of behavior analysis that:

- Is used to achieve socially important behavior change;
- Occurs at the;
 - Prevention level for all students in a school;
 - Strategic intervention level for a student who is not responding, from a social-emotional and behavioral perspective, to the prevention level; and
 - Intensive service or crisis-management level for a student who needs multifaceted or comprehensive behavioral or mental health service; and
- Involves a planned and collaborative school-wide approach that is implemented with a goal;
 - Of establishing a positive and supportive school environment that:
 - Teaches and reinforces prosocial behavior in a student;
 - Holds a student positively accountable for meeting an established behavioral expectation; and
 - Maintains a level of consistency throughout the implementation process; and
 - That is accomplished by using positive behavioral programs, strategies, or approaches.

“Prone restraint” means restraining a student in a face-down position on the floor or another surface and applying physical pressure to the body of the student to keep the student in the prone position.

“Serious physical harm” means bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

“Supine restraint” means the restraint of a student in a face-up position on the student’s back on the floor or another surface and with physical pressure applied to the body of the student to keep the student in the supine position.

Positive Behavioral Supports

The District shall implement positive behavioral supports to be used at the:

1. Prevention level for each student in a school;
2. Strategic intervention level for a student who is not responding, from a social, emotional, or behavioral perspective, to the prevention level; and
3. Intensive service or crisis-management level for a student who needs multifaceted or comprehensive behavioral or mental health services.

The District’s positive behavioral support shall include;

- a. The teaching and reinforcing of interpersonal, social, problem-solving, conflict resolution, and coping skills to a student;
- b. Holding a student positively accountable for meeting an established behavioral expectation;
- c. Maintaining a high level of consistency through the implementation of the positive behavioral support process; and
- d. The following interrelated activities;
 - ✚ Providing a school-wide approach to the discipline and safety of each student rather than an approach to only the behavior problem of a single student;
 - ✚ Focusing on preventing the development and occurrence of problem behavior;

- ✚ Regularly reviewing behavior data to adapt the District's procedures to meet the needs of every Student; and
- ✚ Providing a multitier approach to academic and behavioral services and support to meet the academic and behavioral achievement needs of each student.

The following principles shall form the basis of the District's positive behavioral support system and conflict resolution or de-escalation approach:

1. A student has the right to be treated with dignity;
2. A student should receive necessary academic, social, emotional, and behavioral support that is provided in a safe and least-restrictive environment possible;
3. Positive and appropriate academic, social, emotional, or behavioral intervention as well as mental health support, should be provided routinely to each student who needs the intervention or support;
4. Behavioral intervention should emphasize prevention as part of the District's system of positive behavioral support; and
5. Each student who exhibits an ongoing behavior that interferes with the student's learning or the learning of others, and who is nonresponsive to effectively implemented classroom or administrative intervention, should receive additional intensive behavioral intervention that is based on a FBA and data-based problem solving.

Problem Solving and Intervention Team

A problem-solving and intervention team shall be established for each student who exhibits social, emotional, or behavioral difficulty that may escalate, if not addressed, to potentially dangerous behavior. The problem-solving and intervention team shall include at least one (1) member who is an academic and behavioral assessment and intervention professional.

A student's problem-solving and intervention team shall:

- a. Work with the teachers of a student to complete a FBA of the student and an assessment of any problematic situations involving the student;
- b. Consider the need for a BIP with the goal of preventing or resolving the social, emotional, or behavioral difficulty of the student and developing a response that will de-escalate and stabilize a potential emergency situation that approaches the danger level; and
- c. Regularly review the data on incidents involving the use of physical restraint on the student and adjust, as necessary, the procedures concerning the use of physical restraint on the student.

Special education procedures shall be followed if a student is suspected of having a disability that relates to behavioral concerns.

Physical Restraint

Except in the case of a clearly unavoidable emergency situation in which a trained member of school personnel is not immediately available due to the unforeseeable nature of the emergency situation, the physical restraint of a student shall only be used by a member of school personnel who is appropriately trained to administer physical restraint.

When using physical restraint on a student, school personnel shall:

- Use the least restrictive technique necessary to end imminent danger or serious physical harm to a student and others;
- Use the safest method available and appropriate to the situation;

- Consider the health and safety of a student, including without limitation whether the student has an existing medical condition that makes the use of physical restraint inadvisable;
- Not restrict the ability of a student to communicate unless the use of a less restrictive technique will not prevent imminent danger of serious physical harm to the student or others;
- Not verbally abuse, ridicule, humiliate, taunt, or engage in any other similar act towards the student; and
- Continuously and visually observe and monitor the student while the student is under physical restraint.

Physical restraint of a student shall only be used for a limited period of time and shall not be used;

- When imminent danger or serious physical harm to the student or others dissipates;
- If a medical condition occurs that puts the student at risk of harm
- Unless the behavior of the student poses an imminent danger of serious physical harm to the student or others;
- After the threat of imminent danger of serious physical harm to the student or others dissipates; or
- In the following manner
 - To punish or discipline the student;
 - To coerce the student;
 - To force the student to comply;
 - To retaliate against the student;
 - To replace the use of an appropriate educational or behavioral support;
 - As a routine safety measure;
 - As a planned behavioral intervention in response to behavior of the student that does not pose an imminent danger of serious physical harm to the student or others;
 - As a convenience for school personnel; or
 - To prevent property damage unless the act of damaging property committed by the student poses an imminent danger or serious physical harm to the student and others.

Even in an emergency, supine restraint shall not be used on a student except by a staff person who has been certified by a crisis intervention training program and the certified staff person determines that supine restraint is required to provide safety for the student and others.

At no time shall school personnel use the following on a student:

- ✚ Mechanical restraint;
- ✚ Chemical restraint;
- ✚ Aversive behavioral interventions that compromise health and safety;
- ✚ Physical restraint that is life-threatening or medically contraindicated; or
- ✚ Prone restraint or other restraint that restricts the breathing of a student.

Following the first incident of physical restraint used on a student, an FBA shall be conducted unless a previous FBA was conducted for the same behavior that was at issue when the physical restraint was used.

Physical restraint on a student as a planned behavior intervention shall not be included in a student's IEP, 504 Plan, BIP, individual safety plan, or other individual planning document but may be considered as a crisis intervention if appropriate for the student. A student's IEP team or 504 Plan team shall consider whether an FBA should be performed; if a BIP should be developed for the student or if a student's existing BIP should be revised; and if additional behavioral goals and interventions should be included in the student's existing IEP or 504 Plan.

Parents may submit complaints regarding an incident involving the use of physical restraint on their student. A complaint shall be referred for review to the appropriate school personnel:

- The student's problem-solving and intervention team;
- The student's IEP team; or
- The student's 504 Plan team.

A complaint by a parent shall be handled by the appropriate District staff in the same manner as a debrief following the use of physical restraint on a student.

Use of a physical restraint technique that is abusive shall be reported to the Child Abuse Hotline and law enforcement.

Reports and Debriefing

After the occurrence of an incident involving physical restraint of a student, the building principal, or the principal's designee, shall be notified of the incident as soon as possible but by no later than the end of the school day when the incident occurred.

The student's parent shall be notified of the incident of the use of physical restraint via verbal or electronic communication as soon as possible but by no later than the end of the school day when the incident occurred. In the event the student's parent is unable to be notified via verbal or electronic communication within twenty-four (24) hours after the incident occurred, then the parent shall be mailed written notification of the incident within forty-eight (48) hours after the incident occurred.

School personnel involved in the incident shall document the incident in a written report, which is to be completed within twenty-four (24) hours after the incident occurred. The Written report of the incident shall:

1. Include all information contained in the Division of Elementary and Secondary Education (DESE) Physical Restraint or Seclusion Incident Record and Debriefing Report;
2. Be maintained in the student's education record; and
3. Be provided to the student's parent within one (1) school day of the completion of the report.

A debriefing meeting shall be held within two (2) school days after the incident occurred. The following school personnel shall be present at the debriefing meeting:

- a. A member of school personnel who was present during the incident;
- b. A member of school personnel who was in the proximity of the student on whom physical restraint was used immediately before and during the time of the incident;
- c. A school administrator; and
- d. Any other member of school personnel determined to be appropriate by the District

The purpose of the debriefing meeting shall be to:

- Determine whether the procedures used during the incident were necessary
- Evaluate the use of any behavioral supports and de-escalation techniques by school personnel before and during the incident;
- Evaluate the school district's positive behavioral supports system and prevention techniques in order to minimize future use of physical restraint; and
- If a trained member of school personnel was not immediately available due to the unforeseeable nature of the emergency situation when the incident occurred;
 - Reevaluate the training needs of school personnel;
 - Reevaluate the physical restraint policy and practices; and

- Develop a plan to prevent a future incident.

At a debriefing meeting, school personnel shall:

1. Consider relevant information in the student's education record, including without limitation;
 - a. The concerns of the student's parent;
 - b. The student's social and medical history;
 - c. The student's FBA, if one exists; and
 - d. The student's BIP, if one exists;
2. Consider relevant information from the teachers, parents, and other District professionals;
3. Discuss whether positive behavior supports were appropriately implemented;
4. Discuss the duration and frequency of the use of physical restraint on the students
5. Discuss appropriate action that may be taken to prevent and reduce the need for physical restraint;
6. Consider whether additional intervention and support is necessary for school personnel;
7. Consider whether additional intervention and support is necessary for school personnel; and
8. Consider how and when to debrief a person who was not present at the debriefing meeting, including without limitation;
 - a. The student;
 - b. The student's parent; and
 - c. Other school personnel or students who witnessed the incident.

DESE's Physical Restraint or Seclusion Incident Record and Debriefing Report, or an alternative report that includes the same information, shall be completed during the debriefing meeting. A copy of the report shall be;

- Submitted to the building principal
- Mailed to the student's parent within two (2) days of the date on which the debriefing meeting was held; and
- Maintained as part of the student's educational record along with other documents consulted during the debriefing meeting.

Cross Reference: 3.6—LICENSED PERSONNEL EMPLOYEE TRAINING

Legal Reference: A.C.A. § 6-18-2401 et seq

Date Adopted: June 2021

Last Revised: June 2022

Copy Righted Materials

School Board Policy --- 5.8 Use of Copyright Materials

Use of Copyrighted Work in Face-to-Face Classroom

The Board of Education encourages the enrichment of the instructional program through the proper use of supplementary materials. To help ensure the appropriate use of copyrighted materials, the Superintendent, or his designee, will provide district personnel with information regarding the "fair use" doctrine of the U.S. Copyright Code as detailed in the "Agreement on Guidelines for Classroom Copying in Not-for Profit Educational Institutions with Respect to Books and Periodicals" and "Guidelines for Educational Uses of Music."

Use of Copyright Works in Digital Transmissions

Definitions

"Class session" means the length of time provided for students to access the materials necessary for the completion of course assignments and tests. Depending on the copyrighted work's overall importance to the course, which can

vary from a single assignment to an entire course focusing on the copyrighted work, the class session will end on:

- The date set by the teacher for an assignment to be submitted; or
- The date on the school calendar for the end of classes.

“Course packs” are premade compilations of book excerpts; newspaper, magazine, and journal articles; and instructor-authored materials.

“Mediated Instructional activities” includes textbook, workbooks, and course packs.

“Transmission” is the remote accessing, whether on or off campus, by students of a copyrighted work by means of a closed circuit television, an educational television channel, or in a digital format on a password protected secure webpage.

The District recognizes that advances in technology have resulted in the need for guidelines for the use of copyrighted materials that are transmitted to students through a digital network. While the requirement to use a copyrighted work in a digital transmission have many similarities to those required to use a copyrighted work in a face-to face classroom, Federal law place several additional requirements on the District’s teachers, IT staff, and librarians for the use of a digitally transmitted copyrighted work. The District is dedicated to providing the tools necessary for teachers, IT staff, and librarians to meet these additional Federal requirements.

The District shall make sure the server where materials are stored is secured, whether the server is located locally or remotely.

The District’s Informational Technologies staff shall develop the proper protocols and train teachers on their use in order to ensure:

1. The transmission of the copyrighted work is limited to only the student enrolled in the course;
 - Each student shall have a unique ID and password for accessing digital courses/materials; or
 - Each course shall have a unique password to access course materials; and
 - The password to access the course materials shall be changed immediately following the close of the course.
2. To prevent students from retaining or further disseminating the copyrighted work for more than one class session;
 - The print function will be disabled;
 - A transparency shall be placed over any literary work, sheet music, or photograph;
 - Audio and video transmissions will be set to be streamed; and
 - The link to the webpage with a copyrighted work shall be deactivated at the end of the applicable class session.

Teachers who wish to provide copyrighted works to students through a digital transmission as part of a digital course as well as teachers wishing to supplement a face-to-face classroom course with a digital transmission must meet applicable copyright statutes and policy 5.11 --- DIGITAL LEARNING COURSES as well as the following requirement in order to use a copyrighted work:

- A. The use of the copyrighted work(s), whether in whole or in part, must be a part of regular classroom instruction and must be directly related and of material assistance to the course content;
- B. The extent of copyrighted work that is used must comply with one or more of the following criteria;
 - The entirety of a non dramatic literary or musical work may be used. A non dramatic literary work includes poems and short stores. A non dramatic musical work covers all music that is not part of an opera or musical and does not cover the use of the music video format of a song.
 - Dramatic literary and musical works as well as videos may only be used in limited portions. Dramatic literary and musical works may only be used in the same amount as set forth in the requirements for face-to-face classroom while videos, including music videos, may only have the portion used that is directly related to the subject of the class session and may not be transmitted in their entirety.
 - Still images or slides that a teacher would have used in the ordinary course of a face-to-face

classroom session on a projector or a transparency may be used in transmission.

- Works primarily produced or marketed for use in the digital education market may not be transmitted.
 - Works the teacher had knowledge or reasonably believes to be unlawfully made or acquired may not be used.
 - Mediated Instructional activities may not be transmitted.
- C. A statement that works may be subject to copyright shall be placed in at least one of the following areas to provide notice to students of copyright status:
- Course syllabus;
 - Home webpage for the course;
 - Webpage for the particular class session; and/or
 - webpage with copyrighted work.

The teacher and the District Librarian shall work together when making digital copies of copyrighted work from physical or analog versions and shall fulfill the following requirements:

- I. The amount converted is only the amount allowed by law; **and**
- II. The District has no digital copy of the copyrighted work available; **or**
- III. The District's digital copy of the copyrighted work that is available has technological protections that prevent the use of the copyrighted work in the manner prescribed by law.

The District will not be responsible for any employee violations of the use of copyrighted materials.

Cross Reference: 5.11 --- Digital Learning Courses

Legal Reference: 17 USCS § 101 to 1010 (Federal Copyright Law of 1976)

Date Adopted: Oct. 2010

Last Revised: June 2021

Digital Learning Courses

School Board Policy – 5.11 Digital Learning Courses

Definitions

For the purposes of this policy

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

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

“Instructional Materials” means:

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

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

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

Digital Course Offerings

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

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

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

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

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

A student may elect to take any or all of his/her scheduled courses digitally. The student’s attendance in the student’s digital course(s) shall be determined in accordance with Policy 4.7---Absences.

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

Regardless of any other provisions of this policy the District may restrict a student’s access to digital courses when the student’s building principal determines the student’s participation in such a course would not be academically appropriate based on the student’s past performance in digital courses. Furthermore, the student’s building principal may revoke a student’s eligibility to continue taking a digital learning course if the student’s performance during the semester indicates the student is not succeeding in the course.

Cross References: 4.7--ABSENCES

4.45 --- Smart Core Curriculum and Graduation Requirements

5.8--- Use of Copyrighted Materials

Legal Reference: A.C.A. § 6-16-1401 et seq.

A.C.A. § 6-18-213

A.C.A. § 6-18-222

A.C.A. § 6-28-109

DESE Rules Governing Distance and Digital Learning

Date Adopted: June 2014

Last Revised: June 2021

Anti-Bullying Policy Act 681 of 2003

School Board Policy – 4.43 Bullying

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;

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

1. Cyberbullying;
2. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes,
3. Pointed questions intended to embarrass or humiliate,
4. Mocking, taunting or belittling,
5. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
6. Demeaning humor relating to a student's actual or perceived attributes,
7. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
8. Blocking access to school property or facilities,
9. Deliberate physical contact or injury to person or property,
10. Stealing or hiding books or belongings,
11. Threats of harm to student(s), possessions, or others.
12. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
13. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expect gender roles or conduct or is homosexual, regardless of whether the student self-identifies as homosexual or transgender.

"Cyberbullying" means any form of communication by electronic act that is sent with the purpose to

- Harass, intimidate, humiliate, ridicule, defame, or threaten a student, school employee, or person with whom the other student or school employee is associated; or
- Incite violence towards a student, school employee, or person with whom the other student or school employee is associated.

Cyberbullying of School Employees includes, but is not limited to:

- a. Building a fake profile or website of the employee;
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
- c. Posting an original or edited image of the school employee on the Internet;

- d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee;
- e. Making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
- f. 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;
- g. Signing up a school employee for a pornographic Internet site; or
- h. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

Cyberbullying is prohibited whether or not the cyberbullying originated on school property or with school equipment, if the cyberbullying results in the substantial disruption of the orderly operation of the school or educational environment or 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 the 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 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 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.

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.

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

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

A building principal, or designee, who receives a credible report or complaint of bullying shall:

1. As soon as reasonably practicable, but by no later than the end of the school day following the receipt of the credible report of bullying:
 - a. Report to a parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student that their student is the victim in a credible report of bullying; and
 - b. Prepare a written report of the alleged incident of bullying;
2. Promptly investigate the credible report of complaint of bullying, which shall be completed by no later than the fifth (5th) days following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, and person having lawful control of a student, or person standing in loco parentis of a student who was the alleged Victim in a credible report of bullying whether the investigation found the credible report or complaint of bullying to be true and the availability of counseling and other intervention services.
4. Notify within five (5) days following the completion of the investigation the parent, legal guardian, and person having lawful control of the student, or person acting in loco parentis of the student who is alleged to have been the perpetrator of the incident of bullying:
 - a. That a credible report or complaint of bullying against their student exists;
 - b. Whether the investigation found the credible report of complaint of bullying to be true;
 - c. Whether action was taken against their student upon the conclusion of the investigation of the alleged incident of bullying; and
 - d. Information regarding the reporting of another alleged incident of bullying, including potential consequences of continued incidents of bullying;
5. Make a written record of the investigation, which shall include:
 - a. A detailed description of the alleged incident of bullying, including without limitation a detailed summary of the statements from all material witnesses to the alleged incident of bullying
 - b. Any action taken as a result of the investigation; and
6. Discuss, as appropriate, the availability of counseling and other intervention services with students involved in the incident of bullying.

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. In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Notice of what constitutes bullying, the District 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, legal guardians, person having lawful control of a student, persons standing in loco parentis, students, school volunteers, and employees shall be given copies of the notice annually.

The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation, the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

Level of consequences will be at the administrator's discretion.

Levels of Consequences:

Level A: (Minimum): Student –Principal Conference (warning)

Level B: Detention

Level C: Student, Parent, Principal Conference

Level D: In-school Suspension

Level E: Corporal Punishment

Level F: Suspension

Level G: (Maximum): Expulsion

Students or adults, who knowingly fabricate allegations and falsely accuse a student of being a bully, will be subject to disciplinary action.

Copies of this policy shall be available upon request.

Legal Reference: A.C.A. § 6-18-514

A.C.A. § 5-71-217

DESE Rules Governing Student Discipline and School Safety

Date Adopted: Oct. 2010

Last Revised: July 2022

Sexual Harassment---Act 1108 of 1997

School Board Policy 4.27---Student Sexual Harassment

The Nemo Vista School District is committed to providing an academic environment that threats all students 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.

The District believes the best policy to create an educational environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to students, parents/legal guardians/other responsible adults, and employees on sexual harassment. The informational materials and training on sexual harassment shall be age appropriate and, when necessary, provided in a language other than English or in an accessible format. The informational materials and training shall include, but are not limited to:

- The nature of sexual harassment;
- The District's written procedures governing the formal complaint grievance process;
- The process for submitting a formal complaint of sexual harassment;
- That the district does not tolerate sexual harassment;
- That students can report inappropriate behavior of a sexual nature without fear of adverse consequences;
- The supports that are available to individuals suffering sexual harassment; and
- The potential discipline for perpetrating sexual harassment.

Definitions

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances where the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting an investigation of the allegation of sexual harassment.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee:
 - a) Conditions the provision of an aid, benefit, or service of the District on an individual's participation in sexual conduct; or
 - b) Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;
2. The conduct is:
 - a) Unwelcome; and

- b) Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- c) Constitutes
- d) Sexual assault;
- e) Dating violence
- f) Domestic violence; or
- g) Stalking.

"Supportive measures" means individualized services that are offered to the complainant or made available to the respondent designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party. The supportive measure must be non-disciplinary and non-punitive in nature; offered before or after the filing of a formal complaint or where no formal complaint has been filed; and offered to either party as appropriate, as reasonably available, and without fee or charge. Examples of supportive measures include, but are not limited to: measures designed to protect the safety of all parties or the Districts educational environment, or deter sexual harassment; counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or class locations; leaves of absence; and increased security and monitoring of certain areas of the campus.

Within the educational environment, sexual harassment is prohibited between any of the following: students; employees and students; and non-employees and students.

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 the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

- Making sexual propositions or pressuring for sexual activities;
- Unwelcome touching;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawing, pictures, or written materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Telling sexual or crude jokes;
- Spreading rumors related to a person's alleged sexual activities;
- Discussions of sexual experiences;
- Rating other students or employees as to sexual activity or performance;
- Circulating or showing e-mails or Web sites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing or name-calling 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 individual self-identifies as homosexual or transgender.

Students who believe they have been subjected to sexual harassment, or the parent/legal guardian/other responsible adult of a student who believes their student has been subject to sexual harassment, are encouraged to bring their concerns to **any** District staff member, including a counselor, teacher, Title IX coordinator, or administrator. If the District staff member who received a report of alleged sexual harassment is not the Title IX Coordinator, the District staff person shall inform the Title IX Coordinator of the alleged sexual harassment. As soon as reasonably possible after receiving a report of alleged sexual harassment from another District staff member or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

- Discuss the availability of supportive measures;
- Consider the complainant's wishes with respect to supportive measures:

- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- Explain to the complainant the process for filing a formal complaint.

Supportive Measures

The District shall offer supportive measures to the complainant and make supportive measures available to the respondent that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party before or after the filing of a formal complaint or where no formal complaint has been filed. The District shall provide the individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary and non-punitive to the respondent. A complainant who initially declined the District's offer of supportive measures may request supportive measures at a later time and the District shall provide individualized supportive measures based on the circumstances when the subsequent request is received.

Formal Complaint

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email. Upon receipt of a formal complaint, a District shall simultaneously provide the following written notice to the parties who are known:

- Notice of the District's grievance process and a copy of the procedures governing the grievance process;
- Notice of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
 - The identities of the parties involved in the incident, if known;
 - The conduct allegedly constituting sexual harassment; and
 - The date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- That the parties may inspect and review evidence relevant to the complaint of sexual harassment; and
- That the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.

When investigating a formal complaint and throughout the grievance process, a District shall:

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties;
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege or access, consider, disclose, or otherwise use a party's records that are made of maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party unless the District obtains the parent, legal guardian, or other responsible adult of the party's voluntary, written consent or that party's voluntary, written consent if the party is over the

age of eighteen (18) to do so for the grievance process;

- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;
- Provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation; this includes evidence:
 - Whether obtained from a party or other source;
 - The District does not intend to rely upon in reaching a determination regarding responsibility; and
 - That is either inculpatory or exculpatory; and
- Create an investigative report that fairly summarizes relevant evidence.

At least ten (10) days prior to completion of the investigative report, the District shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties shall have at least ten (10) days to submit a written response to the evidence. The investigator will consider the written responses prior to completion of the investigative report. All evidence subject to inspection and review shall be available for the parties' inspection and review at any meeting to give each party equal opportunity to refer to such evidence during the meeting.

After the investigative report is sent to the parties, the decision-maker shall:

- Provide each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness;
- Provide each party with the answers;
- Allow for additional, limited follow-up questions from each party; and
- Provide an explanation to the party proposing the questions any decision to exclude a questions as not relevant. Specifically, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

No earlier than 10 days following the completion of the investigation period, the decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility. The written determination shall include----

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including:
 - a. Any notification to the parties;
 - b. Interviews with parties and witnesses;
 - c. Site visits;

- d. Methods used to gather other evidence; and
 - e. Hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions imposed on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
6. The procedures and permissible based for the complainant and respondent to appeal.

The written determination shall be provided to the parties simultaneously. The determination regarding responsibility shall become final on the earlier of:

- If an appeal is not filed, the day after the period for an appeal to be filed expires; or
- If an appeal is filed, the date the written determination of the result of the appeal is provided to the parties.

The District shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved; did not occur in the District's education program or activity; or did not occur against a person in the United States, then the District shall dismiss the complaint as not meeting the definition of sexual harassment under this policy. A dismissal for these reasons does not preclude action under another provision of the District's code of conduct.

The District may dismiss the formal complaint or any allegations therein, if at any time during the grievance process:

- The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled at the District; or
- Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon the dismissal of a formal complaint for any reason, the District shall promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The District may hire an individual or individuals to conduct the investigation or to act as the determination-maker when necessary.

Appeals

Either party may appeal a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases;

- a. The existence of a procedural irregularity that affected the outcome of the matter;
- b. Discovery of new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- d. An appeal of the disciplinary sanctions from the initial determination.

For all appeals, the District shall;

1. Notify the other party in writing when an appeal is filed;
2. Simultaneously Provide all parties a written copy of the District's procedures governing the appeal process;
3. Implement appeal procedures equally for both parties;
4. Ensure that the decision-maker for the appeal is not the same person as the decision-maker that reached

- the original determination regarding responsibility of dismissal, the investigator, or the Title IX Coordinator;
5. Provide all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
 6. Issue a written decision describing the result of the appeal and the rationale for the result; and
 7. Provide the written decision simultaneously to both parties.

Confidentiality

Reports of sexual harassment, both informal reports and formal complaints, will be treated in a confidential manner to the extent possible. Limited disclosure may be provided to:

- Individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
- Submit a report to the child maltreatment hotline;
- Submit a report to the Professional Licensure Standards Board for reports alleging sexual harassment by an employee towards a student; or
- The extent necessary to provide either party due process during the grievance process.

Except as listed above the District shall keep confidential the identity of:

- Any individual who has made a report or complaint of sex discrimination;
- Any individual who has made a report or filed a formal complaint of sexual harassment;
- Any complainant;
- Any individual who has been reported to be the perpetrator of sex discrimination;
- Any respondent; and
- Any witness.

Any supportive measures provided to the complainant or respondent shall be confidential to the extent that maintaining such confidentiality does not impair of ability of the District to provide the supportive measures.

Emergency removal

The District may remove a respondent from the District's education program or activity on an emergency basis only after the completion of an individualized safety and risk analysis that determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. A removed student will be provided with notice and an opportunity to challenge the removal decision immediately following the removal.

Retaliation Prohibited

Students, or the parents/legal guardians/other responsible adult of a student, who submit a report or file a formal complaint of sexual harassment; testified; or participate in any manner in an investigation, proceeding, or hearing on sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats; intimidation; coercion; discrimination; or charges for code of conduct violations that do not involve sex discrimination, and are made for the purpose of interfering with any right or privilege under this policy. The district shall take steps to prevent retaliation and shall take immediate action if any form of retaliation occurs regardless of whether the retaliatory acts are by District officials, students, or third parties.

Disciplinary Sanctions

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following the completion of the District's grievance process, any student who found by the evidence to more likely than not have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion. No disciplinary sanction or other action that is not a supportive measure may be taken against a respondent until the conclusion of the grievance process.

Students who knowingly fabricate allegations of sexual harassment or purposely provide inaccurate facts shall be subject to disciplinary action up to and including expulsion. A determination that the allegations do not rise to

the level of sexual harassment alone is not sufficient to conclude that any party made a false allegation or materially false statement in bad faith.

Records

The District shall maintain the following records for a minimum of seven (7) years;

- Each sexual harassment investigation including;
- Any determination regarding responsibility;
- Any disciplinary sanctions imposed on the respondent;
- Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
- Any appeal and the result therefrom;
- All materials used to train Title IX Coordinators, investigators, and decision-makers;
- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, which must include;
 - The basis for the District's conclusion that its response was not deliberately indifferent; and
 - Document;
 - If supportive measures were provided to the complainant, the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or
 - If no supportive measures were provided to a complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Cross References: 3.26---LICENSED PERSONNEL SEXUAL HARASSMENT
 4.11---EQUAL EDUCATIONAL OPPORTUNITY
 5.20---DISTRICT WEBSITE
 7.15---RECORD RETENTION AND DESTRUCTION
 8.20---CLASSIFIED PERSONNEL SEXUAL HARASSMENT

Legal Reference: 20 USC 1681 et seq.
 34 C.F.R. Part 106
 A.C.A. § 6-15-1005
 A.C.A. § 6-18-502
 A.C.A. § 12-18-102

Date Adopted: Oct. 2010

Last Revised: June 2022

Gang and Gang Activities – Act 1108 of 1997

School Board Policy 4.26 – Gang and Gang Activities

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

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

1. Wearing or possessing any clothing, bandanas, jewelry, symbol, or other sign
Associated with membership in, or representative of, any gang
2. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or

Handshakes representative of membership in any gang;

3. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang; and/or

4. Extorting payment from any individual in return for protection from harm from any gang.

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

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

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

A.C.A. § 5-74-201 et seq.

Date Adopted: Oct. 2010

Last Revised: June 2019

Discipline for Handicapped Students

1. Handicapped students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to free appropriate public education.
2. The Individualized Education Plan (IEP) team for a handicapped student should consider whether particular discipline procedures should be adopted for that student and included in the IEP.
3. Handicapped students may be excluded from school for up to 10 days, but not more than 10 days per offense, with no program changes.
4. After an emergency suspension is imposed on a handicapped student, an immediate meeting of the student's IEP team should be held to determine the cause and effect of the suspension with a view toward assessing the effectiveness and appropriateness of the student's placement and toward minimizing the harm resulting from the exclusion.
5. The suspended student should be offered alternate educational programming for the duration of the exclusion.
6. There should be a person designated as a grievance officer for Act 504.

General Student Behavior

1. Students may not BUY, SELL, OR TRADE personal items at school.
2. No gum in elementary or middle school... **Gum will be allowed in high school unless it is a disruption.**
3. No open container (drinks) to be allowed outside of the cafeteria. (Except for middle school and high school if the student brought their lunch, and they are eating at the picnic tables. When lunch is over the container must be disposed unless it is a thermos)
4. No food items or candy in the classroom except for educational or party events.
5. No running in the buildings.
6. No spitting.
7. Students should not sit on desks or tables.
8. Fighting and/or scuffling are strictly prohibited.
9. Chairs or desks are not to be moved unless directed to do so by a teacher.
10. Students are not allowed to use tobacco in any form at school or at a school activity. Tobacco products will be confiscated if found on campus.
11. Electronic devices are not to be played on buses, or in buildings, or a basketball games, unless permission has been obtained from the principal's office.
12. Students are not to be on the school grounds or in buildings unless there is a sponsoring teacher or a duty teacher present.

13. The school telephone is for school business only. Students must get permission to use the phone and state who they are calling and what their business is.
14. All trash, such as candy wrapper, paper cups, lunch sacks, pop cans, and milk cartons are to be placed in the containers provided and not to be thrown about on the campus.
15. Profanity, written or spoken, will not be tolerated.
16. Disrespectful remarks, gestures, and/or attitude will not be tolerated.
17. Do not bring gum, candy, toys or other distracting items into the classroom.

Playground Rules (Middle School/Elementary)

Students are expected to:

1. Use playground equipment safely and appropriately.
2. Use playground equipment for the purpose for which it was intended.
3. Never throw rocks, sticks, or pea gravel.
4. Do not remove gravel from the playground.
5. No jumping off the platform on the playground equipment.
6. Only climb up the rock wall then move immediately.
7. No climbing up the slides.
8. Touch football only.
9. No grabbing or physical play.
10. Jump ropes are only for jumping on the blacktop.
11. Line-up immediately when recess is over.

Cafeteria Rules

Students are expected to display good manners and eating habits while in the cafeteria. Good manners, cleanliness, and consideration for others shall be expected of students in the cafeteria.

1. Talking should be in a whisper tone.
2. No food, napkins, etc., will be taken from the cafeteria.
3. If students bring a thermos, they must bring a lunchbox.
4. Plastic bottles that have been opened must be placed in the trash can at the end of lunch.
5. Always walk in the cafeteria.

Transportation

School Board Policy 4.19 Conduct to and from School and Transportation Eligibility

The District's Student Code of Conduct applies to students while traveling to and from school or to and from a school activity to the same extent as if the students were on school grounds. Appropriate disciplinary actions may be taken against commuting students who violate the District's Student Code of Conduct.

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. In addition to other disciplinary measures provided for violations of the District's Student code of Conduct, the student's bus transportation privileges may be suspended or terminated for violations of the Student Code of Conduct related to bus behavior.

Students are eligible to receive district bus transportation if they meet the following requirements. The transportation to and from school of students who have lost their bus transportation privileges is the responsibility of the student's parent or guardian.

Policies for Students Riding School Buses (Bus Rules)

1. Be at the bus stop at the scheduled time. Stand back about 10 feet from the bus stop and wait until the door is opened before moving closer to the bus. Do not play on the highway or road. It is dangerous for buses to remain stopped on highways longer than necessary. Students who are continually late or deliberately walk slowly to the bus will be left. While waiting for the bus, do not attempt to hitchhike a ride or walk to or from school.
2. While loading or unloading, enter or leave the bus orderly and quickly.
3. While riding the bus, students are under the supervision of the driver and must obey the driver at all times.
4. Students are expected to conduct themselves in such a manner so as not to distract the attention of their driver or disturb other riders on the bus (which includes keeping your hands to yourself; attend to your own matters; leave other student alone; and be reasonably quiet).
5. No knives or sharp objects of any kind are allowed - neither firearms, pets, nor other living animals, etc.
6. You are not to tamper with any of the safety devices such as door latches, fire extinguishers, etc.
7. Students must stay seated while the bus is in motion and are not to change seats at any time except as the driver directs.
8. Do not put hands, arms, heads, or bodies out of the window.
9. Do not yell at anyone outside the bus.
10. Students are not to deface the bus or any school property. Do not write on the bus or damage seats, etc. Parents will be responsible for any damage students do to the bus.
11. Do not throw paper, food, or other objects on the floor of the bus.
12. Do not eat on the bus.
13. No tobacco of any form is to be used while riding a school bus.
14. Keep aisle of the bus clear from books, lunches, coats, etc. Do not put feet in aisle.
15. Buses will stop at regular stops only. Do not ask the driver to let you off the bus at the store, post office, or any place except your regular stop.
16. If you must cross the road or highway to enter the bus, try always to be on the right side of the road waiting on the bus. If you should arrive at the stop just as the bus approaches the stop, wait until the bus has come to a complete stop and the driver has signaled for you to cross in front of the bus. (Unless the bus driver directs you differently.)
17. Students, who must cross the road after leaving the bus in the afternoon, must go to a point on the shoulder of the road 10 feet in front of the bus. Cross the road only after looking both ways and the driver has signaled you to do so.
18. Do not throw things out of the bus window.
19. No cell phones can be used on the bus routes.
20. Students are to obey the bus driver and be respectful at all time.
21. This is not intended to cover all the "do's and don'ts", but is a very specific guide. The driver may find it necessary to interpret these policies in light of his/her own bus needs.
22. **STUDENTS THAT CONTINUALLY ABUSE THESE POLICIES WILL HAVE TO PROVIDE THEIR OWN TRANSPORTATION TO AND FROM SCHOOL**

Parents or guardian signature on the Statement of Responsibility from the Handbook acknowledges acquaintance/receipt of these policies.

Dean of Students or Principal's discretion for discipline will be based on the incident and the number of referrals from the individual student.

Legal Reference: A.C.A § 6-19-119 (b)
A.C.A. § 5-60-122

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

Date Adopted: Oct. 2010

Last Revised: June 2019

SECTION 9

Consequences for Violations of Policies

Students are expected to display behavior that will contribute to a climate in which learning can take place. At no time will one student or group of students be allowed to interfere or stop the learning/teaching process without corrective measures being taken.

Conduct rules will apply to all students on the school grounds at all times, off the school grounds at a school sponsored activity or event, and enroute to and from school.

Consequences for Violating School Rules

Consequences for violating school rules may include, but are not limited to the following:

- MIMINUM –
1. Student-Principal and/or Dean of Students conference. (Warning)
 2. Detention/Loss of privileges/Confiscation of items not allowed at school.
 3. Isolation
 4. In-school Suspension
 5. Principal and/or Dean of Students, student, parent conference.
 6. Corporal punishment (paddling).
 7. Out-of-School Suspension
- MAXIMUM – 8. Expulsion

Degree of corrective measures will be at the principal and/or Dean of Students' discretion.

Consequences for Violating Bus Rules

Consequences for violating bus rules may include, but are not limited to the following:

- MIMINUM –
1. Student-Principal and/or Dean of Students conference (Warning)
 2. Change of seating
 3. Corporal Punishment
 4. Parent/Principal and/or Dean of Students Conference
 5. Suspension
- MAXIMUM– 6. Removal from Bus

Degree of corrective measures will be at the principal and/or Dean of Students' discretion.

Corporal Punishment (Paddling)

School Board Policy – 4.39 Corporal Punishment

The Nemo Vista School Board authorizes the use of corporal punishment to be administered in accordance with this policy by the Superintendent or the superintendent's designated staff members who are required to have a state-issued license as a condition of their employment.

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

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

Corporal punishment shall not be used as a form of discipline for a student who is intellectually disabled, non-ambulatory, non-verbal, or autistic.

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

DESE Rules Governing Student Discipline and School Safety

DESE Rules Governing Special Education and Related Services Section 11.00-Discipline

Date Adopted: Oct. 2010

Last Revised: June 2020

Suspension and Expulsion

School Board Policy – 4.30 Suspension from School

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

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

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

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

Out-of-school suspension (OSS) shall not be used to discipline a student in kindergarten through fifth (5th) grade unless the student's behavior:

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

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

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

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

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

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

It is the responsibility of a student's parents, legal guardians, person having lawful control of the student, or person standing in loco parentis to provide current contact information to the district which the school shall use to immediately notify the parent, legal guardian, person having lawful control of a student, or person standing in loco

parentis upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:

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

The district shall keep a log of contacts attempted and made to the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis.

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

During the period of their suspension, students serving OSS are not being permitted on campus except to attend a student/parent/administrator/conference or when necessary as part of the District's engagement or access to education program.

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

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

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

Cross Reference: 4.7---ABSENCES

Legal References: A.C.A. § 6-18-507
DESE Rules Governing Student Discipline and School Safety
Goss v Lopez, 419 U.S. 565 (1975)

Date Adopted: Oct. 2010

Last Revised: June 2020

Expulsion

School Board Policy 4.31-Expulsion

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

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

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

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

The Superintendent or his/her designee shall give written notice to the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis. (mailed to the address reflected on the District's

records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider and dispose of the recommendation.

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

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

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

Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of any 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, legal guardians, persons having lawful control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student's period of expulsion. The District's program shall include offering an expelled student an opportunity for enrollment in digital learning courses or other alternative educational courses that result in the receipt of academic credit that is at least equal to credit the expelled student may have received from the District if the student had not been expelled.

Cross Reference: Policy 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Legal Reference: A.C.A. § 6-18-507
 A.C.A. § 6-15-1406
 A.C.A. § 6-18-502
 DESE Rules Governing Student Discipline and School Safety

Date Adopted: June 2009

Last Revised: June 2020

Suggested Expulsion Procedure

1. The principal of a school may recommend that a student be expelled from school with loss of credit. A written recommendation to the superintendent shall include a statement of the charge against the student.
2. If the superintendent concurs with the recommendation, he/she shall schedule a hearing before the school board.
3. The school board may expel a student for the remainder of the semester, for the remainder of the school year, or permanently, for conduct it deems to be of such seriousness as to make a suspension inappropriate; where it finds that the student's continued attendance at school would be unacceptably disruptive to the educational program or would be attended with unreasonable danger to other students and faculty members.
4. Permanent expulsion is appropriate only for those instances in which serious bodily harm occurred or reasonably could have been expected to occur to another person.
5. The superintendent or designee shall give written notice mailed within ten calendar days from the alleged incident which caused the expulsion recommendation, to the parent, if the student is a minor, or to the student if he/she is an adult. Such hearings will be conducted not earlier than three calendar days or more than seven calendar days following the date of the notice except if the superintendent and the student and the student's parent may agree in writing to a date not conforming to this limitation.
6. The notice also will state charges against the student in clear and concise terms, the names of witnesses who will appear against the student, and a brief statement concerning the nature of their testimony.
7. In every case of a hearing held by a school board regarding the expulsion of a student, the president of the board, or in his/her absence, another member selected by the board shall preside at the hearing. The student shall be entitled to representation by a lawyer or lay counsel.
8. The superintendent or designee shall present evidence and may present witnesses or statements of those persons who have personal knowledge of the events or circumstances which gives rise to the expulsion recommendation at the hearing.
9. The student or representative may then present witnesses or statements by witnesses with personal knowledge of events or circumstances relevant to the issues.
10. Normally, formal cross-examination will not be permitted.
11. During the course of the hearing if the board determines that the credibility of any of the witnesses is at issue, it will permit cross-examination by the student, the superintendent or their representatives of those witnesses whose credibility has become an issue.
12. Cross-examination should ordinarily be limited to the question or questions on which the credibility of the witness has become an issue.
13. The student may observe all evidence offered against him/her.
14. Members of the board may question any witness.
15. At the conclusion of the hearing, the board may discuss the matter and dispose of it by vote.
16. If the board does not expel the pupil with loss of credit, it may impose less severe disciplinary actions, such as long-term suspension, which may be with or without opportunity for make-up of school work. The board shall briefly state its findings in writing within ten days after the hearing.
17. The board shall make a record of the evidence taken at the proceedings by use of either a court reporter

or a tape recorder.

18. If the student wishes, the record will be transcribed and a copy furnished to the student. Copies of all statements used as evidence will be included with the record.
19. The school administration has the responsibility to present the evidence to the board, and the administration is entitled to open and conclude the hearings.
20. The president of the board or the presiding officer has the authority to limit unproductively long or irrelevant questioning by non-board members.

Group Hearings for Suspension and Expulsion

When two or more students are charged with violating the same rule and have acted in concert and the facts are basically the same for all such students, a single hearing may be conducted for them if the president of the board believes the following conditions exist:

1. A group hearing will not likely result in confusion, and
2. Students will not have their interest substantially prejudiced by group hearing.

If during the hearing, the president finds that a student's interest will be substantially prejudiced by the group hearing, a separate hearing may be ordered for the student.

SECTION 10

Student Health Policies

School Board Policy – 5.18 Health Services

The Board believes that healthy children promote a better learning environment, are more capable of high student achievement, and will result in healthier, more productive adults. Therefore, the goal of the District's health services is to promote a healthy student body. This requires both the education of students concerning healthy behaviors, and providing health care services to pupils.

While the school nurse is under the supervision of the school principal, the delegation of health care duties shall be in accordance with the Arkansas Nurse Practice Act and the Arkansas State Board of Nursing Rules Chapter Five: Delegation of Nursing Care.

Annually, the information reported in the Division of Elementary and Secondary Education Health Services Survey shall be provided to the Board.

Legal Reference: A.C.A. § 6-18-709

Date Adopted:

Last Revised: June 2021

Illness

School Board Policy – 4.36 Student Illness/Accident

When a student visits the health room, the parent/guardian will be contacted (unless a student visits for a minor cut, scrap, or compliant. If we cannot reach the parent/guardian, then the emergency contacts provided on the health information form will be notified. Failure to make verbal contact will result in a written note being sent home with the student.

This school does not resume responsibility, but does wish to provide the best service possible in an emergency. If the parent/guardian cannot be reached at the time of the emergency and if immediate observation or treatments is urgent in the judgment of the school authorities, I authorize and direct the school authorities to activate the community 911 system with emergency transportation to the local hospital or emergency facility most accessible.

If your child becomes ill while at school, you will be requested to pick up your child immediately.

Date Adopted: Oct. 2010

Last Revised: June 2014

Accident Insurance (Student Voluntary Insurance)

Student Voluntary Insurance forms may be requested at the beginning of each school year through the principal's office. Parents have the option of taking out this insurance on their child.

Immunization

School Board Policy-4.57—Immunization

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 medical procedure used to determine an individual's immunity to Hepatitis B, Measles, Mumps, Rubella and Varicella.

General Requirements

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

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

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

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

- A. Licensed physician;
- B. Health department;
- C. Military service; or
- D. Official record from another educational institution in Arkansas, or
- E. An immunization record printed off of the statewide immunization registry with the official Seal of the State of 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 as a history of varicella disease must be documented by a licensed physician, advanced practice nurse, doctor of osteopathy, or physician assistant. Valid proof of immunization and of immunity based on serological testing shall be entered into the student's record.

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

1. Proof of immunization showing the student to be fully age appropriately vaccinated;
2. Written documentation by a public health nurse or private physician of proof the student is in process of being age appropriately immunized, which includes a schedule of the student's next immunization;
3. A copy of a letter from ADH indicating immunity based on serologic testing; and/or

4. A copy of the letter from ADH exempting the student from the immunization requirements for the current school year, or a copy of the application for an exemption for the current school year if the exemption letter has not yet arrived.

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

Temporary Admittance

While students who are not fully age appropriately immunized or have not yet submitted an immunization waiver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 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 District will not accept copies of applications requesting an exemption for the current school year that are older than two (2) weeks based on the date on the application. Students who submit a copy of an application to receive an exemption from the immunization requirements for the current year to gain temporary admittance have thirty (30) days from the admission date to submit either a letter form 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 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 no fewer than twenty-one (21) days or even longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

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

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

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

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

Annually by December 1, the District shall create, maintain, and post to the District's website a report that includes the following for each disease requiring an immunization under this policy:

- The number of students in the District that were granted an exemption by the Department of Health from an immunization;
- The percentage of students in the District that were granted an exemption by the Department of Health from an immunization;
- The number of students within the District who have failed to provide to the public school proof of the vaccinations required and have not obtained an exemption for ADH;
- The percentage of students within the District who have failed to provide to the public school proof of the vaccinations required and have not obtained an exemption for ADH; and

- The percentage of a population that must receive an immunization for herd immunity to exist.

Cross References: 4.2---ENTRANCE REQUIREMENTS
4.7---ABSENCES
4.8---MAKE-UP WORK
4.34---COMMUNICABLE DISEASES AND PARASITES

Legal References: A.C.A. § 6-4-302
A.C.A. § 6-18-702
A.C.A. § 6-28-110
DESE Rules Governing Immunization Requirements in
Arkansas Public Schools
ADH Rules Pertaining to Immunization Requirements

Date Adopted: June 2014

Last Revised: June 2021

Contagious Disease

School Board Policy-4.34 Communicable Disease and Parasite

Students with communicable diseases or with 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/guardian. Examples include, but are not limited to: Varicella (chicken pox), measles, scabies, **conjunctivitis (Pink Eye)**, impetigo, MRSA (Methicillin-resistant Staphylococcus aureus), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis A, B or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally). A student who has been sent home by the school nurse will be subsequently readmitted after 24 hours of effective treatment or absence of **fever** (without the aid of fever reducing medication), diarrhea, and or vomiting. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.

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

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

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

Head Lice/pediculosis--The parents/guardians of students, who are found to have pediculosis (Head Lice), will be asked to pick up their child at the school immediately. The parents/guardians will be given information concerning the eradication and control of pediculosis. Before a student can be readmitted following an absence due to pediculosis/nits, the school nurse or designee shall examine the student to make sure they are free of any lice/nits. Students who continually have pediculosis/nits will be monitored closely before the student is readmitted each day. Screenings are conducted of students for pediculosis (Head Lice) as needed. The screenings shall be conducted in a manner that respects the privacy and confidentiality of each student.

When a child is sent home by the nurse/administration for nits or lice, the child will be excused for 24 hours. Any days afterwards will be considered unexcused and will apply toward the eight (8) days unexcused per semester. After 8 days of unexcused absences due to nits, DHS will be notified. When returning to school the parent(s)/guardian(s) must bring the child to school for a recheck. The students are not allowed to ride the bus until the

recheck has been cleared.

Cross References: 4.2 Entrance Requirements
4.7 Absences
4.13 Privacy of Students' Records/Directory Information
4.57 Immunization

Legal Reference: A.C.A. 6-18-702
Arkansas State Board of Health Rules Pertaining to Immunization Requirement
Division of Elementary and Secondary Education Rules Governing Kindergarten through 12th
Grade Immunization Requirements

Date Adopted: Oct. 2010

Last Revised: June 2019

Medication

School Board Policy – 4.35 Student Medications *Student, Self-Medication pg. 156, Medication Form pg. 157, Albuterol pg. 158, Epinephrine pg. 159, Glucagon pg. 160, Stress Medication pg. 161, Self-stress Medication pg. 162*

Prior to the administration of any medication, including any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, to any student under the age of eighteen (18), written parental consent is required. The consent form shall include authorization to administer the medication and relieve the Board and its employees of civil liability for damages or injuries resulting from the administration of medication to students in accordance with this policy. All signed medication consent forms are to be maintained by the school nurse.

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

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

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

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

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

Schedule II Medications

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

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

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

Self-Administration of Medication

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

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

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

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

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

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

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

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

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

sunscreen.

Emergency Administration of Glucagon and Insulin

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 an emergency situation; and
2. A current, valid consent form on file from their parent/guardian.

When the nurse is unavailable, the trained volunteer school employee who is responsible for a student shall be released from other duties during:

- A. The time scheduled for a dose of insulin in the student's IHP; and
- B. Glucagon or non-scheduled insulin administration once other staff have relieved him/her from other duties until a parent, guardian, and other responsible adult, or medical personnel has arrived.

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

Emergency Administration of Epinephrine

The school nurse or other school employees designated by the school nurse as a care provider who have been trained and certified by a licensed physician may administer an epinephrine auto-injector in emergency situations to students who have a 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-injector epinephrine and who have written permission from their parent or guardian shall provide the school nurse an epinephrine auto-injector. This epinephrine will be used in the event the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes the student is having a life-threatening anaphylactic reaction and the student is either not self-carrying his/her epinephrine auto-injector or the nurse is unable to locate it.

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

Emergency Administration of Albuterol

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

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

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

Emergency Administration of Anti-opioid

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

Emergency administration of Emergency Adrenal Insufficiency Medication

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

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

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

(Nemo Vista): Medications which are prescribed to be given three (3) times a day will not be administered at school; the only exception will be those prescribed to be given at lunch.

Deviations from label directions will require a written provider's order.

The initial dose if a new medication must be given by the parent/guardian outside the school setting. A specific length of time may be required between the initial dose being given and the student's re-admittance. The school may withdraw authorization from medication administration for cause at any time following written notice to the parent/guardian.

Parents/guardians of students that require medication, and or treatments will be required to provide **current** documents from their child's health care provider. This includes but is not limited to individualized Health care plans (IHP) for asthmatics, food/insect allergies, diabetics, medications, and consent forms.

***Current – from the beginning of a school year to the end or as changes occur.**

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

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

A.C.A. § 6-18-701

A.C.A. § 6-18-707

A.C.A. § 6-18-711

A.C.A. § 6-18-714

A.C.A. § 17-87-103 (11) and (14)

A.C.A. § 20-13-405

Date Adopted: Oct. 2010

Last Revised: June 2021

Special Menus

School Board Policy 4.50-SCHOOL Meal Modifications *Special Dietary Needs Form pg. 171-172*

The district only provides modified meal components on menus to accommodate students with a disability. A parent/guardian wishing to request dietary accommodations for their student with a disability must submit to the district's Director of Child Nutrition a Certification of Disability for Special Dietary Needs Form completed by a State Licensed healthcare professional, which includes:

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

The medical statement should include:

1. A description of the student's disability that is sufficient to understand how the disability restricts the student's diet;
2. An explanation of what must be done to accommodate the disability, which may include:
 - a. Food(s) to avoid or restrict;
 - b. Food(s) to substitute;
 - c. Caloric modifications; or
 - d. The substitution of a liquid nutritive formula.

If the information provided in the medical statement is unclear, or lacks sufficient detail, the district's Director of Child Nutrition shall request additional information so that a proper and safe meal can be provided.

When choosing an appropriate approach to accommodate a student's disability, the District will consider the expense and efficiency of the requested accommodations. The District will offer a reasonable modification that effectively accommodates the child's disability and provides equal opportunity to participate in or benefit from the program, which may include a generic version of a product.

Parents may file a grievance regarding the request for accommodations with the District's 504 Coordinator, who will schedule a hearing on the grievance to be held as soon as possible. The 504 coordinator shall provide a copy of the procedures governing the hearing, including that the parent has the right to be accompanied by counsel, and the appeal process upon request.

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

Legal References: Commissioner's Memo FIN-09-044
Commissioner's Memo FIN-15-122
Commissioner's Memo CNU-17-051
Commissioner's Memo CNU-18-008
Commissioner's Memo CNU-18-023
Commissioner's Memo CNU-18-025
7 CFR 210.10(g)

Date Adopted: June 2009

Last Revised: Feb. 2018

4.51---Food Service Prepayment

Meal Charges

The district does not provide credit for students to charge for meals, a la carte, or other food and beverage items available for purchase in the school food service areas. Meals, a la carte, or other food and beverage it may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the

District that may be charged for the items. Parents, or students choosing to do so, may pay in advance for meals, a la carte, or other food and beverage items through any of the following method:

- Submitting cash or check payment at the respective buildings.
- Depositing Funds through the District's online Service

A student's parents will be contacted by authorized District personnel regarding a student's prepaid account balance on a weekly basis as needed.

Alternative Meals

The District does not provide alternative meals for students.

Legal References: Commissioner's Memo CNU-17-003

Commissioner's Memo CNU-17-024

A.C.A. § 6-18-715

Date Adopted: January 2017

Revised Date: August 2020

Food Sharing

School Board Policy 4.58—FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA

Food Sharing Table

In an effort to reduce waste food and to provide students access to healthy foods when possible, the District shall have in the district cafeteria a food sharing table located at the end of the service line. Prior to leaving the service line, students may place on or retrieve items from the table, at no additional charge, any of the following:

- Raw whole fruit traditionally eaten without the peel (e.g. bananas and oranges);
- Raw whole fruit traditionally eaten with the peel provided the fruit is wrapped to prevent contamination (e.g. apples and grapes);
- Raw whole vegetables provided the vegetable is wrapped to prevent contamination (e.g. carrot sticks);
- Milk; and
- Juice

Fruit and vegetables to be shared are to be placed into a designated container on the table. Milk and Juice to be shared are to be placed in an ice-filled cooler. Milk and juice may not be taken by another student unless the carton is unopened and was completely covered by ice while in the cooler. A student may not return to the table to place an item for sharing after the student has left the service line.

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

Removing Food Items from the Food Service Area

No student shall remove school provided food items from the food service area at the end of the meal period, especially milk, juice, and other items requiring temperature controlled environments.

Except for food service workers as required by their job duties, District employees may only remove school provided food items from the food service area when required by a 504 plan or a student's IEP.

Legal References: Commissioner's Memo FIN 08-076

Commissioner's Memo FIN 15-052

Date Adopted: June 2015

Physical Examinations or Screening

School Board Policy – 4.41 Physical Examinations or Screening *Form pg. 163*

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

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

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

Legal Reference: A.C.A § 6-18-701

Date Adopted: June 2009

Last Revised: June 2021

SECTION 11

School Property

Buildings and Grounds

Students are expected to take care of all school property. Parents are liable for school property care up to \$2,500.00 for damage caused by their children.

Students should not mark or mar any surface, sit on tables, desks, or perform any other behavior which is likely to damage school property.

No school property will be loaned to anyone unless authorized by the principal or superintendent.

Students are expected to protect desks, books, and other school supplies and equipment.

Textbooks

Textbooks are furnished by the state and are issued at the beginning of the school year. Students who lose or damage a book while it is checked out to them will be expected to pay for it. Students will be responsible for the condition of their books throughout the year. When books are turned in at the end of the year, any damages beyond the normal amount of wear must be paid for.

Lockers

Students in grades 6th-12th may receive a locker by contacting the building secretary. Receiving a locker is voluntary. Students may not switch lockers without permission from the office. Students should not enter another student's locker unless permission has been obtained from the principals.

Library Books

Students will be expected to pay for library books which are lost, damaged or not returned to school.

Buses

Students are expected to take care of school property including school buses. Parents are liable for damage caused by their children. Student should not mar any surface, make any holes or otherwise cause any damage to school buses.

SECTION 12

General Information

Awards and Recognitions (Elementary)

- Honor Roll: Students in grades 1-8 are eligible for honor roll. A student who makes all A's and B's in Math, Science/Health, Reading, Spelling, Language, Phonics, and Social Studies/Arkansas History on grade level will be listed on the honor roll each nine-weeks.
- Citizenship Award: A citizenship award will be presented to students (K-5) who exhibit good citizenship throughout the year.
- Principal Award: An award may be presented to the student who shows outstanding improvement each year.
- Student of the week (Elementary): Each week a student from each class will be recognized as student of the week.
- Academic Excellence: This award is given to a student in each classroom who has the highest yearly average. (grade point average)
- Superintendent Award: This award is given to students who score Exceeding in all areas or all areas except one on of the State exam in grades 3rd -8th from the previous year.

- Physical Fitness Award: This award will be awarded to students who perform at the 50%tile, 80%tile, or 90%tile on Fitness tests.
- Presidential Award: This award will be presented to 5th graders and 8th graders that meet the criteria set forth by the National Presidential Award Committee.

An awards assembly will be held at the end of the school year. Parents, family, and friends are invited to attend.

Awards (High School/Middle School)

An award assembly will be held near the end of the school year to honor students in the area of academics, service, attendance, and other areas of high achievement. Parents, family, and friends are encouraged to attend.

Pictures

School pictures will be taken at the beginning of each school year for the year book. Pictures may be purchased at that time. In elementary, spring pictures and kindergarten will be made in the spring for purchase.

Guidance Counselor

The guidance program at Nemo Vista School is designed to enhance and support the education, career, social and emotional development needs of all students. The focus of the guidance program is to enable the student to be successful, not only in school settings, but in social, home, and work areas with concern and interest the student.

College Day

Each senior will be given an opportunity to attend a college day program to review programs at colleges, vocational schools, and business colleges and to discuss financial aid, admission requirement, and the curriculum of various schools. Each senior will be given two day excused, if the second day is needed to complete enrollment procedure or if the student wishes to visit a second college. An additional day may be granted by the principal if additional time is needed to complete requirements for admission. A senior must get permission from the high school counselor and principal for each college day. The high school counselor will call the college and arrange for a college representative to meet with the senior. College days meeting these criteria will not count against a student for semester test exemptions. Students may request college days in 11th and/or 12th grade.

Dance Policy (High School)

Nemo Vista School Board hereby established that the Nemo Vista High School students may have three (3) dances a year, one of which is the junior and Senior Prom.

The following rules will be in effect at all the dances:

1. Two (2) certified personnel present as sponsors.
2. Four (4) adult chaperons present.
3. Once students have entered the premises they must remain inside, no going in or out until they leave the premises.
4. A deputy will be on duty at each function if available.
5. A time limit not to exceed 12:00 midnight will be in effect.
6. The Board must approve the use of a band at these functions.
7. Attendance will bel limited to grades 9 through 12.

School Calendar

A school calendar listing important activities, holidays, tests, and other important events will be published in the local paper and school website prior to the beginning of the school year. A copy of the calendar may be found on page 3 of the student handbook.

Amending Student Handbook

School Board Policy – 4.42 Student Handbook

The faculty, administration, and school board reserve the right to change, alter, or amend the Student Handbook in order to meet the needs and growth of the school system.

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

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

Principal and counselors shall also review Policies 4.45.1----SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS and the current DESE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, the Principal and/or Counselor shall notify the Superintendent and Curriculum Coordinator immediately, so that corrections may be made and notice of the requirements given to students and parents.

Date Adopted: June 2010

Last Revised: June 2019

SECTION 13

General School Procedures

Extracurricular Activities

School Board Policy – 4.56.1 Extracurricular Activities – Elementary (K-6)

Definitions

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, works, 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.

“Interscholastic 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 the class to participate in extracurricular activities shall not exceed one per week per extracurricular activity or a cumulative of (tournaments or other similar events excepted with approval of the principal). All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

A student may lose his/her eligibility to participate in extracurricular activities when, in the opinion of the school's administration, the student's participation in such an activity may adversely jeopardize his/her academic achievement. (Nemo Vista: All students must maintain a 2.0 grade point average to participate in any extracurricular activities that are school sponsored in grades 4 through 6. GPA will be averaged at progress reports and report cards to establish eligibility.) Students may also be denied permission to participate in extracurricular activities as a consequence of disciplinary action taken by the administration for inappropriate behavior. (Nemo Vista: All students in grades K-3 are eligible to participate in any extracurricular activities unless the administrator deems such activities to interfere with the academic needs of the student or unless there is a disciplinary reason.)

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

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

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

extracurricular activity.

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

Cross References: 4.55 --- Student Promotion and Retention

4.56 --- Extracurricular Activities – Secondary Schools

Legal Reference: A.C.A. § 6-4-302

A.C.A. § 6-15-2907

A.C.A. § 6-16-151

A.C.A. § 6-18-713

A.C.A. § 6-28-108

Commissioner's Memo LS-18-015

Date Adopted: June 2014

Last Revised: June 2021

School Board Policy – 4.56 Extracurricular Activities – Secondary Schools (7-12)

Definitions

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

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, works, 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 or a cumulative of (tournaments excepted) *. Additional, a student's participation in, and the District's operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

Any student who refuses to sit for a 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 fails to put forth a good faith effort on. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

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

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

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

Interscholastic Activities

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

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**. (Nemo Vista: All students must maintain a 2.0 grade point average to participate in any extracurricular activities.)

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

The second semester ninth-grader students meet 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 have earned a minimum Grade Point Average (GPA) of 2.0 from all academic courses the previous semester.

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). (Nemo Vista: All students must maintain a 2.0 grade point average to participate in any extracurricular activities.)

Arkansas Activities Association

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

Interscholastic Activities

AAA Governed Activities

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

Non-AAA Governed Activities

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

Cross References: 4.55 --- Student Promotion and Retention
4.56.1 --- Extracurricular Activities – Elementary

Legal References: Arkansas Activities Association Handbook
A.C.A. § 6-4-302
A.C.A. § 6-15-2907
A.C.A. § 6-16-151
A.C.A. § 6-18-713
A.C.A. § 6-28-108
Commissioner's Memo COM-18-009
Commissioner's Memo LS-18-015

Date Adopted: June 2014

Last Revised: June 2021

Extracurricular Activity Eligibility for Home Schooled Students

School Board Policy 4.56.2 --- Extracurricular Activity Eligibility for home Schooled Students...

Home Schooled Student's Letter of Intent at Resident District....pg. 169

Home Schooled Student's Letter of Intent at Non-Resident District....pg. 170

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

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

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

Home-schooled students whose parents or guardians are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone as permitted by this policy.

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

Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and

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

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

To be eligible to tryout and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's schools' principal before the signup, tryout or participation deadline established for traditional students. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one course in the District's school where the student is intending to participate in an interscholastic activity.

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

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

A home-schooled student who has met the tryout criteria; and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:

- standards of behavior and codes of conduct;
- attend the practices for the interscholastic activity to the same extent as its required of traditional students;
- required drug testing;
- permission slips, waivers, physical exams; and
- participation or activity fees.

A home-schooled student who is not a resident of the District may begin participating in interscholastic activities:

- a. Immediately upon begin approved for participation for all interscholastic activities that are athletic activities; and
- b. One (1) calendar year after being approved to participate in interscholastic activities that are athletic activities unless the approval is prior to July 1 of the school year the student would have been enrolled in seventh (7th) grade if the student were enrolled in public school.

A home-schooled student who is not a resident of the District and is prohibited under this policy from participating in an interscholastic activity that is an athletic activity for one (1) calendar year may immediately participate in rehearsals, tryouts, practices, auditions, classes, or other endeavors associated with the interscholastic activity.

Students who participate in extracurricular or athletic activities under this policy will be transported to and from interscholastic activities on the same basis as other students are transported.

A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five days after the student withdraws from the member school.

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

Legal References: A.C.A. § 6-15-509

A.C.A. § 6-16-151

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

Date Adopted: June 2013
Last Revised: June 2019

Drug Testing

Board Policy 4.24.1 – Extracurricular Drug Testing for Students in Grade 7-12

MISSION STATEMENT

The Nemo Vista School District recognizes that drug abuse is a significant health problem for students, detrimentally affecting overall health, behavior, learning ability, reflexes, and the total development of each individual. The Nemo Vista School District Board of Education is determined to help students by providing another option for them to say "No". Drug abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of legal drugs and medications.

A. Purpose of a Chemical Abuse Policy:

1. To allow the students in the NVSD to know that the school is concerned about their total well-being;
2. To assist students of the NVSD in resisting the peer pressure that directs them toward drug use/misuse;
3. To establish high standards of conduct for students of the NVSD;
4. To emphasize concern for the health and safety of students while they are participating in activities and to emphasize the long-term physical and emotional effects of drug and alcohol use/misuse on their health;
5. To confirm and support laws which restrict the use/misuse of drugs;
6. To work cooperatively with custodial parent/legal guardian in keeping their children free from drug abuse/misuse;
7. To assist student by referring them for counseling or rehabilitation regarding their use/misuse of drugs;
8. To deter drug and alcohol use/misuse by all students through the use of random drug testing.

B. The provisions of this policy apply to students enrolled in NVSD schools in grades seven through twelve (7-12). No student will be allowed to participate in any activity outside the regular curriculum until a consent form for random drug testing has been completed and signed by both the student and custodial parent/legal guardian and returned to the principal of the school. Positive screening results are cumulative, meaning a third positive test at any point during the student's enrollment will result in loss of eligibility in the programs and/or loss of driving privileges for one calendar year (365 days) from the third positive test.

C. DEFINITIONS

1. For the purposes of this policy, **prohibited substances** are those drugs which could be abused or misused under Arkansas Statutes or which are controlled by the Food and Drug Administration unless prescribed by a licensed physician.
2. **Extra-curricular activities** are defined for the purpose of this policy to be participation in competitions, campus parking, school trips, presentations, and other activities.

The following list of activities listed below is an example of activities:

FFA	Library /Media Club
Band	Newspaper
Baseball	Quiz Bowl
Basketball	
Beta Club	
Golf	
Track	
Choir	
Cross Country	
Softball	
Yearbook	

Student Council
FBLA
FCA
FCCLA

May include others not yet formed or not listed

- D. **Prescription Medication:** The detection of lawfully prescribed medication in the student's drug test is not a violation of this policy when taken in accordance with a licensed physician's recommendation or prescription to that specific student. Students who test positive but refuse to provide a current and valid prescription will be subject to the actions specified in this policy for a positive test.
- E. **Consent Form:** Students and custodial parent/legal guardian will be required to sign a consent form at the beginning of each year for random drug testing. No student shall be allowed to participate in any extra-curricular activity or purchase a parking permit until the consent form has been signed by both the student and custodial parent/legal guardian and returned to the principal. Students moving into the district during the school year must sign the consent form during the first two weeks of enrollment.
- F. **Random Testing Selection Process:** While students are in school, they will be subject to random selection for testing. If a student is selected for testing, but is absent on that day, he/she will be tested upon returning to school. The number of names drawn will be no less than 2% or greater than 15% of the students enrolled in grades seven through twelve (7-12) at the time of the test. Urinalysis will be the method utilized to test for the presence of abuse/misuse of drugs in the body. All students selected must report to the designated testing site at the school immediately upon notification.
- G. **Testing Agency:** The district will choose a qualified agency for the purpose of collecting and processing samples and maintaining privacy with respect to test results and related matters. The testing agency will provide a Medical Review Officer (MRO) for the purpose of interpreting the results. Upon notification by the school district, the testing company will randomly select student by computer. Testing dates will be selected by the school district.
- H. **Cost:** The cost of the test to be given during random selection will be paid by the district. Tests administered to regain eligibility after the first positive test will be at the expense of the student.
- I. **Refusal to Submit to Testing:** Any student selected who refuses to submit to random drug testing and/or re-testing will be subject to the provisions of a positive test.
- J. **Testing Procedure:** All urine specimens will be taken at a designated collection site. Any student who is requested to provide a urine specimen will be directed to the collection site where the student will complete the necessary forms and will conform to all collection site procedures. All test results and Medical Review Officer (MRO) communications will be sent to the superintendent or superintendent's designee.
- K. **Analysis Process:** Testing protocol involves on-site collection and testing of urine samples. If a sample initially tests non-negative for any substance, that sample will be immediately retested. In the event that the second test reports negative, the sample will be considered negative for reporting purposes. A second non-negative test will result in the sample's being immediately delivered to the district's test vendor for GC/MS confirmation with results provided directly to the MRO.
- L. **Results and Notification:** All test results, including those verified by the designated MRO, will be reported to the superintendent or superintendent's designee. All reports will be in writing.
- M. **Records:** The principal or principal's designee will maintain all records concerning drug/alcohol testing and the school's designated MRO in a separate locked file. The records will not be kept in a student's regular file. Only the superintendent or superintendent's designee will have access to the files. The files on each student will be destroyed upon graduation or two years after termination of enrollment. A student and the student's custodial parent/legal guardians may obtain a copy of his/her drug/alcohol testing records upon written request.
- O. **SCOPE OF TESTS:** The drug screen tests for one or more illegal drugs. The superintendent or his designee shall decide from week to week which illegal drugs shall be screened, but in no event shall that determination be made after selection of students for testing. Student samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug intoxication. As a quality control measure, the school reserves the right to send any urine sample that appears unusual in color and/or consistency to a laboratory for testing and confirmation or non-confirmation.
- P. **LIMITED ACCESS TO RESULTS:** The results will be reported only to the principal or his designee.
- Q. **PROCEDURES IN THE EVENT OF A POSITIVE RESULT:** Whenever a student's test result indicates the presence of illegal drugs ("positive test"), the following will occur: If the sample tests positive, a custodial parent or legal guardian will be notified and a meeting will be scheduled with the Principal or his designee, the student, the custodial parent or legal guardian, and the head coach or sponsor.
- R. **FIRST POSITIVE TEST RESULT:** Upon verification of a positive test result for any donor, the custodial parent/legal guardian will be notified and a meeting will be scheduled with the principal or principal's designee, the student, the custodial parent/legal guardian, and the student's head coach or sponsor. Counseling and/or rehabilitation will be strongly recommended for the student who tests positive. A referral/resource list will be made available to the student and custodial parent/legal guardian. Any

counseling/rehabilitation service costs will be the responsibility of the student and/or custodial parent/legal guardian. The student will be suspended from all extra-curricular activities and/or the privilege of parking on campus for Twenty (20) school days. The student will be allowed to participate and/or park on campus after the twenty (20) school day suspension period pending the student providing a negative test result at the student's expense from the district's test vendor. A written copy of the results will be given to the superintendent or superintendent's designee.

Note: A positive test result taken for re-instatement purposes after the first positive test will not be regarded as a second positive.

A student testing positive may be required to practice or participate in off-season activities at the head coach's or sponsor's discretion. He/she cannot compete or dress out for any competition.

- S. ALTERNATIVE FIRST OFFENSE:** With the consent of the student and his or her parents/guardians, the superintendent or designee may reduce the suspension so that the student is only prohibited for participating in covered activities and parking on a campus in the district for a total of ten (10) school days as long as the student meets the following requirements:

1. Within one (1) week of the conference, the student must receive or be enrolled in substance abuse counseling from an alcohol and drug abuse agency that is certified by the Arkansas Department of Mental Health, Division of Alcohol and Drug Abuse. The parents/guardians are responsible for all costs associated with the counseling. The parent/guardian must provide written verification that the student has been seen by the alcohol and drug abuse agency at least once before the student is allowed to begin participation again. If the student does not attend counseling as promised, the district will immediately implement the original consequences.

On day eleven, eligibility will be restored provided the student submits to a school test with negative results **(at the expense of parent-guardian)**.

2. The student will be required to submit to drug tests for the rest of the school year at the expense of the parent/guardian at least monthly.

- T. SECOND POSITIVE RESULT:** For the second positive result in the same year or any two consecutive calendar years, the student will be suspended from participating in activities and/or parking on a campus in the district ninety (90) school days.

- U. ALTERNATIVE SECOND OFFENSE:** With the consent of the student and his or her parents/guardians, the superintendent or designee may reduce the suspension so that the student is only prohibited from participating in parking and district sponsored activities for a total of seventy-five (75) school days as long as the student meets the following requirements:

1. Within one (1) week of the conference, the student must receive or be enrolled in the substance abuse counseling from an alcohol and drug abuse agency that is certified by the Arkansas Department of Mental Health, Division of Alcohol and Drug Abuse. The parents/guardians are responsible for all cost associated with the counseling. The parent/guardian must provide written verification that the student has been seen by the alcohol and drug abuse agency at least once before the student is allowed to begin participation again. If the student does not attend counseling as promised, the district will immediately implement the original consequences.

2. The student will be required to submit to monthly drug test for the rest of the school year at the expense of the parent/guardian.

- V. THIRD POSITIVE RESULT:** For the third positive result, the student will be suspended from participating in activities and parking on a campus in the district for one calendar year (365 days) from the third positive test. A third positive screen could be a positive test from the random pool, the follow up program, or the test at the end of the second positive test suspension period.

- W. NON-PUNITIVE NATURE OF POLICY:** No student shall be penalized academically for testing positive for illegal drugs. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the district shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent or legal guardian will be notified as soon as possible by the district.

- X. OTHER DISCIPLINARY MEASURES:** The district by accepting this policy is not precluded from utilizing other disciplinary measures set forth in the Student Discipline Policy and this policy does not preclude the district from taking disciplinary procedure and resulting action when founded upon reasonable belief and suspicion that a student has participated in drug related activities.

Sign Out

Students must be signed out at the appropriate office before they will be allowed to leave their classroom. Please go directly to the office when signing out a child. The office will intercom or go to the classroom to get your child.

Parent Pick-up and Drop Off (Elementary)

Parents who pick-up their children should line-up in the pick-up line in the north parking lot of the elementary building. Please stay in your car. Children will be released at 3:00 and will be brought to your car. When dropping off your children, please use the parking lot in front of the cafeteria. The cafeteria doors will be locked at 8:05. If you are dropping off after 8:05 (This is considered tardy), you must bring your child to the office and sign them in.

Students being picked up downstairs must stay on the steps with the supervisor until they have been released by the supervisor.

Passes and Permits

STUDENTS MUST HAVE A NOTE IF THEY ARE TO GO HOME WITH ANOTHER STUDENT, ON A DIFFERENT BUS, OR BE PICKED UP AFTER SCHOOL. Parents are welcome to call the office, and a note will be taken to the teacher. The child will give the note to the bus driver or the afternoon pick-up duty personnel. WE CANNOT GO ON THE CHILD'S WORD.

A student WILL NOT be allowed to leave school during the school day without prior permission from parents or guardians. A phone call or signed note is required prior to departure of the student.

No student shall be taken from the school campus by anyone except a person who has a legal right to the child's custody or permission has been granted by legal guardian. Please file custody papers in the appropriate office(s).

No student may be sent on errands away from the school campus except by permission of the principal (Elementary) Students who are going to be picked up early should give their teacher a note first thing in the morning to allow the teacher an opportunity to have the student ready to go.

Students' Vehicles**School Board Policy 4.33 --- Student's 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 disciplinary violation, at the discretion of the student's building principal.

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

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

Date Adopted: June 2013

Vehicle Permit: *Obtain parking permit form from principal's office*

Cars and other motorized vehicles may be brought to school. Violations of any rule concerning motorized vehicles, or operation of vehicle in an unsafe or illegal manner will result in loss of campus driving privileges or other disciplinary action. All operations of cars and trucks must be licensed by the State of Arkansas and liability for the vehicle must be in force. Students are not to visit with anyone driving campus without permits. Motorcycle operators

must have liability insurance in force. Car radios shall not be played on the school campus. The speed limit for all motorized vehicles is five (5) miles per hours on campus. Students shall not sit in parked cars for any reason before or during the day.

The Nemo Vista School Board, acting for the safety and best interest of all the children has formulated and approved the following student driving regulations, which must be strictly adhered to by all student who drive vehicles on campus.

1. Students must hold a valid, non-restricted driver's license.
2. Students are to park vehicles immediately upon arrival at school in the student parking area. The student parking area is the east side of the gym.
3. No student may return to the student parking lot during the day without special permission from the principal's office. Students are not to be in vehicles during the day.
4. Students are expected to drive in a safe manner at all times, and to make no excessive noise by exhaust or wheels while on or near the school campus.
5. If a student is restricted from driving on campus, his/her car is also restricted form campus unless driven on campus by his/her parent or guardian.
6. Failure of any student to abide by these policies will result in his/her loss of campus driving privileges.

Date Adopted: June 2013

Motor Vehicles

Students who drive cars, trucks, or motorcycles to school are expected to observe all the rules of safety while driving and to take extra precautions while on and about school property and grounds.

1. The speed limit while on school property is five (5) miles per hours.
2. Loafing or sitting in cars and trucks during school hours or at lunch is not permitted.

Visitors

School Board Policy – 4.16 Student Visitors

DEFINITION OF VISITOR: Anyone who is not a student or an employee of Nemo Vista Schools.

Parents are always welcome, but need to make an appointment through the principal's office to see a teacher or visit their children's classroom.

For the safety of our students, the following is required when you visit:

1. Go directly to the principal's office to check in.
2. A visitor's badge will be issued to allow staff members knowledge of office check-in.
3. Return to the principal's office to check out.

Parent Visiting Lunchroom

Parent can only have lunch with their child.

Student Visitors

Student visitors in the classroom can be disruptive to the educational process. Student visitation is not allowed. Any visitation to the classroom shall be allowed only with the permission of the school principal.

School Board Policy – 4.15 (Parents) 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 parent shall present **documentation to the**

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

Arkansas law provides that, in order to avoid continuing child custody controversies from involving school personnel and to avoid disruptions to the educational atmosphere in the District's schools, the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school's property on normal school days during normal hours of school operation. The custodial or non-custodial parent may send to/drop off the student at school to be sent to/picked up by the other parent on predetermined days in accordance with any court order provided by the custodial parent or by a signed agreement between both the custodial and non-custodial parents that was witnessed by the student's building principal. Unless a valid no-contact order has been filed with the student's principal or the principal's designee, district employees shall not become involved in disputes concerning whether or not that parent was supposed to pick up the student on any given day.

Contact by Law Enforcement, Social Services, or by Court Order

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

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a **court order**, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis identified on student enrollment forms. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, legal guardian, person having lawful control of the student, 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 Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

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

Contact by Professional Licensure Standards Board Investigators

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

Legal References: A.C.A. § 6-18-513

A.C.A. § 9-13-104

Date Adoptive: Oct. 2010

Last Revised: June 2019

Distribution of Literature

School Board Policy – 4.14 Student Media and the Distribution of Literature

Student Media

All student media 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 media. School-sponsored media does not provide a forum for public expression. Student media, as well as the content of student expression in school sponsored activities, shall be subject to the editorial review of the District's administration whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations:

1. Advertising may be accepted for media that does not condone or products that are inappropriate for the age and maturity of the audience or that endorse such things as tobacco, alcohol, or drugs.
2. Media may be regulated to prohibit communications determined by the appropriate teacher, student media advisor, and/or administrator to be ungrammatical; poorly written; inadequately researched; biased or prejudiced; vulgar or profane; or unsuitable for immature audiences.
3. Media may be regulated to prohibit the dissemination of material that may reasonably be perceived to advocate drug or alcohol use; irresponsible sex; conduct that is otherwise inconsistent with the shared values of a civilized social order; or to associate the school with any position other than neutrality on matters of political controversy.
4. Prohibited media includes those that:
 - a) Are obscene as to minors;
 - b) Are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, and made with knowledge of their falsity or a reckless disregard of the truth;
 - c) Constitute an unwarranted invasion of privacy as defined by state law;
 - d) Suggest or urge the commission of unlawful acts on the school premises;
 - e) Suggest or urge the violation of lawful school regulations;
 - f) Scurrilously attacks ethnic, religious, or racial groups; or
 - g) Harass, threaten, or intimidate a student.

Student Media on School Web Pages

Student media displayed on school web pages shall follow the same guidelines as listed above and shall also:

1. Not contain any non-educational advertisements;
2. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using student's photograph when associated with the student's name unless written permission has been received from the student's parent or student if over the age of 18;
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

Student Distribution of Non-school Literature, Publications, and Materials

A student or group of students who distribute ten (10) or fewer copies of the same non-school literature, publications, or materials (hereinafter "non-school materials"), shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10) copies of non-school materials shall have school authorities review their non-school materials at least three (3) days in advance of their desired time of dissemination. School authorities shall review the

non-school materials, prior to their distribution and will bar from distribution those non-school materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Materials may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution. Concerns related to any denial of distribution by the principal shall be heard by the superintendent, whose decision shall be final.

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

The regulations shall:

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

The Superintendent, along with the student media 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: ACA § 6-18-1202, 1203, & 1204

Tinker v. Des Moines ISD, 393 U.S. 503 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

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

Date Adopted: Oct. 2010

Last Revised: June 2019

Fund Raisers

Arkansas State Law requires students who are participating in school sponsored fund raisers have a permission statement signed by the parent or guardian.

No solicitation of funds or drives may be conducted on school premises without prior approval of the superintendent of schools.

Inclement Weather

Parent(s) will be notified by the **Parent Notification Systems** if school is to be released early for inclement weather. ***Please alert the office of changes in phone numbers.***

Parents should notify their child/children AND THE SCHOOL OFFICE where children are to go or get off the bus if we need to dismiss school with short notice.

In the event of inclement weather such as snow and ice, the school will try to reach a decision by 6:30 A.M. Parents and students should listen to KVOM Morrilton, or watch Channels 4, 7, 11 (Little Rock) to determine if we will have school or not on that particular day.

If it becomes necessary to dismiss school during the day, the school will call radio station KVOM, Morrilton, to announce when we are dismissing. Parents who will not be home during the day need to make sure their child/children know where to go if school is dismissed early.

An inclement weather form must be filled out in the office.

AMI (Alternative Method of Instruction) Day(s)

Alternative methods of instruction day(s) may be used in the event of inclement weather or other circumstances that may prevent physical attendance of school. In these circumstances parents will be notified if the day will be considered an AMI day. During AMI days students will be expected to complete assignments delivered either electronically or previously delivered take-home packets. Failure to comply with the AMI policy may result in the student being considered absent for the AMI day.

Emergency Drills

School Board Policy – 4.37 Emergency Drills

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

The District shall annual conduct a lockdown drill at all schools in the District in collaboration with local law enforcement and emergency management personnel. The lockdown drill training will include use of the District's emergency communication method with law enforcement. Students will be included in the drills to the extent that is developmentally appropriate to the age of both the students and grade configuration of the school.

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

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

Legal Reference: A.C.A. § 12-13-109

A.C.A. § 6-10-110

A.C.A. § 6-10-121

A.C.A. § 6-15-1302

A.C.A. § 6-15-1303

A.C.A. § 6-15-1304

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

Date Adopted: Oct. 2010

Last Revised: June 2021

Field Trips and Class Trips

1. Written permission must be obtained from a parent or guardian of each student before students are taken on school trips.
2. All student trips, and the arrangements for them, must have the approval of the school principal.
3. Each trip must be adequately supervised so that safety and good discipline may be maintained.
4. The time of departure, itinerary, and the estimated time of return shall be announced in advance.
5. All students traveling on a school trip by school sponsored transportation must make the return trip by the same transportation unless prior approval has been given by the principal.
6. Adult Chaperones may ride the bus if space is available.

Religion in the School

School Board Policy – 5.10 Religion in the School

The First Amendment of the Constitution states that "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof. ." As the Supreme Court has stated (Abington School District v. Schempp, 374 U.S. 203) the Amendment thus, "embraces two concepts-freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be." Therefore, it is the Board's policy that the school system, as an agency of the government, shall be neutral in matters regarding religion and will not engage in any activity that either advocates or disparages religion. The District shall assume no role or responsibility for the religious training of any student.

The need for neutrality does not diminish our school system's educational responsibility to address the historical role of religion in the development of our culture. Since we live in a diverse society, the District's goal shall be to address the subject of religion objectively in such a way that it promotes an understanding of, and tolerance for, each other's religious or non-religious views.

Discussions concerning religious concepts, practices, or disciplines are permissible when presented in a secular context in their relation to an inclusive study of religion or to the study of a particular region or country. The discussions shall be so that they are objective and academically informational and do not advocate any particular form of religious practice.

Instructional activities in the schools that are contrary to a pupil's religious beliefs or teachings shall be optional.

The teacher in charge of each classroom may, at the opening of school each day, conduct a brief period of silence with the participation of all students in the classroom who desire to participate. *

Students and employees may engage in personal religious practices, such as prayer, at any time, and shall do so in a manner and at a time so that the educational process is not disrupted.

*Legal Reference: A.C.A. § 6-10-115

Date Adopted: Oct. 2010

Student Organizations/Equal Access

School Board Policy – 4.12 Student Organizations/Equal Access

Non-curriculum-related school student organizations wishing to conduct meetings on school premises during non-instructional time shall not be denied equal access on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Such meetings must meet the following criteria.

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

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

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

Legal References: A.C.A. § 6-21-201 et seq.

A.C.A. § 6-10-132

A.C.A. § 6-18-601 et seq.

A.C.A. § 6-21-201 et seq.

20 U.S.C. 4071 Equal Access Act

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

Date Adopted: Oct. 2010

Last Revised: July 2018

Clubs and Organizations (High School)

All clubs and organizations must submit a list of fundraisers for the school year during the first week of school. Fundraisers are subject to board approval. Any exceptions must be pre-approved.

Extracurricular Activities and Integral-curricular Activities (High School)

We believe that extracurricular activities should supplement the regular instructional program and afford opportunities for social exchange, enrichment of individual personal resources and wholesome completion. Extracurricular activities will be encouraged as long as they are consistent with academic goals and objectives of this school district. Integral-activities are vital parts of a vocational teacher's curriculum.

In order to limit excessive school related absences and class interruptions, Nemo Vista School has implemented the following policies that relate to extracurricular and co-curriculum activities.

1. Field trips may be planned as part of the regular school day.
2. Integral-curricular activities, such as, FBLA, FFA, and FCCLA, which often requires activities during the regular school day will be treated as in-class activities and students will not be counted absent from other classes, however, all assignments must be made up as required by the classes that were missed.

Nemo Vista Requirements for Extracurricular and Integral-curricular Activities (High School)

Extracurricular and integral activities supplement the regular instructional program and afford opportunities for social exchange, enrichment of individual personal resources, and wholesome competition. Activities must improve the student's education make a better relationship between the faculty, students, and community. Activities should be consistent with the academic goals and objectives of the school district.

All students belonging to an organization must exhibit commendable behavior at all times. Failure to do so can result in removal from the organization.

Annual Staff – 2.0 GPA – Individuals are selected by sponsors.

Athletics – Students entering 7th grade through completion of the first 9th grade semester must pass 3 of 4 core classes and have a 2.0 GPA. 9th grade students competing 2nd semester through 12th grade must pass 4 academic classes and have a 2.0 GPA. Students must have proper citizenship in all classes and athletic events.

Beta Club – Students must have 3.5 GPA, and must meet the citizenship requirements. Must meet citizenship requirements of 80% scored by core teachers.

FBLA – INTEGRAL – Students must have taken or currently be taking a business course. Dues must be paid.

FCCLA – INTERGRAL – Students must currently be enrolled in 1 FCCLA course. Dues must be paid.

Fire Marshal - 2.0 GPA – Students will be screened and selected by the principal.

Library Club – 2.0 GPA – Students must be interested in reading, have knowledge of Dewey Decimal System, and sense of responsibility, and good citizenship.

Newspaper Staff – 2.0 GPA. Students will be screened and selected by the sponsor. Also, must be currently taking or have already taken journalism.

Student Council – 3.0 GPA. Students must have leadership ability, and elected by classmates. Students can have no more than three discipline referrals per year.

FCA – Students must pay annual dues.

FFA – 2.0 GPA

SCHOOL ORGANIZATIONS

1. No state or federal law prohibits student organizations at the elementary or secondary level.
2. Students have the right to join an existing club and should not be restricted for membership on the basis of race, sex, national origin, or arbitrary criteria.
3. Students may, however, be restricted to membership on the basis of their sex, but only if the organization is entitled to Title IX exemption under the Bayh Amendment. This amendment gives amendment to organization that are:

- a) Voluntary youth service organizations;
- b) Tax exempt under Section 501 (a) of the 1954 Internal Revenue Code (religious and charitable organizations);
- c) Single sex by traditions; or
- d) Principally composed of members under the age of 19;
- e) School fraternities and secret societies are banned in Arkansas public schools.

BETA CLUB: The Senior Beta Club is a leadership service club for members of the senior high grades. Its purpose is to encourage effort and reward merit, and to promote those qualities of character that make for good citizenship.

Qualifications for individual membership are a grade point average of 3.5, worthy character, good mentality, credible achievement and commendable attitude. Students who meet these requirements may join. To remain in the Beta Club, a student must maintain a 3.25 GPA, and have no more than one (1) disciplinary action each semester.

The Senior Beta Club is involved in various money-making and service projects during the school year which might help cover the expense of the State Beta Club Convention.

FFA: The primary aim of the FFA is the development of agricultural leadership, cooperation, and citizenship. Also, the FFA is devoted to developing character, foster, participation, and to encourage improvement on scholarship.

FCCLA: The FCCLA is the national organizational of girls and boys studying homemaking business related subjects.

FBLA: The Future Business Leaders of America is a national organization of students studying business related subjects. It serves as an integral part of the curriculum by incorporating business ideals into the daily classroom. Students may gain knowledge through business related experiences such as field trips, conferences, and workshops.

Fire Marshals: Fire Marshals consist of group of volunteer students who assist the principal in supervising monthly fire drills and check for fire hazards.

Reward Trips – Students who have violated the following criteria will not be allowed to go on Reward Trips (High School):

- 1. Violated the Nemo Vista Attendance Policy.
- 2. Has more than 2 discipline slips in their file
- 3. Has had a long term suspension.

RULES FOR PARTICIPATION IN ACTIVITIES (High School)

- 1. Use of alcoholic beverages or tobacco will not be tolerated in any form.
- 2. Use of abusive drugs will not be tolerated.
- 3. The students will maintain an appearance that will enhance the dignity, respect, and image of Nemo Vista Schools.
- 4. The students will dress according to the staff's direction during the activity events.
- 5. Violation of these rules will result in disciplinary action.

Requirements for field trips, rewards, and school dances

Students who continuously misbehavior or violate attendance policy may be limited or excluded from extra-curriculum activities.

Equal Educational Opportunity

School Board Policy – 4.11 Equal Educational Opportunity

No student in the Nemo Vista School District shall, on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District. The District has a limited open forum granting equal access to the Boy Scouts of American and other youth groups.

Inquiries on non-discrimination may be directed to the Superintendent, who may be reached at 501-893-2925.

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person

or by using the mailing address, telephone number, or email address provided above. A report may be made at any time, including during non-business hours, a may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.

For further information on notice of non-discrimination or to file a complaint, visit <https://www.2.ed.gov/about/offices/list/ocr/complaintintro.html>; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Legal References: A.C.A. § 6-10-130
A.C.A. § 6-18-514
28 C.F.R. § 35.106
34 C.F.R. § 100.6
34 C.F.R. § 104.8
34 C.F.R. § 106.8
34 C.F.R. § 106.9
34 C.F.R. § 108.9
34 C.F.R. § 110.25

Date Adopted: Oct. 2010

Last Revised: June 2022

Student Participation in Surveys

School Board Policy – 5.24 Student Participation in Surveys *Survey Form pg. 168*

Section One: No student shall be required to submit to a survey, analysis, or evaluation which is administered or distributed by a school, and is funded in whole or in part by any program administered by the U.S. Department of Education without the prior written consent of the parent/guardian that reveals information concerning the following:

1. political affiliations;
2. mental and psychological problems potentially embarrassing to the student or his family;
3. sex behavior and attitudes;
4. illegal, anti-social, self-incriminating, and demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Section Two: No surveys shall be administered without the prior approval of the school principal. Any survey created by a third party, or funded, in whole or in part, as part of any U.S. Department of Education administered program, containing one or more of the eight categories listed above shall be available to be inspected by a student's parent/guardian before the survey is administered or distributed by a school to a student. Parents/guardians shall have the right to deny permission for their child to participate in the taking of the survey. The school shall not penalize students whose parents/guardians exercise this option. The school shall take reasonable precautions to protect students' privacy during their participation in the administration of any survey, analysis, or evaluation containing one or more of the eight categories listed above.

Section Three: Parents or guardians wishing to inspect a survey, analysis, or evaluation shall be able to do so in the administrative office of the administering school where the surveys shall be available for inspection for a period of ten (10) * days (regular school days when school is in session) after the notice of intent to administer the survey is sent. Included in the notice shall be information regarding how the survey or questionnaire will be administered; how it will be utilized; and the persons or entities that will have access to the results of the completed survey or questionnaire.

Parents may refuse to allow their student to participate before or after reviewing the survey or questionnaire.

The requirements of sections one, two, and three of this policy do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

Section Four: Prior written parental permission is required before any survey or questionnaire (not including tests mandated by state or Federal law or regulation and standardized scholastic achievement tests) is administered to a student the responses to which are to be provided to a person or entity other than another public school, school district, or any branch of the Federal Government and which requests or requires a student to provide any of the eight (8) categories of information listed above and/or the following;

1. A student's name;
2. The name of the student's parent or member of the student's family;
3. The address, telephone number, or email address of a student or a member of a student's family;
4. A personal identification number, such as a social security number, driver's license number, or student identification number of a student or a member of the student's family;
5. Any information, the disclosure of which is regulated, or prohibited by any other state or federal law or regulation.

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

Legal Reference: 20USC § 1232h (a), (b), (c) [NCLB Act of 2001, Part F, Section 1061 (c)

(1)(A)(I)(ii)(B), (2)(A)(i)(ii)(B)(C)(ii), (5)(A)(ii)(B), (6)(C)(F)(G)]

ACA § 6-18-1301 et seq.

Date Adopted: Oct. 2010

Marketing of Personal Information

School Board Policy – 5.25 Marketing of Personal Information

The Nemo Vista School District shall not collect, disclose, or use personal information for the purpose of marketing or for selling that information or to otherwise provide that information to others for that purpose.

Personal information is defined, **for the purposes of this policy only**, as individually identifiable information including

1. A student or parent's first and last name,
2. A home or other physical address (including street name and the name of the city or town),
3. Telephone number, and
4. Social security identification number.

The district may collect, disclose, or use personal information that is collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions such as the following:

1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines, and programs providing access to low cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. The sale by students of products or services to raise funds for school related or education related activities; and
6. Student recognition programs.

Legal Reference: 20 USC § 1232h(c)

Date Adopted: Oct. 2010

Revised: July 2018

Privacy of Students' Records/Directory Information *Objection to Publication Form pg. 155*

School Board Policy – 4.13 Privacy of Students' Records/Directory Information

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

The district shall receive written permission before releasing education records to any agency or individual not authorized by law to receive and/or view the education records without prior parental permission. The District shall maintain a record of requests by such agencies or individuals for access to, and each disclosure of, personally identifiable information (PII) from the education records of each student. Disclosure of education records is authorized by law to school officials with legitimate educational interests. A personal record kept by a school staff member is **not** considered an education record if it meets the following tests.

- It is in the sole possession of the individual who made it;
- It is used only as a personal memory aid; and
- Information contained in it has never been revealed or made available to any other person, except the maker's temporary substitute.

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

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

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

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

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

When deciding whether to release PII in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District

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

For purposes of this policy, the Nemo Vista School District does not distinguish between a custodial and non-custodial parent with respect to gaining access to a student's records. Unless a court order restricting such access has been presented to the district to the contrary, the fact of a person's status as parent or guardian, alone, enables that parent or guardian to review and copy his child's records.

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

A parent or guardian does not have the right to remove any material from a student's records, but such parent or guardian may challenge the accuracy of a record. The right to challenge the accuracy of a record does not include the right to dispute a grade, disciplinary rulings, disability placements, or other such determinations, which must be done only through the appropriate teacher and/or administrator, the decision of whom is final. A challenge to the accuracy of material contained in a student's file must be initiated with the building principal, with an appeal available to the superintendent or his designee. The challenge shall clearly identify the part of the student's record the parent wants changed and specify why he/she believes it is inaccurate or misleading. If the school determines not to amend the record as requested, the school will notify the requesting parents 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 roll (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District.

A student's name and photograph will only be displayed on the district or school's web page after receiving the written permission of the student's parent or student if over the age of 18.

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

The right to opt out of the disclosure of directory information under FERPA does not prevent the District from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled.

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

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

Legal Reference: 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 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

Policy 4.34---Communicable Diseases and Parasites

Date Adopted: Oct. 2010

Last Revised: June 2021

Closed Campus

School Board Policy – 4.10 Closed Campus

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

Students must sign out in the office upon their departure.

When students are signed-out, they must leave campus.

High School students are not to have outside lunches brought to school during the school day.

High School students WILL NOT be allowed to leave school during the school day without prior permission from parents or guardians. A phone call or signed note is required prior to departure of the student. No student shall be taken from school campus by anyone except a person who has a legal right to the child's custody. Upon departing or returning to school, the student is expected to sign "in and out" on the appropriate sheet in the high school principal's office. No student may be sent on errand away from the school campus except by permission of the principal.

Date Adopted: Oct. 2010

Revised: July 2015

Pledge of Allegiance

School Board Policy – 4.46 Pledge of Allegiance and Moment of Silence

The Pledge of Allegiance shall be recited:

1. During the first class period of each school day;
2. At the commencement of each school-sanctioned after-school assembly; and
3. At the commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the Pledge may be recited at only one (1) of the school-sanctioned sporting events.

Students choosing to participate in the recitation of the Pledge 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 either stand or sit quietly while the other students recite the Pledge.

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

Following the recitation of the Pledge, there shall be an observance of one (1) minute of silence. During the one (1) minute of silence, each student may reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Students who do not disrupt the one (1) minute of silence shall not

be subject to any comments, retaliation, or disciplinary action.

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

Date Adopted: June 2021

National Anthem

School Board Policy --- 4.44 National Anthem

Each school in the District shall broadcast The Star-Spangled Banner at:

- The commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the broadcast of The Star-Spangled Banner may be performed at only one (1) of the events; and
- At least one (1) time each week during the school hours.

The broadcast of the Star-Spangled Banner shall be selected from any recording that adheres to the division of Elementary and Secondary Education (DESE) Rules, or, when appropriate, performed from original sheet music that adheres to DESE rules by:

- A school-sanctioned band program;
- A school-sanctioned chorale program, vocal group, or vocalist; or
- The attendees of a school-sanctioned event led by a vocalist selected by the principal of the school hosting the school-sanctioned event.

Students shall not be compelled to participate in the performance of The Star-Spangled Banner, but students who choose not to participate in the performance of The Star-Spangled Banner. Students choosing not to participate in the performance of The Star-Spangled Banner who do not disrupt the participation of performance of The Star-Spangled Banner shall not be subject to any comments retaliation, or disciplinary action.

Legal Reference: A.C.A. § 6-10-136
DESE Rules Governing the Star-Spangled Banner Act

Date Adopted: June 2021

Last Revised: June 2022

Permanent Records

School Board Policy – 4.38 Permanent Records

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

Legal References: A.C.A. § 6-18-901
A.C.A. § 6-28-107
DESE Rules Governing Student Permanent Records

Date Adopted: June 2009

Last Revised: June 2019

School Choice/Home School

School Board Policy – 4.5 School Choice

Standard School Choice

Exemption

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

Definition:

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

Transfers into the District

Capacity Determination and Public Pronouncement

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

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

Application Process

The student’s parent shall submit a school choice application on a form approved by ADE to this District and the student’s resident district. Except for students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, the transfer application must be postmarked, emailed, or hand delivered between January 1 and May 1 of the year proceeding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications the District receives as both the resident and nonresident and nonresident district as they are received in the District’s central office. Except for applications from students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, applications postmarked or hand delivered on or after May 2 will not be accepted. Statutorily, preference is required to be given to siblings of the students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards approved by the Board of directors may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the application’s date and time stamp.

Students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base may submit an application and transfer at any time if the student’s application:

1. Is filed with the nonresident school district within fifteen (15) days of the parent’s or guardian’s arrival on the military base;
2. Includes the parent’s or guardian’s military transfer orders; and

3. Includes the parent's or guardian's proof of residency on the military base.

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

No earlier than January 1 of each year, the Superintendent will consider all properly submitted applications for School Choice. By July 1, the Superintendent shall notify the parent and the student's resident district, in writing, of the decision to accept or reject the application.

Accepted Applications

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

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

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

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

Rejected Applications

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

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

An application may be provisionally rejected if the student's application was beyond the student's resident district's three percent (3%) cap. The student's resident district is responsible for notifying this District that it is no longer at its three percent (3%) cap. If a student's application was provisionally rejected due to the student's resident district having reached its three percent (3%) cap prior to July, then the provisional rejection may be changed to a provisional acceptance and the student would have to meet the acceptance requirements to be eligible to enroll in the District.

Rejection of applications shall be in writing and shall state the reason(s) for the rejection. Unless the

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

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

Transfers Out of the District

All Standard School Choice applications shall be granted unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) or more than three percent (3%) of the average daily membership on October 1 of the immediately preceding year. By December 15 of each year, DESE shall determine and notify the District of the net number of allowable choice transfers. Students are not counted for the purpose of determining the three percent (3%) cap if the student transfers:

- Through Opportunity School Choice due to the school receiving a rating of "F" or a district classified as in need of Level 5 Intensive Support under A.C.A. § 6-18-227
- Due to the district's identification of Facilities Distress under A.C.A. § 6-21-812
- Through the Foster Child School Choice under A.C.A. § 6-18-233.

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

When the last successful application requesting to transfer out of the District before the District's three percent (3%) cap was triggered belonged to an individual who was a member of a group of siblings who applied to transfer out of the District, the District shall allow all members of the individual's sibling group to transfer out of the District even though these applications are beyond the District's transfer cap.

Facilities Distress Choice Applications

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

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

Unsafe School Choice Program

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

Legal References: A.C.A. § 6-1-106

A.C.A. § 6-13-113

A.C.A. § 6-15-2915

A.C.A. § 6-18-233

A.C.A. § 6-18-320

A.C.A. § 6-18-510

A.C.A. § 6-18-227

A.C.A § 6-18-1901 et seq

A.C.A. § 6-21-812

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

DESE Rules Governing the Public School Choice Act of 2015

Date Adopted: Oct. 2010

Last Revised: June 2022

School Board Policy – 4.6 Home Schooling

Enrollment in Home School

Parents or legal guardians desiring to provide a home school for their children must give written notice to the Superintendent of their intent to home school. The notice shall be given:

1. at the beginning of each school year, but no later than August 15;
2. Five (5) school days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive absences) and at the beginning of each school year thereafter; or
3. within thirty (30) calendar days of the parent or legal guardian establishing residency within the district during the school year.

Written notice of the parent or legal guardian's intent to home school shall be delivered to the Superintendent through any of the following methods:

- Electronically, including without limitation by:
 - Use of the Division of Elementary and Secondary Education's (DESE) online system;
 - Email; or
 - Facsimile;
- By mail; or
- In person.

The notice shall include;

- a. The name, sex, date of birth, grade level, and the name and address of the school last attended, if any;
- b. The mailing address and telephone number of the home school;
- c. The name of the parent or legal guardian providing the home school;
- d. Indicate if the home-schooled student intends to participate in extracurricular activities during the school year;
- e. A statement of whether the home-schooled student plans to seek a high school equivalency diploma during the current school year;
- f. A statement that the parent or legal guardian agrees that the parent or legal guardian is responsible for the education of their children during the time the parents or legal guardians choose to home school; and
- g. A signature of the parent or legal guardian.

To aid the District in providing a free and appropriate public education to students in need of special education services, the parents or legal guardians home-schooling their children shall provide information which might indicate the need for special education services.

A student who has been temporarily issued items, resource, supplies, materials, or other property belonging to the District is eligible for enrollment in a home school during the school year after;

- The items, resources, supplies, materials, or other property belonging to the District have been paid for; or
- The items, resources, supplies, materials, or other property belonging to the District have been paid for; or
- The semester has ended.

The superintendent of the board of directors may waive the required five (5) school day waiting period for a student's enrollment in home school during a semester if the superintendent or the board of directors is satisfied with the return of temporarily issued items, resources, supplies, materials, or other District property.

Enrollment or Re-Enrollment in Public School

A home-schooled student who wishes to enroll or re-enroll in a District school shall submit;

- A transcript listing all courses taken and semester grades from the home school;
- Score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and
- A portfolio of indicators of the home-schooled student's academic progress, including without limitation;
 - Curricula used in the home school;
 - Tests taken and lessons completed by the home-schooled student; and
 - Other indicators of the home-schooled student's academic progress.

If a home-schooled student is unable to provide a nationally recognized norm-referenced score, the District may either assess the student using a nationally recognized norm-referenced assessment or waive the requirement for a nationally recognized norm-referenced assessment score.

A home-schooled student who enrolls or re-enrolls in the District will be placed at a grade level and academic course level equivalent to or higher than the home-schooled student's grade level and academic course level in the home school;

1. As indicated by the documentation submitted by the home-schooled student;
2. By mutual agreement between the public school and the home-schooled student's parent or legal guardian; or
3. If the home-schooled student fails to provide the documentation required by this policy, with the exception of the nationally recognized norm-referenced assessment score, the District may have sole authority to determine the home-schooled student's grade placement and course credit in the same manner the District uses when determining grade placement and course credits for students enrolling or re-enrolling in the District who attended another public or private school.

The District shall afford a home-schooled student who enrolls or re-enrolls in a public school the same rights and privileges enjoyed by the District's other students. The District shall not deny a home-schooled student who enrolls or re-enrolls in the District any of the following on the basis of the student having attended a home school;

- a. Award of course credits earned in the home school;
- b. Placement in the proper grade level and promotion to the next grade level;
- c. Participation in any academic or extracurricular activity;
- d. Membership in school-sponsored clubs, associations, or organizations;
- e. A diploma or graduation, so long as the student has enrolled or re-enrolled in the District to attend classes for at least the nine (9) months immediately prior to graduation; or
- f. Scholarship.

Date Adopted: Oct. 2010

Revised: June 2021

Homeless

School Board Policy – 4.40 Homeless Students

The Nemo Vista School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The superintendent or his/her designee shall appoint an appropriate staff person to be the local educational agency (LEA) liaison for homeless children and youth whose responsibilities shall include, but are not limited to:

- Receive appropriate time and training in order to carry out the duties required by law and this policy;
- Coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensure that school personnel receive professional development and other support regarding their duties and responsibilities for homeless youths;
- Ensure that unaccompanied homeless youths;
 - Are enrolled in school;
 - Have opportunities to meet the same challenging State academic standards as other children and youths; and
 - Are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid;
- Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.

To the extent possible, the LEA liaison and the building principal shall work together to ensure no homeless child or youth is harmed due to conflicts with District policies solely because of the homeless child or youth's living situation; this is especially true for District policies governing fees, fines, and absences.

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

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

- The school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool; and
 - The designated receiving school at the next grade level for all feeder schools when the child completes the final grade provided by the school of origin.
1. Continue the child's or youth's education in the school of origin for the duration of homelessness;
 - In any case in which a family becomes homeless between academic years or during an academic year; and
 - For the remainder of the academic year, if the child or youth becomes permanently housed during

an academic year; or

2. Enroll the child or youth in any public school that no homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

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

- Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth.

If the District determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, the District shall provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal. For an unaccompanied youth, the District shall ensure that the LEA liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

The homeless child or youth must be immediately enrolled in the selected school regardless of whether application or enrollment deadlines were missed during the period of homelessness.

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

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

A. Are

- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Abandoned in hospitals; or
- Awaiting foster care placement;

B. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

C. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

D. Are migratory children who are living in circumstances described in clauses (a) through (c)?

In accordance with Federal law, information on a homeless child or youth's living situation is part of the student's education record and shall not be considered, or added, to the list of directory information in Policy 4.13.

Legal References**: 42 U.S.C. § 11431 etseq.

42 U.S.C. § 11431 (2)

42 U.S.C. § 11432(g) (1) (H) (I)

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

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

42 U.S.C. § 11432 (g) (3) (B) (i), (ii), (iii)
42 U.S.C. § 11432 (g) (3) (C) (i), (ii), (iii)
42 U.S.C. § 11432 (g) (3) (E) (i), (ii), (iii)
42 U.S.C. § 11432 (g) (3) (
42 U.S.C. § 11432 (g) (4) (A), (B), (C), (D), (E)
42 U.S.C. § 11434a

Date Adopted: Oct. 2010

Date Revised: Jan. 2017

Honor Course/AP Classes (High School)

Board Policy 5.21 – Advanced Placement, International Baccalaureate, and Honor Course

Students in grades 7-12 who take advanced placement (AP) courses; International Baccalaureate (IB) courses; honors or concurrent credit college courses; or other courses approved for weighted credit by the Division of Elementary and Secondary Education (DESE) shall be graded according to the following schedule:

A = 100-90
B = 89-80
C = 79-70
D = 69-60
F = 59 and below

For the purpose of determining grade point averages, the numeric value of each letter grade shall be:

A = 5 points
B = 4 points
C = 3 points
D = 2 points
F = 0 points

For a student to be eligible to receive weighted credit for an AP or IB course:

- The course must be taught by an Arkansas licensed teacher who has received the appropriate training required by Arkansas statute and DESE Rule or, for an AP teacher, is in the process of completing an Additional Training Plan; and
- The student takes the applicable AP or IB examination after completing the entire course. Credit shall be given for each grading period during the course of the year, but shall be retroactively removed from a student's grade for any course in which the student fails to take the applicable exam. Students who do not take the applicable exam shall receive the same numeric value for the grade he/she receives in the course as if it were a non-AP or IB course.

"Honor Courses" are those that have been approved by DESE as honors courses. Honors courses must stress higher order learning and be offered in addition to curriculum offerings required by the Standards for Accreditation.

Students who transfer into the district will be given weighted credit for the AP courses; IB courses; honors or concurrent credit college courses; and other courses approved by DESE for weighted credit that were taken for weighted credit has his/her previous school(s) according to the preceding scale.

Legal References: DESE Rules governing Uniform Grading Course Credit

A.C.A. § 6-18-902

A.C.A. § 6-16-806

Date Adopted: October 2010

Last Revised: June 2020

Concurrent Credit

Board Policy 5.22 – Concurrent Credit

A ninth (9th) through twelfth (12th) grade student who successfully completes a college course(s) from an institution approved by the Division of Elementary and Secondary Education (DESE) shall be given credit towards high school grades and graduation at the rate of (1) one school credit for each three (3) semester hours of college credit. Unless approved by the school's principal, **prior to enrolling for the course**, the concurrent credit shall be applied toward the student's graduation requirements as an elective.

As permitted by the DESE Rules Governing Grading and Course Credit, a student who takes three (3) semester hour remedial/developmental education course, shall receive a half (1/2) credit for a high school career focus elective. The remedial/developmental education course cannot be used to meet core subject area/unit requirements.

Participation in the concurrent high school and college credit program must be documented by a written agreement between:

- The student;
- The student's parent(s) or legal guardian(s) if the student is under the age of eighteen (18);
- The District; and
- The publicly supported community college, technical college, four-year college or university, or private institution of higher education the student attends to take the concurrent credit course.

Students are responsible for having the transcript for the concurrent credit course(s) they've taken sent to their school in order to receive credit for the course(s). Credit for concurrent credit courses will not be given until transcript is received. Students may not receive credit for the credit for the course(s) they took or the credit may be delayed if the transcripts are not received at all or in a timely manner; this may jeopardize students' eligibility for extracurricular activities, or graduation.

Students will retain credit earned through concurrent credit program which was applied toward a course required for high school graduation from a previously attended, accredited, public school.

Legal Reference: A.C.A. § 6-15-902(c) (2)

A.C.A. § 6-16-1201 et seq.

A.C.A. § 6-18-232

DESE Rules: Governing Grading and Course Credit

Cross Reference: 4.59---ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOLED STUDENTS

Date Adopted: October 2010

Last Revised: June 2020

Smart Core Curriculum

School Board Policy – 4.45 Smart Core Curriculum and Graduation Requirements for the Classes of 2023, 2024, and 2025

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

for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the deadline for them to sign and return the waiver form.

While there are similarities between the two curriculums, following the Common Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Common 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 as part of the annual school district support plan development process 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.

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENT including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

GRADUATION REQUIREMENTS

The number of units' students must earn to be eligible for high school graduation is to be earned from the following categories listed below. A minimum of twenty-two (22) units is required for graduation for students participating in either the Smart Core or Core curriculum. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 1 unit to graduate for a total of twenty-three (23) units. The additional required unit may be taken from any electives offered by the district. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

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

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

Digital Learning Courses

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

Personal and Family Finance

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

graduate.

SMART CORE: Sixteen (16) units

- English: four (4) units - one in grades 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 Geometry A & B * which may be taken in grades 8-9 or 9-10

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

- 3) Algebra II; and
- 4) The fourth unit may be either:
 - A math unit approved by DESE beyond Algebra II: or
 - A computer science flex credit may be taken in the place of a fourth math credit.

Natural Science: three (3) units

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

Social Studies: three (3) units

- Civics one-half (1/2) unit
- World History – one unit
- American History – one unit
- Other social studies – one-half (1/2) unit

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

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

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

Economics – one half (1/2) unit-dependent upon the certification of 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)

CAREER FOCUS: Six (6) units

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

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

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

CORE: Sixteen (16) units

English: four (4) units—one in grades 9, 10, 11, and 12

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

Mathematics: four (4) units

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

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

Science: three (3) units

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

Social Studies: three (3) units

- Civics one-half (1/2) unit
- World history, one (1) unit
- American history, one (1) unit
- Other social studies – one-half (1/2) unit

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

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

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

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

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.

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

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

Cross Reference: 4.55 --- Student Promotion and Retention
5.5 --- Planning for Educational Improvement
5.11--- Digital Learning Courses
5.12---Computer Science Internships and Independent Studies
5.16---Computer Science Course Prerequisites and Progression

Legal References Standards of Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3
DESE Guidelines for the Development of Smart Core Curriculum Policy
DESE Rules Governing the Digital Learning
Smart Core Information Sheet
Smart Core Waiver Form
Commissioner's Memo LS-18-082
A.C.A. § 6-4-302
A.C.A. § 6-16-122
A.C.A. § 6-16-143
A.C.A. § 6-16-149
A.C.A. § 6-16-150
A.C.A. § 6-16-1406
A.C.A. § 6-28-115

Date Adopted: June 2017

Last Revised: June 2022

Smart Core Curriculum

School Board Policy - 4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2026 AND THEREAFTER

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process³ to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

- Distribution of a newsletter(s) to parents or guardians of the district's students.

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

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

GRADUATION REQUIREMENTS

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

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

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

Digital Learning Courses

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

Personal and Family Finance

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

Computer Science

All students shall earn one (1) unit of credit in a computer science course in order to graduate.

SMART CORE: Sixteen (16) units

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

Oral Communications: one-half (½) unit

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

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

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

- 3) Algebra II; and
- 4) The fourth unit may be either:
 - A math unit approved by DESE beyond Algebra II; or
 - A computer science flex credit may be taken in the place of a fourth math credit.

Natural Science: three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and

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

Social Studies: three (3) units

- Civics - one-half (½) unit
- World History - one unit
- American History - one unit
- Other social studies – one-half (½) Unit

Physical Education: one-half (½) unit

Note: While one-half (½) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (½) unit

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

Fine Arts: one-half (½) unit

CAREER FOCUS: - Six (6) units

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

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

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

CORE: Sixteen (16) units

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

Oral Communications: one-half (½) unit

Mathematics: four (4) units

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

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

Science: three (3) units

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
 - o An additional science credit approved by DESE; or

- A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

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

Physical Education: one-half (½) unit

Note: While one-half (½) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (½) unit

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

Fine Arts: one-half (½) unit

CAREER FOCUS: - Six (6) units

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

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements. A student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.⁹

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

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

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

⁴ Schools are required to retain documentation procedures and methods used.

⁵ The Guidelines require the policy to include the training "procedure." If you prefer a different procedure than inclusion in your district's annual professional development process, change this sentence accordingly.

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

⁷ For a detailed explanation/discussion of district options for digital learning courses see policy 5.11—DIGITAL LEARNING COURSES.

⁸ The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

⁹ In order for students to receive the community service learning (CLS) credit, the district must have completed and submitted a CLS plan to DESE. In addition, a partner site application must be approved by both the district's board of directors and by the State Board if an organization the District has partnered with, rather than a District employee, is responsible for certifying a student's hours of service. Districts who do not intend to submit a CLS plan should not include this language.

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

Legal References: Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3
DESE Guidelines for the Development of Smart Core Curriculum Policy
DESE Rules Governing Distance and Digital Learning
Smart Core Information Sheet
Smart Core Waiver Form
Commissioner's Memo LS-18-082
A.C.A. § 6-4-302
A.C.A. § 6-16-122
A.C.A. § 6-16-143
A.C.A. § 6-16-149
A.C.A. § 6-16-150
A.C.A. § 6-16-152
A.C.A. § 6-16-1406
A.C.A. § 6-28-115

Date Adopted: June 2021
Last Revised: June 2021

School Board Policy 5.16—Computer Science Course Prerequisites and Progression

Traditional Progression

A student who has not previously received a computer science credit may elect to take an introductory level computer science course. A student who passes a computer science course level is eligible to take the next level computer science course in the same computer science course emphasis.

Alternative Progression

A student who does not have credit for any computer science course, the introductory level computer science courses for the particular computer science emphasis, or the preceding level course for the computer science emphasis may be placed in a computer science course based on the combination of the following factors:

- The student's grade point average;
- Recommendation from the student's teacher(s);
- Completion of computer science internships or independent studies;
- Demonstration of previous computer science work by the student; or
- Proficiency report from a computer science proficiency evaluation tool.

Cross Reference: 5.12—COMPUTER SCIENCE INTERNSHIPS AND INDEPENDENT STUDIES

Legal References: Arkansas Computer Science Standards for grades 9-12
Commissioner's Memo COM-17-051
Commissioner's Memo COM-19-050

Date Adopted: June 2017
Last Revised: June 2019

Section 14

Computer Policies

Computer Use Policy

School Board Policy – 4.29 Computer Use Policy *Student Internet Use Agreement Form Handbook pages 6-7*

The Nemo Vista School District makes computers and/or computer Internet access available to students, to permit students to perform research and to allow students to learn how to use computer technology. Use of district computers is for educational and/or instructional purposes only. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. No student will be granted Internet access until and unless a computer-use agreement, signed by both the student and the parent or legal guardian (If the student is under the age of eighteen [18] is on file.) The current version of the computer use agreement is incorporated by reference into board policy and is considered part of the student handbook

Student use of computers shall only be as directed or assigned by staff or teachers; student is advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that monitoring of student computer use is continuous. Students must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security or Internet filtering software, alter data without authorization, or disclose passwords to other students. Students who misuse district-owned computers or Internet access in any way, including using computers to violate any other policy or contrary to the computer use agreement, or using computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, as specified in the student handbook and/or computer use agreement.

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

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

Date Adopted: Oct. 2010

Last Revised: May 2011

District Web Site

School Board Policy – 5.20 District Web Site

School Board Policy – 5.20.2 *Student Information on Web Site Form pg. 167*

The Nemo Vista School District shall maintain a web page to provide information about its schools, students, and activities to the community. This policy is adopted to promote continuity between the different pages on the district web site by establishing guidelines for their construction and operation.

The Nemo Vista School District web site shall be used for educational purposes only. It shall not create either a public or a limited public forum. Any link from any page on the District's site may only be to another educational site. The web site shall not use "cookies" to collect or retain identifying information about visitors to its web site nor shall any such information be given to "third parties." Any data collected shall be used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

Each school's web page shall be under the supervision of the school's Web Master and the District's web site shall be under the supervision of the District's Web Master. They shall have the responsibility for ensuring that web pages meet appropriate levels of academic standards and are in compliance with these guidelines and any additional administrative regulations. To this end the District and School Web Masters shall have the authority to review and edit any proposed changes to web pages to ensure their compliance with this policy. All such editing shall be viewpoint neutral.

District and school web pages shall also conform to the following guidelines.

- 1) All pages on the District's web site may contain advertising and links only to educational sources.
- 2) The District's home page shall contain links to existing individual school's web pages and the school home page shall link back to the District's home page. The District's home page may also include links to educational extracurricular organizations' web pages which shall also link back to the District's home page.
- 3) Photos and other identifying information such as address, home phone number, and parent's name shall only be posted on web pages after receiving written permission from the student or their parents if under the age of eighteen (18).
- 4) The District's web server shall host the Nemo Vista School District's web site.
- 5) No web page on the District web site may contain public message boards or chat rooms.
- 6) All web pages on the District web site shall be constructed to download in a reasonable length of time.
- 7) The District's home page shall contain a link to a privacy policy notice which must be placed in a clear and prominent place and manner.
- 8) With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by Nemo Vista School District.
- 9) The District shall include the following information on its website through a link located on the District's homepage titled "State Required Information":
 - a. Local and state revenue sources;
 - b. Administrator and teacher salary and benefits expenditure data;
 - c. District balances, including legal balances and building fund balances;
 - d. Minutes of regular and special meeting of the school board;
 - e. The district's budget for the ensuring year;
 - f. A financial breakdown of monthly expenditures of the district;
 - g. The salary schedule for all employees including extended contract and supplementary pay amounts;
 - h. Current contract information (not including social security numbers, telephone numbers, personal addresses or signatures) for all district employees;
 - i. The district's annual budget;
 - j. The annual statistical report of the district;
 - k. The district's personnel policies;
 - l. The annual School Performance Report;
 - m. School-Level Improvement Plans;
 - o. Student discipline policies;
 - P. Comprehensive School Counseling Plan
 - q. The District financial policies;
 - r. Student handbooks;
 - s. The Annual Report to the Public;
 - t. The parent, family, and community engagement plan;
 - u. The Immunization waiver report from Policy 4.57 – IMMUNIZATIONS;
 - v. School District Calendar;
 - w. List of statutory, rule, or Standards for Accreditation waivers the District has received under A.C. A. § 6-15-103;
 - x. The District's Teacher and Administrator Recruitment and Retention Plan.

The information and data required for items A through K in 9 above shall be the actual data for the previous two school-years and the projected data for the current school-year.

Before July 15 of each year, the District shall post on its website the following information:

- The dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students with dyslexia;
- The number of students during the previous school year who received dyslexia intervention; and
- The total number of students identified with dyslexia during the previous school year.

The District shall include the following information on its website that may be accessed through a link located on the District's homepage title "Title IX/Sex Discrimination":

- Contact information for the District's Title IX Coordinator;
- A statement that any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, telephone number, or email address provided. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment;
- Copies of the District's sexual harassment policies;
- Copies of the District's Procedures governing the grievance and appeal process;
- The process for filing a formal complaint of sexual harassment; and
- Direct links to or copies of the materials used to train the District's Title IX Coordinators, investigators, and decision-makers.

The District and school webmaster are responsible for ensuring all District webpages meet required standards to be accessible to individuals with disabilities.

Legal References: A.C.A. § 6-11-129

A.C.A. § 6-15-1402

A.C.A. § 6-15-2006

A.C.A. § 6-15-2101

A.C.A. § 6-15-2914

A.C.A. § 6-17-1091

A.C.A. § 6-18-702

A.C.A. § 6-18-2001 et seq.

A.C.A. § 6-41-606

A.C.A. § 6-41-611

DESE Rules Governing How to Meet the Needs of Children with Dyslexia

DESE Rules Governing the Arkansas Educational Support and Accountability Act

DESE Rules Governing Act 1240 Waivers

DESE Rules Governing Documents Posted to School District and Education Service Cooperative Websites

Standards for Accreditation 12.02.1, 1-B.2, 2-B.1, 2-H.2, 3-A.1, 3-A.2, 3-A.9, 3-B.1,

3. B.2.1, 5-A.1

20 U.S.C. § 1232 g

15 U.S.C. § 6501 (COPPA)

34 C.F.R. § 106.8

34 C.F.R. § 106.45

Cross References: 3.26---LICENSED PERSONNEL SEXUAL HARASSMENT

4.27---STUDENT SEXUAL HARASSMENT

4.57---IMMUNIZATIONS
5.2---PLANNING FOR EDUCATIONAL IMPROVEMENT
8.20---CLASSIFIED PERSONNEL SEXUAL HARASSMENT

Date Adopted: Oct. 2010

Last Revised: June 2021

Web Site Privacy Policy

School Board Policy – 5.20.1 Web Site Privacy Policy *Website Form pg. 166*

The Nemo Vista School District operates and maintains a web site for the purpose of informing the citizens of the District about its activities. The web site does not use "cookies" or ISP addresses to collect or retain personally identifying information about visitors to its web site nor is any such information given to "Third parties". Any data collected is used solely for the purpose of monitoring site activity to help the District improve the usefulness of the site to its visitors.

The site serves no commercial purpose and does not collect any information from individuals for such purpose.

Photographs of students, when associated with the student's name, shall not be displayed on any page of the district's web site without the prior written consent of the parent (or the student if 18 or older).

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password protected communication between the District and its staff.

Legal References: 15 U.S.C. § 6501 (COPPA)

Date Adopted: June 2009

Section 15

Instructional/Supplemental/Library Materials

School Board Policy – 5.5 Selection/Inspection of Instructional Materials

Definitions

"Curriculum" means: the sequences of public school student learning expectation, pacing, materials, and resources that are used to teach the Arkansas academic standards and the processes for evaluating mastery of the Arkansas academic standards at particular points in time throughout the kindergarten through grade twelve (K-12) educational program.

"Gender identity" means the same as is used in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, which defines it as a category of social identity and refers to an individual's identification as male, female, or occasionally, some category other than male or female.

"Instructional material" means instructional content that is provided to a public school student, regardless of its format, that includes without limitation printed or representational materials, audio-visual materials, and materials in electronic or digital format, such as materials accessible through the internet; however, instructional material does not include academic tests or academic assessments.

"Sexual orientation" means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual.

The use of instructional materials, including classroom events or activities associated with classroom instruction, beyond those approved as part of the curriculum textbook program must be compatible with school and district policies. If there is uncertainty concerning the appropriateness of supplemental materials, the personnel desiring to use the materials shall get approval from the school's principal prior to putting the materials into use.

All instructional materials, including classroom events or activities associated with classroom instruction, used as part of the educational curriculum of a student shall be available for inspection by the parents or guardians of the student.

Parents or guardians wishing to inspect instructional materials used as part of the educational curriculum for their child may schedule an appointment with the student's teacher at a mutually agreeable time. Parents/guardians wishing to challenge the appropriateness of any instructional materials shall follow the procedures outlined in Policy 5.

6- CHALLENGE OF INSTRUCTIONAL/SUPPLEMENTAL MATERIALS.

In addition to all other inspection rights under this policy, the following shall be made available for inspection regardless of whether any of the listed items are offered as part of a sex education class or program or as part of any other class, activity, or program;

- a. Curricula;
- b. Materials;
- c. Tests;
- d. Surveys;
- e. Questionnaires;
- f. Activities; and
- g. Instruction of any kind.

Except when directly related to a requirement under the Arkansas academic standards; a District employee responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or a District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary content in relation to a topic of instruction, the District shall provide written notification to parents and legal guardians of their ability to exercise their rights under this policy to review items A-G above or to challenge and/or opt their student out of items under A-G above as permitted under Policy 5.6. The District's notification method shall ensure that the District receives a confirmation of the written notification receipt from parents and legal guardians.

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

Legal Reference: 20USC § 1232h

A.C.A. § 6-16-155

A.C.A. § 6-16-1006

Date Adopted: June 2010

Date Revised: June 2022

School Board Policy – 5.6 Challenge to Instructional/Supplemental Materials *Reconsideration Form 164*

Definitions

“Curriculum” means the sequences of public school student learning expectations, pacing, materials, and resources that are used to teach the Arkansas academic standards and the processes for evaluating mastery of the Arkansas academic standards at particular points in time throughout the kindergarten through grade twelve (K-12) educational program.

“Gender identity” means the same as is used in the Diagnostic and Statistical Manual of Mental Disorders, fifth Edition, which defines it as a category of social identity and refers to an individual's identification as male, female, or, occasionally, some category other than male or female.

“Instructional materials” means instructional content that is provided to a public school student, regardless of its format, that includes without limitation printed or representational materials, audio-visual materials, and materials in electronic or digital format, such as materials accessible through the internet; however, instructional material does not include academic tests or academic assessments.

“Sexual orientation” means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual.

Instructional and supplemental materials, including classroom events or activities associated with classroom instruction, are selected for their compatibility with the District's educational program and their ability to help fulfill the District's educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials, including classroom events or activities associated with classroom instruction, may do so by

filling out a Challenge to Instructional Material form available in the school's office.

The contesting individual may present a copy of the form to the principal and request a conference be held at a time of mutual convenience. Prior to the conference, the principal shall consult with the teacher regarding the contested material. In the conference, the principal shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the principal shall have five (5) working days to submit a summary of the concerns expressed by the individual and the principal's response to those concerns to the superintendent.

If the contesting individual is not satisfied with the principal's response, the individual may, after the five (5) working day period, request a meeting with the superintendent where the individual shall present the same Challenge to Instructional Material form previously presented to the principal. The superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the superintendent shall have five (5) working days to write a summary of the concerns expressed by the individual and the superintendent's response to those concerns. The superintendent shall create a file of his/her response along with a copy of the principal's response and a copy of the contesting individual's Challenge to Instructional Material form.

If, after meeting with the superintendent, the contesting individual is not satisfied with the superintendent's response regarding the appropriateness of the instructional or supplemental material; he/she may appeal the superintendent's decision to the Board. The superintendent shall present the contesting individual's Challenge to Instructional Material form to the Board at the next regularly scheduled meeting along with the written responses to the challenge. The Board may elect, if it so chooses, to hear brief verbal presentations from the parties involved in the challenge.

The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be if the instructional and supplemental materials, including classroom events or activities associated with classroom instruction, are:

- Misleading;
- Factually inaccurate; or
- Otherwise inappropriate for the intended educational use.

In addition to the notification requirements under Policy 5.5 and all other challenge rights under this policy, parents and legal guardians may opt their students out of any of the following by submission of form 5.6F2 regardless of whether any of the listed items are offered as part of a sex education class or program or as part of any other class, activity or program except when the item is directly related to a requirement under the Arkansas academic standards; a District employee is responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or a District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary context in relation to a topic of instruction:

- a. Curricula;
- b. Materials;
- c. Tests;
- d. Surveys;
- e. Questionnaires;
- f. Activities; and
- g. Instruction of any kind.

Students who are excused under this policy from participating in any or all portions of items A-G above shall not be penalized for grading purposes if the student satisfactorily performs alternative lessons related to health.

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

Legal Reference: 20 USCS 1232h

A.C.A. § 6-16-155

A.C.A § 6-16-1006

Date Adopted: June 2010

Date Revised: June 2022

School Board Policy – 5.7 Selection of Library/Media Center Materials *Reconsideration form pg. 165*

The ultimate authority for the selection and retention of materials for the schools' media centers rests with the Board of Education which shall serve as a final arbiter in resolving a challenge to any media center materials. Licensed media center personnel shall make the initial selections in consultation with school and district licensed staff. Materials selected shall be in accordance with the guidelines of this policy.

The purpose of the schools' libraries/media centers is to supplement and enrich the curriculum and instruction offered by the District. Promoting the dialogue characteristic of a healthy democracy necessitates the maintenance of a broad range of materials and information representing varied points of view on current and historical issues. In the selection of the materials and resources to be available in each library/media center consideration will be given to their age appropriateness. Materials should be available to challenge the different interests, learning styles, and reading levels of the school's students and that will help them attain the District's educational goals.

Selection Criteria

The criteria used in the selection of media center materials shall be that the materials:

1. Support and enhance the curricular and educational goals of the district;
2. are appropriate for the ages, learning styles, interests, and maturity of the schools' students, or parents in the case of parenting literature;
3. Contribute to the examination of issues from varying points of view and help to broaden students understanding of their rights and responsibilities in our society;
4. Help develop critical thinking skills;
5. are factually and/or historically accurate, in the case of non-fiction works and/or serve a pedagogical purpose;
6. Have literary merit as perceived by the educational community; and
7. Are technically well produced, physically sound (to the extent appropriate), and represent a reasonably sound economic value.

Retention and Continuous Evaluation

Media center materials shall be reviewed regularly to ensure the continued appropriateness of the center's collection to the school's curriculum and to maintain the collection in good repair. Those materials that no longer meet the selection criteria, have not been used for a long period of time, or are too worn to be economically repaired shall be withdrawn from the collection and disposed of. A record of withdrawn media materials including the manner of their disposal shall be maintained for a period of three years.

Gifts

Gifts to the media centers shall be evaluated to determine their appropriateness before they are placed in any media center. The evaluation shall use the same criteria as for all other materials considered for inclusion in the media centers. Any items determined to be unacceptable shall be returned to the donor or disposed of at the discretion of the media specialist. The media centers shall have a list of desired items to give to prospective donors to aid them in their selection of materials to donate.

Challenges: *Reconsideration Form pg. 165*

The parent of a student affected by a media selection, or a District employee may formally challenge the appropriateness of a media center selection by following the procedure outlined in this policy. The challenged material shall remain available throughout the challenge process.

Before any formal challenge can be filed, the individual contesting (hereinafter complainant) the appropriateness of the specified item shall request a conference through the principal's office with a licensed media center employee. The complainant shall be given a copy of this policy and the Request for Formal Reconsideration Form prior to the conference. The meeting shall take place at the earliest possible time of mutual convenience, but in no case later than five (5) working days from the date of the request unless it is by the choice of the complainant.

In the meeting, the media specialist shall explain the selection criteria and how the challenged material fits the criteria. The complainant shall explain his/her reasons for objecting to the selected material. If, at the completion of the meeting, the complainant wishes to make a formal challenge to the selected material, he/she may do so by completing the Request for Formal Reconsideration Form and submitting it to the principal's office.

To review the contested media, the principal shall select a committee of five (5) or seven (7) licensed personnel consisting of the principal as chair and at least one media specialist. The remaining committee members shall be personnel with curriculum knowledge appropriate for the material being contested and representative of diverse viewpoints. The task of the committee shall be to determine if the challenged material meets the criteria of selection. No material shall be withdrawn solely for the viewpoints expressed within it and shall be reviewed in its entirety and not selected portions taken out of context.

The principal shall convene a meeting after a reasonable time for the committee members to adequately review the contested material and the Request for Formal Reconsideration Form submitted by the complainant. The complainant shall be allowed to present the complaint to the committee after which time the committee shall meet privately to discuss the material. The committee shall vote by secret ballot to determine whether the contested material shall be removed from the media center's collection. A member from the voting majority shall write a summary of the reasons for their decision. A notice of the committee's decision and the summary shall be given (by hand or certified mail) to the complainant.

If the decision is to not remove the material, the complainant may appeal the committee's decision to the district Board of Directors by filing a written appeal to the superintendent within 5 working days of the committee's decision or of written receipt of the decision. The superintendent shall present the original complaint and the committee's decision along with the summary of its reasons for its position plus a recommendation of the administration, if so desired, to the Board within fifteen (15) days of the committee's decision. The Board shall review the material submitted to them by the superintendent and make a decision within thirty (30) days of receipt of the information. The Board's decision is final.

Legal Reference: A.C.A. § 6-25-101 et seq.
Date Adopted: June 2009

English Language Learners

School Board Policy 5.27---English Language Learners

The district shall utilize the special needs funding it receives for identified English Language Learners (ELL) on activities, and materials listed in the DESE Rules Governing Student Special Needs Funding.

The expenditures of ELL supplemental funding shall be evaluated at least annually to determine their overall effectiveness. The evaluation shall specifically address how the use of ELL funds is in alignment with the district's school district support plan in addressing identified achievement gaps and student performance deficiencies.

Legal References: A.C.A. § 6-15-2914
A.C.A. § 6-20-2305(b) (3)
DESE Rules Governing Student Special Needs Funding---3.09, 5.00, 8.00
Standards for Accreditation 2-J.2

Date Adopted: Oct. 2010
Last Revised: June 2021

Enhanced Student Achievement Funding Expenditures

School Board Policy 5.28---Enhanced Student Achievement Funding Expenditures

Funding received from the state based on the number of students eligible for free and reduced-priced meals under the National Student Lunch Act shall be expended in accordance with guidelines outlined in the Division of Elementary and Secondary Education (DESE) Rules Governing Student Special Needs Funding.

The District shall develop a three-year plan for the use of the District's enhanced student achievement funds. The plan shall describe the District's intended and implemented strategies to enhance student achievement and how enhanced student achievement funds will be used to support the strategies of the District as permitted by Arkansas law and DESE Rules.

The District shall review the District's enhanced student achievement plan at least annually, which shall include a review of the progress of the implementation of the District's proposed strategies and the efficacy of the planned strategies. The District shall update the District's enhanced student achievement plan at least annually.

Any amendments to the District enhanced student achievement plan shall be submitted along with the District annual budget to DESE.

Legal References: A.C.A. § 6-15-2914

A.C.A. § 6-20-2305(b) (4)

DESE Rules Governing Student Special Needs Funding---3.12, 3.17, 3.18, 6.00, and 8.00

Date Adopted: Oct. 2010

Last Revised: June 2021

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