# MARMADUKE SCHOOL DISTRICT
# PARENT – STUDENT STATEMENT OF RESPONSIBILITY

**Student's Name (Please Print)** **Grade** **Date signed**

**The statement below must be signed and returned to the school within one (1) week after the student receives it. If, after one (1) week the student has not returned the form, he/she will not be permitted to attend class until he/she does comply.**
**If you do not have access to the internet please notify the district and a paper copy will be sent home with your student.**

**We have accessed the Marmaduke School District Handbook for student conduct and discipline on the school website**; *http://www.mhs.nesc.k12.ar.us/* and although we may not agree with all the regulations, we understand that the student must adhere to them while he/she is at school or in attendance at school-sponsored activities. **I have also read through the absentee policy beginning on PAGE 32.** In the event that we are not entirely certain of some aspect of school policy, we will contact the principal for clarification within one (1) week after receipt of that policy.

Act 1565 of 2001 makes it unlawful for any person to use profane, violent, vulgar, abusive, or insulting language toward any public school employee during the course of his or her duty.

**Student's Signature** **Parent's / Guardian's Signature**

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

I, the undersigned, being a parent of a student, or a student (18) years of age or older, hereby note my objection to the disclosure or publication by the Marmaduke School District of directory information, as defined in the Privacy of Students' Records – **PAGE 44**, concerning the student named below. The District is required to continue to honor any signed opt-out form for any student no longer in attendance at the District.

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

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

I object and wish to deny the disclosure or publication of directory information as follows:
Deny disclosure to military closures___
Deny disclosure to Institutions of postsecondary education ____
Deny disclosure to Potential employers ____
Deny disclosure to all public sources ____
Selecting this option will prohibit the release of directory information to the first two categories listed above along with all other public sources (such as newspapers) but permit the student's directory information **to be included** in the school's yearbook and other school publications and websites.

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

**Student's Name (Please Print)**
**Parent's / Guardian's Signature** **Date signed**

This page left blank intentionally.

# MARMADUKE SCHOOL DISTRICT
# Title 1 – SCHOOL/PARENT COMPACT

Marmaduke Public Schools and the parents of the students participating in activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act (ESEA) (participating children), agree that this compact outlines how the parents, the entire school staff, and the students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership that will help children achieve the State's high standards. This school-parent compact is in effect during school year.

## School Responsibilities:

Marmaduke Public School will:

1. Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's student academic achievement standards as follows: All students will participate in the curriculum which is driven by the Grade Level Content Expectations of the State of Arkansas. Students will be supported in a learning environment that provides multiple levels of instruction and considers a variety of learning styles.
2. Hold parent-teacher conferences, during which this compact will be discussed as it relates to the individual child's achievement. Parent-teacher conferences will be held in the fall and spring of each school year.
3. Provide parents with frequent reports on their children's progress. Student progress will be reported to parents every nine weeks with report cards. Parents will be provided an Individual Progress Report after 4 ½ weeks into each quarter. Parents will also be provided access to a Home Access Center through the school's website which provides current information regarding their child's progress.
4. Provide parents reasonable access to staff. Staff will be available to parents during parent/teacher conferences, during the time provided before and after school, by phone and email as needed.
5. Provide parents opportunities to volunteer and participate in their child's class, and to observe classroom activities, as follows:
Parents may participate in their student's classroom by chaperoning field trips and classroom parties/activities. Parents are also encouraged to volunteer in a variety of academic support areas through the Parent Involvement Coordinator.

## Parent Responsibilities:

We, as parents, will support our children's learning in the following ways:

1. Monitoring my student's attendance.
2. Making sure that homework is completed.
3. Volunteering in my child's classroom.
4. Participating, as appropriate, in decisions relating to my children's education.
5. Promoting positive use of my child's extracurricular time.
6. Staying informed about my child's education and communicating with the school by promptly reading all notices from the school or the school district either received by my child or by mail and responding, as appropriate.
7. Serving, to the extent possible, on policy advisory groups, such as being the Title I, Part A parent representative on the school's School Improvement Team, or other school advisory or policy groups.

Student Responsibilities:

We, as students, will share the responsibility to improve our academic achievement and achieve the State's high standards. Specifically, we will:

1. Do my homework every day and ask for help when I need to.
2. Read at least 30 minutes every day outside of school time.
3. Give to my parents or the adult who is responsible for my welfare all notices and information received by me from my school.

**Student's Signature** **Date signed**

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

**Administration Signature** **Date signed**

This page left blank intentionally.

# Marmaduke School District User Agreement and Parent Permission Form for Network, Internet, Cell Phone, and Personal Electronic Devices (Page 111)

**Student's Name (Please Print)** **Grade Level**

The Marmaduke School District agrees to allow the student identified above ("Student") to use the district's technology to access the Internet under the following terms and conditions which apply whether the access is through a District or student owned electronic device (as used in this Agreement, "electronic device" means anything that can be used to transmit or capture images, sound, or data):

1. **Conditional Privilege**: The Student's use of the district's access to the Internet is a privilege conditioned on the student's abiding to this agreement. No student may use the district's access to the Internet whether through a District or student owned electronic device unless the student and his/her parent or guardian have read and signed this agreement.

2. **Acceptable Use**: The Student agrees that he/she will use the District's Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal laws and regulations and any State laws and rules. The Student also agrees to abide by any Internet use rules instituted at the Student's school or class, whether those rules are written or oral.

3. **Penalties for Improper Use**: If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action.

4. **"Misuse of the District's access to the Internet" includes, but is not limited to, the following**:

a. using the Internet for other than educational purposes;
b. gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
c. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
d. making unauthorized copies of computer software;
e. accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
g. posting anonymous messages on the system;
h. using encryption software;
i. wasteful use of limited resources provided by the school including paper;
j. causing congestion of the network through lengthy downloads of files;
k. vandalizing data of another user;
l. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
m. gaining or attempting to gain unauthorized access to resources or files;
n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
o. invading the privacy of individuals;
p. divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
q. using the network for financial or commercial gain without district permission;
r. theft or vandalism of data, equipment, or intellectual property;
s. attempting to gain access or gaining access to student records, grades, or files;
t. introducing a virus to, or otherwise improperly tampering with the system;
u. degrading or disrupting equipment or system performance;
v. creating a web page or associating a web page with the school or school district without proper authorization;
w. providing access to the District's Internet Access to unauthorized individuals;
x. failing to obey school or classroom Internet use rules;
y. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools; or
z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

5. **Liability for debts**: Students and their cosigners shall be liable for any and all costs (debts) incurred through the student's use of the computers or access to the Internet including penalties for copyright violations.

6. **No Expectation of Privacy**: The Student and parent/guardian signing below agree that if the Student uses the Internet through the District's access, that the Student waives any right to privacy the Student may have for such use. The Student and the parent/guardian agree that the district may monitor the Student's use of the District's Internet Access and may also examine all system activities the Student participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system. The District may share such transmissions with the Student's parents/guardians.

7. **No Guarantees**: The District will make good faith efforts to protect children from improper or harmful matter which may be on the Internet. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.

8. **Signatures**: We, the persons who have signed below, have read this agreement and agree to be bound by the terms and conditions of this agreement.

**Student's Signature** **Date signed**

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

## GUIDELINES FOR MEDICATIONS AT SCHOOL

**Student's Name (Please Print)**

I, the undersigned, being a parent or guardian of a student give my permission for the school nurse to administer over the counter medication to my student in accordance with this policy. Feel free to contact the school nurse for any questions.

1. Parents or designated guardian are required to bring in all medications to school nurse. Controlled medications have to be counted and documented. A form will also need to be filled out by the guardian.
2. The school nurse will not give the first dose of any medication. The first dose of a new medication will need to be given at home.
3. The medication will need to be in the original container with student name and doctor, this includes inhalers.
4. All medications will be given according to labeling directions. Any variance to the original instructions will require a prescription from the doctor.
5. All medications that are not picked up by the last day of school will be properly disposed of according to the AR State Board of Nursing.
6. No cough syrup will be given at school. A prescription will be required.
7. We encourage parents to give medications at home whenever possible. No general over-the-counter medications will be given before 11:30am. This will ensure that students are not taking medications before school ab=nd then trying to get a second dosage before needed.
8. Students will be allowed to receive medications from the nurse 5 times each semester. After that, students must provide a note from a doctor saying they are allowed to receive the medication.
9. All medications will be based on weight according to dosing requirements. Please check below the medications you agree to give your child if needed.

Tylenol ____
Motrin ____
Tums ____

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

## MEDICAID BILLING FOR HEARING AND VISION

This form is for vision and hearing screenings only for those students who qualify for Medicaid.

In compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 123g; 34 CFR Part 99)

I, _____, give permission for my child, _____'s personal identifiable
(Parent/Guardian Name) (First and Last Name)
information/student education records to be disclosed to a Third Party Billing Agent for the purpose of billing Medicaid.

**Parent's / Guardian's Name (Please Print)**

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

## MEDICATION ADMINISTRATION CONSENT FORM

**This form is good for the 2025-2026 school year and must be updated anytime the student's medication order changes.**

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

I hereby authorize the school nurse, or designee, to administer the following medications to my student.

Name of medication: _____

Name of prescribing health-care provider: _____

Dosage: _____

Instructions for administering the medication: _____

- I hereby authorize _____ to administer the above medication to my student in the unavailability of the school nurse at school in accordance with the above medication administration instructions.

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

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

## MEDICATION SELF-ADMINISTRATION CONSENT FORM

**Student's Name (Please Print)**_____

The following must be provided for the student to be eligible to self-administer asthma inhalers and/or auto-injectable epinephrine. Eligibility is **only** valid for this school for the current academic year. This consent form must be renewed each year and/or anytime a student changes schools. If the school nurse is available, the student shall demonstrate his/her skill level in using the asthma inhalers and/or auto-injectable epinephrine to the nurse.

1. A written medical statement from a health-care provider who has prescriptive privileges that the health provider has prescribed the rescue inhaler, auto-injectable epinephrine and/or nasal spray epinephrine for the student and that the student needs to carry the medication on the student's person due to a medical condition;
2. The specific medications prescribed for the student;
3. An individualized health care plan developed by the prescribing health-care provider containing the treatment plan for managing asthma and/or anaphylaxis episodes of the student and for medication use by the student during school hours; and
4. a statement from the prescribing health-care provider that the student possesses the skill and responsibility necessary to use and administer the asthma inhaler and/or auto-injectable epinephrine.

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

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

## EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM

_____

**Student's Name (Please Print)**

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

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

Date of health care provider's order _____

Circumstances under which Epinephrine may be administered

_____

Other instructions _____

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

_____ _____

**Parent or legal guardian signature** **Date signed**

# ALBUTEROL EMERGENCY ADMINISTRATION CONSENT FORM

_____
Student's Name (Please Print)

My child has an IHP that provides for the administration of albuterol in emergency situations. I hereby authorize the school nurse or other school employee certified to administer albuterol to administer albuterol in emergency situations when he/she believes my child is in perceived respiratory distress.

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

Date of health care provider's order _____

Circumstances under which albuterol may be administered

_____
Other instructions _____

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

_____ _____
Parent or legal guardian signature Date signed

# STRESS AND EMERGENCY DOSE MEDICATION ADMINISTRATION CONSENT FORM

Student's Name (Please Print) _____

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

The school has developed an individual health plan (IHP) acknowledging that my child has been diagnosed as suffering from adrenal insufficiency. The IHP authorizes the school nurse to administer a stress or emergency dose medication to my child in an emergency situation.

Date of health-care provider's order _____

Circumstances under which the stress or emergency dose medication may be administered

_____

Other instructions _____

In the absence of the nurse, trained volunteer district personnel may administer a stress dose or emergency dose medication to my child in an emergency situation.

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

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

Parent or legal guardian signature _____ Date _____

## RELEASE OF STUDENT MEDICAL INFORMATION

I, the undersigned, being a parent or guardian of a student give my authorization to the school caregivers to share information with pertinent school staff that the parent and/or nurse deem necessary for the care of my student in the Marmaduke School District. This information shall be disclosed on a need to know basis only pertaining to the care of my child at school, field trips, activities, and other designated school functions. Pertinent staff includes but is not limited to the following:

Teacher(s) ____

Principal ____

School Secretaries ____

Custodians ____

Cafeteria Manager ____

Transportation ____

Other _____

**Student's Name (Please Print)**

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

## OBJECTION TO PHYSICAL EXAMINATIONS OR SCREENINGS

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

____ Body Mass Index

____ Scoliosis test

____ Non-emergency, invasive physical examination as defined in Policy 4.41.

____ Other, please specify _____

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

**Student's Name (Please Print)**

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

This page left blank intentionally.

# Marmaduke School District Student Checkout Form

In an attempt to protect your child while at school, the Marmaduke School District will require photo identification of all persons checking out students. Unless this form is completed and is on file in the Principal's office, children will be checked out only to the biological parent(s) as listed on the student's birth certificate or to the child's legal guardian. If you wish to allow another person to check your child out from school, please complete the form below and return it to school as soon as possible. In case of a separation or divorce, we will allow a child to be checked out by either biological parent unless there is a copy of a legal document on file at school prohibiting that person from checking out the student.

**Student's Name (Please Print)** **Grade** **Teacher**

Please allow the following persons listed below to check out the above named child from school:

1. _____ 5. _____
2. _____ 6. _____
3. _____ 7. _____
4. _____ 8. _____

Under no circumstances are the persons listed below allowed to check out my child (ren) from school. (PLEASE ATTACH A PHOTOCOPY OF LEGAL DOCUMENT). Legal document MUST be provided for names to be on this list.

1. _____ 5. _____
2. _____ 6. _____
3. _____ 7. _____
4. _____ 8. _____

In case one of these people attempt to check my child out, please follow these instructions: _____

Phone number(s) where I may be contacted between the hours of 7:30a.m. and 3:30p.m.

**Parent's / Guardian's Signature** **Phone Number** **Date signed**

This page left blank intentionally.

**HOME SCHOOLED STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT RESIDENT DISTRICT**

Student's Name: (Please Print) _____

Parent or Guardian's Name: (Please Print) _____

Resident Physical Address: _____
City, State, Zip Code: _____

Resident Mailing Address: _____
City, State, Zip Code: _____

Student's date of birth: __/__/__ Last grade level the student completed: _____

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the ACT Aspire Test, or another nationally recognized norm-referenced test approved by the State Board of Education. Yes _____ No _____
Name of test, Date taken, and score achieved: _____

Extracurricular activity(ies) the student requests to participate in: _____
Students must also meet all eligibility requirements as provided by the Arkansas Activities Association to participate in any extracurricular activities. These can be found at www.ahsaa.org.

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

Proof of identity provided? Yes _____ No _____

Date Submitted: __/__/__

| **Parent's / Guardian's Signature** | **Phone Number** | **Date signed** |
|---|---|---|
| **Student's Signature** | **Phone Number** | **Date signed** |

**HOME SCHOOLED STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT NON-RESIDENT DISTRICT**

Student's Name: (Please Print) _____

Parent or Guardian's Name: (Please Print) _____

Resident Physical Address: _____City,
State, Zip Code: _____

Resident Mailing Address: _____ City,
State, Zip Code: _____

Student's date of birth: __/__/__ Last grade level the student completed: _____

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the ACT Aspire Test, or another nationally recognized norm-referenced test approved by the State Board of Education. Yes _____ No _____
Name of test, Date taken, and score achieved:

Extracurricular activity(ies) the student requests to participate in:
Students must also meet all eligibility requirements as provided by the Arkansas Activities Association to participate in any extracurricular activities. These can be found at www.ahsaa.org.

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

Proof of identity provided? Yes _____ No _____

Date Submitted: __/__/__

**Parent's / Guardian's Signature** **Phone Number** **Date signed**

**Student's Signature** **Phone Number** **Date signed**

As the superintendent of the above student's resident district, I agree that the above student may participate in extracurricular activities at _____ School District.

Resident Superintendent's Signature: _____

As the superintendent of the _____ School district, where the above student desires to participate in extracurricular activities, I agree to allow the student to participate in extracurricular activities at the _____ School District.

Non-resident Superintendent's Signature: _____

**Marmaduke School District**
**2026-2027 Calendar**
**(Nontraditional/Alternative)**

| | |
|---|---|
| August 13, 2026 | School Begins |
| September 7, 2026 | Labor Day Holiday (No School) |
| September 24, 2026 | Parent Teacher Conferences |
| October 9-12, 2026 | Fall Break (No school) |
| October 14, 2026 | End of First Nine Weeks (42 days) |
| October 15, 2026 | Begin Second Nine Weeks |
| November 23-27, 2026 | Thanksgiving Break |
| December 17-18, 2026 | Semester Exams |
| December 18, 2026 | End of First Semester |
| Dec. 21, 2026-Jan. 1, 2027 | Christmas Break |
| January 4, 2027 | Begin Third Nine Weeks |
| January 18, 2027 | Martin Luther King, Jr. Day (No School) |
| February 11, 2027 | Parent Teacher Conferences |
| February 12, 2027 | No School |
| February 15, 2027 | Presidents' Day (optional inclement weather make up day) |
| March 5, 2027 | End of Third Nine Weeks (42 days) |
| March 8, 2027 | Begin Fourth Nine Weeks |
| March 19, 2027 | No School (optional inclement weather make up day) |
| March 22-26, 2027 | Spring Break |
| March 29, 2027 | No School (optional inclement weather make up day) |
| April 15, 2027 | Prom |
| April 16, 2027 | Spring Friday (No School) |
| April 19, 2027 | No School (optional inclement weather make up day) |
| May 8, 2027 | Graduation 10:00 am |
| May 18-19, 2027 | Semester Exams |
| May 19, 2027 | End of Fourth Nine Weeks (44 days) |

Six days included for inclement weather if needed: Feb 15, March 19, March 29, April 19, May 20-21

This page left blank intentionally.

# INDEX


| | |
|---|---|
| ABSENCES | 32 |
| ACCIDENT INSURANCE | 94 |
| ADVANCED PLACEMENT COURSES | 86 |
| AFTER SCHOOL DETENTION | 117 |
| ALMA MATER | 129 |
| ALTERNATIVE LEARNING ENVIRONMENT | 110 |
| ASSESSMENTS AND REMEDIATION | 92 |
| ATTENDANCE | 32 |
| BULLETINS AND ANNOUNCEMENTS | 106 |
| BULLYING POLICY | 74 |
| CLOSED CAMPUS | 36 |
| CLUBS AND ORGANIZATIONS | 113 |
| COMMUNICABLE DISEASES AND PARASITES | 95 |
| CONCURRENT CREDIT | 92 |
| CONDUCT TO AND FROM SCHOOL | 55 |
| CORPORAL PUNISHMENT | 117 |
| DIGITAL LEARNING COURSE | 109 |
| DISCIPLINE | 54 |
| DISRUPTION OF SCHOOL | 53 |
| DUE PROCESS | 117 |
| ELEMENTARY PLAYGROUND | 79 |
| ELEMENTARY SCHOOL SCHEDULE | 36 |
| ELEMENTARY SCHOOL TARDIES AND CHECKOUTS | 36 |
| ELEMENTARY SCHOOL TRAFFIC | 56 |
| EMERGENCY DRILLS | 52 |
| ENTRANCE REQUIREMENTS | 26 |
| EQUAL EDUCATIONAL OPPORTUNITY | 116 |
| EXPULSION | 118 |
| EXTRACURRICULAR ACTIVITIES | 96 |
| EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL STUDENTS | 99 |
| FOOD SERVICE PREPAYMENT / FOOD SHARING AND REMOVAL / MODIFICATIONS | 111 |
| FUND RAISING | 105 |
| GRADING SYSTEM | 80 |
| GRADUATION REQUIREMENTS | 87 |
| GRIEVANCE POLICY | 25 |
| GUIDANCE SERVICES | 113 |
| HOME SCHOOLING | 36 |
| HOMELESS STUDENTS | 43 |
| HOMEWORK POLICY | 93 |
| HONOR GRADUATE REQUIREMENTS | 86 |
| IMMUNIZATIONS | 29 |
| INTERNET USE / SAFETY / WIRELESS POLICY | 113 |
| MAKE-UP WORK | 93 |
| NONSCHOOL PUBLICATIONS | 122 |
| PARENT INVOLVEMENT | 93 |
| PARENT-TEACHER CONFERENCES | 94 |
| PERMANENT RECORDS | 46 |

PLACEMENT OF MULTIPLE BIRTH SIBLINGS 31
PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE 106
PHYSICAL EXAMINATIONS OR SCREENINGS 31
PRIVACY OF STUDENT RECORDS 46
PROGRESS REPORTS 94
PROHIBITED CONDUCT 57
PROM 106
PROMOTION AND RETENTION 82
PUPIL CONDUCT 58
REPORT CARDS 94
RESIDENCE REQUIREMENTS 25
SCHEDULE CHANGES 94
SCHOOL CHOICE 38
SCHOOL HOURS 23
SEARCH, SEIZURE, AND INTERROGATIONS 56
SEMESTER EXAMS 79
SENIOR TRIP 106
SPECIAL EDUCATION 111
STUDENT ACCELERATION 85
STUDENT CLASSIFICATION 85
STUDENT HANDBOOK 128
STUDENT ILLNESS / ACCIDENT 52
STUDENT MEDICATIONS 48
STUDENT NAME, TITLE, OR PRONOUN 102
STUDENT ORGANIZATIONS / EQUAL ACCESS 123
STUDENT PUBLICATIONS 122
STUDENT RELIGIOUS EXPRESSION 103
STUDENT TRANSFERS 43
STUDENT USE OF MULTIPLE OCCUPANCY ROOM 102
STUDENTS WHO ARE FOSTER CHILDREN 45
SUSPENSION FROM SCHOOL 117
TARDIES 35
TESTING 113
TITLE I 121
TITLE IX 119
USE OF COPYRIGHTED MATERIALS 107
VIDEO SURVEILLANCE 56
VISITORS TO THE SCHOOL / STUDENT CONTACT 23
VOLUNTEERS 104
WITHDRAWAL AND TRANSFER 94

# 3SECTION ONE: GENERAL INFORMATION AND REGULATIONS

The philosophy of the Marmaduke School District is that it should help all students to develop into responsible and intelligent citizens. If our youth are to function properly in society during the years ahead of them, they must receive a well-rounded, solid education.

We intend to provide this education by adhering to the following guidelines and objectives:

1. To provide the finest degree of instruction to all youth in the district,
2. To provide a good foundation for students who wish to further their education,
3. To provide the necessary skills for students who wish to enter vocational fields,
4. To instill a feeling of citizenship and appreciation for our democratic form of government,
5. To prepare students to live in a democracy through active participation in responsible activities,
6. To develop an awareness of the difference between liberty and freedom – freedom must be earned by each generation,
7. To develop skills in the processes of communication,
8. To instill in the students the difference between right and wrong.

The policies and procedures contained in this handbook are the result of a concerted effort on the part of the faculty and the administration. This information has been carefully prepared and presented so that it will be of great value in helping you to adjust to our school, and to become an integral part of it.

The ultimate purpose of education is to help each student become an effective citizen in a democracy. To develop and accept the responsibilities and obligations of good citizenship will help us to participate successfully in the world of tomorrow. We hope that you will participate in our varied activities and thus find those things within our school which will prepare you to live a better life and finally take your place in this complex society.

Remember that your success in this school will be directly proportional to your efforts.

## SCHOOL HOURS

Elementary classes begin at 7:50 each day and end at 3:05. Junior high and high school classes begin at 7:54 each day and end at 3:14. Supervision of students begins at 7:30 and ends at 3:25.

All visitors must stop in either the high school or elementary office to sign in and receive a visitor's tag upon entering the building.

## ELEMENTARY SCHOOL SCHEDULE

Students should not arrive at school prior to 7:30 a.m. Students arriving after 7:30 should go to the elementary cafeteria and wait until released by the person on duty to go to their classrooms. Students may eat breakfast at this time prior to going to class.

The building should be quiet and ready for work at 8:00 a.m. Parents should be out of the building by 8:00 a.m. so that classes may begin.

If a student is to go home any way other than his/her usual way, a note or phone call from the parent or legal guardian must be received by the teacher or office no later than 2:30, or the STUDENT WILL BE SENT HOME HIS/HER REGULAR WAY.

## VISITORS TO THE SCHOOLS

Parents, grandparents, legal guardians, business, and community members are welcome and encouraged to visit District schools. To minimize the potential for disruption of the learning environment, visitors, for a purpose other than to attend an activity open to the general public, are required to first report to the school's main office. No one shall be exempt from this requirement. Visitors who are Level 3 or Level 4 sex offenders may only enter a school campus under the provisions listed in Policy 6.10.

Parents and legal guardians are encouraged to participate in regularly scheduled visitation events such as school open houses and parent/teacher conferences. Additional conferences are best when scheduled in advance. Conferences shall be scheduled at a time and place to accommodate those participating in the conference.

Visits to individual classrooms during class time are permitted on a limited basis with the principal's prior approval and the teacher's knowledge. Visitors, including parents wishing to speak to their children with students during the school day, shall register first with

the office.
The District has the right to ask disruptive visitors to leave its school campuses. Principals are authorized to seek the assistance of law enforcement officers in removing any disruptive visitors who refuse to leave school property when requested to do so.

## CONTACT BY PARENTS

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

## CONTACT BY NON-CUSTODIAL PARENTS

If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or the principal's designee establishing the parent's custody of the student. It shall be the responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents.

Non-custodial parents who file with the principal a date-stamped copy of current court orders granting unsupervised visitation may, to extend authorized by the court order, 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 limitations outlined in Policy 4.16, Policy 6.5, and any other policies that may apply. The District shall not act as a supervisor for non-custodial parent visitation purposes under any circumstance.

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. 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 or legal guardian 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 contract 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.

## CONTACT BY OTHER STUDENT VISITORS

The board strongly believes that the purpose of school is for learning. Social visitors, generally, disrupt the classroom and interfere with

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

## GRIEVANCE PROCESS

Should an individual have a concern, problem, or grievance with one of their children's teachers the following process should be followed:

1. Contact the teacher.
2. Contact the principal.
3. Contact the superintendent.
4. Contact the board of education. *

Each subsequent step should only be taken if the previous step has not provided a solution to the concern, problem, or grievance.

*Parents or community members wanting to be placed on the agenda for a scheduled school board meeting must submit their agenda item request, in writing to the superintendent, at least ten (10) days prior to the meeting of the Board. The written request must be sufficiently descriptive to enable the superintendent and Board president to fully understand and evaluate its appropriateness to be an agenda item. Such requests may be accepted, rejected, or referred back to the individual for further clarification.

## RESIDENCE REQUIREMENTS

"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. Proof of residency will be required before enrollment process can be completed. This can be done with either a copy of the water bill, electric bill, or another bill that shows the name and address of the legal guardian in the Marmaduke School District.

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

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

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

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

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

## ENTRANCE REQUIREMENTS

To enroll in a school in the District, the child must:

A. Be a resident of the District as defined in District policy (4.1—RESIDENCE REQUIREMENTS);
B. Meet the criteria outlined in Policy:
   - 4.40—HOMELESS STUDENTS; or
   - 4.52—STUDENTS WHO ARE FOSTER CHILDREN;
C. Be accepted as a transfer student under the provisions of policy 4.4; or
D. Participate under a school choice option and submit the required paperwork as required by the choice option under Policy 4.5.

A student may enter kindergarten if the student:

- Meets one of the requirements for school attendance of A through D above; and
- Falls under one of the following:
  - Will attain the age of five (5) on or before August 1 of the year in which the student is seeking initial enrollment; or
  - Has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60) days and:
    - Will become five (5) years old during the year in which the student is enrolled in kindergarten; and
    - Submits a written request for enrollment to the District; or
  - Was enrolled in a state-accredited or state-approved kindergarten program in another state or in a kindergarten program equivalent in another country and:
    - 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 the student is enrolled in kindergarten; and
    - Submits a written request for enrollment to the District.

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

Any child may enter first grade in a District school if the child will attain six (6) years of age 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 six (6) years of age during the school year in which the student 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 the student's parent or legal guardian presenting for enrollment.[1]

Prior to the child's admission to a District school:[2]

1. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the Division of Elementary and Secondary education.
2. The parent, legal guardian, person having lawful control of the student or person standing in loco parentis shall provide the district with one (1) of the following documents indicating the child's age:
    a. A birth certificate;
    b. A statement by the local registrar or a county recorder certifying the child's date of birth;
    c. An attested baptismal certificate;
    d. A passport;
    e. An affidavit of the date and place of birth by the child's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis;
    f. United States military identification; or
    g. Previous school records.
3. The parent, legal guardian, person having lawful control of the student or person standing in loco parentis shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding. Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right, to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearig before the Board.[3]
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"[4] 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, and 1211 or 42 U.S.C. § 204. ."Deployment" means a period of time extending from six (6) months before a member of the uniformed services' departure from their home station on military orders through six (6) months after return to the Uniformed Service Members home station.

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

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

"Eligible child" means the children of:

- Active duty members of the uniformed services;
- Members of the active and activated reserve components of the uniformed services;
- Veterans of the uniformed services who are injured in the line of duty and medically separated or retired;
- Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty;
- 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 and 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 the member 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"[4] means the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Space Force, United States Coast Guard, the National Oceanic and Atmospheric

Administration Commissioned Officer Corps, the United States Commissioned Corps of the Public Health Services, and the state and federal reserve components of each of these bodies.

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

The superintendent shall designate an individual as the District's military education coordinator, who shall serve as the primary point of contact for an eligible child and for the eligible child's parent, legal guardian, person having lawful control of the eligible child, or person standing in loco parentis. The individual the superintendent designates as the District's military education coordinator shall possess specialized knowledge regarding the educational needs and unique challenges faced by children of uniformed services families.[5]

An eligible child as defined in this policy shall:

1. be allowed to continue the student's enrollment at the grade level commensurate with the student's grade level the student was in at the time of transition from the student's 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 the student's previous school;
3. Enter the District's school on the validated level from the student's 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 the student's previous school to the extent that space is available. This does not prohibit the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs;
5. be provided services comparable to those the student with disabilities received in the student's previous school based on the student's 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 the student's has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

Following the receipt of advanced notice and an enrollment application of an eligible student from a military family, the District shall:

- Provisionally enroll, provide placement for, and enter academic course requests on behalf of the incoming student based on the student's education record provided by the student's family or the sending district;
- Provide the uniformed services family with information regarding;[6]
    a. Career-ready pathways and other academic or education programs offered;
    b. Required academic courses for each curriculum and elective course options;
    c. School and community-sponsored extracurricular activities, including without limitation individual and team sports, clubs, junior reserve officer training corps opportunities, and Purple Star School program ambassadors: and
    d. Contact information for the designated military family education coordinator and the Purple Star School program military family education facilitator, if applicable; and
    e. Other relevant information regarding the District.

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.

The District shall not deny the enrollment of a Uniformed Service Member dependent unless the District has reached the maximum student-to-teacher ratio allowed under federal law; state law; the Standards for Accreditation for Public Schools and School Districts; state rules; or other applicable federal regulations, and the District timely notifies the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis of the lack of capacity.

The District shall notify a prospective student's family in writing regarding whether the student's enrollment has been accepted or rejected within fifteen (15) calendar days of receiving the student's enrollment application and supporting documentation.

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.

The District may request a waiver from the State Board as necessary to accommodate an eligible student.

## International Exchange Students

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

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

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

The District shall admit for enrollment and attendance an international exchange student who has been placed with a host family who resides within the District boundaries. The international exchange student shall attend the school in the District based on the attendance zone where the host family resides.[7]

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

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

Statewide assessment results achieved by an international exchange student enrolled in the District shall be included in the District's results on the statewide assessments.[8]

The District shall provide English-language services to international exchange students as necessary.[9]

# IMMUNIZATIONS / MEDICAL SCREENINGS

**Definitions:**

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

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

**General Requirements:**

Unless otherwise provided by law or this policy, no student shall be admitted to attend classes in the District who has not been age appropriately immunized against1:

- 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.
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 waver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1st is later in the current school year than the thirty (30) days following the student's admittance). No student shall be withdrawn and readmitted in order to extend the thirty (30) day period. Students may be allowed to continue attending beyond the thirty (30) day period if the student submits a copy of either number 2 or number 4 above.

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

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

**Exclusion From School:**
In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak.
Students may be excluded for 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 from 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 from ADH; and the percentage of a population that must receive an immunization for herd immunity to exist.

## PHYSICAL EXAMINATIONS OR SCREENINGS

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

The rights provided to parents under this policy transfer to the student when he/she turns eighteen (18) years old. Except in instances where a student is suspected of having a contagious or infectious disease, parents shall have the right to opt their student out of the exams or screenings by using form 4.41F or by providing certification from a physician that he/she has recently examined the student.

## 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 and additional class to the siblings' 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.

## COMPULSORY ATTENDANCE REQUIREMENTS

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 (RESIDENCE REQUIREMENTS), within the District shall enroll the child and ensure the attendance of the child at a District school with the following exceptions.

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

Seniors who have completed all enrolled courses/activities for the day and have a signed early release form on file, will be permitted to check out at the end of 4th period each day. This shall in no way disallow a student from attending concurrent credit courses at a post-secondary institution with an approved plan of action that meets Rule 6.02.

## ABSENCES

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

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

Absences for students enrolled in synchronous digital courses off campus shall be determined by the online attendance and time the student is working on the course rather than the student's physical presence at school. Students who are scheduled to have a dedicated period for a digital class off campus shall not be considered absent if the student logs the correct amount of time and completes any required assignments; however, a student who fails to be physically present for an assigned period may be disciplined in accordance with the District's truancy policy in the same manner as for District students attending courses in person.

## Excused Absences

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

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of **six** (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.
2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, FCCLA, or 4-H sanctioned activity;
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization wavier or whose immunizations are not up to date.
12. Absences due to conditions related to pregnancy or parenting, including without limitation:
    - Labor, delivery, and recovery;
    - Prenatal and postnatal medical appointments and other medically necessary, pregnancy-related absences;
    - The illness or medical appointment of a child belonging to a parent who is enrolled at a District school;
    - A legal appointment related to pregnancy or parenting, including without limitation:
        - Adoption;
        - Custody; and
        - Visitation;
    - A reasonable amount of time to accommodate a lactating student's need to express breast milk or to breastfeed the student's child on the District's campus; and
    - At least ten (10) school days of absences for both a parenting mother and a parenting father after the birth of a child.
13. Absences for a student who is the child of a fallen service member or fallen first responder:
    - Due to a mental health concern; or
    - To attend an event from a sponsoring organization that provides support to families of fallen service members or first responders or provides support for traumatic loss, grief, or resiliency.
14. Upon the written consent of a student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student, the District shall grant an excused absence for the following purposes:
    - Social or public policy advocacy; or
    - Attempts to influence legislation or other governmental policy-making at the local, state, or federal
    - level.

Students who exceed 8 excused absences each semester will not be allowed to leave campus early for competitive extra-curricular activities or any other school trips. **Seniors who reach this number in absences will not be permitted to leave campus for early release for the remainder of the current semester and/or the next semester.**

Students will be allowed access to any and all missed work for learning purposes. However, students will not be given credit for make-up work without professional documentation for one of the above reasons. **When a student has exceeded three (3) unexcused absences, they will no longer be given credit for missed work if their absence is unexcused.**

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.

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

a. Bring a written statement to the principal or designee upon the student's return to school from the student's parent, legal guardian or treating physician stating the reason for the student's absence; or
b. If the student is attending the District's courses digitally, upload a written statement from the student's parent, legal guardian, or treating physician stating the reason for the student's absence through the District's digital course management platform for review by the principal or designee; or
c. Provide documentation as proof of a student's participation in an activity or program scheduled and approved by the 4-H program that is provided by a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program; or
d. The student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student provides written documentation that the student's absence is to attend an event from a sponsoring organization that:
    - Provides support to families of fallen service members or first responders or provides support for traumatic loss, grief, or resiliency; and
        - May be verified as an organization that provides support to the military and first responder community by reviewing the Resources Page for Military Family Engagement on the Department of Education website.

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

A student shall not be eligible to receive an excused absence for #13 above if:

- The student is not in good academic standing;
- The student does not have a prior record of good attendance; or
- The absence occurs during a date on which standardized testing is administered.

The District shall annually provide a report by June 30 to the Division of Elementary and Secondary Education that contains the following:

- The number of absences requested under number 14;
- The number of absences granted under number 14; and
- The stated purposes of the absence.

## Unexcused Absences

Absences that are not defined above; do not have an accompanying note from the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis, the student's treating physician, or a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program; or have an accompanying note that is not presented or uploaded within the timeline required by this policy shall be considered as unexcused absences. Students with **9** unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has **6** absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.
Whenever a student exceeds **9** unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law. **Students who have reached this number in absences in any one class will not be permitted to leave campus early for competitive extra-curricular activities. Seniors who reach this number in absences will not be permitted to leave campus for early release.**

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

Students who attend in-school suspension shall not be counted absent for those days. Days missed due to out-of-school suspension or expulsion shall be unexcused absences.

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

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

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

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

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

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

"Any student who has six **(6)** or more unexcused absences during a semester, or who is currently failing a core subject area (Math, Science, English, or History) will not be eligible to miss class time for school related trips and/or college days with the exception of group competition. Group competition attendance will be at the discretion of the sponsor or advisor and principal."

Exceptions to the attendance policy may be made by the principal in extenuating circumstances if proper documentation is provided when the student returns to school.
In the event that a doctor's note should come into question for any reason such as authenticity, obvious changes, contradictory information etc., the school district reserves the right to discuss the specific note and the student's medical condition with the doctor/doctor's office personnel in sufficient enough detail to resolve the issue.

**Students must attend school at least one-half (1/2) or four (4) periods of the school day to attend school functions that night.**

**An advisor/sponsor must publish a list of students who will be out of class for a school related function or trip. If a teacher is aware of a**

**student who has excessive absences, he/she must inform the advisor that the student is not eligible to miss classes.**

In all cases, maximum school attendance is encouraged by this school district.
EXCEPTION: Extenuating circumstances: Students who are court ordered to attend school will not be eligible to miss class for school-related trips or activities.

## TARDIES

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

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

Repeated tardiness will result in penalties and may require a parent-pupil-principal conference.

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

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

## ELEMENTARY SCHOOL SCHEDULE, TARDIES AND CHECKOUTS

Students will be counted tardy after 8:05 and before 8:15. If a student arrives after 8:15, the student will be counted absent for one-half day.
Students will be counted absent one-half day, if they are checked out prior to 3:00.

## CLOSED CAMPUS

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

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

Anytime a student needs to leave school early, a note must be presented to the office before school begins that morning. The note must have a parent/guardian signature and a valid phone number at which the parent can be reached. The office may call on all notes to verify permission to leave school. We ask that students limit checking out to only necessary appointments. The parent/guardian must come to the office to check out a student.

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

1. After obtaining permission from their teacher, they are to go to the nurse, unless the nurse is unavailable.
2. The nurse will determine whether the student needs to check out of school unless the nurse is unavailable.
3. The student is to wait in the nurse's office or principal's office until a parent/guardian has granted permission to check out of school.
4. It is the responsibility of the student to ensure that a copy of the nurse's note is retained in the appropriate office.

## HOME SCHOOLING

**Enrollment in Home School**

Parents or legal guardians desiring to provide a home school for their children shall 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:

- The name, sex, date of birth, grade level, and the name and address of the school last attended, if any;
- The mailing address and telephone number of the home school;
- The name of the parent or legal guardian providing the home school;
- Indicate if the home-schooled student intends to participate in extracurricular activities during the school year;
- A statement of whether the home-schooled student plans to seek a high school equivalency diploma during the current school year;
- 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
- 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 that might indicate the need for special education services. A student who has been temporarily issued items, resources, 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 returned to the District;
- The items, resources, supplies, materials, or other property belonging to the District have been paid for; or
- The semester has ended.

The superintendent or 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.
  - "Work done at home" is not acceptable. Transcripts provided and work provided must be from an accredited online school or an accredited textbook or curriculum company. Marmaduke teachers will not be responsible for reviewing work to see if it is acceptable to count as credit.

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:

- As indicated by the documentation submitted by the home-schooled student;
- By mutual agreement between the public school and the home-schooled student's parent or legal guardian; or
- 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 credits. The District will determine the home-schooled student's grade placement and course credits 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:

- Award of course credits earned in the home school;
- Placement in the proper grade level and promotion to the next grade level;
- Participation in any academic or extracurricular activity;
- Membership in school-sponsored clubs, associations, or organizations;
- 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
- Scholarships.

## ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOLED STUDENTS

The District allows private school and home schooled 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 schooled student may request to attend on its website by:

- June 1 for courses to be offered during the Fall semester; and
- 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:

- August 1 for Fall semester courses; or
- December 1 for Spring semester courses.

The superintendent, or designee, is authorized to waive the application deadline on 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 a digital format, whether the private school or home school 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 indicating 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 at 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.

## SCHOOL CHOICE

**Exemption**
The District is under an enforceable desegregation court order/court-approved desegregation plan[1] that explicitly limits the transfer of students between school district and has submitted the appropriate documentation to the Division of Elementary and Secondary Education (DESE).[2] As a result of the desegregation order/desegregation plan[1], 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 geographically contiguous school districts of its exemption.[3] 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.[4]

Definitions:
"Lack of capacity" means, based on the maximum student to teacher ratio allowed under federal law; state law; the Rules Governing the Standards for Accreditation for Arkansas Public Schools and School Districts; state rules; or other applicable federal regulations, that ninety-five percent (95%) or more of the seats at the grade level in which the student would be assigned at the nonresident school are filled on the date the school choice application is made.

"Parent" includes parents, legal guardians, persons having lawful control of a student, and persons standing in loco parentis to a student.

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

**Annual Reporting**

The District shall report annually to the Secretary of the Department of Education the:

1. Number of transfer applications received;
2. Number of applications accepted;
3. Number of applications rejected; and
4. Reason(s) for each rejection.

The data for items one through four above shall be subdivided by whether the transfer application is to a non-resident:

- School within the District under Standard School Choice;
- District under Standard School Choice;
- School within the District under Opportunity School Choice; or
- District under Opportunity School Choice.

## Standard School Choice

### Transfers Into or Within the District:

**Capacity Determination and Public Pronouncement** – The Board of Directors will annually adopt a resolution containing the capacity standards for the District. The resolution will contain the acceptance determination criteria identified by academic program, class, grade level, and individual school. The school is not obligated to add any teachers, other staff, or classrooms to accommodate choice applications. The District may only deny a Standard School Choice application if the District or school has a lack of capacity

The District shall advertise in appropriate broadcast media and either print media or on the internet to inform students and parents in the District and adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline and the requirements and procedures for participation in the program. Such pronouncements shall be made no later than January 1.[6]

## Application Process:

The student's parent shall submit a school choice application on a form approved by DESE to:

- This District and the student's resident district for students transferring into the District; or
- Only this District for students transferring to another school within the District.

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

Except for students who are transferring under Uniformed Service Member Dependent School Choice, no earlier than January 1 of each year, The Superintendent will consider all properly submitted applications for School Choice. By no later that the fifteenth (15th) calendar day following the receipt of an application, the Superintendent shall notify the following in writing, of the decision to accept or reject the application:

- For transfers within the District, the student's parent; or
- For transfers into the District, the student's parent and the student's resident district.

## Accepted Applications:

Applications which fit within the District's stated capacity standards shall be provisionally accepted, in writing. A student's acceptance shall be effective on the earlier of:

1. The day the District provides notification to the student acceptance; or

2. The day the State Board grants an appeal of the student's application. The written notice of acceptance shall inform the student that the student has ten (10) school days[7] from when the notice is received to either:

A. Enroll in the district or in the other District school; or

B. Inform the district that the student intends to enroll in the district or in the other District school at the start of the next school year.

The acceptance shall be null and void if the student fails to enroll within the ten (10) school day period or fails to inform the district within the ten (10) school day period of the student's intent to transfer at the start o the next school year.[7]

A student, whose application has been accepted and who has enrolled in the District or in another District school, is eligible to continue enrollment until completing the student's 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 the student's resident district or assigned school; or enrolls in a home school or private school voids the transfer and must reapply if, in the future, the student seeks another school choice transfer. A subsequent transfer application will be subject to the capacity standards applicable to the year in which the application is considered by the District.

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

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

## Rejected Applications:

The District may reject an application for a transfer into or within the District under Standard School Choice due to a lack of capacity. The District shall use the date and time stamp the District placed on a student's application to determine when the District has reached capacity. A student's application shall be used to determine capacity regardless of whether the student intends to transfer immediately or at the start of the next school year.

The decision to accept or reject an application shall 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[8].

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. A provisionally rejected applicant could be provisionally approved and would have to meet the acceptance requirements to be eligible to enroll in the District or another district school if:

- A provisionally approved applicant subsequently does not enroll in the District;
- A provisionally approved applicant subsequently does not enroll in the District school the District student was seeking to transfer to; or
- A District student submits a school choice application to transfer to another district or another school within the District.

The superintendent the previously provisionally rejected student within fifteen (15) days of the change in status and shall provide notice of all final rejections by July 1.

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 the student's resident district only for transfers within the District or both the resident and nonresident districts for transfers into the District or another district, a student whose application was rejected may request a hearing before the State Board of Education to reconsider the application. The request for a hearing must be submitted in writing to the State Board within ten (10) days of receiving the rejection letter from the District.

## Transfers Out of the District:

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

**Annual Reporting**

The District shall report annually to the Secretary of the Department of Education:
The number of transfer applications received;
The number of applications accepted;
The number of applications rejected; and the reason(s) for each rejection.

## Facilities Distress School Choice Applications:

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

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

# Opportunity School Choice:

## Transfers Into the District:

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

- The student's resident district has been classified by the state board as in need of Level 5 — intensive

support; or

- The student's assigned school has a rating of "F"; and
- Except for students who are transferring under Uniformed Service Member Dependents School Choice, the student's parent, guardian, or the student if the student is over eighteen (18) years of age has submitted an application of the student's request to transfer by no earlier than January 1 and no later than June 1 of the school year before the school year the student intends to transfer to the District for students transferring within the District or both the sending and receiving school districts for students that are transferring into the District.

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

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

If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection. Unless the student's application was rejected due to the application not being timely received by the District for students transferring within the District or both the resident and nonresident districts for students that are transferring into the District, a parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District's decision to deny the application to the State Board of Education. The appeal must be in writing to the State Board of Education via hand delivery or certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District. Except for students who are transferring under Uniformed Service Member Dependent School Choice, a student's transfer under Opportunity School choice is effective at the beginning of the next school year and the student's enrollment is irrevocable for the duration of the school year and is renewable until the student completes high school or is beyond the legal age of enrollment. This provision for continuing eligibility under Opportunity Choice does not negate the student's right to apply for transfer to a district other than the student's assigned school or resident district under the Standard School Choice provisions of this policy.

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

## Transfers out of the District:

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

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

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

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

**Uniformed Service Member Dependent School Choice**

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

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

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

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

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

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

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

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

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

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

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

## Unsafe School Choice Program:

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

## STUDENT TRANSFERS

Transfer applications received by the District shall be placed on the Board's next meeting agenda.[1] At least five (5) days before the meeting where the transfer application appears on the agenda, the superintendent shall notify the Board regarding:[2]

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

Each transfer application[3] shall be considered individually and receive a separate vote by the Board. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a student who

submits a transfer application shall be given at least five (5) minutes to present the student's case for a transfer to the Board.

The Board may reject a nonresident's application for admission if its acceptance would necessitate the addition of staff or classrooms, exceed the capacity of a program, class, grade level, or school building, or cause the District to provide educational services not currently provided in the affected school.[4] The District shall reject applications that would cause it to be out of compliance with applicable laws and regulations regarding desegregation.

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

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

Any student transferring to a District school shall be evaluated by District staff to determine the student's appropriate grade placement. Any grades, course credits, and/or promotions received by a student while enrolled in the Division of Youth Services system of education shall be considered transferable in the same manner as those grades, course credits, and promotions from other accredited Arkansas public educational entities. A student transferring from home school will be placed in accordance with Policy 4.6—HOME SCHOOLING.

Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.[5]

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

## HOMELESS STUDENTS

The Marmaduke School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational 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 for homeless children and youth to carry out the dispute resolution process.

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

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

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

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

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

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

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

The District shall be responsible for providing transportation for a homeless child, at the request of the parent or guardian (or in the case of an unaccompanied youth, the LEA Liaison), to and from the child's school of origin. A homeless student shall be immediately eligible to participate in interscholastic activities at the school in which the student is enrolled.

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

A. Are:
    1. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
    2. Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
    3. Living in emergency or transitional shelters;
    4. Abandoned in hospitals; or
B. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
C. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and includes
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.

# 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 the foster child's continuity of educational services to the fullest extent that is practical and reasonable.

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

The District, working with other individuals and agencies shall, unless the presiding court rules otherwise or DHS grants a request to transfer under Foster Child School Choice, ensure that the foster child remains in the foster child's school of origin, even if a change in the foster child's placement results in a residency that is outside the district. In such a situation, the District will work with DHS to arrange for transportation to and from school for the foster child to the extent it is reasonable and practical.

Upon notification to the District's foster care liaison by a foster child's caseworker that a foster child's school enrollment is being changed to one of the District's schools, the school receiving the child must immediately enroll the foster child's. Immediate enrollment is required even if a child lacks the required clothing, academic or medical record, 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 the foster child's 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 child is eighteen (18) years of age, to transfer to another school in the District or into 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 June 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, the superintendent shall state in the notification letter the reason for the rejection and that the 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 the public school or District has reached the maximum student-to-teacher ratio allowed under federal law, state law, the standards for accreditation, or other applicable State rule or Federal regulation.

A 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 of 2004;
    - 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) years 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.

# SECTION TWO: STUDENT RECORDS

## PERMANENT RECORDS

Permanent school records, as required by the Division of Elementary and Secondary Education (~~A~~DESE), Arkansas Department of Education, shall be maintained for each student enrolled in the District until the student graduates or is beyond the age of compulsory school attendance. A copy of the student's permanent record shall be provided to the receiving school district upon the transfer of the student to another district. Records will be sent to the requesting school district within ten days of receiving the request for records.

## PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION

Except when a court order regarding a student has been presented to the district to the contrary, all students' education records are available for inspection and copying by the parent of his/her student who is under the age of eighteen (18). At the age of eighteen (18), the right to inspect and copy a student's records transfers to the student. A student's parent or the student, if over the age of 18, requesting to review the student's education records will be allowed to do so within no more than forty-five (45) days of the request.

The district forwards education records, including disciplinary records, to schools that have requested them and in which the student seeks or intends to enroll, or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

The district shall receive written permission before releasing education records to any agency or individual not authorized by law to receive and/or view the education records without prior parental permission. The District shall maintain a record of requests by such agencies or individuals for access to, and each disclosure of, personally identifiable information ("PII") from the education records of each student. Disclosure of education records is authorized by law to school officials with legitimate educational interests. A personal record kept by a school staff member is **not** considered an education record if it meets the following tests:

- it is in the sole possession of the individual who made it;
- it is used only as a personal memory aid; and
- information contained in it has never been revealed or made available to any other person, except the maker's temporary substitute.

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. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user. The right to opt out of the disclosure of directory information under FERPA does not prevent the District from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled.

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

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

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

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

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

When deciding whether to release PII in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.2

For purposes of this policy, the Marmaduke School District does not distinguish between a custodial and noncustodial parent, or a non-parent such as a person acting in loco parentis or a foster parent with respect to gaining access to a student's records. Unless a court order restricting such access has been presented to the district to the contrary, the fact of a person's status as parent or guardian, alone, enables that parent or guardian to review and copy his child's records.
If there exists a court order which directs that a parent not have access to a student or his records, the parent or guardian, person acting in loco parentis, or an agent of the Department of Human Services must present a file-marked copy of such order to the building principal and the Superintendent. The school will make good-faith efforts to act in accordance with such court order, but the failure to do so does not impose legal liability upon the school. The actual responsibility for enforcement of such court orders rests with the parents or guardians, their attorneys and the court which issued the order.

A parent or guardian does not have the right to remove any material from a student's records, but such parent or guardian may challenge the accuracy of a record. The right to challenge the accuracy of a record does not include the right to dispute a grade, 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 file must be initiated with the building principal, with an appeal available to the Superintendent or his designee. Any appeal above that level will be subject to the procedure set out in federal law and/or regulation.

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

**Procedures to seek to correct education records:**
The requester shall immediately request the record custodian to correct it. The record custodian must respond to the request within two weeks. If the correction is made during this time to the satisfaction of the requester, no further action is necessary.
If the record does not appear to be obviously incorrect, and if the custodian cannot change the record to the requester's satisfaction, the record custodian shall ask the requester to initiate a written request for the change.
The written request should include the item he/she believes is incorrect and whether he/she believes the item is:

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

The written request should be sent to the superintendent. The superintendent will review the request and, if necessary, discuss the matter with other officials such as the school attorney or the school board (in executive session). He/she will make a decision within two weeks.
If the superintendent decides that the record is correct, he/she will prepare a letter to the requester which will include the following:

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

After the requester has expressed (orally or in writing) his/her wishes concerning the hearing officer(s) and the time and place for his hearing, the superintendent will, within one week, notify the requester when and where the hearing will be held and who the hearing officer(s) will be.
At the hearing, the hearing officer(s) will provide the requester with a full and reasonable opportunity to present material evidence presented at the hearing and his/her recommendation based solely on evidence presented at the hearing.
The school board shall make its decision in writing within two weeks after receiving the hearing summary and the recommendation of the hearing officer(s). The decision of the school board shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision. As a result of the decision, one of the following actions will be taken:

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

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

## STUDENT MEDICATIONS

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

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

may bring the medication if accompanied by a written authorization from the parent or legal guardian. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, the quantity of the medication(s). If the medications are brought by a student, the school nurse shall ask another school employee to verify, in the presence of the student the quantity of the medication(s). Each person present shall sign a form verifying the quantity of the medication(s).

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

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

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

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

**Schedule II Medications**

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

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

**Emergency Administration of Epinephrine**

The school nurse or other trained school employees designated by the school nurse as a care provider who have been certified by a licensed physician may administer epinephrine either through an auto-injector or nasal spray, in emergency situations to students who have an IHP developed under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of epinephrine 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 trained school employee certified to administer epinephrine to administer auto-injector or nasal spray to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

**Self-Administration of Medication**

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

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 or nasal spray epinephrine

2. Perform the student's own blood glucose checks;
3. Administer insulin through the insulin delivery system the student uses;

4. Treat the student's own hypoglycemia and hyperglycemia; or
5. Possess the student's person:
    A. a rescue inhaler;
    B. Auto-injectable or nasal spray epinephrine; or
    C. The necessary supplies and equipment to perform the student's 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 the student's 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 or nasal spray 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 or nasal spray 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.

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 trained school employee designated by the school nurse as a care provider who has been certified by a licensed physician may administer auto-injector epinephrine to those students who the school nurse, or other trained school employee certified to administer auto-injector epinephrine, in good faith professionally believes is having a life-threatening anaphylactic reaction.

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

When the nurse is unavailable, the trained volunteer school employee who is responsible for a student shall be released from other duties during: the time scheduled for a dose of insulin in the student's IHP; and glucagon or non-scheduled insulin administration once other staff have relieved him/her from other duties until a parent, guardian, other responsible adult, or medical personnel has arrived.

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

**Emergency Administration of Albuterol**

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

**Emergency Administration of Anti-opioid**

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

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

**Emergency Administration of Emergency Adrenal Insufficiency Medication**

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

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained school employee(s) certified to administer an injectable emergency dose medication to administer an injectable emergency dose medication to the student when the employee believes the student is having an adrenal crisis due to adrenal insufficiency.
Students who have met the requirements to be authorized to self-administer a stress dose medication under this policy shall provide the school nurse an emergency injectable dose of the student's medication. This emergency injectable dose will be used in the event the school nurse, or other school employee certified to administer an injectable emergency dose medication, in good faith professionally believes the student is having an adrenal crisis due to adrenal insufficiency.

**Seizure Disorder Medications**

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

1. Provide the school with written authorization to administer the seizure medication at school;
2. Provide a written statement from the student's healthcare provider that shall contain the following information:
    - The student's name;
    - The name and purpose of the medication;
    - The prescribed dosage;
    - The route of administration;
    - The frequency that the medication should be administered; and
    - The circumstances under which the medication should be administered;

3. Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact, which shall be stored in a safe and secure location accessible only by District personnel or volunteers with training to administer seizure medication.

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

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

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 or the student's person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

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

## STUDENT ILLNESS/ACCIDENT

If a student becomes too ill to remain in class and/or could be contagious to other students, the principal or designee will attempt to notify the student's parent or legal guardian. The student will remain in the school's health room or a place where he/she can be supervised until the end of the school day or until the parent/legal guardian can check the student out of school.
If a student becomes seriously ill or is injured while at school and the parent/legal guardian cannot be contacted, the failure to make such contact shall not unreasonably delay the school's expeditious transport of the student to an appropriate medical care facility. The school assumes no responsibility for treatment of the student. When available, current, and applicable, the student's emergency contact numbers and medical information will be utilized. Parents are strongly encouraged to keep this information up to date.

## 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 school year.

The District shall annually conduct a lockdown drill at all schools in the District in collaboration with local law enforcement, medical professionals, fire department officials, and emergency management personnel. The lockdown drill training will include use of the District's emergency communication method with law enforcement. Students will be included in the drills to the extent that is developmentally appropriate for the age of both the students and grade configuration of the school.
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 Panic Button Alert System. Students shall be included in the drills to the extent practicable.

# DISRUPTION OF SCHOOL

## Definitions

"Appropriate interim learning environment" means an appropriate learning environment that is used for a period of time not to exceed ten (10) days.

"Appropriate learning environment" means a setting within the District that provides a similar structure to the following, without limitation:

1. A classroom; or
2. In-school suspension.

"Violent or abusive behavior" means, without limitation:

a. Using threatening language;
b. Throwing an item that risks or causes:
   - Harm to another individual;
   - Injury to another individual; or
   - Damage to property;
c. Physically abusing a teacher or another student; or
d. Any other similar action that presents a physical danger or a threat of physical danger to a teacher or another student.

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.

A teacher may, but is not required to, remove a student from class:

- Who has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the students in the class or with the ability of the student's classmates to learn; or
- Whose behavior is so unruly, disruptive, violent, 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.

A student who is removed from class shall:

- Be sent to the office of the principal or the principal's designee;
- Be escorted from the classroom by the school administration if the student refuses to leave the classroom voluntarily;
- Not be returned to the teacher's class until a conference is held; and
- Be placed in another appropriate classroom learning environment until the conference is completed.

The conference shall be held for the purpose of:

1. Determining the causes of the problem that led to the student's removal and possible solutions;
2. Serving as a manifestation determination review if the student removed from the class is a student with a disability;
3. Determining if a behavioral threat assessment is necessary for the student who was removed from the class due to violent behavior.

The following individuals shall be present at the conference:

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

f. The student, if appropriate.

The failure of the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis to attend the conference shall not prevent the conference from being held nor prevent any action from being taken as a result of that conference.

Following the conclusion of the conference, the principal or the principal's designee may take any of the following actions against a student who was removed from class:

- Place the student into another appropriate learning environment or into in-school suspension;
- Except for a student who was removed for violent or abusive behavior, return the student to the class; or
- Take other appropriate action consistent with the District's discipline policy, state law, and federal law.

A student who is removed from class three (3) times during the same school year shall be placed in another appropriate learning environment for the remainder of the school year.

The District shall follow all requirements under the IDEA and 504 for students with a disability, including those surrounding a change in placement.

## STUDENT DISCIPLINE

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

- 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 battery;
- Drug law violations; or
- Sexual misconduct of a serious nature.

Any disciplinary action pursued by the District shall be in accordance with the student's appropriate due process rights.[1]

The District shall incorporate the District's multi-tiered behavioral intervention procedures in accordance with Policy 4.60 in the application of student discipline.

The District's personnel policy committees shall annually review the student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Marmaduke School District's 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 made available 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 report to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the Superintendent, that person shall also inform the Superintendent of the incident. Additionally, the principal shall inform any school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The Superintendent or designee shall inform the Board of Directors of any such report made to law enforcement.

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.

## CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY

### Bus transportation is a privilege, not a right.

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, for problems related to bus behavior shall include suspension or expulsion from school, or suspending or terminating the student's bus transportation privileges may be suspended or terminated for violations of the Student Code of Conduct related to bus behavior. 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.

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

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

Students who misbehave on the bus will be written up by the driver. The discipline referrals will be sent to the principals' offices.

If a student receives three discipline referrals, he/she will be suspended from the bus for five days. If a student receives a fourth discipline referral, he/she will be suspended from the bus for ten days. If a student receives a fifth discipline referral, he/she could be suspended from the bus for ten days to the remainder of the school year. This will be determined by the person responsible for bus discipline and the Transportation Director and will be based on the severity of the offenses. However, if any offense is severe enough, the student can and will be suspended from the bus immediately without receiving any referrals.

While on the bus, students should:

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

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

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

## ELEMENTARY SCHOOL TRAFFIC

Because we have several students who are transported by private car, it is imperative that all parents follow the stated procedures closely. These rules apply to everyone who drives a car on campus.
Buses load and unload in the area between the main building and the bus barn. Absolutely NO cars are allowed in this area between 7:30 and 3:20.
We ask that all parents follow the rules for pickup and get in line. It will take you longer to pick up your child if you have to come to the office than if you follow the flow of traffic.

When in the carline please remain in line. Cars may not move out of line to pass cars in front who may be taking longer. This is for the safety of all students.
There are parking spaces available at the entrance of the elementary school building, however if no spaces are available please do not park off of the pavement. This is dangerous to all parties involved.
If you have to drive by the entrance of the elementary, please do so with **CAUTION**, there are students that move between the playground and building throughout the day.

## VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING

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

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

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

The district shall retain copies of video recordings for a minimum of two (2) weeks before they are erased which may be accomplished by either deletion or copying over with a new recording. Other than video recordings being retained under the provisions of this policy's following paragraph, the district's video recordings may be erased any time greater than two (2) weeks after they were created. Parents wishing to view a video recording need to be aware that it may not be available after the two-week period unless the video contains evidence of misconduct.

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

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

## SEARCH, SEIZURE, AND INTERROGATIONS

The District respects the rights of its students against arbitrary intrusion of their person and property. At the same time, it is the responsibility of school officials to protect the health, safety, and welfare of all students enrolled in the District in order to promote an environment conducive to student learning. The Superintendent, principals, and their designees have the right to inspect and search school property and equipment. They may also search students and their personal property in which the student has a reasonable

expectation of privacy, when there is reasonable and individualized suspicion to believe such student or property contains illegal items or other items in violation of Board policy or dangerous to the school community.

School authorities may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.

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

The Superintendent, principals, and their designees may request the assistance of law enforcement officials to help conduct searches. Such searches may include the use of specially trained dogs. A school official of the same sex shall conduct personal searches with an adult witness of the same sex present.
State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the 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 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, 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, custodian, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the 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 afterhours telephone number.

## 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 and use of a personal electronic device except as authorized by Policy 4.47 or by the student's IEP or 504 Plan;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Inappropriate public displays of affection;

10. Cheating, copying, or claiming another person's work to be his/her own;
11. Gambling;
12. Inappropriate student dress;
13. Use of vulgar, profane, or obscene language or gestures;
14. Truancy;
15. Excessive tardiness;
16. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, sexual orientation, gender identity or disability;
17. Hazing, or aiding in the hazing of another student;
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. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;
20. Sexual harassment;
21. Bullying;
22. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession; and
23. Operating a vehicle on school grounds while using a wireless communication device;
24. Theft of another individual's personal property; and
25. Antisemitism

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.

## PUPIL CONDUCT

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

Students who have been suspended out-of-school are not eligible to attend any school sponsored activities, field trips or extracurricular activities, including sporting events. The High School and Elementary each have requirements for students to be able attend field trips and other school activities. Please check with the building level principals to receive a copy of the guidelines or if you have any questions.

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

**Rule l: DISOBEYING A SCHOOL OFFICIAL OR DISREGARDING DIRECTIONS OR COMMANDS (INSUBORDINATION).**
Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 2: TRUANCY**
A student shall not be absent from school without parents' and/or school authorities' prior knowledge and consent. After arrival on campus, a student absent from his/her assigned learning station without permission from school authorities shall be considered a truant.
Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 3: POSSESSING, BUYING OR SELLING OBSCENE LITERATURE**
Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 4: 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;**
- **Nunchucks;**
- **Pepper spray, mace, or other noxious spray;**
- **Explosive;**
- **Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or**
- **Any other instrument or substance capable of causing bodily harm.**

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 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 bus 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 superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.[1] Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property.[2] Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

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

**Rule 5: LEAVING CAMPUS OR DESIGNATED AREA WITHOUT PERMISSION**

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

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

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

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

**Rule 7: DRUGS AND ALCOHOL**

An orderly and safe school environment that is conducive to promoting student achievement requires a student population free from the deleterious effects of alcohol and drugs. Their use is illegal, disruptive to the educational environment, and diminishes the capacity of students to learn and function properly in our schools. Therefore, no student in the Marmaduke School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy.

This policy applies to any student who:

- Is on or about school property;
- Is in attendance at school or any school sponsored activity;
- Has left the school campus for any reason and returns to the campus; or
- Is on 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;[1]
- Cocaine, heroin, or any other narcotic drug;
- PCP;
- Amphetamines;
- Steroids;
- "Designer drugs";
- Look-alike drugs; or
- Any controlled substance.

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

Consequence: minimum: first offense may result in a ten-day suspension with required drug and alcohol counseling at the discretion of the principal. Failure to enroll and complete required counseling will result in recommendation for expulsion.
maximum: recommendation for expulsion with loss of credits up to 365 days

**Rule 8: LASER POINTERS**

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

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

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

maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 9: CONTRABAND AND NUISANCE ITEMS**

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

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

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

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

Consequence: recommendation for expulsion from school for up to 365 days with loss of credits

**Rule 11: STUDENT SEX DISCRIMINATION AND SEX-BASED HARASSMENT**

The Marmaduke School District is committed to providing an academic environment that treats 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;[1]
- 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;[2] or
   b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;[2]
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

3. Constitutes:
   a. Sexual assault;
   b. Dating violence
   c. Domestic violence; or
   d. 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 measures 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 District's 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 of 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 drawings, 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 subjected 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, then 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 individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary ad 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 or 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 that 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 the 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)[3] 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)[3] 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 question 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 ten (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 notifications 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 bases 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.[4]

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[5] for the appeal is not the same person as the decision-maker that reached the original determination regarding responsibility or 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.[5]

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 kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

**Emergency removal[6]**

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; assisted; or participate or refused to 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 or sexual harassment, arise out of the same facts or circumstances as a report or formal complaint of 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 is found by the evidence to more likely than not[7] 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.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 12: BOMB THREATS**

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

Consequence: recommendation for expulsion from school with loss of credits for up to 365 days

**Rule 13: STUDENT ASSAULT OR BATTERY**

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

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

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

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

Consequence: minimum: suspension from school
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 14: DAMAGE, DESTRUCTION, OR THEFT AND EXTORTION**

A student shall not cause or attempt to cause damage or steal or attempt to steal the property of another student of any other person or of the school district. The Marmaduke School District will attempt to recover damages from any student destroying school property. Any students who damage school property will be subject to semester exams for the semester in which the violation occurs.

Parents of any minor student under the age of 18 will be liable for damages caused by said minor. No student shall obtain or attempt to obtain something of value from another person either by physical force or by threat (illegal acts).

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 15: DISORDERLY CONDUCT**
A student shall not engage in behavior which produces situations in which instruction or activities of other students are adversely affected.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 16: PROFANITY/VERBAL ABUSE/OBSCENE GESTURES**
A student shall not use profane, violent, vulgar, abusive or insulting language at any time. A student shall not use physical gestures that convey a connotation of obscene or highly disrespectful acts, infringe upon the rights of others, or cause or begin an overt and immediate disruption of the educational process. No obscene pictures, books or literature may be in the pupil's possession on school property.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 17: CAFETERIA REGULATIONS**
Courtesy is always commendable, and we need to be courteous in our cafeteria. We would appreciate your cooperation in complying with the following rules:

1. Stay in line and do not break, push, or run.
2. Be polite to fellow students and especially to the cafeteria workers.
3. Leave the table and floor around your area in a clean condition.
4. Food is to be eaten in the cafeteria. No food is to be carried out of the cafeteria. Food and beverages are not allowed in the classrooms except on designated days.
5. Students are to behave in an orderly manner in the cafeteria.
6. Only one person seated in each chair.
7. Only parents may deliver food to their children during the school day and it can be food for their children only.
8. Parents who wish to eat lunch with their child may check their child out during the lunch period. They will not eat in the cafeteria during this time.
9. Breakfast in the cafeteria will close at 7:50 unless buses are running late.

**Rule 18: HALL REGULATIONS**
1. Students are not permitted in the halls or lobby during class periods unless they are authorized by a teacher or by an authorized staff member.
2. A student wishing to see a teacher during his/her conference period must arrange for this in advance.
3. Students should not have open food/drinks in the hall/lobby.
4. Students in the hall/lobby areas during break/lunch must behave appropriately and avoid public displays of affection.
5. Students are not to be engaged in tripping, grabbing, yelling, or general horseplay while in the halls, cafeteria, lobby, restrooms, classrooms, or school grounds.

**Rule 19: LOCKER REGULATIONS**
Each Student is assigned a hall locker. Students in grades 7 through 12 are to use their lockers to store their books, notebooks, belongings, etc. Students may carry a small rope-style sling backpack or purse during the course of the school day. However, any other bags or packs must be stored in the student's assigned locker during school hours. Students will place purses and the sling backpacks in a teacher-designated area at the beginning of each class.

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

**Rule 20: USE OF ENERGY DRINKS**
Students shall not bring, share, or purchase energy drinks or similar substances during the school day, school trips, or school activities including those events which require transportation in a school vehicle.

Consequence: Minimum: contact parent
Maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 21: USE OF COPY MACHINES**
Students may use the copiers that are in designated places for them only. Students are not allowed to be in any of the teacher work centers or other areas specifically set apart for faculty and staff unless accompanied by an employee of the district. No students will use the copier to copy another student's notes. If a teacher wishes, he/she may make a copy of another student's notes for a student.

**Rule 22: USE OF SCHOOL TELEPHONES**
All telephones on campus are business phones and should be used by pupils for emergencies only. When students receive phone calls during class time, a message will be taken by the secretary. The student will receive the message at the end of that class period unless it is an emergency.

**Rule 23: POSSESSION AND USE OF PERSONAL ELECTRONIC DEVICES**

**Definitions**

"Emergency" means a serious, unexpected, and dangerous situation that requires immediate action, including without limitation:

- An active fire;
- An active tornado or earthquake;
- An active shooter;
- An evacuation of school grounds; or
- A medical emergency

"Personal electronic device" means without limitation a:

a. Cellular telephone;
b. Paging device;
c. Beeper;
d. Mobile telephone that offers advanced computing and internet accessibility;
e. Digital media player;
f. Portable game console;
g. Tablet, notebook, or laptop computer;
h. Digital camera;
i. Digital video or audio recorder;
j. Smart watch; and
k. Device that can connect and transmit data through Bluetooth technology.

"School day" means from the time students are required to be at school until the time students are dismissed from school.

"Special school events" may include:[2]

- Activities held during the school day that occur outside of the standard in-class curriculum, which may include any of the following activities:
    - Pep Rallies;
    - Interscholastic activities;
    - Concerts and performances;
    - Art shows and science fairs;
    - School sponsored events held off campus; and
    - Graduation ceremonies; or
- Regular school activities where the public is invited.

**Possession of Personal Electronic Device**

Except as permitted under this policy, a student shall not be in possession of a personal electronic device during the school day. A student may possess a personal electronic device during the school day if:

- The personal electronic device is required by the student's individual education plan (IEP), 504 Plan, or Individual Health Plan for health reasons;[1]
- The possession of the personal electronic device is during an emergency as defined by this policy;
- The personal electronic device is issued by the District for the student's use during the school day; ~~or~~
- The possession of the personal electronic device is by a student enrolled in an endorsed concurrent enrollment course at an institution of higher education in order to utilize two-factor authentication to access course work and resources for the endorsed concurrent enrollment course; or
- The possession of the personal electronic device is during a special event during the school day.[2]

A student shall be deemed to not be in possession of a personal electronic device if:[3]

**Use Of Personal Electronic Device**

Except as permitted by this policy, a student shall not use a personal electronic device during the school day. A student may use a personal electronic device during the school day if:

- The personal electronic device is required by the student's individual education plan (IEP), 504 Plan, or Individual Health Plan for health reasons;[1]
- The use of the personal electronic device is during an emergency as defined by this policy;
- The personal electronic device is issued by the District for the student's use during the school day;
- The use of the personal electronic device is by a student enrolled in an endorsed concurrent enrollment course at an institution of higher education in order to utilize two-factor authentication to access course work and resources for the endorsed concurrent enrollment course; or
- The use of the personal electronic device is during a special event during the school day.[2]

A student may possess and use a personal electronic device at a special school event for the purpose of taking photographs. The District shall inform the students and students' parents, legal guardians, persons having lawful control of the student, and persons standing in loco parentis the following before a special school event takes place:

- When and where the special school event will take place;
- Whether or not personal electronic devices shall be allowed at the special school event; and
- Where personal electronic devices may be used at the special school event.
- The student is enrolled in an endorsed concurrent enrollment course at an institution of higher education, and the use of the personal electronic device is necessary in order to utilize **two-factor authentication** to access course work and resources for the endorsed concurrent enrollment course. The use of the personal electronic device shall be limited to the time necessary to complete the two-factor authentication process.

The use of personal electronic 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.

**Misuse of Personal Electronic Devices**

Even if a student is allowed to possess or use a personal electronic device under this policy, the misuse of a personal electronic device is prohibited. Misuse of personal electronic devices includes, but is not limited to:

1. Using personal electronic devices issued by the District during class time in any manner other than specifically permitted by the classroom instructor;
2. Permitting any audible sound to come from the personal electronic 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 personal electronic 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 regardless of whether the image is real or created through the use of artificial intelligence;
6. Using a personal electronic device issued by the District in a manner that violates the Electronic Device and Internet Use Agreement regardless of whether the violation occurred on or off campus;

7. Using a personal electronic device at an event during the school day that was not designated as a special school event or in a manner or location that was not authorized as part of the special school event;
8. Using personal electronic devices issued by the District while driving any vehicle at any time;[4] or
9. Using a personal electronic 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 that is in motion and on school property.[5]

**Discipline**

A student may have a personal electronic device confiscated if:

- The student is found to possess or use a personal electronic device when the use or possession is not authorized by this policy and the personal electronic device was not issued by the District;
- The student misuses a personal electronic device as defined by this policy; or
- The student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis uses the remote recording or listening capabilities of a personal electronic device, either through an app installed on the personal electronic device or the built-in capacity of the personal electronic device, except when authorized by the District.[1,6]

Confiscated personal electronic devices may be picked up at the school's administration office by the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis .[2] Students have no right of privacy as to the content contained on any personal electronic devices that have been confiscated.[3] A search of a confiscated device shall meet the reasonable individualized suspicion requirements of Policy 4.32—SEARCH, SEIZURE, AND INTERROGATIONS.[7]

A student and the student's parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis expressly assume any risk associated with a student's possession or use of a student's personal electronic device that is not issued by the District. The District shall not be liable for a personal electronic device that is confiscated if the personal electronic device is lost, stolen, or damaged.

In addition to the confiscation of a personal electronic device for a violation of this policy, a student may be subject to the following discipline:[8]

To protect the integrity of the administration of the assessments under the Arkansas Educational Support and Accountability Act, a student who is found to be in possession of or to use a personal electronic device during the administration of a statewide assessment that is not required by the student's IEP, 504 Plan, or issued by the District shall have the discipline the student is subject to increased by an additional level.

At the beginning of the instructional school day (7:50), students will be required to power down and place their personal electronic devices in either their backpack or locker. The devices will remain there until the end of the instructional school day (3:14). Throughout the school day, personal electronic devices must remain out of sight.

Consequence:
1st Offense-Electronic Device Confiscated; Parent Notification; Warning; Return to student at end of day
2nd Offense-Electronic Device Confiscated; Parent pick-up required; 1 day ISS
3rd Offense-Electronic Device Confiscated; Parent pick-up required; 3 days ISS
4th Offense-Electronic Device Confiscated; Parent pick-up required; 5 days ISS
5th Offense-Electronic Device Confiscated; Parent pick-up required; 3 days OSS;
Ban personal electronic devices for the remainder of the school year.
6th Offense-Electronic Device Confiscated; Parent pick-up required; 5 days OSS;
Ban personal electronic devices for the remainder of the school year.
7th Offense-Electronic Device Confiscated; Parent pick-up required; Recommendation for Expulsion

**Refusal** to surrender a device when asked by a teacher or staff member will be considered **insubordination and will lead to 3 days of OSS.**

**Rule 24: FORGERY AND/OR FALSIFICATION OF GENERAL INFORMATION**
A student shall not forge another person's name for any reason nor falsify telephone numbers and addresses on general information forms or notes from home.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 25: PERSISTENT DISREGARD FOR SCHOOL RULES**
A student who persists in acts of misconduct after reasonable efforts have been made by the school to secure the student's adherence to the established rules shall be recommended for expulsion.

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

Consequence: minimum: five-day suspension from school.
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 26: LOITERING BY SUSPENDED OR EXPELLED STUDENTS**
Students suspended or expelled who are loitering on or near school premises may be subject to arrest for violating Act 75 of 1971.

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

**Rule 27: TOBACCO, ELECTRONIC NICOTINE DELIVERY SYSTEMS, AND PRODUCTS**
Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any real property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

With the exception of recognized tobacco cessation products, this policy's prohibition **includes any tobacco or nicotine delivery system or product**. Specifically, the prohibition includes any product that is manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vapes, juuls, or under any other name or descriptor. Any incidents involving these items will be turned over to the Marmaduke Police Department for further investigation.

Consequence: minimum: 1st offense – 2 days OSS, charges filed with juvenile office
2nd offense - 3 days OSS, charges filed with juvenile office
3rd offense – 5 days OSS, charges filed with juvenile office
4th offense – 10 days OSS, recommended for expulsion with loss of credits for remainder of semester or one calendar year.

1st offense – 3 days ISS, 2nd offense – 3 days OSS, 3rd offense – 5 days OSS,
4th offense – 10 days OSS and recommendation for expulsion

maximum: recommendation for expulsion with loss of credits for up to 365 days

**Additional to Policy:**
All vape and pod contents will be tested for drugs.
If drugs are detected in a vape, the district drug policy will be followed in addition to the vape policy.
All confiscated vapes, vape products, pods, and chargers will be confiscated and turned over to law enforcement.

**Rule 28: STUDENTS' VEHICLES**
Students who have presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive their vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. Students are not allowed to park in the visitor parking lot across from the high school office. Parking on school property is a privilege which may be denied to a student for any disciplinary violation, at the discretion of the student's building principal.

Students are not permitted to loiter in parking areas and are not to return to their vehicles for any reason unless given permission to do

so by school personnel. Students may not display anything that is obscene or that may cause a disruption to the educational process. In order to maintain student safety and reduce distracted driving, all students are prohibited from flying flags from his or her vehicle while on the Marmaduke School District campus.

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

| | | |
|---|---|---|
| Consequence: | minimum: | in-school suspension (parent notification) or corporal punishment |
| | maximum: | recommendation for expulsion with loss of credits for up to 365 days |

**Rule 29: PARKING AND DRIVING REGULATIONS**
A student using any type of vehicle (bicycle, motorcycle, automobile, truck) as a means of transportation to and from school shall not violate the rules and regulations set forth by the administration. A student in grades nine through 12 may drive cars and trucks to school if he/she is properly licensed and insured. Vehicles must be parked in the designated area on campus. Students will not be allowed in the parking area without proper permission during school hours. No skateboards are allowed on campus.

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

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

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

**Rule 30: GAMBLING**
A student shall not bring dice, cards, or other materials that can be used for gambling purposes to school.
Students shall not engage in any game of chance on school premises at any time.

| | | |
|---|---|---|
| Consequence: | minimum: | in-school suspension (parent notification) or corporal punishment |
| | maximum: | recommendation for expulsion with loss of credits for up to 365 days |

**Rule 31: CHEATING ON ASSIGNMENTS**
A student shall not cheat on tests or assignments nor shall a student aid other students in cheating on tests. A student found to be using a cell phone during a test will be considered in violation of this rule as well as rule 24.

| | | |
|---|---|---|
| Consequence: | minimum: | student receives a zero and must call parent |
| | maximum: | recommendation for expulsion with loss of credits for up to 365 days |

**Rule 32: DRESS AND GROOMING**

The Marmaduke School District Board of Education recognizes that dress can be a matter of personal taste and preference. At the same time, the District has a responsibility to promote an environment conducive to student learning.

This requires limitations to student dress and grooming that could be disruptive to the educational process because they are immodest, disruptive, unsanitary, unsafe, could cause property damage, or are offensive to common standards of decency.

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

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

- The dress and appearance of the pupils should be the primary responsibility of the parents with the school acting in an advisory capacity.
- The student is to present an appearance that will exhibit **a reasonable degree of modesty and dignity** and which reflects the family's best judgment of values.
- If the student's appearance meets the above requirements, it will be considered acceptable unless it:
    1. Is clothing with inappropriate designs, signs, or language,
    2. Is see-through clothing not accompanied with proper undergarments,
    3. Presents a danger to pupil's health and safety,
    4. Causes interruption of the proper pursuit of learning, or
    5. Creates classroom disorder.
- If a student chooses to participate in any school activity or organization, he/she must conform to the standards set forth by the sponsor or director of the activity or organization. Students in violation of the appearance code of a school-sponsored activity or organization will (at minimum) not be allowed to participate in that activity until the required standards are met.
- Students are not allowed to wear the following types of clothing to classes or school activities:
    1. Emblems, insignias, badges, or other symbols, which distract (unreasonably) the attention of other students or otherwise cause a disruption or interference with the operation of the school;
    2. Hats, caps, doo rags, or any head covering anywhere on campus;
    3. Any article of clothing that advertises, supports the use of, or insinuates the use of any alcoholic beverage, tobacco product, or any other controlled substance;
    4. Any article of clothing that contains obscene language or pictures or suggestive remarks;
    5. Any tank tops;
    6. Any bare midriff style of shirt or blouse, shirts that are open on the sides or back, or sheer material worn over clothing that does not meet the dress code.
    7. Chains as a part of clothing or attached to clothing;
    8. Inappropriate skin art must be covered at all times.
    9. Students may not wear strapless shirts or blouses, and straps must be at least 2 inches wide.
    10. The waistband of jeans must be no lower than the top of the hipbone. Also, when the student is upright in a chair, the bottom of the shirt and the top of the pants must meet. *
    11. Students may wear shorts, skirts, or dresses at any time during the school year; however, all shorts, skirts, and dresses must be of appropriate length (must reach the fingertips of hands at a student's side or be no more than 6" above the knee) and style for school.
    12. If wearing leggings, yoga pants, or any type of tight-fitting pants made of spandex or similar materials, the top being worn must extend to cover at least both the front and back of the hip and upper thigh area (buttocks must be completely covered while standing), while student stands with their hands at their side.
    13. Pants with holes are acceptable as long as the hole is at the knee or below no more than 6 inches above the knee or reaches the student's fingertips of student's hands while arms are at their side. Holes above the knee length which are patched in a style that the under material is sewn or sealed to the outer material are acceptable.
    14. Any style shirt or blouse that exposes cleavage or the breast of a female. *
    15. Clothing that exposes undergarments, or the buttocks will not be allowed. *
    16. Pajamas of any style, house shoes and blankets.
    17. Facial piercings are allowed, but must be a small stud or small hoop type piercing and may not be connected to any

other piercings on the face or other parts of the body.
* Arkansas Code § 6-18-503

Consequence: minimum: conference and change of clothes
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 33: NEGLECT OF TEXTBOOKS**
The state provides textbooks for students to use from year to year. Students are not to leave their textbooks and supplies in the halls, floors, gym bleachers, cafeteria tables or anywhere outside where weather can damage them. PLEASE USE LOCKERS.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 34: OVERT AFFECTION**
A student shall not use physical contact such as hugging, kissing, petting or holding hands with another student that conveys a connotation that can be judged as sexually explicit during the regular school day, school functions at home and away, and during extra-curricular activities.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days

**Rule 35: GANGS AND GANG ACTIVITY**
The Board is committed to ensuring a safe school environment conducive to promoting a learning environment where students and staff can excel. An orderly environment cannot exist where unlawful acts occur causing fear, intimidation, or physical harm to students or school staff. Gangs and their activities create such an atmosphere and shall not be allowed on school grounds or at school functions. The following actions are prohibited by students on school property or at school functions:

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

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion for up to 365 days with loss of credits

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

**Rule 36: BULLYING**
Respect for the dignity of others is a cornerstone of civil society. Bullying creates an atmosphere of fear and intimidation, robs a person of his/her dignity, detracts from the safe environment necessary to promote student learning, and will not be tolerated by the Board of Directors. Students who bully another person shall be held accountable for their actions whether they occur on school equipment or property; off school property at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops.
A school principal, or designee, who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

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

"Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that:

1. May address an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated;
2. Involves an actual or reasonably perceived power imbalance;
3. Is repeated or has a high likelihood of repetition; and
4. 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" 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 expected gender roles or conduct or is homosexual, regardless of whether the student self-identifies as homosexual or transgender (Examples: "Slut", "You are so gay.", "Fag", "Queer").

"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 that purpose.

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

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

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

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 to continue would constitute bullying, to their teacher or the building principal. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the building principal, or 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 constitute 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 or complaint of bullying, which shall be completed by no later than the fifth ($5^{th}$) school day following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, 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, 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 or 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.[1] 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's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus.[2] 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.[3]

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.

To prevent multiple, simultaneous investigations into the same alleged conduct, if the facts that support an alleged incident of bullying may also constitute a violation of another District policy; State or Federal law; State rule; or Federal regulation, then the District shall investigate and dispose of the alleged incident of bullying in accordance with the other applicable District policy; State or Federal law; State rule; or federal regulation in lieu of the requirements of this policy.

Consequence: minimum: in-school suspension (parent notification) or corporal punishment
maximum: recommendation for expulsion with loss of credits for up to 365 days




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

Copies of this policy shall be available upon request.[4]

**RULE 37: ANTISEMITISM PROHIBITED**

"Antisemitism" means a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities. Antisemitism may be expressed in speech; writing; visual forms; and actions, and employs sinister stereotypes and negative character traits.

The following are examples of actions, when taken as a whole, that may constitute antisemitism:

- The targeting of the state of Israel, conceived as a Jewish collectivity;
- Charging Jews with conspiring to harm humanity;
- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion;

- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions;
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews;
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust);
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust;
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations;
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor;
- Applying double standards by requiring of Israel a behavior not expected or demanded of any other democratic nation;
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis;
- Drawing comparisons of contemporary Israeli policy to that of the Nazis; or
- Holding Jews collectively responsible for actions of the state of Israel.

Antisemitism does not include criticism of Israel similar to the criticism leveled against any other country.

Discrimination and harassment based on antisemitism is expressly prohibited.

The District shall appoint an individual to act as the District's Title VI Coordinator, who shall be responsible for investigating any complaints of discrimination or harassment based on antisemitism. The District shall:

1. Include contact information for the Title VI Coordinator in information that is provided to staff, students, and parents; and
2. Provide the following on the District website that may be accessed through a link titled "Antisemitism/Title VI":
    a. The District's definition of antisemitism;
    b. A statement that antisemitism is prohibited in the District's educational programs and activities;
    c. A statement that complaints of discrimination or harassment based on antisemitism may be filed with the Title VI Coordinator;
    d. Contact information for the District's Title VI Coordinator; and
    e. Information on how to file a complaint of antisemitism with the Title VI Coordinator at the Arkansas Department of Education.

A student or a student's parent may contact the District Title VI Coordinator directly with any complaints of discrimination or harassment based on antisemitism. District employees are responsible for timely notifying the District Title VI Coordinator of any complaints they receive or incidents they witness of discrimination or harassment based on antisemitism.

Complaints of discrimination or harassment based on antisemitism shall be investigated and handled in accordance with Policy 6.7—COMPLAINTS.

A student who is found to have violated the provisions of this policy may be subject to discipline, up to and including expulsion.

The District Title VI Coordinator shall report an incident or complaint of discrimination or harassment under this policy to the Arkansas Department of Education Title VI Coordinator.

In addition to the filing of a complaint under this policy, complaints of discrimination or harassment based on antisemitism may be submitted directly to the Title VI Coordinator at the Arkansas Department of Education.

Nothing in this policy shall be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution or Arkansas Constitution, Article 2, §§ 4, 6, and 24.

**Rule 38: BEHAVIOR NOT COVERED ABOVE**
A student may be suspended or expelled for immorality, refractory conduct, insubordination, infectious disease, habitual uncleanliness, or other conduct that would tend to impair the discipline of the school or harm other students, regardless of whether the student's conduct occurs on or off campus and during or between school terms and regardless of whether a specific prohibition of the conduct is contained in this student handbook.

**RULE 39: WATER BOTTLES**
Water bottles are allowed, but they must be clear or transparent, plastic, and have a screw on lid. If it has a straw, the bottle must be made in a way to cover the straw to prevent leaks when spilled. No glass, metal or aluminum containers. Staff reserves the right to see what is in the container as well.

**Rule 40: PRINCIPALS MAY ALTER SEVERITY OF PUNISHMENT BASED ON CIRCUMSTANCES AND OTHER CONDITIONS AS DEEMED APPROPRIATE.**

## ELEMENTARY SCHOOL PLAYGROUND

A student's physical growth is an important aspect of their overall development. Students participate in weekly physical activity classes and daily recess. Proper behavior is essential for safe play during recess time. Rules for playground are as follows:

1. No fighting or initiating a fight.
2. No play fighting, wrestling, or karate.
3. No contact games that involve excessive roughness.
4. No abusive or vulgar language on the playground or elsewhere at school.
5. Rock or dirt throwing is prohibited.
6. No skateboards or skates are allowed at school.
7. No playing near water or in ditches.
8. Sitting on top of monkey bars or other playground equipment and climbing on fences is prohibited.
9. No standing or jumping from swings and no going down slides head first.

Other regulations may be implemented due to extenuating circumstances or that may be specific to certain grade levels.

# SECTION THREE: ACADEMIC POLICIES

## SEMESTER EXAMS

Teachers may administer tests in their classes at their discretion during the school year. A definite date and time is provided for final semester examinations. All examinations, tests, term papers and major assignments handed in by students will be corrected and returned by the teacher.
A student may be exempt from fall and spring semester exams if the student has met the following cumulative grade criteria for each semester:

- A student with a cumulative "A" average for the semester.
- A student with a cumulative "B" average for the semester and less than six (6) unexcused absences.
- A student with a cumulative "C" average for the semester and less than four (4) unexcused absences.
- Advanced Placement students are eligible for exemption from the spring semester test only.

A student with a cumulative "D" or "F" average for the semester will be required to take the semester exam.
Absences will be figured through the final instruction day of the semester.

Students will be exempt on a class-by-class basis with the following exceptions:

- A student with more than three (3) disciplinary referrals in a semester will not be exempt from any semester tests.

- A student who has served in or out of school suspension, or has received corporal punishment, will not be exempt from any semester tests.

A student who qualifies for exemptions but chooses to take semester tests cannot have his/her grade lowered by the tests.
Seniors who must take the semester exams for the 2nd semester will be given their exams no later than the Friday a full week before graduation.

**Note:** If a student has a long-term, on-going illness that requires more than the allowed absences, he/she may be exempt from semester exams with parent, teacher, and administrator approval. Long-term is a condition which exists for more than one year.

## GRADING SYSTEM

The purpose of grading is to:

- Show the achievement of pupils in relation to others,
- Inform the parents of the progress of their children,
- Help the staff to evaluate the effectiveness of the program of instruction.

The Grading System for Grades 7-12 Will Consist of the Following:

1. Daily grades that will count 50% of the nine weeks grade,
2. At least four weekly tests that will count as 50% of the nine weeks grade,
3. The semester grades will be done by allowing each nine weeks (9) grading period to count for 40% of the semester grade and the semester exams to count as 20%,
4. Grades that will reflect only the achievements of academic objectives,
5. Letter grades that correspond to numerical averages as follows:

Grades assigned to students for performance in course shall reflect only the extent to which a student has achieved the expressed academic objectives of the course. Grades that reflect other educational objectives such as the student learning expectations contained in the curriculum frameworks may also be given.

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.

The following grading scale will be in effect in the Marmaduke School District.

A = 90 – 100 = 4 points
B = 80 – 89 = 3 points
C = 70 – 79 = 2 points
D = 60 – 69 = 1 point
F = 0 – 59 = 0 points

The following weighted grading scale is to be used for Advanced Placement, approved courses for weighted credit, International Baccalaureate, or Arkansas Department of Education approved honors courses or concurrent credit/college courses. Quality points for Advanced Placement and International Baccalaureate courses are contingent on teacher training and student testing guidelines set forth by the Arkansas Department of Education.

A = 90 – 100 = 5 points
B = 80 – 89 = 4 points
C = 70 – 79 = 3 points
D = 60 – 69 = 2 points
F = 0 – 59 = 0 points

The final grades of student 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 times the transferred grade from outside the district plus the percentage of days in the grading period while in the district times the grade in the district.

**ARKANSAS DIRECT ADMISSIONS PROGRAM**

The District shall participate in the Arkansas Direct Admissions Program.[1] As part of the District's participation, the District shall provide data to the Division of Higher Education (DHE) that includes, without limitation:

1. A student's grade point average;
2. A student's assessment scores;
3. A student's course completion; and
4. Other information required by DHE

The District shall inform all students about how the student may participate in the Arkansas Direct Admissions Program.[2]

The District shall not actively discourage or prohibit an eligible student from participating in the Arkansas Direct Admissions Program.[2]

## STUDENT USE OF ARTIFICIAL INTELLIGENCE

**Definitions**

"Artificial Intelligence (AI) Tools" means Software applications or platforms that utilize machine learning algorithms to perform tasks typically requiring human intelligence, such as generating content, providing recommendations, or solving problems. For purposes of this policy, AI tools does not include the use of spell check or grammar check.

The purpose of this policy is to establish guidelines for the responsible use of AI tools by District students. The policy applies to all students enrolled in the District and covers the use of AI tools when completing District assignments or projects.

The district shall provide teachers and students resources and education on AI literacy and digital citizenship. The District shall establish a committee who shall be responsible for the review and selection of AI tools that shall be available for students to use. All AI tools selected by the committee shall comply with applicable state and federal data privacy laws. Students shall only use AI tools that were approved by the District committee for classroom assignments or projects.

Teachers are responsible for providing instructions on when and how AI tools may be used for classroom assignments. Students may use AI tools as approved by their classroom teacher to enhance learning and develop future-ready skills.

Students should use AI tools ethically and responsibly, aligning with the district's educational objectives, and in a manner that does not harm themselves or others. As part of using AI tools responsibly, students should be cautious about the information they provide to AI tools and consult with a teacher if unsure. At no time shall Students share personal, sensitive, or confidential information with AI tools, especially AI tools requiring data input.

When a student uses AI tools, a student shall:

1. Review and verify the accuracy of content that is generated by an AI tool;
2. Cite AI tools used as part of an assignment or project as a source, following District citation guidelines; and
3. Be transparent about their use of AI in completing assignments.

Students must ensure all submitted work is their own and properly acknowledge or cite any assistance from AI tools. Students are encouraged to ask questions if they are unsure about the acceptable use of AI tools.

The following actions regarding AI tools are strictly prohibited:

- Misuse of AI tools for cheating, plagiarism, or any form of academic dishonesty, including the submission of assignments that were fully generated by an AI tool and presented as original student work;
- Altering or falsifying academic documents or records using AI tools;
- Using AI tools to:
  - Gain unauthorized access to District systems; or
  - Bypass District security measures;
- Using AI tools to produce misleading or false information, imagery, or any form of false outputs about themselves, other students, or staff members.

Students should report any inappropriate content or security concerns encountered while using AI tools to a teacher or administrator.

Violations of this policy shall be handled in accordance with the District's disciplinary procedures.

## PROMOTION AND RETENTION

## PROMOTION/RETENTION/COURSE CREDIT FOR 7-12 SCHOOLS

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

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

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

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

- A passing grade of 60 or above is required to pass a course.
- Students in grades $7^{th}$ or $8^{th}$ must pass all core subjects in order to promote.
- Students in grades $7^{th}$ or $8^{th}$ may be promoted with parental requests if they have failed one or more of the core classes.
- Students in grades $7^{th}$ or $8^{th}$ will not be recommended for promotion if they have failed all of the core subjects.
- Students in grades $9^{th}$ – $12^{th}$ shall follow the **student classification** policy set forth in this handbook.
- All students must follow the current absentee policy in order to receive credit.

If there is doubt concerning the promotion or retention of a student, or their required retaking of a course, a conference shall be held before a final decision is made that includes the following individuals:

- The building principal or designee;
- The student's teacher(s);
- School counselor;
- A 504/special education representative (if applicable); and
- 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, the final decision to promote or retain shall rest with the principal or his/her 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.

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

1. The student's specific, diagnosed reading skill needs, including without limitation:
    - Phonemic awareness;
    - Phonics decoding;
    - Text reading fluency;
    - Vocabulary-building strategies; and
    - Self-regulated use of reading comprehension strategies, as identified by high-quality literacy screener data;
2. The goals and benchmarks for the student's growth;
3. How the student's progress will be monitored and evaluated;
4. The type of additional instructional services and interventions the student may receive;
5. The intensive, evidence-based literacy intervention program aligned to the science of reading the student's teacher will use to address the areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension;
6. The strategies the student's parents, legal guardians, or persons standing in loco parentis to the student are encouraged to use in assisting the student to achieve the student's reading goal; and
7. Any additional services the student's teacher determines are available and appropriate to accelerate the student's reading skill development.

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

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

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

a. Provide at least ninety (90) minutes of evidence-based literacy instruction aligned to the science of reading during each school day;
b. Assign the student to:
    - If the District has a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years; or
    - If the District is unable to identify a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher:
        - With a highly-effective rating according to the Teacher Excellence and Support System, when possible; or

- Deemed to be a high-performing teacher as defined by a Master Professional Educator designation.

c. Provide parents, legal guardians, or persons standing in loco parentis to students with a "read-at-home" plan to support student early literacy growth, which shall include evidence-based science of reading strategies and tools that are aligned to a student's individual reading plan for parents, legal guardians, or persons standing in loco parentis to use with their student;
d. Notify parents, legal guardians, or persons standing in loco parentis to a student regarding their student's eligibility for a literacy tutoring grant;
e. Be given priority to receive a literacy tutoring grant; and
f. Be given the option to participate in additional intensive, evidence-based literacy intervention programs aligned to the science of reading.

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

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

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

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

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

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

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

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

An SSP shall be created:

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

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

## PROMOTION/RETENTION/COURSE CREDIT FOR K-6 SCHOOLS

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. Each school in the Marmaduke School District shall include in the student handbook, the criteria for promotion of students to the next grade. Parents or guardians shall be kept informed concerning the progress of their student(s). Notice of a student's possible retention shall be included with the student's grades sent home to each parent/guardian. Parent-teacher conferences are encouraged and may be held as necessary in an effort to improve a student's academic success.

Promotion or retention of students shall be primarily based on the following criteria:

- A passing grade of 60 or above is required to pass a subject area.
- Student Assessment Results
- All students must follow the current absentee policy in order to receive credit.

If there is doubt concerning the promotion or retention of a student, before a final decision is made, a conference between the parents/guardians, teacher(s), other pertinent personnel, and principal shall be held. 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, the final decision to promote or retain shall rest with the principal.

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

## STUDENT CLASSIFICATION

9th Grade (Freshman) ----- 0 to 5 academic credits
10th Grade (Sophomore) ---- 5.5 to 11 academic credits
11th Grade (Junior) ----- 11.5 to 16.5 academic credits
12th Grade (Senior) ----- 16.5 or more academic credits

## 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. Acceleration 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.

### Elementary School Students[1]

The process of determining the appropriateness of a request for an elementary school student[1] to receive acceleration shall be under the direction of the district/school[2] Gifted and Talented Program Coordinator. The district/school[1] Gifted and Talented Coordinator shall convene the Acceleration Placement Committee[3] and communicate with the individuals necessary for the Acceleration Placement Committee to make an informed decision which shall include the student's parents or guardians.[4]

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 Director will create a written format to govern the referral and determination process for elementray school students, which shall be made available to any parent or staff member upon request.
The parents/guardians of any elementary school[1] student whose request for acceleration has been denied may appeal the decision, in writing to the District's Administration. The District's Administration 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.

**Course Selection Students**

District students who attend a District school that authorizes the student to select individual courses shall have acceleration options provided to them by the counselor during the course selection process. The course selection process shall be part of the Student Success Plan created and modified in accordance with Policy 4.55—STUDENT PROMOTION AND RETENTION.

## ADVANCED PLACEMENT and HONORS COURSES

Admission into Advanced Placement classes will be based on these criteria:
Student's past performance

- Previous test scores
- Teacher recommendation

While prerequisites are not required, it is strongly advised that Honors courses be taken before the AP courses and that certain courses be taken in order. Any student who takes an AP course will be required to take the AP Examination. By state law it is mandatory to take the AP exam in order to receive credit for the course based on the five-point credit system. However, AP students who are paying for concurrent credit may opt out of the AP Exam as long as they pay for the cost of the exam.

For a student to be eligible to receive weighted credit for an AP 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 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 course.

Additionally, for students taking AP or courses to receive weighted credit, they must take the applicable AP 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 AP exam. Students who do not take the AP exam shall receive the same numeric value for the grade he/she receives in the course as if it were a non-AP course, and shall be charged the cost of the exam. Seniors will have diplomas withheld until their final AP exams are completed.

"Honors Courses" are those courses that have been approved by a Department of Elementary and Secondary Education (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, honors or concurrent credit college courses; and other courses approved by DESE for weighted credit that were taken for weighted credit at his/her previous school(s) according to the preceding scale.

## HONOR GRADUATE REQUIREMENTS

Honor graduates will consist of students who complete at least five Advanced Placement courses (High School AP or Concurrent/College), the minimum core of courses recommended for preparation for college as defined by the Higher Education Coordinating Board and the State Board of Education, successful completions of Chemistry, concurrent credit Science with Lab, and who maintain a grade point average of 3.5. Students must also earn a C or better in all classes, have a 95% attendance average over 4 years, complete upper-level courses (no environmental science, no special education, and at least one Math higher than Algebra II). Valedictorian and salutatorian will be calculated at the end of the first semester. Honor graduates will be calculated at the end of the first semester, but requirements will be checked again before graduation and must be met in order to be recognized as an Honor graduate at the graduation ceremony. Students who transfer into the District for or during the final two semesters will only be eligible to tie for Valedictorian. Honor graduate requirements can be altered on a year-to-year basis by the administration due to extenuating circumstances.

## GRADUATION CEREMONY REQUIREMENTS

All graduation requirements must be met before a student is allowed to participate in the graduation ceremony. If not met, students may return to school and finish the requirements before the end of the school year and then receive their diploma.
Students who have not been enrolled in the district prior to the beginning of their senior year will not be permitted to participate in graduation ceremonies unless they have been legally transferred from an approved public school.

## GRADUATING EARLY

Graduating early – students who have met the state and school criteria may graduate early, if they choose. Students who choose this option mut notify the principal and/or counselor by the first day of school for the upcoming school year. If a student declares after the deadline, they will not be included in senior activities, such as, but not limited to, senior trip, senior composite pictures, and class pictures. Students will also not be eligible to be Valedictorian or Salutatorian but will remain eligible to be an Honor graduate. Additionally, the school will not be able to provide the student with a class ranking after the school year has started. This will have to be done at the end of the school year.

# GRADUATION REQUIREMENTS

Information regarding Graduation requirements will be sent home with students prior to their enrolling in seventh ($7^{th}$) grade, or when a seventh ($7^{th}$) through twelfth ($12^{th}$) grade student enrolls in the district for the first time. 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. All are 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 as part of the creation of the student's ~~SSP~~ Student Success Plan.

This policy, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district strategic plan development process[1] to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or the superintendent's designee, shall select the composition of the review panel.

Sufficient information relating to the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding; this shall be accomplished through holding an informational meeting for parents, legal guardians, or persons standing in loco parentis to students enrolled in grades six through twelve (6-12) with the school counselor and may be accomplished through any or all of the additional following means:[2]

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

Administrators, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.[3]

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 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 23 units. The additional required units may be taken from any electives offered by the district. There are some distinctions made between Core units and Graduation units. Not all units earned toward graduation necessarily apply to Core requirements. Career education courses that are determined by DESE to be eligible for use in the place of a listed course may be substituted for the course as designated by DESE.

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

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

### Personal and Family Finance

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

### Computer Science

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

### Community Service

Except as otherwise stated by this policy or the student's IEP, each student must receive seventy-five (75) clock hours of community service that is certified by the service agency or organization where the student volunteers or the student's parent.

The community service must be in programs or activities, either in Arkansas or outside of Arkansas, that meet the requirements established by the State Board and the District Board of Directors and include preparation, action, and reflection components. A student who transfers into the District after ninth ($9^{th}$) grade must receive at least the following documented clock hours of community service each year:

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

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

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

English: four (4) units

- English 1
- English 2
- English 3
- English 4

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 accelerated learning courses may be substituted where applicable)
- An applicable 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 (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.[7]

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.

## ASSESSMENTS AND REMEDIATION

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

1. Students in grades K-10 shall participate in ATLAS assessments required by the State Board of Education.
2. Juniors will have the opportunity to take the ACT for free during the spring semester.

3. Act 601 of 2017 states that beginning in 2017-2018, the Universal ACT Assessment Program may provide for students in grades 9, 10, 11, and 12 the opportunity to take the ACT Assessment without any charge.

Appropriate accommodations shall be made available for students with appropriate disabilities and for English language learners as allowed by Arkansas Department of Education regulations.

## CONCURRENT CREDIT

A ninth through twelfth 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 toward high school grades and graduation at the rate of one high 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.

A student who takes a three-semester hour remedial/developmental education course, as permitted by the DESE Rules Governing Grading and Course Credit, shall be the equivalent of one-half unit of 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 District's student, and his or her parent(s) or guardian(s) if the public school 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 off campus sent to their school in order to receive credit for the course(s). The transcripts are to be received by the school within five (5) school days of the end of the semester in which the course is taken. Students may not receive credit for the course(s) they took or the credit may be delayed if the transcripts are not received in time, or at all. This may jeopardize students' eligibility for extracurricular activities, or graduation.

Students will retain credit earned through the concurrent credit program which was applied toward a course required for high school graduation from a previously attended, accredited, public school.
Students who meet admission requirements are eligible to acquire concurrent credit by attending Crowley's Ridge College (CRC) or Black River Technical College during the regular school day.
Students who take concurrent credit courses off campus but wish to hold a major office (President or any of the four (4) student council offices), must be present on campus for a portion of the normal school day.

Parents of students interested in acquiring concurrent credit during the school day must first meet with the principal to determine eligibility and scheduling limitations. It is the responsibility of the parents to complete any enrollment and scheduling requirements set forth by Crowley's Ridge College (CRC) or Black River Technical College.
Any and all costs of higher education courses taken for concurrent credit, including transportation, are the student's responsibility.
Starting with the Class of 2026 and classes thereafter, when figuring GPAs involving concurrent credit classes, only the core subjects will be weighted.

## HOMEWORK POLICY

Homework is a flexible and individual responsibility of the individual teacher in the school system. Purposeful homework varies from day to day with each pupil, depending upon his capacity, potential, and need. Whenever homework exists in the school system, it supplements, complements, and reinforces classroom teaching and learning.

All students are responsible for homework as assigned by the individual classroom teachers.

## MAKE-UP WORK

Students who miss school due to unexcused absence shall be given access to the material covered while away from the class. Students who miss school due to an excused absence shall be allowed to make up the work they missed during their absence under the following rules.

1. Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.
2. Teachers are responsible for providing the missed assignments when asked by a returning student.

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

Students who are absent for any reason will be required to make up work missed in each class. This work should take approximately the same time as the time missed from class.

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

Students who are truant, removed from class (excluding in-school suspension), or are over the allowed number of unexcused absences, will not be allowed to make up any work. 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. Students who are suspended out of school will be given the work to complete, but they will only be allowed to receive half credit for the assignments, according to the District policy. In lieu of the timeline above, assignments for students who are excluded from school by the Arkansas Department of Health during a disease outbreak are to be made up as set forth in Policy 4.57—IMMUNIZATIONS.

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

a. Retaking a semester at the District school where the student is enrolled;
b. Participating in an online course credit recovery program;
c. Being granted six (6) weeks to continue at the same pace and finish the semester at a later date, provided that the student may:
   - Complete the student's coursework within the current school year; or
   - Attend previously scheduled summer school classes made available by the District Where the student is enrolled; and
d. Receiving home-based instruction services.

## PARENT-TEACHER CONFERENCES

Parents are invited and urged to contact teachers, principals, or any other school official at any time to discuss their child's welfare or to schedule an appointment with a staff member.

Parent-Teacher Conferences will be scheduled twice during the school year during the 1st and 3rd nine-week periods. At these times parents or legal guardians of students may obtain their child's progress report and conference with teachers.

Married students or students of majority who are no longer under the legal jurisdiction of a parent or guardian may obtain their own report cards at the designated time.

## PROGRESS REPORTS

Progress reports: Student progress reports may be picked up by parents during parent-teacher conferences or may be picked up by the student after 4 ½ weeks or any time between marking periods.

## REPORT CARDS

Report cards are prepared for every child every nine weeks. Satisfaction in learning should be encouraged. The report card recognizes competition but stresses self-improvement and self-achievement.

## SCHEDULE CHANGES AND/OR DROPS

Courses requested during registration should reflect the best efforts of the students to choose required classes and preferred electives. Once schedules are set, students have the chance to meet with the counselor before school starts to make changes. Once school starts, the students need to follow these guidelines in making schedule changes÷

Students may make schedule changes during the first three weeks of school after meeting with teachers from the class(es) to add and the class(es) to drop and bringing signed Schedule Change forms to the counselor.
After the third week of school, students/parents will have to petition the principal for an Academic Review (a meeting with student, parent, and teachers) for any changes to be considered due to extenuating circumstances.
If a student/parent insist on dropping a class against the recommendation the Academic Review, the student will receive an F on his/her transcript for the dropped class.
This procedure will only be used during the first semester. During the 2nd semester, students may only drop classes or change schedules during the first two weeks.

## WITHDRAWAL AND TRANSFER

The procedure for withdrawal or transferring is as follows:

- Obtain appropriate forms from the Guidance Office;
- Have the forms filled out by teachers, return all school books and property, and make sure all fees are paid;
- Take completed forms to the Guidance Office for final clearance.

# SECTION FOUR: ROUTINE POLICIES

## ACCIDENT INSURANCE

The school will offer an accident policy to the students on a voluntary basis. The policy will cover students during school and all school-sponsored activities.
If a student becomes ill or injured at school, in most cases he/she will be taken home and the parents notified. If seriously injured, the student will be taken to the emergency room.
Athletes (all sports including cheerleaders) must be covered by sufficient insurance with a family accident policy or with a school accident policy.

A physical examination is required of all athletes including cheerleaders.

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

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

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

For the purposes of this policy, "Invasive Physical Examination" is defined as any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. Except in instances where a student is suspected of having a contagious or infectious disease, parents shall have the right to opt their student out of the exams or screenings by using form 4.41F or by providing certification from a physician that he/she has recently examined the student.

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

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

## COMMUNICABLE DISEASES AND PARASITES

Students with communicable diseases or with human host parasites that are transmittable in a school environment shall demonstrate respect for other students by not attending school while they are capable of transmitting their condition to others. Students whom the school nurse determines are unwell or unfit for school attendance or who are believed to have a communicable disease or condition will be required to be picked up by their parent or guardian. Specific examples include, but are not limited to: Varicella (chicken pox), measles, scabies, conjunctivitis (Pink Eye), impetigo/MRSA (Methicillin-resistant Staphylococcus aureus), streptococcal and staphylococcal infections, ringworm, mononucleosis, lice and/or nits, Hepatitis B or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally).

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

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

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

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

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

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

## EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

The Marmaduke School District complies with the Arkansas Activities Association Handbook for the eligibility requirements for students in junior high and high school. The clothing policy is in effect for all school activities.

The Marmaduke School District is not allowed to cash checks for the purposes of trips, miscellaneous activities and/or purchases.

The school's overnight meal stipend will be for regional, state, and national competitions. The school will cover one meal each day, at $20 per student and approved chaperones.

## 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 the student's classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted). Additionally, a student's participation in, and the District's operation of, extracurricular activities shall be subject to the following policy.

All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

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

Whenever a student exceeds **9** unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, guardian, or persons in loco parentis shall be subject to a civil penalty as prescribed by law. **Students who have reached this number in absences in any one class will not be permitted to leave campus early for competitive extra-curricular activities. Seniors who reach this number in absences will not be permitted to leave campus for early release.**

Any student who has six (6) or more unexcused absences during a semester, or who is currently failing a core subject area (Math, Science, English, or History) will not be eligible to miss class time for school related trips and/or college days with the exception of group competition. Group competition attendance will be at the discretion of the sponsor or advisor and principal.

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.

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

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

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

"Interscholastic Activities" means athletic or non-athletic/academic activities where students compete on a school vs. school basis.[1]
"Intrascholastic Activities" means athletic or non-athletic/academic activities where students compete with students from within the same school.

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

## 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 the student has successfully passed four (4) academic courses the previous semester.

The first semester ninth-grade student meets the scholarship requirements for junior high if the student has successfully passed four (4) academic courses the previous semester.

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

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

**ACADEMIC REQUIREMENTS: Senior High**

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

1. Have earned a minimum Grade Point Average (GPA) of 2.0 from all academic courses the previous semester; or

2. If the student has passed four (4) academic courses the previous semester but does not have a 2.0 GPA the student must be enrolled and successfully participating in an SIP to maintain their competitive interscholastic extracurricular eligibility.

**STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM**

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

**Homeless Students**

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

**ARKANSAS ACTIVITIES ASSOCIATION**

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

## INTRASCHOLASTIC ACTIVITIES

### AAA Governed Activities

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

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

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

## Non-AAA Governed Activities

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

**School Choice Transfers**

A student who transfers under a legal school choice option shall not be denied participation in an extracurricular activity where the student transfers based exclusively on the student's decision to transfer . A student who transfers after June 1 of the year the student enters grades seven through ten (7-10) shall complete a Changing Schools/Athletic Participation form as defined by AAA, which must be signed by the:

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

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

A student who transfers into the District and is enrolled in the District by June 1 of the school year the transfer student will be enrolled in grade seven (7), eight (8), nine (9), or ten (10) shall be immediately eligible to participate in an extracurricular activity that is an athletic activity. If a transfer student is not enrolled in the District by June 1 of the school year the student will be enrolled in grade seven (7), eight (8), nine (9), or ten (10), then the transfer student shall not be eligible to participate in an extracurricular activity that is a varsity athletic activity for up to three hundred sixty-five (365) days.

# EXTRACURRICULAR ACTIVITIES – ELEMENTARY SCHOOL

**Definitions**

"Extracurricular activities" are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.
"Field Trips" are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

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

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

**Extracurricular Eligibility**

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student's educational experience. At the same time, the Board believes that a student's participation in extracurricular activities cannot come at

the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments or other similar events excepted with approval of the principal. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

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

Students who have graduated will not be allowed to attend school trips as a student unless the student is competing specifically on behalf of the district and is covered by other liability insurance(s).

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.

## EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS

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

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

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

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

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

Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in an interscholastic activity 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 the student's enrollment in a home school.

No student shall be required to pay for individual or group instruction in order to participate in an interscholastic activity.
To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students, and meet all eligibility requirements set forth by the Arkansas Activities Association..

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one non-academic[3] course in the District's school where the student is intending to participate in an interscholastic activity that coincides

with the interscholastic activity in which the homeschooled student participates and shall be required to be at school only when participation in the interscholastic activity requires other students who participate in the interscholastic activity to be at school.

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

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

A home-schooled student who has met the try out criteria; and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:

- standards of behavior and codes of conduct;
- attend the practices for the interscholastic activity to the same extent as is required of traditional students;
- permission slips, waivers, physical exams; and
- participation or activity fees.

Students who participate in extracurricular or athletic activities under this policy will be transported to and from the interscholastic activities on the same basis as other students are transported.

A home schooled student may begin participating in an interscholastic activity immediately upon being approved to participate by the District if:

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

A home schooled student shall not be eligible to participate for up to three hundred sixty-five (365) days if:

1. The District is the home schooled student's resident district and the home schooled student is not approved to participate in an interscholastic activity at the District by June 1 of the school year the student will be enrolled in grade seven (7), eight (8), nine (9), or ten (10);
2. The District is not the home schooled student's resident district and the home schooled student is not approved to participate in an interscholastic activity that is a varsity athletic activity at the District by June 1 of the school year the student will be enrolled in grade seven (7), eight (8), nine (9), or ten (10); or
3. The home schooled student withdrew from an AAA member school and participated in an interscholastic activity that is a varsity athletic activity at the student's resident district during the previous three hundred sixty-five (365) days and is seeking to participate in an interscholastic activity that is a varsity athletic activity in the District.

A student who is prohibited from participation in an interscholastic activity due to number 1 shall not become eligible to participate in any interscholastic activity until the completion of the three hundred sixty-five (365) day period. A student who is prohibited from participation in an interscholastic activity that is a varsity athletic activity due to numbers 2 or 3 shall not be eligible for full participation in an interscholastic activity that is a varsity athletic activity until the completion of the three hundred sixty-five (365) day period. A student who is not eligible for full participation may participate in tryouts, practices, classes, or other endeavors associated with the interscholastic activity until the completion of the three hundred sixty-five (365) day period.

## EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR PRIVATE SCHOOL STUDENTS

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.

"Private school" means a nonpublic elementary or secondary school that is a registered nonprofit and accredited or licensed by an accrediting association recognized by the State Board of Education.

“Private school student” means a student attending a private school.

Each school in the District shall post on its website its schedule of interscholastic activities, including signup, tryout, and participation deadlines, at least one semester in advance of those activities. A hard copy of the schedule shall be available upon request.[1]

Private school students whose parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone[2] if the private school the student attends does not offer the interscholastic activity.

Although not guaranteed participation in an interscholastic activity, private 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 private school student is unable to meet because of his or her enrollment in a private school.

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

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one non-academic course[3] in the District's school where the student is intending to participate in an interscholastic activity that coincides with the interscholastic activity in which the private school student participates and shall be required to be at school only when participation in the interscholastic activity requires other students who participate in the interscholastic activity to be at school.

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

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

A private school 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 is required of traditional students;
- Required drug testing;[4]
- Permission slips, waivers, physical exams; and
- Participation or activity fees.

Students who participate in extracurricular or athletic activities under this policy will be transported to and from the interscholastic activities on the same basis as other students are transported.

**STUDENT USE OF MULTIPLE OCCUPANCY ROOM**

**Definitions**

"Multiple occupancy room" means an area in a District building that is designed or designated to be used by one (1) or more individuals at the same time and in which one (1) or more individuals may be in various stages of undress in the presence of other individuals, which includes, without limitation, a restroom, locker room, changing room, or shower room.

“Sex" means the physical condition of being male or female based on genetics and physiology, which may be demonstrated by the sex identified on a student’s original birth certificate.

Each multiple occupancy room in a District building shall be designated as either male or female. Except as permitted by this policy, a student shall not enter a multiple occupancy room that does not correspond to the student’s sex.

An individual who is unwilling or unable to use a multiple occupancy room designated for the individual's sex shall be granted a reasonable accommodation, which may include, without limitation, access to a single-occupancy restroom or changing area. A reasonable accommodation shall not include access to a restroom or changing area that is designated for use by members of the opposite sex to an individual while members of the opposite sex of the individual are present or may be present in the restroom or changing area.

The prohibitions in this policy do not apply to an individual who enters a multiple occupancy room designated for use by the opposite sex when the individual enters for any of the following reasons:

- custodial, maintenance, or inspection purposes;
- To render emergency medical assistance;
- To address an ongoing emergency, including without limitation a physical altercation;
- To accommodate individuals protected under the Americans with Disabilities Act; or
- To assist young children who are in need of physical assistance when using a restroom or changing facility that is located in the District.

**STUDENT NAME, TITLE, OR PRONOUN**

Unless a District employee has the written permission of the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student or the student if the student is an emancipated minor or over eighteen (18) years of age, a District employee shall not address a student with a:

1. Name other than that listed on the student's birth certificate, except for a derivative of the name; or
2. Pronoun or title that is inconsistent with the student's biological sex.

A student shall not be subject to discipline for declining to address a person using a:

a. Name other than that listed on the student's birth certificate, except for a derivative of the name; or
b. Pronoun or title that is inconsistent with the person's biological sex.

**STUDENT RELIGIOUS EXPRESSION**

The Marmaduke School District Board of Directors does not allow the discrimination against a student based on a student’s voluntary religious expression, if any. At the same time, the District shall provide a process to eliminate any actual or perceived sponsorship or attribution to the District of a student's public voluntary expression of a religious viewpoint, if any.

**Student Assignments**

Student assignments include, but are not limited to:

- Homework;
- Classwork;
- Artwork; and
- Other written or oral assignments.

A student may express the student’s religious viewpoint, if any, in the student’s assignments without discrimination based on the religious content, if any. A student's assignments shall:

1. Be graded and judged:
   - By ordinary academic standards of substance and relevance; and
   - Against other conventional, pedagogical topics as identified by the District curriculum; and
2. Not be penalized or rewarded based on the religious content, if any, of the student’s assignments.

A student or the student's parent can request the student's teacher accommodate the student's objection based on a religious belief to an instructional activity. Any such request must be made at least twenty five (25) school days prior to the assignment's due date. Any objection must be raised in accordance with this policy's requirements or it will not be considered.[2]

Upon receiving such a request, the student's teacher shall determine within five (5) work days if an accommodation is possible under the provisions of this policy. If the teacher decides an accommodation cannot be made or if the student or the student's parent believes the accommodation to be unreasonable, the student or the student's parent may request a conference with the teacher and the teacher's principal. A requested conference will occur at a time of mutual convenience, but no later than five (5) working days following the request. The principal shall have five (5) working days in which to make a decision on the appeal. If the student, the student's parent, or the teacher is unsatisfied with the principal's decision, it may be appealed to the District Superintendent, who shall convene a conference between the student, the parent and the teacher. The requested conference will occur at a time of mutual convenience, but no later than five (5) working days following the request. The Superintendent shall have five (5) working days in which to make a decision on the appeal which shall be final with no further right of appeal.

**Student Presenters**

A student's expression of a religious viewpoint, if any, on an otherwise permissible subject shall not be excluded from a forum, whether oral or in writing, where students are allowed to speak.

The District has the right to restrict student speech that is inappropriate in the school setting by being obscene, vulgar, offensively lewd, or indecent.

Review of written student forums shall be handled in accordance with Policy 4.14—STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE.

If the forum is a scheduled event with designated student speakers, the building principal shall have an opportunity to review pre-written remarks prior to the student's presentation at the scheduled forum. The principal may require the student to amend the student's remarks to the extent necessary to address any portions that are determined to be inappropriate. A student's refusal to amend the remarks that were determined to be inappropriate may be prohibited from participation in the forum. A student who diverts from the approved pre-written remarks during a speech in such a manner that is determined to be inappropriate by the building principal or another present District staff member may be asked to return to the approved remarks. If a student refuses to return to the approved remarks or continues to divert from the approved remarks in a manner that is determined to be inappropriate may be escorted from the forum and disciplined in accordance with the District's Student Code of Conduct.

If the timing or format of the forum does not provide for pre-written remarks to be reviewed, then the building principal or other District staff shall have the authority to address a student whose remarks are determined to be inappropriate. The building principal or District staff member shall initially ask the student to cease the inappropriate remarks. If the student refuses or makes additional inappropriate remarks after being directed to seace such remarks, Then the building principal or District staff member may escort the student from the forum and the student may be disciplined in accordance with the District's Student Code of Conduct

There shall be a disclaimer that a student speaker's speech does not reflect the endorsement, sponsorship, position, or expression of the District. The disclaimer shall be provided at all forums where students speak and at all graduation ceremonies. The disclaimer shall be provided orally or in writing as most appropriately fits the format of the forum.

Information on how to participate in a student forum shall be provided to all students.[1]

In addition to the salutatorian and valedictorian selection process, Honor Graduates, will be assigned a speaking part during the District's graduation ceremony:[2]

## VOLUNTEERS

Enlisting the support of volunteers is a way in which the District can expand the scope of resources and knowledge available to enrich the students' educational experiences, while strengthening the relationship between the school

and the community. Volunteers can also perform non-instructional tasks that allow licensed personnel more time to devote to instruction.

The Superintendent shall be responsible for establishing and maintaining a program to coordinate the services volunteers are willing and able to contribute with the needs of District personnel. The program shall establish guidelines to ensure volunteers are aware of pertinent District policies and rules. Volunteers who violate school policies or rules, or knowingly allow students to violate school rules, may be asked to leave the school campus. The guidelines should also include provision for evaluation of the volunteer program and a method for soliciting suggestions from both the volunteers and staff for its improvement.

All volunteers who intend to act as head coaches or assistant coaches must:

- Be at least twenty-two (22) years of age; and
- Meet the requirements adopted by the Arkansas Activities Association (AAA) to volunteer for any athletics program for grades seven (7) through – twelve (12).

A member of the board of directors of the District or the spouse of a member of the board of directors of the District may not be a registered volunteer for the District unless a majority of the disinterested members of the Board of Directors approves a resolution for the board member or board member's spouse to be a registered volunteer. The resolution approving the board member or board member's spouse to be a registered volunteer shall be effective for only one (1) school year.

A volunteer may act as a head coach in all varsity junior and senior high sports administered by the AAA except in the following sports:

- Football;
- Basketball; and
- Track and field.

## Background Checks for Volunteers:

For the purposes of this policy, "clear background check" means that:

- A background check was performed on the potential school volunteer in accordance with A.C.A. §§ 12-12-1601 et seq.;
    - The potential school volunteer has not committed any of the crimes or offenses contained in A.C.A. §§ 6-17-410, 6-17-411 or 6-17-414 according to both the National and Arkansas background checks;
    - The potential school volunteer's name was not found on the Child Abuse Central Registry.; and
    - The Arkansas Educator Licensure System does not indicate the potential volunteer to:
    - Have a currently suspended or revoked educator's license; or
    - Be the recipient of a current Level 3 or Level 4 public notification of ethics violation.

A person wishing to volunteer in a capacity that requires a background check may not perform volunteer services requiring a background check until a clear background check is received by the District. Once received, a clear background check is good for three (3) years; a background check renewal must be applied for and a clear background check received prior to the time of renewal or an interruption of permitted volunteer service could occur. A clear background check will be accepted of any individual wishing to volunteer provided it was conducted within the timeframe provided for in this policy.
The Application for an initial background check may be made through the District administrative office. The District may charge the potential volunteer the same fee charged by the State of Arkansas for performing the check. For a volunteer who has passed his/her previous background check, the District will incur the fee charged by the State of Arkansas for performing a renewal background check.
A person who failed a previous background check may petition the Board for a waiver from this policy's requirement. The petition shall be accompanied by a signed authorization for disclosure of his or her entire criminal and child abuse registry history. In deciding whether to grant a waiver, the board may take into consideration: the circumstance or circumstances surrounding the act or omission that lead to the conviction, Child Abuse Registry true finding, or the receipt of the Level 3 or Level 4 Public Notification of Ethics Violation; the age of the person at the time of the act or omission; the length of time that has passed without reoffending; and other relevant circumstances. If the Superintendent recommends a waiver be granted, the Board may adopt a resolution by majority vote providing an exception to this policy's requirement for a time period not to exceed five (5) years. The board must consider this matter in open session, and may not confer or deliberate in closed or executive session.

The board shall not have the authority to waive the application of this policy to any potential volunteer who is a Registered Sex Offender or whose educator license has been revoked or is currently suspended.

Clear background checks for school volunteers are required for those individuals who are required to be or who seek to become Registered Volunteers, as defined in A.C. A. § 6-22-102 et seq., for those individuals who wish to accompany students on overnight school trips, for those individuals who wish to volunteer to work one-on-one or in small groups of five or fewer students, such as a tutor or a mentor. Background checks for school volunteers are required prior to any volunteer service to the school district, school, teacher, or classroom.

No information relating to the application for or receipt of a criminal background check, including that a background check has or has not been applied for, shall be subject to disclosure under the Arkansas Freedom of Information Act, as provided by A.C.A. §§ 12-12-1601 et seq. Requests for background checks and reports on background checks obtained under this policy shall be retained by the district for a minimum of three years.
The District shall maintain the following information on volunteers:

- The total number, location, and duties of all volunteers;
- The total number of annual hours of service provided by volunteers; and
- Any reimbursements made to volunteers for expenses, transportation, or other costs incurred in connection with volunteer services.

Volunteers who are mandated reporters will be made aware of their status as mandated reporters of child maltreatment and will receive training on the responsibilities of a mandated reporter.]

## FUNDRAISING

All fundraising activities held in the District or in the name of the District must be pre-approved in writing by the Superintendent and affected school principal and/or Athletic Director. Organizations shall be limited to selling their item(s) in one (1) calendar week that they have requested and been approved for. No organization shall be permitted to sell their item(s) during another organization's selected and approved week without direct permission from the superintendent or building principal. This will not prevent long-term sale events that are considered a norm (i.e. yearbook sales). Approval will be predicated on the potential for return relative to the time and energy to be invested in the fundraising. Fundraising that conflicts excessively with and/or detracts from student or teacher instructional time in either the planning or the execution of the activity will not be approved. Neither an individual school nor the District shall be liable for any contract between clubs or organizations and third parties. For purposes of this policy, "Door-to-door sales" means the selling of merchandise outside of the child's home and off the school grounds.

Student participation in any fund raising activity shall:

- Be voluntary. Students who choose not to participate shall not forfeit any school privileges. It shall not be considered discriminatory to reward those who participate; and
- Not influence or affect the student's grade.

**Secondary Schools:**
Fundraising in the secondary schools may only be done by officially sanctioned student clubs, organizations, classes, or spirit groups. All groups must receive written approval from their sponsor and the school principal / athletic director. Door-to-door fundraising activities are generally discouraged. If approved, students wishing to participate who are under the age of eighteen (18) must return to their sponsor a signed parental notification and permission form.

**Elementary Schools (K-6):**
Fundraising in the elementary schools may only be done by the school or a school-sponsored organization and must be approved by the principal. Door-to-door fundraising activities are generally discouraged, but there shall be no more than one such activity per school per school year.

Schools must provide written notification of the following to parents or legal guardians of elementary students who participate in fundraising programs.

- Student participation in fundraising programs is voluntary;
- Students who do not participate will not forfeit any school privileges;
- Students may not participate in fundraising programs without written parental permission returned to school authorities;
- An elementary student who sells fundraising merchandise door to door must be accompanied by a parent or an adult; and
- Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

**Online Fundraisers**

All school-affiliated online fundraisers must be approved by the superintendent, or the superintendent's designee. The superintendent, or the superintendent's designee, shall act as the point of contact for all school-affiliated online fundraisers. An employee may be disciplined, up to and including termination, if the employee establishes:

- A school-affiliated online fundraiser without the permission of the superintendent, or the superintendent's designee; or
- The employee as the point of contact for a school-affiliated fundraiser instead of the superintendent, or the superintendent's designee.

For purposes of this policy, a "school-affiliated online fundraiser" includes, but is not limited to, a fundraiser intended to raise funds for a particular teacher's classroom, grade, student club or organization, or athletic team.

## PROM

Juniors and seniors who are currently enrolled at Marmaduke High School are eligible to attend prom. Sophomores who have been chosen by the junior class to be servers are eligible to attend. Juniors and seniors who are attending the prom are allowed to bring a date which must be in the ninth grade through twenty years of age. Sponsors are responsible for approving clothing to determine if it is acceptable. All dates who are not students at Marmaduke shall be approved by the administration.

## SENIOR TRIP REGULATIONS

1. The senior class will be allowed 2 one-day trips during the school year. One trip will be taken each semester.
2. All trips must be on a Friday unless another day is approved by the administration.
3. The trip is a privilege that will not be afforded to seniors with excessive absences.
4. At least two certified staff members must accompany the class on each trip.
5. All school policies, regulating actions of students during normal school hours, pertain to senior trips.
6. Seniors not on the senior trip must attend classes or be counted as absent.

## BULLETINS AND ANNOUNCEMENTS

All notices of club meetings, athletic and social events, general information for the day and specific instructions are printed in a daily bulletin. Students responsible for putting notices in this daily bulletin must have their notices approved by their advisor and in the main office the day preceding the notice. Special notices are posted on the bulletin boards outside the main office, in the library, guidance office or poster signs. All posters must advertise school-sponsored events and must be approved by the administration.

## PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

The Pledge of Allegiance shall be recited during the first class period of each school day, at the commencement of each school-sanctioned after-school assembly; and 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.

## 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 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 shall not disrupt those students choosing 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.

## USE OF COPYRIGHTED 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 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 Copyrighted 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 textbooks, 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 requirements 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 places 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 students enrolled in the course;
    a. Each student shall have a unique ID and password for accessing digital courses/materials; or
    b. Each course shall have a unique password to access course materials; and
    c. 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;
    a. The print function will be disabled;
    b. A transparency shall be placed over any literary work, sheet music, or photograph;
    c. Audio and video transmissions will be set to be streamed; and
    d. 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 requirements 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 a 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 stories. 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 a 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 a 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 the 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:

- The amount converted is only the amount allowed by law; **and**
- The District has no digital copy of the copyrighted work available; **or**
- 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.

## DIGITAL LEARNING COURSES

**Definitions:**

"**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:

- Traditional books, textbooks, and trade books in printed and bound form;
- Activity-oriented programs that may include:
- Manipulatives;
- Hand-held calculators;
- Other hands-on materials; and
- 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 software programs that do not have a significant Internet-based instructional 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 courses 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 the 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.

Students may take digital learning courses. Students must be physically present for each digital learning class he/she takes.

The District is responsible for providing all instructional materials for each student who enrolls in a 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.**

A student may elect to take any or all of his/her scheduled courses digitally. The student's attendance in his/her digital course(s) shall be determined by the online attendance and time the student is working on the course rather than the student's physical presence at school.

## ALTERNATIVE LEARNING ENVIRONMENTS

The District 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, person 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 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 characteristics from items a through l: below:

- Disruptive behavior;
- Dropping out from school;
- Personal or family problems or situations;
- Recurring absenteeism;

For the purposes of the ALE, personal or family problems or situations are conditions that negatively affect the student's academic and social progress. These may include, but are not limited to:

- Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
- Abuse: physical, mental, or sexual;
- Frequent relocation of residency;
- Homelessness;
- Inadequate emotional support;
- Mental/physical health problems;
- Pregnancy; or
- Single parenting.

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 that is in compliance with the Division of Elementary and Secondary Education (DESE) Rules. The SAP may be revised from time to time by the ALE placement team and a positive behavior or transitional plan shall be developed and added to the SAP 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 DESE Rules.

## SPECIAL EDUCATION

In accordance with the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and Arkansas Statutes, The district shall provide a free appropriate public education and necessary related services to all children with disabilities who reside:

- Within the district boundaries; or
- Outside of the District boundaries but are enrolled in the District.

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

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the 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.

## FOOD SERVICE PREPAYMENT / MEAL CHARGE POLICY

**Purpose**

The goal of the Marmaduke School District is to provide students with healthy meals each day. However, unpaid charges place a large financial burden on our Food Service Department. The purpose of this policy is to ensure compliance with federal reporting requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances.

The intent of this policy is to establish uniform meal account procedures throughout the Marmaduke School District. The provisions of this policy pertain to regular priced school breakfast and lunch meals only. While the USDA Child Nutrition Program does not require that a student who pays for regular priced meals be served a meal without payment, the Marmaduke School District provides this policy as a courtesy to those students in the event that they forget or lose their lunch money.

**Policy**

Full Pay Students – Elementary and High School Students will pay for meals (breakfast is free, lunch is $2.15), at the district's published standard rate each day. A student will be allowed to charge a maximum of $15.00 per student. The Child Nutrition Director will contact the parents to make arrangements for payment.

Reduced Meal Benefit – Reduced status students will be allowed to receive ~~a~~ one breakfast and lunch for free each day. A student will be allowed to charge a maximum of $15.00 per student. This includes a la carte purchases.

Free Meal Benefit – Free status students will be allowed to receive a free breakfast and lunch each day. A la carte purchases must be prepaid.

**Free Breakfast**

In accordance with A.C.A. § 6-18-722, a student shall be provided one (1) breakfast at no cost during each school day upon the student's request regardless of whether the student qualifies for a federally funded free or reduced-price meal.

**Unpaid Meal Access**

A la carte purchases must be prepaid or paid with cash. High school will have a 2nd chance breakfast. Students are allowed one free breakfast per day. If a student eats the first breakfast, they must pay for the 2nd chance breakfast. If they do not eat the first breakfast, the 2nd chance breakfast will be free.

All School Cafeterias possess computerized point of sale/cash register systems that maintain records of all monies deposited and spent for each student and said records are available by setting up an account at www.ezschoolpay.com or by speaking with the Child Nutrition Director.

Students/Parents/Guardians may pay for meals in advance via www.ezschoolpay.com. When paying online, the credit card companies charge a fee to process the transaction. The school district must recover the costs by charging a convenience fee. The fee is $3.00 per transaction. Cash payments and checks made payable to Marmaduke School Food Service are accepted at the point of sale/cash register, school office or food service office. Further details are available on our webpage at www.mhs.nesc.k12.ar.us. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student will be carried over to the next school year.

Parents/Guardians are responsible for meal payment to the food service program.

Refunds for withdrawn, and graduating students; a written request for a refund of any money remaining in their account must be submitted. An email request is also acceptable. Students who are graduating at the end of the year will be given the option to transfer to a sibling's account. Households approved for reduced price meal benefits must receive a refund.

Unclaimed Funds must be requested within one school year. Unclaimed funds will then become the property of the Marmaduke School District Food Service Program.

If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced price lunches for their child.

## FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA

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

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

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

At the end of the meal period, a student may leave the cafeteria with up a school provided whole fruit or whole vegetable food items. Students may not remove from the cafeteria milk, juice, or any other item requiring a temperature controlled environment.

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.

## SCHOOL MEAL MODIFICATIONS

Except for requests to receive "lactose free" milk, 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 medical statement 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
- Dentists.

The medical statement should include:

- A description of the student's disability that is sufficient to understand how the disability restricts the student's diet;
- An explanation of what must be done to accommodate the disability, which may include:
- Food(s) to avoid or restrict;
- Food(s) to substitute;
- Caloric modifications; or
- 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 submit a written request for their student to be provided "lactose free" milk. The parent's request is not required to be accompanied by a medical statement in order for it to be granted.

Parents may file a grievance regarding the request for modifications 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.

Except for requests to receive "lactose free" milk, the district will not prepare meals outside the normal menu to accommodate a family's religious or personal health beliefs.

## SERVICES

### *Guidance*

Guidance services are available for every student in the school. These services include assistance with educational planning, interpretation of test scores, occupational information, career information, study helps, help with home, school, and/or social concerns, or any question the student may feel he/she would like to discuss with the counselor.

### *Testing*

The Marmaduke School District offers each year a variety of aptitude and scholastic achievement exams. Some are required by law; others are given in order to assist in the process of identifying each student's strengths/weaknesses in order to best address his or her education needs.

### *School Nurse*

A school nurse is available to students. The counselor, administrator, teacher or other authorized school personnel will arrange for a student to see the nurse in the event of a medical need.

### *Clubs and Organizations*

A number of clubs, organizations and activities are available for students, such as:

| | | |
|---|---|---|
| Junior Beta | Beta Club | Interact Club |
| H.A.D. | Jr/Sr High Student Council | F.F.A. |
| Art Club | J.U.S.T. | Drama |
| Newspaper Staff | Annual Staff | F.B.L.A. |
| F.C.C.L.A. | Jr/Sr High Band | Jr/Sr High Choir |

Students must have a 2.5 G.P.A. or higher in order to be a club or class officer

## INTERNET SAFETY AND ELECTRONIC DEVICE USE POLICY

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

***Parents, please carefully read this complete document, review its contents with your son/daughter, and sign the Student User Agreement and Parent/Guardian Permission section at the front of the handbook.***

*This signed agreement is kept on file at the school and is valid only for the school year in which it was signed. In order to rescind the agreement, the student's parent or guardian [or the student who is at least 18 years old] must provide the director of schools with a written request. Any questions or concerns about this permission form or any aspect of the computer network should be referred to the school's Principal.*

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

**Introduction**

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

As much as possible, access from school to Internet resources will be structured in ways which point students to those sites that have been evaluated prior to use. While it is our intent to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of

informational resources and opportunities for collaboration, exceed any disadvantages. To use these resources, all students must sign and return the attached form and must obtain parental permission.

**Purpose**

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

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

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

**Definitions:**

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

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

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

**Technology Protection Measures**

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

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

**Internet Safety**

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

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

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

**General Internet Use**

Internet access is provided for students to conduct research, complete assignments, and communicate with others. Based on the acceptable use guidelines stated in this document, the system administrators will deem what is inappropriate and their decision is final. 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.

**Students who misuse the internet or violate this policy could lose classroom electronic privileges and thus receive an zero on assignments that cannot be done via pencil and paper.**

**Misuse of the Internet includes but is not limited to:**

1. The disabling or bypassing of security procedures, compromising, attempting to compromise, or defeating the district's technology network security or Internet filtering software;
2. The altering of data without authorization;
3. Disclosing, using, or disseminating passwords, whether the passwords are the student's own or those of another student/faculty/community member, to other students;
4. Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, addresses, and phone numbers.
5. Using electronic devices for any illegal activity, including electronic device hacking and copyright or intellectual property law violations;
6. Using electronic devices to access or create sexually explicit or pornographic text or graphics;
7. Using electronic devices to violate any other policy or is contrary to the Internet safety and electronic device use agreement.
8. Harassing, insulting, defaming, or attacking others
9. Damaging or modifying computers, computer systems, or computer networks
10. Transmitting any material in violation of any state or federal law
11. Using another person's password or identifier without permission
12. Sending electronic information from accounts that do not belong to you without the owner's authorization
13. Deleting, copying, modifying, or forging another's files or data
14. Moving, deleting, or altering any applications or files that belong to the system, school, or other users
15. Accessing unauthorized or inappropriate areas on the school's network
16. Using the network for commercial purposes, financial gain, or fraud
17. Using a proxy site designed to bypass school blocking filters
18. Hacking or attempting unauthorized access of any school computer or files, attaching a computer or other device that is not the property of Marmaduke School District Schools to the network without first receiving approval from a technology administrator
19. Installing any software on any computer without permission from a technology administrator
20. Accessing the network at any school in the Marmaduke School District system without a signed Internet Use Agreement
21. Using obscene language
22. Giving personal information, such as complete name, phone number, address or identifiable photo, without permission from the supervising teacher
23. Knowingly violating copyright laws
24. Misusing resources such as network storage space and printers
25. Accessing personal email accounts without specific permission from the supervising teacher
26. Downloading non-educational, entertainment files without permission

**Wireless Security Policy**

Marmaduke School District Information Technology Department conducted a risk assessment to identify possible risks of the wireless network in its current state. The district uses an enterprise wireless solution to provide management and an additional level of security to the wireless network. All access points are located in physically secure locations. Access to wireless management is limited and requires strong authentication. To minimize potential exposure and risk of district data, including but not limited to loss or corruption of sensitive, confidential or financial data, Marmaduke School District has the following security measures in place for Wireless Security:

- To prevent unauthorized access, the district requires faculty, staff and students to use strong passwords. SSID is not broadcast, and MAC address filtering is in effect. All default passwords have been changed. On occasion, when guest access is required, the guest network password is given out. Guest access is routed on a separate VLAN which allows Internet access but no access to the network. The guest password is changed regularly.
- Access to wireless management is limited to the technology department personnel using specified accounts with strong passwords.
- Automatic updates are configured to keep access point software patched. The network administrator manually checks for updates monthly to ensure that updates are installing correctly.

- Faculty and staff are reminded yearly that all devices must be approved by the technology department prior to connection to the Marmaduke School District Computer Network. All personal devices must be checked by technology personnel, and a form that includes employee name and device type and name must be completed.
- This policy is included in the Acceptable Use Policy that all employees sign at the beginning of each school year.
- The network administrator checks for rogue devices at least once per month, and unidentified devices are denied access.
- All district buildings have secure access requiring a physical key or a key fob at access controlled entrances. Access control is limited based on employee position. Wireless access points are located in physically secure locations.
- At the end user level, all district owned machines have anti-virus and anti-malware utilities installed to help prevent and minimize virus and malware programs from being installed, or gaining access to sensitive, confidential or financial data.
- A warning banner is displayed on each district owned machine informing users of the acceptable use of the network and possibility of monitoring.
- At the wireless access point, firewall rules and application rules, as well as an encrypted password for the SSID are configured to help prevent and minimize virus and malware programs from being installed, or gaining access to sensitive, confidential or financial data.
- At the district level, all devices are behind a firewall and a content filter that applies real-time monitoring which is used to help prevent and minimize virus and malware programs from being installed, or gaining access to sensitive, confidential or financial data.
- As an ongoing effort, the district will continue to follow the Best Practices Statement from DIS (http://www.dis.arkansas.gov/policiesStandards/Documents/BP-70-010_wireless_best_practices.pdf).

Consequence: Students who violate this policy will take the semester exams for the semester that the violation occurs.
1st Offense: minimum – two (2) week loss of internet privileges and/or classroom electronic privileges
2nd Offense: minimum – network privileges revoked for the remainder of the nine (9) weeks or semester
3rd Offense: maximum – network privileges revoked for the remainder of the year and/or denial of participation in computer based classes*
*It is important to understand that students may reach the maximum penalty upon the first offense.

# SECTION FIVE: ADMINISTRATIVE AND STUDENT RIGHTS

## EQUAL EDUCATIONAL OPPORTUNITY

No student in the Marmaduke School District shall be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District on the basis of color, religion, national origin, sex, age, or disability. The District has a limited open forum granting equal access to the Boy Scouts of America and other youth groups. Inquiries on non-discrimination may be directed to the Superintendent, who may be reached at 870-597-2723 or 1010 Greyhound Drive, Marmaduke, AR 72443. 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, 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. For further information on notice of non-discrimination or to file a complaint, visit https://www2.ed.gov/about/offices/list/ocr/complaintintro.html for the address and phone number of the office that serves your area, or call 1-800-421-3481.

## DUE PROCESS

The Marmaduke Board of Education recognizes the rights of students delineated in the United States Constitution and its Amendments. We also recognize that these rights may not be abridged, obstructed or altered except in accordance with due process of law.
It is further considered that in all instances of punishment to students on any type of disciplinary action in which a student will or may be subjected to penalties of suspension or expulsion, such student will be afforded due process of law.

Due process to students will be afforded to students under the following guidelines:

- Prior to any suspension, expulsion, clearing of one's reputation or statements removed from student's records, the principal shall advise the student of the particular misconduct of which he/she is being accused and the basis for the accusation.
- Each student will then be given the opportunity to explain his/her recollection of the facts surrounding the offense.
- Written notice will be given to the parent(s) or guardian of the student stating the dates of suspension and the reason thereof.

- Any parent(s), tutor, or legal guardian of a pupil suspended from school will have the right of appeal to the superintendent of schools.

In all cases, the rights of the individual are of paramount importance and will not be abridged in accordance with state and federal law.

## AFTER SCHOOL DETENTION

Students found to be in violation of offences such as incomplete assignments, excessive tardies, and minor behavior problems can be placed in after school detention. After school detention begins at 3:10 and ends at 4:15. Students must be given a least 24 hours notice prior to the beginning of the detention so that they can inform parents.

Students can be excused from an assigned after school detention if they meet any of the criteria for an excused absence from school, as long as documentation is provided. A student who does not report to an assigned after school detention and who does not have an excused absence will receive a more serious consequence such as in school suspension, corporal punishment, or out of school suspension.

## CORPORAL PUNISHMENT

The Marmaduke 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.[1]

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

All corporal punishment administered by an administrator shall be administered privately, i.e. out of the sight and hearing of other students, shall not be excessive, or administered with malice, and shall be administered in the presence of another school administrator or designee who shall be a licensed staff member employed by the District. Corporal punishment shall not be used as a form of discipline for a student who is intellectually disabled, non-ambulatory, non-verbal, or autistic.[2]

## 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,[1] including the day upon which the suspension is imposed. The suspension may be in school or out of school. Students are responsible for their conduct that occurs:

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

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

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

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

- Poses a physical risk to himself or herself or to others;
- Causes a serious disruption that cannot be addressed through other means; or
- 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:

- the student shall be given written notice or advised orally of the charges against him/her;
- if the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts; and
- 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 re-admittance 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 to the student if age eighteen (18) or older prior to the suspension.
Such notice shall be handed to the parent(s), legal guardian(s), 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 or legal guardian upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:[2]

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

The district shall keep a log of contacts attempted and made to the parent or legal guardian, 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 out-of-school suspensions shall not be 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.[3]
During the period of their suspension, students serving in-school suspension shall not attend or participate in any school-sponsored activities during the imposed suspension.
Suspensions initiated by the principal or his/her designee may be appealed to the Superintendent, but not to the Board.
Suspensions initiated by the Superintendent may be appealed to the Board.

## 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:

- Poses a physical risk to himself or herself or to others;
- Causes a serious disruption that cannot be addressed through other means; or
- 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[1] 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. The hearing shall be conducted in open session of the Board unless the parent, legal guardian, person having lawful control of the student, person standing in loco parentis, or student if age eighteen (18) or older, requests that the hearing be conducted in executive session. Any action taken by the Board shall be in open session.

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

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 or other weapon prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal guardians persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property.[2] The parents, legal guardians, persons having lawful control of a 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.
Students who have been expelled may not attend or participate in any school-sponsored activities, on or off campus, during the expulsion period.

## Title IX

No person in the Marmaduke Public Schools shall on the grounds of race, color, or national origin be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance or be so treated on the basis of sex under most education programs or activities receiving federal assistance.

No person in the Marmaduke Public Schools shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. Marmaduke Public Schools will not carry out any course or otherwise provide any of its education program or activity separately on the basis of sex, or require or refuse participation therein by any of its students of such basis including health, physical education, industrial business, vocational, technical, home economics, music and adult education courses.

When a particular class contains a substantially disproportionate number of individuals of one sex, the school principal shall take such action as is necessary to assure that such disproportion is not the result of discrimination on the basis of sex in counseling or appraisal materials or by counselors.

### *Physical Education*

- Students may be grouped by ability as assessed by objective standards of individual performance developed and applied without regard to sex.
- Students may be separated by sex within physical education classes or activities during participation in wrestling, boxing, football, basketball and other sports involving bodily contact.
- Where use of a single standard of measuring skill or progress in a physical education has an adverse effect on members of one sex, the recipient shall use appropriate standards which does not have such an effect.
- Portions of classes in elementary and secondary schools which deal exclusively with human sexuality may be conducted in separate sessions for boys and girls.

### *Vocational Education*

- No person shall on the basis of sex be denied admission or be subject to discrimination in admission to vocational education

classes.

- No test shall be administered or any other criterion for admission which has a disproportionately adverse effect on persons on the basis of sex unless the use of such test or criterion is shown to predict valid success in the education program or activity in question and alternative test or criteria which do not have such a disproportionately adverse effect are shown to be unavailable.
- Rules concerning the actual or potential, family, of marital status or a student or applicant which treats persons differently on the basis of sex.
- Shall treat disabilities related to pregnancy, childbirth, termination of pregnancy, or recovering therefrom in the same manner and under the same policies as any other temporary disability or physical condition.

## ***Counseling***

Test or other materials for appraising or counseling students shall not use different materials for students on the basis of their sex or use materials which permit or require different treatment of students on such basis unless such different materials cover the same occupations and interest areas and the use of such different materials is shown to be essential to eliminate sex bias. Recipients shall develop and use internal procedures for ensuring that such materials do not discriminate on the basis of sex. Where the use of a counseling test or other instrument results in a substantially disproportionate number of members of one sex in any particular course or study or classification, the recipient shall take such action as is necessary to assure itself that such disproportion is not the result of discrimination in the instrument or its application.

## ***The Treatment of Students***

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any academic, extracurricular or other educational program or activity operated by this school.

## ***Student Marital or Parental Status***

The Marmaduke School District shall not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.
The school will not discriminate against or exclude any student from its education program or activity (including any class or extra-curricular activity) on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from unless the student requests voluntarily to participate in a separate portion of the program.

A student may take a leave of absence for these reasons for as long a period of time as is deemed medically necessary by the student's physician; at the conclusion of which the student shall be reinstated to the status which she held when the leave began.

## ***Athletics***

No person shall on the basis of sex be excluded from participation in, be denied the benefits of, or be treated differently from any other person or otherwise be discriminated against in any interscholastic club or intramural athletics offered by the school.

Members of the excluded sex must be allowed to compete for a position on a team offered unless the sport involved is a contact sport and/or no such team is provided for them.

## ***Financial Assistance***

The Marmaduke Public Schools on the basis of sex shall not apply any rule or assist in any application of any rule concerning eligibility for assistance which treats persons of one sex differently from persons of the other sex. (Scholarships, fellowships or other forms of financial assistance.)

# TITLE I – PARENTS RIGHT TO KNOW

Our school receives federal funds for Title I, Part A programs. Throughout the school year, we will be providing you with important information about this law as it relates to your child's education. This section informs you about your right to request information regarding the professional qualifications of the classroom staff working with your child.

Our district or school will be able to provide you with the following information regarding the qualifications of your child's teacher(s):

- Whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he or she teaches.
- Whether the teacher is teaching under emergency or provisional status because of special circumstances.
- Whether the teacher has any advanced degrees and the field of discipline of the teacher's certification or degree.

If at any time your student has been taught for four (4) or more consecutive weeks by a teacher(s) that is not highly qualified, then you will be notified by the school.

You also have the right to request information regarding the qualifications of the paraprofessional(s) assisting your child's teacher(s). If your child is receiving Title I, Part A services from a paraprofessional, then our district or school is able to provide you with the following information:

- Whether the paraprofessional has completed at least two years of study at an institution of higher education.
- Whether the paraprofessional has completed an associate degree (or higher).
- Whether the paraprofessional has met a rigorous standard of quality through our state's certification procedure for determining the quality of paraprofessional staff.
- Whether the paraprofessional has: (a) the knowledge of and ability to assist in instructing reading, writing, and mathematics or (b) the knowledge of and the ability to assist in learning activities, such as homework, reading readiness, writing, mathematics, and other support as appropriate.

## STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE

The Superintendent and the student media advisors(s) shall jointly develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and the time(s), place(s), and manner(s) of the dissemination of student media, which shall include timelines for the review of materials.

**Definitions**

"School-sponsored media" means all student media that are:

- Supported financially by the school;
- Supported by the use of school facilities; or
- Produced in conjunction with a class.

"Student journalist" means a student who gathers, writes, edits, photographs, records, video tapes, or prepares information for dissemination in student media.

"Student media" means any means of communication that are

- Prepared, substantially written, published, or broadcasted by a student;
- Distributed or generally made available, either free of charge or for a fee, to members of the student body; and
- Prepared under the direction of a student media advisor.

"Student media" does not include media that is intended for distribution or transmission solely in the classroom in which it is produced.

"Student media advisor" means an individual who is employed, appointed, or designated by the District to supervise or provide instruction with respect to student media.

## ***Student Media***

While the District recognizes a student's right of expression under the First Amendment of the Constitution of the United States, school sponsored media does not provide an open 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.

- Advertising may be accepted for media that does not condone or promote products that are inappropriate for the age and maturity of the audience or that endorse such things as tobacco, alcohol, or drugs.
- 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.
- 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.

1. Prohibited publications include 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 reckless disregard of the truth;
c. Constitute an unwarranted invasion of privacy as defined by state law,
d. Constitute or urge the commission of unlawful acts on the school premises;
e. Suggest or urge the violation of lawful school regulations;
f. ethnic, religious, or racial groups; or
or
g. Harass, threaten, or intimidate a student.

## ***Student Media on School Web Pages***

Media displayed on school web pages shall follow the same guidelines as listed above and shall also:

- Not contain any non-educational advertisements.
- Not contain any personally identifying information, as defined by "Directory Information" in **Policy 4.13** (Privacy of Student Records), without the written permission of the parent of the student or the student if over eighteen (18)
- 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-sponsored literature, publications, or materials, shall do so in a time, place, and manner that does not case a substantial disruption of the orderly educational environment.
A student or group of students wishing to distribute more than ten (10) copies of non-school- sponsored materials shall have the principal review their non-school sponsored materials at least three (3) school days in advance of their desired time of dissemination.

The principal shall review the non-school sponsored materials prior to their distribution and will bar from distribution those non-school sponsored materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services.
Material may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution.

Concerns related to any denial of distribution by the principal shall be heard by the superintendent, whose decision shall be final.
The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of non-school sponsored 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 sponsored 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.

## STUDENT ORGANIZATIONS/EQUAL ACCESS

Non-curriculum-related secondary school student organizations wishing to conduct meetings on school premises during no 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 no instructional time;
4. Employees or agents of the school are present at religious meetings only in a no 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.

Fraternities, sororities, and secret societies are forbidden in the District's schools. Membership to student organizations shall not be by a vote of the organization's members, nor be restricted by the student's race, religion, sex, national origin, or other arbitrary criteria. Hazing, as defined by law, is forbidden in connection with initiation into, or affiliation with, any student organization, extracurricular activity or sport program. Students who are convicted of participation in hazing or the failure to report hazing shall be expelled.
The purpose of school clubs and organizations as defined by the district is to promote the social qualities of the students involved. Students have the right to join an existing club and may not be denied membership on the basis of race, sex, or national origin and any other arbitrary criteria unless that organization is entitled to Title IX exemption on the basis of sex. Students who hold offices or leadership roles in organizations may be removed from office by the sponsors and administration if deemed necessary due to failure or inability to complete their duties of the office.

# STUDENT BEHAVIORAL INTERVENTION AND RESTRAINT

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

"Physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arm, leg, or head freely; however, physical restraint does not include a physical escort.

"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.

**Multi-Tiered Behavioral Interventions**

The District shall establish a multi-tiered system of behavioral interventions for each student who exhibits social, emotional, or behavioral difficulty that may escalate, if not addressed, to potentially dangerous behavior.

**Behavior Intervention Team**

A behavior intervention team (BIT) shall be established for each student who exhibits social, emotional, or behavioral difficulty that may escalate, if not addressed, to potentially dangerous behavior. The BIT shall include ~~at~~ members who are academic and behavioral assessment and intervention professionals.

A student's BIT 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;
- Use only the amount of force that is reasonably necessary to protect a student or others from imminent danger of serious physical harm to the student or others;
- Not verbally abuse, ridicule, humiliate, taunt, or engage in any other similar action 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.

The use of physical restraint on a student as a planned behavioral 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 -BIT;
- 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.[1]

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:[2]

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 behavioral intervention procedures 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 the District's behavioral intervention procedures were appropriately implemented;
4. Discuss the duration and frequency of the use of physical restraint on the student;
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 the student;
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;[3]
- 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 education record along with other documents consulted during the debriefing meeting.

## STUDENT HANDBOOK

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

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

Principals and counselors shall also review Policies[1] 4.45—CURRICULUM AND gr 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.

# ALMA MATER

From the hills and from the lowlands
Comes a song of praise anew
Sung by thousands of our children
Alma Mater we sing to you.

So let's unfurl our colors the red and the white
And in the breezes see them swaying day and night.
They lead us upward, they lead us onward,
They lead to victory!!! Rah! Rah!

So, let us gather round with loyal hearts so true,
Our Alma Mater's call obey.
Our dear old colors, will live forever.
Yes, forever and a day.

YEA, RED!!! YEA, WHITE!!
YEA, YEA, RED AND WHITE!!!