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BOARD GOVERNANCE AND OPERATIONS

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1.1—LEGAL STATUS OF THE BOARD OF DIRECTORS

By the authority of Article 14 of the Arkansas Constitution, the General Assembly has provided that locally elected school boards will be responsible for the lawful operation and maintenance of its local schools.

While the Board has a broad range of powers and duties, its individual members only have authority when exercising their responsibilities in a legally convened meeting acting as a whole. The sole exception is when an individual member has been delegated authority to represent the Board for a specific, defined purpose. In matters such as personnel discipline, expulsions, and student suspensions initiated by the superintendent, the Board serves as a finder of fact, not unlike a jury. For this reason, the board should not be involved in or, to the extent practicable, informed of the facts or allegations of such matters prior to a board hearing on those disciplinary matters in which the Board could become involved.

It is the policy of the Centerpoint School Board that its actions will be taken with due regard for its legal responsibilities and in the belief that its actions shall be in the best interests of its students and the District as a whole.

Legal Reference: A.C.A. § 6-13-620

Date Adopted:
Last Revised: 7/1/2015

1.2—BOARD ORGANIZATION and VACANCIES

Election of Officers
The Board shall elect a president, vice president, secretary, and legislative liaison[1] at the first regular meeting following the later of the certification of the results of the annual September school election or if there is a runoff election, at the first regular meeting following the certification of the results of a run-off election. The secretary need not be a member of the Board.[2] Officers shall serve one-year terms and perform those duties as prescribed by policy of the Board. The Board shall also elect through a resolution passed by a majority vote one of its members to be the primary board disbursing officer and may designate one or more additional board members as alternate board disbursing officers.[3] A copy of the resolution will be sent to the county treasurer and to the director of the Department of Finance and Administration.

When the position of an officer of the board becomes vacant, the officer's position shall be filled for the remainder of the year in the same manner as for the annual election of officers after the annual school election. Election of Board officers shall not occur except on a once per year basis or to fill an officer vacancy.[4]

Vacancies
A vacancy shall exist on the Board if a board member:

1. Moves his or her bona fide permanent residence outside the boundaries of the school district;
2. Fails to physically attend three (3) consecutive regular meetings of the school district board of directors;
3. Fails to physically attend six (6) regularly scheduled board meetings of the school board of directors in a calendar year;
4. Is convicted of a felony;
5. Is called to active military duty;
6. Has served a full-length term as a holdover and has not subsequently been elected to another term;[5]
7. Resigned from the school board of directors; or
8. Dies.

If credible evidence of a vacancy existing due to numbers 1 through 3 is presented to the president, vice president, or secretary of a school district board of directors, a majority of the members of the school district board of directors shall:

- Vote on whether to appoint an independent investigator to investigate the credible evidence presented; and
- Hold a hearing on the existence of a vacancy.[6]

A vacancy does not exist for numbers 2 and 3 if the reason for the absences is either:

a) Military service of the board member; or
b) Illness of the board member that is verified by a written sworn statement of the board member's attending physician.

If a vacancy occurs on the board of directors, provided at least a quorum of the Board remains, the Board has thirty (30) days in which to appoint a successor[7] to a vacated position on the Board. If less than a quorum of the Board remains or the Board fails to fill the vacancy within 30 days of the vacancy, the position shall be filled by the county quorum court.

Except for a temporary vacancy due to military service, an individual appointed to fill a vacancy shall serve until the annual school election following the appointment. An individual appointed to fill a temporary vacancy due to military service shall serve until either the Board member who has been called to active military service returns and notifies the Board secretary of his/her desire to resume service on the Board or the Board member's term expires. Should the still active military Board member's term expire, that member may run for re-election; if re-elected, the re-elected Board member's temporary vacancy shall be filled again in the manner prescribed in this policy.

The secretary of the school district board of directors shall notify the county clerk of an appointment to the school district board of directors within five (5) days of the appointment being made. The notice shall include the name of the appointed board member and the expiration date of his or her term.

An individual appointed to fill a vacancy must submit proof of having received the oath of office to the county clerk before the individual may assume any duties.

Notes: [1] The legislative liaison position is not statutorily required but is requested by ASBA so each board has at least one individual selected to receive and respond to ASBA's legislative updates. A longer explanation and list of duties can be found in Policy 1.20—DUTIES OF

THE LEGISLATIVE LIAISON. Your district could choose to make it part of another officer's duties rather than a separate office.

[2] The position of secretary is responsible for co-signing some documents and is also able to call special board meetings, so while A.C.A. § 6-13-618 gives you the option, we recommend electing a board member to serve as secretary. That person does NOT have to be the individual who also takes the minutes and, in fact, seldom is.

[3] You do not have to elect alternate disbursing officers, but ASBA strongly recommends you do so to avoid possible disruption of payroll and bill paying in the event that the district's disbursing officer is unavailable due to travel or illness, not re-elected, resigns from the board or dies. If you do choose to elect alternate disbursing officers change the first sentence in Policy 1.16 to reflect the allowance of signatures of alternate disbursing officers. If you choose to not have alternate disbursing officers delete that portion of the sentence in this policy. Among the considerations in choosing whether to have alternate disbursing officers is the question of how many possible signatories your district is comfortable having. At the same time, it needs to be considered whether you choose to have all signatures handwritten or if you will allow facsimile signatures. Facsimile signatures effectively negate the need for alternate disbursing officers.

Our recommended language for the resolution on the election of disbursing officers is:

The Centerpoint School District Board of Directors resolves that Dale Sutton is our disbursing officer

[4] This sentence is optional; there is no statutory restriction on how often the board can elect its officers. We have included it, however, because multiple elections in a year can be disruptive to a board.

[5] For a full explanation of holdovers see policy 1.19.

[6] The requirements for the hearing are set forth at A.C.A. § 6-13-611(b)(2) through (6).

[7] The individual appointed to fill the vacancy must be a qualified elector of the school district and reside in the same zone as the vacant position, if applicable.

Cross References:
1.3—DUTIES OF THE PRESIDENT
1.4—DUTIES OF THE VICE-PRESIDENT
1.5—DUTIES OF THE SECRETARY
1.16 —DUTIES OF BOARD DISBURSING OFFICER
1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS
1.20—DUTIES OF THE LEGISLATIVE LIAISON

Legal References:
A.C.A. § 6-13-611
A.C.A. § 6-13-612
A.C.A. § 6-13-613
A.C.A. § 6-13-616
A.C.A. § 6-13-618

Date Adopted:
Last Revised: 6/8/2015

1.3—DUTIES OF THE PRESIDENT

The duties of the president of the Board of Education shall include, but shall not be limited to:

1. Presiding at all meetings of the Board;
2. Calling special meetings of the Board;
3. Working with the Superintendent to develop Board meeting agendas;
4. Signing all official documents that require the signature of the chief officer of the Board of Education;
5. Appointing all committees of the Board and serving as ex-officio member of such committees; and
6. Performing such other duties as may be prescribed by law or action of the Board.

The president shall have the same right as other members to offer resolutions, make or second motions, discuss questions, and to vote.

Legal Reference: A.C.A. § 6-13-619 (a) (1)

Date Adopted:
Last Revised:

1.4—DUTIES OF THE VICE-PRESIDENT

The duties of the Vice President of the Board shall include:

1. Serving as presiding officer at all school board meetings from which the president is absent; and
2. Performing such other duties as may be prescribed by action of the Board.

Date Adopted:
Last Revised:

1.5—DUTIES OF THE SECRETARY

The duties of the Secretary of the Board shall include:

1. Being responsible to see that a full and accurate record of the proceedings of the Board are permanently kept and shall;
   a. Record in the minutes, the members present, by name, at the meeting including the time of any member's late arrival to, or early departure from, a meeting;

   b. Record the outcome of all votes taken including the time at which the vote is taken.

2. Serving as presiding officer in the absence of the President and the Vice President;

3. Being responsible for official correspondence of the Board;

4. Signing all official documents that require the signature of the Secretary of the Board of Education;

5. Calling special meetings of the Board; and

6. Performing such other duties as may be prescribed by the Board.

Legal Reference: A.C.A. § 6-13-619 (a)(1)(b)

Date Adopted:
Last Revised:

1.6—BOARD MEMBER VOTING

Establishment of a Quorum
A quorum of the Board is a majority of the membership of the Board. No vote or other board action may be taken unless there is a quorum present. Except as provided in Policy 1.6.1—ATTENDING MEETINGS REMOTELY[1], a Board member must be physically present at a meeting to be counted toward establishing a quorum or to be eligible to vote. A majority of the quorum voting affirmatively is necessary for the passage of any motion. A quorum must be physically present for a board to enter executive session.

Voting and failure to vote
Except as provided in Policy 1.6.1—ATTENDING MEETINGS REMOTELY[1], all Board members, including the President, shall vote on each motion, following a second[2] and discussion of that motion.

Failure of any Board member to vote, while physically present in the meeting room, shall be counted as a "no" vote, i.e., a vote against the motion.

Only those votes taken by the Board in open session are legally binding. No motion made or vote taken in executive session is legally binding, although a non-binding, unofficial and non-recorded vote may be taken in executive session to establish consensus or further discussion.

Abstentions from Voting
In order for a Board member to abstain from voting, he must declare a conflict and remove himself from the meeting room during the vote. A Board member who removes himself/herself from a meeting during a vote due to a conflict of interest shall not be considered present at the meeting for the purpose of establishing a quorum until the member returns to the meeting after the vote.

Notes: [1] A.C.A. § 6-13-619(d) permits a school board to adopt a policy to allow members to attend meetings remotely. If you do not wish to allow board members to attend meetings remotely, delete this exception and do not adopt Policy 1.6.1.

[2] There is no statutory requirement that a motion be seconded. If your Board so chooses, it could decide to dispense with the requirement for a second and amend the sentence accordingly.

Cross Reference: 1.6.1—ATTENDING MEETINGS REMOTELY

Legal Reference: A.C.A. § 6-13-619

Date Adopted:
Last Revised: 6/8/2015

1.6.1—ATTENDING MEETINGS REMOTELY

The Board of Directors permits members who would be otherwise unable to physically attend a board meeting to attend the meeting remotely. Except where prohibited by this policy, a board member who attends remotely shall have the same rights and privileges as if the board member were physically present. A board member who will be unable to physically attend a board meeting is responsible for notifying the superintendent at least one (1) hour prior to the schedule meeting time that the member will be unable to physically attend the meeting and intends to attend remotely.[1]

The method used to permit members of the board of directors to attend remotely shall:

1) Provide a method for the president or secretary of the board of directors to verify the identity of the member(s) attending remotely;[2]
2) Allow the members of the Board physically present and members of the public to hear the member(s) attending remotely at all times; and
3) Allow the member(s) attending remotely to hear the members of the board of directors physically present at the meeting at all times and any public comment.

A board member attending remotely shall not:

a) Attend an executive session or closed hearing; or
b) Vote on an issue that is the subject of an executive session or closed hearing.

The Board minutes shall indicate if a board member is attending remotely and the method used to permit the member to attend remotely. If an executive session occurs during a meeting when a board member is attending remotely, the minutes will treat the board member attending remotely as though the member had left the room for any vote on a subject discussed in the executive session.

Up to three (3) times per calendar year, the board of directors may count a board member attending remotely for the purpose of establishing a quorum.[3] A board member attending remotely used to establish a quorum shall not be counted to determine if the board may enter executive session.[4]

Notes: This is an optional policy. Your board is not required to allow board members to attend remotely. If you decide not to adopt this policy, make sure that you remove the exception language indicated by footnote 1 in Policy 1.6.

[1] The statute does not require that the superintendent be notified prior to the start of the meeting that a board member intends to attend remotely. We recommend including a notification requirement so the superintendent can make sure the remote attendance system is properly set up. However, you may remove this sentence entirely or increase the amount of time prior to the start of the meeting that notice must be provided; if you increase the notification time, be sure that the amount of time selected does not make it virtually impossible for members to attend remotely.

[2] There are multiple methods a district can use that allow the verification of an attendee's identity. A couple suggestions would be Skype; Google Hangouts; or a call in service, if the call in password was only sent to the email address of the board member who will be attending remotely.

[3] The three (3) times when a remotely attending member may be counted towards a quorum is per board and not per each individual board member.

[4] A.C.A. § 6-13-619(c)(3) requires a quorum of the board be physically present for the board to enter executive session.

Legal Reference: A.C.A. § 6-13-619

Date Adopted:
Last Revised: 6/8/2015

1.7—POWERS AND DUTIES OF THE BOARD

The Centerpoint Board of Education, operating in accordance with state and federal laws, assumes its responsibilities for the operation of Centerpoint Public Schools. The Board shall concern itself primarily with the broad questions of policy as it exercises its legislative and judicial duties. The administrative functions of the District are delegated to the Superintendent who shall be responsible for the effective administration and supervision of the District.

Some of the duties of the Board include:

1. Developing and adopting policies to effect the vision, mission, and direction of the District;

2. Understanding and abiding by the proper role of the Board of Directors through study and by obtaining the necessary training professional development;

3. Electing and employing a Superintendent and giving him/her the support needed to be able to effectively implement the Board's policies;

4. Conducting formal and informal evaluations of the Superintendent annually or no less often than prior to any contract extension;

5. Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for the proper conduct of the schools;

6. Approving the selection of curriculum and seeing that all courses for study and educational content prescribed by the State Board or by law for all grades of schools are offered and taught;

7. Reviewing, adopting, and publishing the District's budget for the ensuing year;

8. Being responsible for providing sufficient facilities, grounds, and property and ensuring they are managed and maintained for the benefit of the district;

9. Monitoring District finances and receiving, reviewing, and approving each annual financial audit;

10. Understanding and overseeing District finances to ensure alignment with the District's academic and facility needs and goals;

11. Visiting schools and classrooms when students are present no less than annually;

12. Setting an annual salary schedule;

13. Being fiscally responsible to the District's patrons and maintaining the millage rate necessary to support the District's budget;

14. Involving the members of the community in the District's decisions to the fullest extent practicable; and

15. Striving to assure that all students are challenged and are given an equitable educational opportunity.

Legal References: A.C.A. § 6-13-620, 622

Date Adopted:
Last Revised: 2014

1.8—GOVERNANCE BY POLICY

The district shall operate within the legal frameworks of the State and Federal Constitutions, and appropriate statutes, regulations, and court decisions. The legal frameworks governing the district shall be augmented by policies adopted by the board of directors which shall serve to further define the operations of the district.

When necessitated by unforeseen circumstances, the Superintendent shall have the power to decide and take appropriate action for an area not covered by the legal frameworks or a policy of the Board. The Superintendent shall inform the members of the Board of such action. The Board shall then consider whether it is necessary to formulate and adopt a policy to cover such circumstances.
The official copy of the policy manual for the District shall be kept in the Superintendent's office. Copies of the manual within the District shall be kept current, but if a discrepancy occurs between manuals, the Superintendent's version shall be regarded as authoritative.

Administrative regulations shall be formulated to implement the intentions of the policies of the Board. Regulations may be highly specific. The Board shall review administrative regulations prior to their implementation.

Date Adopted:
Last Revised: 2014

1.9—POLICY FORMULATION

The Board affirms through its policies and its policy adoption process, its belief that: The schools belong to the people who create them by consent and support them by taxation;

1) The schools are only as strong as an informed citizenry and knowledgeable school staff allow them to be; and
2) The support is based on knowledge of, understanding about, and participation in the efforts of its public schools.

The following shall be the guidelines for policy adoption for the Centerpoint School District.

General Policies

Policies that are not personnel policies may be recommended by:

- The Board or any member of the Board;
- The Superintendent, Assistant Superintendent, any other administrator or employee of the District
- Committee appointed by the Board; or
- Any member of the public.

Policies adopted by the Board shall be within the legal framework of the State and Federal Constitutions, and appropriate statutes, rules, and court decisions.

Except for personnel policies, when reviewing a proposed policy, the Board may elect to adopt, amend, refer back to the person proposing the policy for further consideration, take it under advisement, reject it, or refuse to consider the proposal.

Licensed and Classified Personnel Policies

Personnel policies (including employee salary schedules) shall be created, amended, or deleted in accordance with State law:

(1) Board Proposals:

The Board may adopt a proposed personnel policy by a majority vote. Such policies may be proposed to the Board by a Board member or the Superintendent. The Board may choose to adopt the proposal, as a proposal only, by majority vote.

Following the adoption of a proposed personnel policy, the proposal must be presented to the appropriate Personnel Policy Committee (PPC). Such presentation shall be in writing, to all members of the Committee.

When the PPC has possessed the proposed personnel policy for a minimum of ten (10) working days from the date the PPC received the proposed policy (i.e., ten (10) workdays, not including weekends or state or national holidays), the Chairman of the PPC, or the Chairman’s designee, shall be placed on the Board of Director's meeting agenda to make an oral presentation to the Board to address the proposed policy. Following the presentation, the Board may vote at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting to:

(a) Adopt the Board's original proposed policy as a policy;
(b) Adopt the PPC's counter proposed policy as a policy; or
(c) Refer the PPC's counter proposed policy back to the PPC for further study and revision. Any such referral is subject to the same adoption process as a proposed policy originating from the board.

(2) Personnel Policies Committee Proposals:

Either PPC may recommend changes in personnel policies to the Board. When making such a proposal, the Chairman of the PPC, or the Chairman's designee, shall be placed on the Board of Director's meeting agenda to make an oral presentation to the Board.

The Board may vote on the proposed policy at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting. In voting on a proposed policy from the Personnel Policies Committee, the Board may:

(a) Adopt the proposal;
(b) Reject the proposal; or
(c) Refer the proposal back to the Personnel Policies Committee for further study and revision.

When the Board is revising the licensed and classified personnel salaries, the Board of Directors shall, as required by Arkansas law, review and approve by a written resolution any employee's salary increase of five percent (5%) or more for the employee.[1]

A copy of all personnel policies shall be signed by the president of the Board of Directors and kept in a central records location.

All personnel policies must be sent to the PPC for the minimum ten (10) days regardless of the intended effective date of the policy.

Effective date of policy changes:

All personnel policy changes enacted during one fiscal year will become effective on the first day of the following fiscal year, July 1. This specifically includes any changes made between May 1 and June 30 to ensure compliance with state or federal laws, rules, or regulations or the Arkansas Department of Education Commissioner's Memos. In addition, changes to policies to maintain compliance with state or federal laws, rules, regulations, or Commissioner's Memos that are after June 30 but are adopted within ninety (90) days from the effective date of the legal change that created the need for the policy adoption shall become effective on the final date of adoption.

Changes made to personnel policies between May 1 and June 30 that are **not** made to ensure compliance with state or federal laws or regulations will take effect on July 1 of the same calendar year provided no later than five (5) working days after final board action, a notice of the change is sent to each affected employee by first class mail to the address on record in the personnel file.[2] The notice of the change must include:

a. The new or modified policy or policies provided in a form that clearly shows the additions underlined and the deletions stricken;

b. A statement that due to the change(s), the employee has the power to unilaterally rescind his/her contract for a period of thirty (30) days after the school board took final action on the policy (policies). The rescission must be in the form of a letter of resignation within the thirty (30) day period.

Except for policy changes to ensure compliance with changes in the law that are adopted within the ninety (90) day window, fFor a policy change to be made effective prior to July 1 of the following fiscal year, a vote must be taken of all licensed personnel or all classified personnel, as appropriate, with the vote conducted by the appropriate PPC.

If, by a majority vote, the affected personnel approve, the policy becomes effective as of the date of the vote, unless otherwise specified by the Board in requesting such vote. No staff vote taken prior to final board action will be considered effective to make a policy change.

All non-personnel policy changes may become effective upon the Board's approval of the change, unless the Board specifies a different date.

Student discipline policies shall be reviewed annually by the District's personnel policy committees and may recommend changes to such policies to the Board of Directors.[3]

Parents, students, and school district personnel, including teachers, shall be involved in the development of student discipline policies.[4]

Notes: [1] A.C.A. § 6-13-635) requires the resolution, but all of the Act's listing of reasons except one are statutorily required raises and most are paid by the state and not district funds. None-the -less, the resolution is required. We recommend the following language:

Whereas, the superintendent has identified all changes from last school-year's published salary schedule, and has identified and presented the Board of Directors with each employee's salary increase of five percent (5%) or more as required under A.C.A. § 6-13-635 and created a spreadsheet explaining each;

Therefore, the Centerpoint *School District Board of Directors approves and resolves that the spread sheet including those explanations are a factual representation of the raises given for the insert date school-year.*

[2] Districts should plan carefully to avoid accidentally triggering the late-adopted personnel policy right of recession. School employees who take the opportunity to escape their contractual obligations and leave the school district would be very disruptive to staffing plans for the next school year. Salary schedules for the upcoming school year, in particular, should either need to be adopted prior to May 1, or after July 1 (and requiring a vote of the applicable staff to be effective) thus avoiding the right of rescission.

[3] This sentence is governed by Arkansas law. ASBA believes any PPC review of student discipline policies is to be initiated by the PPC. There is no district requirement to make sure it happens.

[4] ASBA believes this statutory requirement is an "umbrella" requirement for discipline policies in general rather than requiring EVERY discipline policy to go through a stakeholder committee pre-

approval process. ASBA also believes input from such stakeholders is an important factor in improving discipline policies and gaining/keeping support for those policies.

Cross References: Policy 3.1—LICENSED PERSONNEL SALARY SCHEDULE;
Policy 8.1—CLASSIFIED PERSONNEL SALARY SCHEDULE

Legal References: A.C.A. § 6-13-619(c)
A.C.A. § 6-13-635
A.C.A. § 6-17-201 et seq.
A.C.A. § 6-17-2301 et seq.
A.C.A. § 6-18-502(b)(1)(2)

Date Adopted:
Last Revised: 6/8/2015

1.10—ASSOCIATION MEMBERSHIPS

The Board shall be a member of the Arkansas School Boards Association and may be a member of the National School Boards Association and other organizations which, in the opinion of the Board, will be beneficial to the Board in carrying out its duties more effectively.

Legal Reference: A.C.A. § 6-13-107

Date Adopted:
Last Revised:

1.11—BOARD MEMBER TRAINING

Board members who have served on the board for twelve (12) or more consecutive months are required to obtain a minimum of six (6) hours of training by December 31 of each calendar year. Effective with the 2006 school election, board members who are elected to serve an initial or non –continuous term shall obtain a minimum of nine (9) hours of training by December 31 of the year following their election and six (6) hours of training by December 31 of each calendar year thereafter. Hours obtained in excess of the required minimums may be carried forward through December 31 of the third calendar year following the year in which the hours were earned.
The training shall be focused on topics relevant to school laws, school operations, and the powers, duties, and responsibilities of the members of the board of directors. The responsibilities include, but are not limited to legal requirements, role differentiation, financial management, improving student achievement, reading and interpreting an audit report, and the duties and responsibilities of the various levels of employees within the district as well as those of the board of directors.

The district is responsible for maintaining a record of the hours of training received by each board member. Board members shall make a concerted effort to submit documentation of training they have received to the superintendent or his/her designee. In the absence of such documentation, the district shall attempt to obtain records of training received from training providers.

Such training may be obtained from an institution of higher learning, from instruction provided by the Arkansas Department of Education or the Arkansas School Boards Association, or from other providers approved by the Arkansas Department of Education.

A statement regarding the number of hours of training received each preceding calendar year shall be:
- Part of the district's comprehensive school plan and goals;
- Published in the same way as other components of the comprehensive plan and goals are required to be published;
- Part of the annual school performance report required to be submitted to, and published by the Arkansas Department of Education.

Board members shall be reimbursed, from school funds, for expenses relating to such training and Board members shall be paid a per diem stipend for days necessary to attend such training with the amount of such stipend to be determined by the Board in July of each year. [1]

Note: [1]This paragraph is optional.

Legal References: A.C.A. § 6-13-629
ADE Rule Governing Required Training for School Board Members

Date Adopted:
Last Revised:

1.12—COMMITTEES

From time to time, in order to obtain and/or encourage public participation in the operation of the District, the Board may appoint committees, which may include members of the public, students, parents, and school employees, as well as members of the Board.

Any committee, which includes among its members a member of the School Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.*****

***** Legal Reference: A.C.A. § 25-19-106

Date Adopted:
Last Revised:

1.13—SUPERINTENDENT/ BOARD RELATIONSHIP

The Board's primary responsibility is to develop, working collaboratively with the community, a vision and mission for the District. The Board formulates and adopts policies to achieve that vision and elects a Superintendent to implement its policies. The Board and the Superintendent and the relationship between them set the tone for the district to follow. The relationship is enhanced when both parties understand their roles and carry them out in an ethical and professional manner working to develop a relationship of mutual trust and respect.

The Superintendent and staff are responsible for administering the Board's policies and will be held responsible for the effective administration and supervision of the District. The Superintendent is authorized to develop and implement administrative regulations to fulfill the Board's policies, provided such regulations are consistent with the intent of the Board's policies.

Date Adopted:
Last Revised:

1.14—MEETING AGENDA

The agenda guides the proceedings of the Board meeting. The Superintendent shall prepare the agenda with consultation from the Board President. Other members of the Board who desire to have an item placed on the monthly agenda may do so by contacting the Superintendent or, in writing, the Board President by the date established in this policy and the item will be duly considered for inclusion.

The chairman of the PPC, or the chairman's designee, shall be placed on the Board of Director's meeting agenda to make an oral presentation to the Board to address either a personnel policy proposed by the Board that the PPC committee has possessed for no less than ten (10) work days or a personnel policy that the PPC wishes to propose to the Board.

District patrons wishing to have an item placed on the Board meeting's agenda must submit their requests, in writing to the Superintendent[1], at least five (5) 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.

The Superintendent shall notify the Board President of all written requests to be placed on the agenda along with the Superintendent's recommendation concerning the request. No item shall be placed on the agenda that would operate to prejudice the Board concerning a student or personnel matter that could come before the Board for disciplinary or employment considerations or that is in conflict with other District policy or law.

Patrons whose written request to be placed on the meeting's agenda has been accepted shall have ***no more than 5 minutes*** [2] to present to the Board unless specifically granted additional time by a motion approved by a majority of the Board. The speaker shall limit his/her comments to the approved topic/issue or forfeit his/her right to address the Board. The members of the Board will listen to the patron's presentation, but shall not respond to the presenter during the meeting in which the presentation is made. The Board may choose to discuss the issue presented at a later meeting, but is under no obligation to do so.

The Superintendent shall be responsible for Board members receiving copies of the Agenda with all accompanying pertinent information ***at least 5 days*** [3] ***prior*** to the meeting.

This policy's advance notice requirements do not apply to special or called board meetings.

Notes: [1] You may choose to add additional individuals (such as the President of the Board) to whom requested agenda items may be given to.
[2] Select the amount of time you choose to allow the patron to speak before the board.
[3] Select the number of days that the Board and Superintendent agree to be necessary and doable.

Cross Reference: 1.9—POLICY FORMULATION
Legal References: A.C.A. § 6-13-619(a)(2)
A.C.A. § 6-17-205(c)

Date Adopted:
Last Revised: 7/1/2016

1.15—TORT IMMUNITY

The District, as well as its agents, officers, employees, and volunteers are immune from liability for negligence, pursuant to A.C.A. § 21-9-301. When allegations of negligence are raised, whether in litigation or not, the statutory grant of immunity will be asserted.

[The School Board retains the right to settle claims for negligence, as authorized by A.C.A. § 21-9-301, but it shall do so only in the most extraordinary circumstances. If any claim is settled, the District and the School Board specifically do not waive immunity above the amount of the settlement, nor is that immunity waived for any other claim, at any time, regardless of whether it is similar in nature.]*****

******The portion in brackets is optional.*

Date Adopted:
Last Revised:

1.16 —DUTIES OF BOARD DISBURSING OFFICER

The disbursing officer[1], along with the superintendent, shall be responsible for signing, manually or by facsimile, all warrants and checks other than those issued for food service and activity funds.[2]
In addition, the Disbursing Officer must pre-authorize the electronic transfer of funds. For non-recurring transactions, the authorization can be accomplished by a signed authorization or an email authorizing such a disbursement of funds.[3] For recurring transactions, the Disbursing Officer may provide a one-time, signed authorization.

Notes: [1] If you chose in Policy 1.2 to elect alternate disbursing officers insert "or alternate disbursing officers" here.

[2] A.C.A. § 6-13-701(g) delineates what constitutes "activity funds."

[3] Commissioner's Memo Com-12-036 suggests the use of email as a way to obtain pre-authorization for non-recurring transactions. You may add to or change this language to reflect district practice provided adequate internal control is maintained for such transactions.

Cross Reference: 7.20—ELECTRONIC FUND TRANSFERS

Legal Reference: A.C.A. § 6-13-618(c)

Date Adopted:
Last Revised: 7/1/2016

1.17—NEPOTISM

DEFINITIONS:

"Family or family member" means:
a. An individual's spouse;
b. Children of the individual or children of the individual's spouse;
c. The spouse of a child of the individual or the spouse of a child of the individual's spouse;
d. Parents of the individual or parents of the individual's spouse;
e. Brothers and sisters of the individual or brothers and sisters of the individual's spouse;
f. Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual's spouse; or
g. Anyone acting or serving as an agent of the individual or acting or serving as an agent of the individual's spouse.

"Initially employed" means:
A. Employed in either an interim or permanent position for the first time or following a severance in employment with the school district;
B. A change in the terms and conditions of an existing contract, excluding;
   I. Renewal of a teacher contract under A.C.A. § 6-17-1506;
   II. Renewal of a noncertified employee's contract that is required by law; or
   III. Movement of an employee on the salary schedule which does not require board action.

NEW HIRE OF SCHOOL BOARD MEMBER'S RELATIVE AS SCHOOL EMPLOYEE

The district shall not initially employ a present board member's family member for compensation in excess of $5,000 unless the district has received approval from the Commissioner of the Department of Education. The employment of a present board member's family member shall only be made in unusual and limited circumstances. The authority to make the determination of what qualifies as "unusual and limited circumstances" rests with the Commissioner of the Department of Education whose approval is required before the employment contract is effective, valid, or enforceable.

Initial employment for a sum of less than $5,000 per employment contract or, in the absence of an employment contract, calendar year does not come under the purview of this policy and is permitted.

The board member whose family member is proposed for an employment contract, regardless of the dollar amount of the contract, shall leave the meeting until the voting on the issue is concluded and the absent member shall not be counted as having voted.

EXCEPTION: SUBSTITUTES

Qualified family members of board members may be employed by the district as substitute teachers, substitute cafeteria workers, or substitute bus drivers for a period of time not to exceed thirty (30) days per fiscal year. A family member of a school board member having worked as a substitute for the district in the past does not "grandfather" the substitute. The thirty (30) day maximum limit is applied in all cases.

EXISTING EMPLOYEES WHO ARE FAMILY MEMBERS OF SCHOOL BOARD MEMBERS—RAISES, PROMOTIONS OR CHANGES IN COMPENSATION

Any change in the terms or conditions of an employment contract including length of contract, a promotion, or a change in the employment status of a present board member's family member that would result in an increase in compensation of more than $2,500, and that is not part of a state mandated salary increase for the employee in question, must be approved by the Commissioner of the Department of Education before such changes in the employment status is effective, valid, or enforceable.

QUALIFICATIONS FOR RUNNING FOR SCHOOL BOARD MEMBER UNCHANGED

The employment status of a citizen's family member does not affect that citizen's ability to run for, and, if elected, serve the school board provided he/she meets all other statutory eligibility requirements.

Legal References: A.C.A. § 6-24-102, 105

Date Adopted:
Last Revised: 7/1/2016

1.18—DISTRICT AUDITS

The District's annual audit serves as an important opportunity for the Board of Directors to review the fiscal operations and health of the district. As such, it is vital Board members receive sufficient explanation of each audit report to enable the members to understand the report's findings and help them better understand the District's fiscal operations.

The District shall have an audit conducted annually within the timelines prescribed by law. The audit shall be conducted by the Division of Legislative Audit or through the audit services of a private certified public accountant(s) approved by the Board.

The Board of Directors shall review each annual audit at the first regularly scheduled board meeting following the receipt of the audit if the District received the audit prior to ten (10) days before the regularly scheduled meeting. If the audit report is received less than ten (10) days prior to a regularly scheduled board meeting, the board may review the report at the next regularly scheduled board meeting following the ten (10) day period.

The Superintendent shall present sufficient supporting/background information relating to the report's findings and recommendations which will enable the Board of Directors to direct the Superintendent to take appropriate action in the form of a motion or motions relating to each finding and recommendation contained in the audit report. Actions to be taken will be in sufficient detail to enable the Board of Directors to monitor the District's progress in addressing substantial findings and recommendations and subsequently determine that they have been corrected. The minutes of the Board's meeting shall document the review of the audit's findings and recommendations along with any motions made by the Board or actions directed to be taken by the Superintendent or designee.

The Board of Directors is responsible for presenting the audit's findings each year to the public .[1]

Notes: [1] The Standards of Accreditation (7.03.3.1) requires a report to the public by November 15, but doesn't specify it include the audits' findings. A.C.A. § 6-13-620(6)(F) requires the reporting of the audit's findings, but doesn't specify any date by which they must be reported. In other words, you MAY go over the audit report at your annual meeting, but it is not required.

Legal References: A.C.A. § 6-1-101(d)(1)(2)(3)
A.C.A. § 6-13-620(6)(F)

Date Adopted:
Last Revised: 2014

1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS

The Centerpoint District has 7 Board of Directors members.[1] Each member is elected for a ***term of service of 5 years***.[2] Members may be re-elected to serve consecutive terms so long as the member continues to meet the eligibility requirements for board service.

A board member remains in office until the member's successor has been sworn into office. In the event a board member's term of office has expired and no one is elected to replace the member, or the individual elected fails to receive the oath of office within the time set in statute, the board member becomes a "holdover" and is treated as having been re-elected to office for another term. Board members may only serve one term as a holdover and may be re-elected to the board at the expiration of his/her term. Consequently, should no individual be elected to the position at the expiration of the holdover term, the position shall be declared to be vacant and filled in accordance with Policy 1.2—BOARD ORGANIZATION AND VACANCIES and Arkansas law. Board members not wishing to continue as a holdover may resign from office and the position is to be filled in accordance with Policy 1.2.

Notes: [1] Insert your district's number of board members. Except for a very few grandfathered exceptions, the number of board members is statutorily required to be five (5); seven (7); or, for districts with twenty-four thousand (24,000) or higher average daily membership, nine (9).

[2] Insert the number of years a board member is elected to serve. The number of years must be between three (3) and five (5) years.

Cross Reference: Policy 1.2—BOARD ORGANIZATION AND VACANCIES

Legal References: A.C.A. § 6-13-608
A.C.A. § 6-13-611
A.C.A. § 6-13-616
A.C.A. § 6-13-617
A.C.A. § 6-13-630
A.C.A. § 6-13-631
A.C.A. § 6-13-634
Arkansas Attorney General Opinion 2015-112
Arkansas Constitution Article 19, Section 5

Date Adopted: 6/8/2015
Last Revised: 7/1/2016

1.20—DUTIES OF THE LEGISLATIVE LIAISON

The Board of Directors recognizes the needs of the District require the Board to take an active role in the legislative process as it relates to legislation affecting this district and public education in general. To aid the Board in this endeavor, the Board shall elect one of its members to hold the office of Legislative Liaison. The duties of the legislative liaison are to:

- Be the primary contact person for legislative updates from the Arkansas School Boards Association (ASBA);[1]
- Keep the other members of the Board up to date on legislative issues;
- Make arrangements for the legislators whose representation zones cover the District to be contacted by either the liaison him/herself or by another board member on pending issues that would impact the District.

Notes: The legislative liaison position and this policy are not statutorily required but is requested by ASBA so each board has at least one individual selected to receive and respond to ASBA's legislative updates. Your district could choose to make it part of another officer's duties rather than a separate office.

[1] Multiple board members from a district may elect to receive legislative updates from ASBA but all legislative liaisons will automatically be added to the email list to receive legislative updates.

Cross Reference: 1.2—BOARD ORGANIZATION and VACANCIES

Date Adopted: 6/8/2015
Last Revised: 6/8/2015

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ADMINISTRATION

2.1—DUTIES OF THE SUPERINTENDENT

The Superintendent, as the chief executive officer of the Board and the school system, shall be the administrative head of all departments in the District. The Superintendent shall be responsible to the Centerpoint Board of Education for administering the school system according to the mandates of the laws, Arkansas Department of Education, other agencies of jurisdiction, and policies governing school operations. While the Superintendent may delegate his/her duties when and where necessary and appropriate, he/she shall be responsible to the Board for the results of those duties delegated.

The Superintendent shall be the Ex officio financial secretary as provided for in A.C.A. § 6-17-918(a). Some of the Superintendent's duties include:

1) Implementing the policies of the Board;
2) Being responsible for the planning and implementation of an educational program in accordance with State and Federal requirements and the needs of the District;
3) Reporting to the Board concerning the status of the educational program, personnel, and operations, and making recommendations for improving instruction, activities, services, and facilities;
4) Acting as a liaison between the Board and school personnel;
5) Making recommendations to the Board concerning personnel employment, discipline, and termination;
6) Communicating the District's vision and mission to staff, students, parents, and the community;
7) Being responsible for the development of short- and long-term goals for the District;
8) Preparing and presenting an annual budget for the District to the Board for its consideration;
9) Administering the District's budget and regularly reporting to the Board on the financial condition of the District;
10) Attending and participating in all meetings of the Board except when his/her employment is being considered;
11) Preparing, in consultation with the Board President, the agenda for all Board meetings;
12) Being responsible for the planning and implementation of an effective personnel evaluation system that is aligned with the goals of the District; and
13) Maintaining a current knowledge of developments in curriculum and instruction, as well as pertinent legal changes, and advising the professional staff and Board of such information.

Date Adopted:
Last Revised: 2014

2.2—SUPERINTENDENT COMPENSATION

The salary and employment benefits of the Superintendent shall be determined by the Board. This includes such benefits as insurance, transportation allowances, annual vacations, holidays, and any other entitlements as deemed appropriate.

Date Adopted:
Last Revised: 2014

D. ADMINISTRATIVE PROCEDURES:

The operation of the schools in all respects shall be under the direct administration of the superintendent of schools. The superintendent will operate in a ministerial capacity with respect to legislation passed by state agencies or by the Board of Education, and in an executive capacity with respect to the policies agreed upon by the board.

If an administrative problem arises within the schools and it is not covered by previously adopted administrative procedures, the superintendent shall have power to act but his decision will be subject to review by action of the board at its next regular meeting.

E. PRINCIPALS:

The principal is the recognized head of the assigned school and is a professional leader within the school. The main duty of the principal is instructional supervision of the staff. The principal may delegate many of the duties of the principalship to other members of the staff, but responsibility for the operation of the total school program remains with the principal. Specific responsibilities are as follows:

1. Organize, direct, supervise, and evaluate the total curriculum program of the assigned school.
2. Supervise and coordinate the curriculum and all classes within the building in line with administrative policies.
3. Direct and evaluate the work of all assigned personnel.
4. Recommend employment to the superintendent of all personnel under his direct supervision.
5. Direct the maintenance program of the buildings and grounds under his direct supervision.
6. Direct pupil accounting and keep accurate records of all pupils in the school.
7. Administer, within the school, all policies and administrative regulations.
8. Direct the school program and pupil welfare in a desirable school-community relationship and teacher-pupil relationship.
9. Require all pupils to conform to the rules and regulations as set forth by the school and insist on good citizenship and good discipline, which is necessary for a good school program.
10. Work cooperatively with both school and administrative personnel and promote a cordial relationship among faculty members in order to have the most efficient school program possible.
11. Coordinate the total school program curriculum and extra curricular activities of the school in relationship to other schools.
12. Require personnel, who propose to be absent, to report such promptly.
13. Insure that adequate substitutes are secured for personnel who are absent.
14. Prepare and supervise a good in-service program for all teachers.
15. Observe teachers in their classrooms and suggest methods and procedures for improvement.

16. Work cooperatively with the P.T.O., Booster Clubs, and all civic clubs.
17. Attend / provide supervision at after-school events (ballgame duty, etc…) as directed by the superintendent.
18. Engage in professional performance and growth in line with the state prescribed LEADS standards (see policy 3.2):
    - Promoting a widely shared vision for learning;
    - Developing a school culture and instructional program conducive to student learning and staff professional growth
    - Ensuring effective organizational management and operations, including a safe, secure learning environment for all students;
    - Collaborating with faculty and community members, responding to the diverse needs and interests, and mobilizing resources;
    - Acting with integrity, fairness and in an ethical manner
    - Understanding, responding to, and influencing the political, social, legal and cultural contexts that impact education.
19. Perform other assigned duties.

F. EMPLOYMENT OF PRINCIPALS:

1. The principal shall be employed at the February meeting of the Board of Directors.

G. ATHLETICS, DIRECTOR AND COACHES RESPONSIBILITY:

The athletic director and coaches will schedule and enter into competition complying with the rules set forth by the Arkansas Athletic Association.

The athletic director will serve by appointment of the superintendent.

Duties of the athletic director are:

1. To assist the superintendent in the interviewing of coaches.
2. To schedule athletic events.
3. To ~~contact~~ insure officials are obtained for athletic events.
4. To advise the superintendent of ~~supervise and evaluate~~ the effectiveness of the ~~coaching staff~~ athletic programs.
5. To requisition travel for out of district events.
6. To mediate differences when a student has two activities scheduled at the same time.
7. To maintain athletic handbook rules/policies, and promote those policies to athletes and their parents.
8. To coordinate homecoming activities with the homecoming sponsor and the coach.
9. To provide for adequate custodial care of athletic facilities.
10. To perform other duties and responsibilities as directed by the superintendent.

Athletic coaches will be responsible to the athletic director and high school principal.

The duties and responsibilities of the coach are:

1. To encourage students to participate in the athletic program.
2. To provide a positive image as a coach and promote the school and athletic program within the community.
3. To keep an official roster for each team/sport.
4. To inspect equipment needs for the sport and requisition required equipment through the superintendent's office. All orders will be by purchase order signed by the superintendent.
5. To cooperate with the business office to collect for orders made by students to be paid by students.
6. To work amiably with other staff members that direct other programs and activities in which athletes participate.

7. To follow all board policy pertaining to scheduling practices and competition.

H. TEACHERS:

1. Engage in professional performance and growth in line with the state prescribed TESS standards (see policy 3.2):
2. Direct, instruct and evaluate the learning experiences of the pupils in curriculum and extra-curricular activities.
3. Provide guidance and motivate pupils to promote their welfare and desirable educational development.
4. Be responsible for pupil accounting.
5. Administer the full and complete program of the pupils in the classroom.
6. Encourage the proper care and protection of school property.
7. Maintain the proper teacher-parent-pupil relationships.
8. Seek professional aid of the principal and the supervisory staff.
9. Participate democratically in the affairs and activities of the faculty and the total school system.
10. Cooperate and participate actively in the planning and evaluation of the school program.
11. Take an active part in the in-service programs of the school.
12. Maintain a workable and cordial relationship with other teachers.
13. Refrain from being critical of other teachers, administrators and school board members publicly.
14. Refrain from being critical of students to other teachers and patrons.
15. Are encouraged to join, support and attend professional organizations.
16. Perform other assigned duties.

I. TRANSPORTATION SUPERVISOR:

The transportation supervisor is responsible to the superintendent for the safe and efficient transportation of school children to and from school. In order to carry out the responsibility of the position he shall:

1. Be responsible to see that all vehicles are kept in the best possible operating condition and are well kept, clean, and safe. This shall be done as efficiently and economically as possible
2. Keep all records and other information required and shall submit reports as requested by the superintendent.
3. Provide for periodic safety checks of all school vehicles.
4. Follow each route at least annually to check stops, routes, and drivers.
5. Confer with the superintendent in arranging routes prior to opening of each school year.

J. BUS DRIVER AND TRANSPORTATION POLICIES:

1. The superintendent and bus supervisor shall be responsible for the maintenance and operation of all district owned vehicles, scheduling, routing, and supervision of student transportation.
2. Buses shall be routed to provide the best service for the greatest number of students. However, routes shall be planned to provide the most economical operation of buses with district and road conditions being the major criteria for economical routing. Bus routes should be planned to get within two miles of the home location of each student if other factors permit.
3. All school bus stops shall be at least one-fourth of a mile apart except in the case of routes on the principal highways. The superintendent is authorized to suspend this policy if, in his judgment, the safety factor indicates additional stops will be made to pick up and discharge a child at a point on the route nearest his home.

4. The superintendent is authorized to plan bus routes within the policies of the board on transportation and to change routes at any time when, in his judgment better service can be provided for a greater number of students by such change.
5. The driver has the same authority as a teacher in disciplining children on the bus, but he is not to administer corporal punishment. In case of misconduct, the driver should bring the child to the principal's office.
6. When possible, all bus stops should be located at points where the bus can be seen for a distance of at least 300 feet, and preferable 500 feet. The superintendent, or his authorized representative, shall designate each bus stop. The route or bus stop is not to be changed without the approval of the superintendent.
7. In case of an accident or other delays en-route, the driver is to remain with the bus and the children and send for help. Under usual circumstances, students should remain on the bus.
8. The driver, while transporting pupils, shall not transport animals, firearms, ammunition, explosives, or any sharp or dangerous object or material. Absolutely no adult rides except on the authority of the school superintendent.
9. Start your morning trip on time. Be sure that you stay on your time schedule. Do not arrive at school too early.
10. Buses shall stop only at scheduled stops that have been selected for safety and convenience.
11. Never allow children to extend their heads or arms out of the windows. Never allow children to tamper with any of the safety devices. No smoking on the bus. Driver must not smoke in the presence of children.
12. The driver should not move the bus until all students are seated.
13. State law requires school buses to stop before crossing all railroads.
14. Drivers must yield the right-of-way when entering any highway. Always stop the bus and check traffic before crossing a highway.
15. Any time that you back your bus, you must yield the right-of-way. When possible, avoid backing school buses on school grounds while loaded with children.
16. The driver is to clean the inside of the bus each day. The outside of the bus should be washed when necessary. All school bus markings shall be kept clean at all times. Windshields and rear glasses shall be kept clean. The driver shall make daily checks for all safety factors, as well as, fuel, oil, radiator, and tires. In case a bus appears to be unsafe in any way, it is not to be used until repaired.
17. In case the road is glazed with snow or ice, the driver is not to begin the bus route. If the driver considers his road too dangerous to travel, he will not start his run and will notify the transportation director superintendent as soon as possible. Ordinarily, announcements will be made on the local radio stations concerning the closing of schools; as well as through the School Messenger system.
18. It is each driver's responsibility to get his bus to the shop for servicing and, fueling. Constant servicing and checking is essential for safety of the bus.
19. At school bus stops, where it is necessary for the children to cross the road, the crossing is to be made in front of the bus while the bus stopped with flasher lights on. Children shall cross in a group at a distance of approximately ten feet in front of the bus.
20. All drivers should encourage traffic to pass the bus between stops when possible. Traffic tie-ups behind and in front of buses are not good. A driver will try to keep traffic moving normally at all times.
21. It is important that drivers observe state and local traffic regulations for safety.

22. Failure of the driver to comply with the requirements as to checking and servicing of his bus will result in that bus being required to park at the shop.
23. Bus drivers are expected to be clean and neat in appearance.
24. Children should be transported to school and home. They are to get on and off the bus only at designated stops.
25. Bus driver pay for field trips will be $10 dollars per hour (from departure to return time) for day trips depending on the length of the trip. Overnight trips will be an amount deemed appropriate by the administration.
26. Bus Drivers who have other professional duties associated with the school will be allowed four professional days or eight professional trips each year without contractual penalty. These days are in addition to their current sick days. Once the eight professional trips are used, the driver may opt to use any remaining sick days for any professional absences incurred during the remaining school year. Professional days are not cumulative and cannot be carried over to the next school year.
27. All bus drivers must upon immediate completion of any regular school route or activity trip, walk the aisle of the bus before he/she exits the bus to ensure that no student has been left on the bus.

K. FACULTY AND STAFF:

Faculty and staff include: Administrators, teachers, janitors, aides, secretaries, clerks, teachers assistants, cafeteria workers or any person employed or volunteering to provide services for the operation of the school.

Date Adopted:
Last Revised: 2014

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3.1—LICENSED PERSONNEL SALARY SCHEDULE

CERTIFIED SALARY SCHEDULE
2016-2017

Years of Experience	Bachelor Degree	Master Degree
0	$31,000.00	$35,650.00
1	$31,450.00	$36,150.00
2	$31,900.00	$36,650.00
3	$32,350.00	$37,150.00
4	$32,800.00	$37,650.00
5	$33,250.00	$38,150.00
6	$33,700.00	$38,650.00
7	$34,150.00	$39,150.00
8	$34,600.00	$39,650.00
9	$35,050.00	$40,150.00
10	$35,500.00	$40,650.00
11	$35,950.00	$41,150.00
12	$36,400.00	$41,650.00
13	$36,850.00	$42,150.00
14	$37,300.00	$42,650.00
15	$37,750.00	$43,150.00
16	$37,950.00	$43,350.00
17	$38,150.00	$43,550.00
18	$38,350.00	$43,750.00
19	$38,550.00	$43,950.00
20	$38,750.00	$44,150.00

Increments for BA are $450.00 to 15 years then $200.00 to 20 years.
Increments for MA are $500.00 to 15 years the $200.00 to 20 years.

The district will contribute $1,853.76 year full time employee per year for health insurance and pay for a $15,000.00 life insurance policy for full time employees.

For the purposes of this policy, an employee must work 160 days of their regularly assigned annual work days to qualify for a step increase.

Rates of Pay for School Bus Drivers

Daily Bus Route Driver	$18.00 per hour
Activities, Field Trips, Athletic Trips, Shuttles	$10.00 per hour
Substitute Driver	$28.00 per Route

Rates of Pay – Miscellaneous

After-School Tutoring (Outside of Contract Duties)	$25.00 per hour (Certified) $10.00 per hour (Classified)
APPROVED Professional Development (Certified – Outside of Contract) (MUST be approved by building principal and curriculum director)	$125.00 per day (partial days prorated)
Event Gatekeeper (Certified Staff Only)	$20.00 per night

PERSONNEL WITH MULTIPLIER

12 mo.	Superintendent of Schools	1.66897
12 mo.	High School Principal	1.35
12 mo.	Middle School Principal	1.30
11 mo.	Elementary Principal	1.27
12 mo.	Special Ed. Director/Federal Coordinator	1.27
11 mo.	Dirctr of Secondary Curriculum and Instructional Services	1.27
153 days	Title 1 Instructional Facilitator for K-5	1.40
11 mo.	Band Director	1.15
205 days	Choir / Asst. Band Director	1.15
12 mo.	Head Coach/Athletic Director	1.25
205 days	Coach	1.22
12 mo.	Bookkeeper/District Treasurer	.95 BSE
12 mo.	Administrative Assistant	.85 BSE
12 mo.	Assistant Bookkeeper	.825 BSE
12 mo.	District Student Systems Administrator	.70 BSE
11 mo.	District Secretary	.70 BSE
190 days	RN	.75 BSE
190 days	LPN	.70 BSE

Centerpoint School District
STIPENDS FOR 2016-17

NOTE: Stipends will be paid at the end of the regular contract year.

Job	Amount of Stipend
Sr. Class Sponsor	$100
Sr. Class Sponsor	$100
Jr. Class Sponsor	$400
Jr. Class Sponsor	$400
Sr. Quiz Bowl Sponsor	$1,000
Jr. Quiz Bowl Sponsor	$300
6th & 7th Quiz Bowl Sponsor	$200
Superintendent's Communication	$1,800
District Testing Coordinator	$1,000
Building Parent Involvement Facilitator	$300 ea.
CPS ACSIP Facilitator	$500
Senior High Cheerleader Sponsor	$2,500
7th grade/Jr. Cheer Sponsor	$2,500
Dist. Web-site Editor	$1,000
Yearbook Sponsor	$1,000
Student Council Sponsor	$200
Trap Shooting Sponsor	$1,000
National Board Certification	$1,500
ELL Coordinator	$500

State law requires each District to include its teacher salary schedule, including stipends and other material benefits, in its written personnel policies unless the District recognizes a teachers' union in its policies for, among other things, the negotiation of salaries. In developing the salary schedule, the District will establish a normal base contract period for teachers. The District is required to post the salary schedule on its website by September 15 of each year and should place an obvious hyperlink, button, or menu item on the website's homepage that links directly to the current year licensed policies and salary schedule.

For the purposes of the salary schedule, a teacher will have worked a "year" if he/she works at least160 days.

For the purposes of this policy, a master's degree or higher is considered "relevant to the employee's position" if it is related to education, guidance counseling, or the teacher's content area and has been awarded for successful completion of a program at the master's level or higher by an institution of higher education accredited under Arkansas statutory requirements applicable at the time the degree was awarded.

Teachers who have earned additional, relevant degrees or sufficient college hours to warrant a salary change are responsible for reporting and supplying a transcript to the superintendent's office. The appropriate salary increase will be reflected in the next paycheck provided it is at least two (2) weeks from the time the notice and documentation is delivered. All salary changes will be on a "go forward" basis, and no back pay will be awarded.

Arkansas Professional Pathway to Educator Licensure (APPEL) Program

Each employee newly hired by the district to teach under the Arkansas Professional Pathway to Educator Licensure (APPEL) Program shall initially be placed on the salary schedule in the category of a bachelor's degree with no experience, unless the APPEL program employee has previous teaching experience which requires a different placement on the schedule. Upon receiving his/her initial or standard teaching license, the employee shall be moved to the position on the salary schedule that corresponds to the level of education degree earned by the employee which is relevant to the employee's position. Employee's degrees which are not relevant to the APPEL program's position shall not apply when determining his/her placement on the salary schedule. A teacher with a non-traditional provisional license shall be eligible for step increases with each successive year of employment, just as would a teacher possessing a traditional teaching license.

Licensed employee, seeking additional area or areas of licensure

Licensed employees who are working on an alternative licensure plan (ALP) to gain licensure in an additional
area are entitled to placement on the salary schedule commensurate with their current license, level of education degree and years of experience. Degrees which are not relevant to the employee's position shall not apply when determining his/her placement on the salary schedule.

Cross Reference:	Policy 1.9—POLICY FORMULATION
Legal References:	A.C.A. § 6-17-201, 202, 2403 A.C.A. § 6-20-2305(f)(4) ADE Rules Governing School District Requirements for Personnel Policies,
Salary	Schedules, Minimum Salaries, and Documents Posted to District Websites

Date Adopted:
Last Revised: 09/08/2014

3.2—LICENSED PERSONNEL EVALUATIONS

Definitions

"Building level or district level leader" means an individual employed by the District whose job assignment is that of a building level or district level administrator or an equivalent role, including an administrator licensed by the State Board of Education, an unlicensed administrator, or an individual on an Administrator Licensure Completion Plan. Building level or district level leader does not include the superintendent, deputy superintendents, associate superintendents, and assistant superintendents.[1]

"Inquiry category" is a category in which the building level or district level leader consistently demonstrates progressing, proficient, and/or exemplary performance on standards and functions in the Leader Excellence and Development System (LEADS) rubric.

"Intensive Category" is a category in which a building level or district level leader receives a rating of not meeting standards on the summative evaluation rubric as defined by the LEADS Rules.

"Novice Category" is a building level or district level leader who has not completed three consecutive years of experience in one district as a building level or district level administrator.

"Probationary" is a building level or district level leader who has transitioned within the District from one building level or district level administrator position to another or who is hired by the District and has completed his/her novice category period at another district. The probationary period is one-year.[2]

"Probationary teacher" has the same definition as A.C.A. § 6-17-1502.[3]

"Teacher" has the same definition as A.C.A. § 6-17-2803(19).

Teachers

Teachers will be evaluated under the provisions and timelines of the Teacher Excellence and Support System (TESS).

The superintendent or designee(s) shall develop procedures to govern the evaluation process and timelines for the evaluations.

Teachers will be evaluated under the schedule and provisions required by TESS. Each school-year, the district will conduct a summative evaluation over all domains and components on all probationary teachers as well as any teacher currently on an "intensive support" improvement plan or who has successfully completed intensive support or participated in an improvement plan during the current or previous school-year. All teachers not covered in the previous sentence will have a summative evaluation over all domains and components at least once every four (4) years. To establish the initial four-year rotation schedule for non-probationary teachers to be summatively evaluated, at least one-quarter of each school's non-probationary teachers will be selected for evaluation by administrative at random, or in accordance with curriculum/instructional focus.

All teachers shall develop a Professional Growth Plan (PGP) annually that must be approved by the teacher's evaluator. If there is disagreement between a teacher and the teacher's evaluator concerning the PGP, the decision of the evaluator shall be final.

In an interim appraisal year, the teacher's annual performance rating will be derived from the average score of the components that align with the teacher's PGP.

In a summative evaluation year, the teacher's annual overall rating will be derived from both the teacher's performance rating and the applicable student growth measure as defined in the Arkansas Department of Education (ADE) TESS Rules.

While teachers are only required to be summatively evaluated once every four years, the teacher's evaluator may conduct a summative evaluation in any year.

In addition to a teacher's summative evaluation, an evaluator or designee shall conduct interim teacher appraisals during the year to provide a teacher with immediate feedback about the teacher's teaching practices; engage the teacher in a collaborative, supportive learning process; and help the teacher use formative assessments to inform the teacher of student progress and adapt teaching practices based on the formative assessments.

Evaluators may also conduct informal classroom observations during the year for the same purpose as a formal classroom observation but that are of shorter duration and are unannounced.

Building Level or District Level Evaluations

Building level or district level leaders will be evaluated under the schedule and provisions required by LEADS.

The superintendent or designee(s) shall develop procedures to govern the evaluation process and timelines for the evaluations.

Novice category and probationary[5] building level or district level leaders, those building level or district level leaders who have been placed in the Intensive category, and those building level or district level leaders who have not had a summative evaluation the previous three years will have a summative evaluation. A building level or district level leader shall complete a PGP based on the standards and functions determined during the initial summative evaluation meeting with the superintendent or designee. If there is disagreement between a building level or district level leader and the leader's evaluator concerning the PGP, the decision of the evaluator shall be final. In subsequent years, he/she shall revise his/her PGP and associated documents required under LEADS.

The building level or district level leader shall annually revise his/her PGP and associated documents required under LEADS. In a non-summative evaluation year, his/her job performance will be measured on how well the PGP's goals have been met.

When the Superintendent or designee conducts a summative evaluation, he/she will base the building level or district level leader's continuing employment recommendation on:

- The level of performance based on the performance functions and standards of the evaluation rubric;
- The evidence of teacher performance and growth applicable to the building- or district-level leader; and
- The building- or district-level leader's progression on his or her professional growth plan.

To establish the initial four-year rotation schedule for inquiry category building level or district level leaders to be summatively evaluated, at least one-fourth of each school's inquiry category building level

or district level leaders will be selected for evaluation by at random, and/or in accordance with curriculum/instructional focus.[4]
While building level or district level leaders are required to be summatively evaluated once every four-years, the Superintendent or designee may conduct a summative evaluation in any year.

Notes: The language in this policy is intentionally very broad. We strongly advise that you don't try to insert a lot of process/procedure language in the policy and leave that to a separate "Procedures" document that lays out the specificity of how you are going to fully implement the TESS/LEADS requirements. For example, don't include such things as how many formative assessments you will require; how many informal evaluations will be conducted; or the dates for when the summative evaluations will take place. TESS/LEADS is a huge change in how evaluations will take place in Arkansas. There is simply no way to avoid the fact that several additional changes will need to take place before it becomes a fully implemented, well functioning system. While those changes will likely also require further changes to this policy, our goal in this rewrite has been to try to lessen the possible triggers for such policy amendments.

[1] Include positions below the superintendent in this sentence only if you have such positions. Districts have the option of including those positions in the LEADS evaluation requirements as if they were a building level or district level leader. If you have such positions and choose to evaluate them under the LEADS Rules, delete them from the sentence and add them to the list of those who are included in the definition of building level or district level leaders.

[2] The LEADS Rules create the new term of "novice category" and require summative evaluations of all "novice" building level and district level leaders. The Rules also create the optional new category of "probationary" building level or district level leader. Only include this paragraph if you choose to follow the evaluation requirements under LEADS for those personnel that would fit the definition.

[3] A.C.A. § 6-17-1502, as interpreted by case law, defines "probationary" as an employee below the level of assistant superintendent who is required by ADE to hold a teaching license to be able to perform his or her job who has completed less than three (3) consecutive years of licensed employment in a single Arkansas district. When an employee changes districts, it also allows for a case-by-case addition of one (1) more year of probation upon action of the board. For TESS' purposes, it's important your district keep track of your licensed employee's probationary status. **Note** that Arkansas' court decisions have determined that any continuous three (3) years of employment at an Arkansas school district satisfies the probationary period even if the licensed employee subsequently changes employment to another district. A school board can place any newly hired licensed employee on probation for the first year of employment by the district; this should be noted in the minutes (in the
context of the hiring motion) and noted on the contract of employment. However, there are policy and procedure considerations that need to be addressed for a district to implement this option properly. ASBA recommends your district consult its attorney for advice before proceeding down this path. The bottom line for districts is that for TESS purposes it's important to keep track of each employee's probationary or non-probationary status.

[4] Enter the method by which you will determine who will be selected. Possible ways you could select would be from volunteers, RIF points (either highest to lowest or vice versa), alphabetically, or drawing names out of a hat. Since employees' continued employment will

potentially ride on the evaluations, it is vital that your selection method be non-biased. Also, since all teachers and building level or district level leaders have to have a summative evaluation at least once every four (4) years, be sure to select at least a quarter of your candidate pool.

[5] Only include "probationary" if you have chosen to include the definition in the policy.

Legal References: A.C.A. § 6-17-1501 et seq.
A.C.A. § 6-17-2801 et seq.
ADE Rules Governing the Teacher Excellence and Support System
ADE Rules Governing the Leader Excellence and Development System (LEADS)

Date Adopted:
Last Revised: 7/08/2015

3.3 - EVALUATION OF LICENSED PERSONNEL BY RELATIVES

No person shall be employed in, or assigned to, a position which would require that he/she be evaluated by any relative, by blood or marriage, including spouse, parent, child, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, or first cousin.

Date Adopted:
Date Revised: 05/09/11

3.4 - LICENSED PERSONNEL REDUCTION IN FORCE

SECTION ONE

The School Board acknowledges its authority to conduct a reduction in force (RIF) when a decrease in enrollment or other reason(s) make such a reduction necessary or desirable. A RIF will be conducted when the need for a reduction in the work force exceeds the normal rate of attrition for that position of the staff that is in excess of the needs of the district as determined by the superintendent.

In effecting a reduction in force, the primary goals of the school district shall be: what is in the best interests of the students; to maintain accreditation in compliance with the Standards of Accreditation for Arkansas Public Schools and/or the North Central Association; and the needs of the district. A reduction in force will be implemented when the superintendent determines it is advisable to do so and shall be effected through non-renewal, termination, or both. Any reduction in force will be conducted by evaluating the needs and long- and short-term goals of the school district, and by examining the staffing of the district in each licensure area and/or, if applicable, specific grade levels.

If a reduction in force becomes necessary in a licensure area and/or specific grade level(s), the teacher's length of service in the district shall be the initial determining factor. The teacher with the most years of employment as a licensed teacher in the district **as compared to other teachers in the same licensure area and/or specific grade level(s)** shall prevail. Length of service in a classified position shall not count for the purpose of length of service for a licensed position. Total years of service to the district shall include non-continuous years of service. Being employed fewer than 160 days in a school year shall not constitute a year.

In the event that two employees subject to a RIF have the same length of service, the employee with the higher number of points as determined by the schedule contained in this policy shall be retained. The teacher with the fewer points will be non-renewed or terminated first. In the event two or more employees have the same number of points, the teacher(s) shall be retained whose name(s) appear first in the board's minutes of the date of hire. There is no right or implied right for any teacher to "bump:" or displace any other teacher.

Points:

- Years of service in the district – 1 point per year
  All licensed position years in the district count including non-continuous years. Service in any position not requiring teacher licensure does not count toward years of service. Working fewer than 160 days in a school year shall not constitute a year.
- Graduate degree in the area of licensure applicable to credit of points (only the highest level of points apply)
  1 point – Master's degree
  2 points – Master's degree plus thirty additional hours
  3 points – Educational specialist degree
  4 points – Doctoral degree
- National Board of Professional Teaching Standards certification – 3 points
- Additional academic content areas of endorsement as identified by the State Board – 1 point per additional area or grade level as applicable.
- Multiple areas and/or grade levels of licensure as identified by the State Board—1 point per additional area or grade level as applicable. (Example: P-4 license or a 5-8 social studies license is each worth one point).

- Licensure for teaching in a State Board identified shortage area—2 points

When the District is conducting a RIF, all potentially affected teachers shall receive a listing of licensed personnel with corresponding point totals. Upon receipt of the list, each teacher has ten (10) working days within which to appeal his or her assignment of points to the superintendent whose decision shall be final. Except for changes made pursuant to the appeals process, no changes will be made to the list that would affect a teacher's point total after the list is released.

A teacher with full licensure in a position shall prevail over a teacher with greater points but who is lacking full licensure in that subject area. "Full licensure" means an initial, or standard, non-contingent license to teach in a subject area or grade level, in contrast with a license that is provisional, temporary, or conditional on the fulfillment of additional course work or passing exams or any other requirement of the Arkansas Department of Education, other than the attainment of annual professional development training.

Pursuant to any reduction in force brought about by consolidation or annexation and as a part of it, the salaries of all teachers will be brought into compliance, by a partial RIF if necessary, with the receiving district's salary schedule. Further adjustments will be made if length of contract or job assignments changes. A Partial RIF may also be conducted in conjunction with any job reassignment whether or not it is conducted in relation to an annexation or consolidation.

Recall
There shall be no right of recall for any teacher.

SECTION TWO
The employees of any school district which annexes to, or consolidates with, the Centerpoint District will be subject to dismissal or retention at the discretion of the school board, on the recommendation of the superintendent, solely on the basis of need for such employees on the part of the Centerpoint District, if any, at the time of the annexation or consolidation, or within ninety (90) days after the effective date of the annexation or consolidation. The need for any employee of the annexed or consolidated school district shall be determined solely by the superintendent and school board of the Centerpoint District.

Such employees will not be considered as having any seniority within the Centerpoint District and may not claim an entitlement under a reduction in force to any position held by a Centerpoint District employee prior to, or at the time of, or prior to the expiration of ninety (90) days after the consolidation or annexation, if the notification provision below is undertaken by the superintendent.

The superintendent shall mail or have hand-delivered the notification to such employee of his intention to recommend non-renewal or termination pursuant to a reduction in force within ninety (90) days of the effective date of the annexation or consolidation in order to effect the provisions of this section of the Centerpoint District's reduction-in-force policy. Any such employees who are non-renewed or terminated pursuant to Section Two are not subject to recall notwithstanding any language in any other section of this policy. Any such employees shall be paid at the rate for each person on the appropriate level on the salary schedule of the annexed or consolidated district during those ninety (90) days and/or through the completion of the reduction-in-force process.

This subsection of the reduction-in-force policy shall not be interpreted to provide that the superintendent must wait ninety (90) days from the effective date of the annexation or consolidation in order to issue notification of his intention to recommend dismissal through reduction-in-force, but

merely that the superintendent has that period of time in which to issue notification so as to be able to invoke the provisions of this section.

The intention of this section is to ensure that those Centerpoint District employees who are employed prior to the annexation or consolidation shall not be displaced by employees of the annexed or consolidated district by application of the reduction-in-force policy.

Legal Reference: A.C.A. § 6-17-2407

Date Adopted:
Date Revised: 04/29/13

3.5 - LICENSED PERSONNEL CONTRACT RETURN

An employee shall have thirty (30) calendar days from the date of the receipt of his/her contract for the following school year in which to return the contract, signed, to the office of the Superintendent. The date of receipt of the contract shall be presumed to be the date of a cover memo which will be attached to the contract.

Failure of an employee to return the signed contract to the office of the Superintendent within thirty (30) days of the receipt of the contract shall operate as a resignation by the employee. No further action on the part of the employee, the Superintendent, or the School Board shall be required in order to make the employee's resignation final.

Legal Reference: A.C.A. § 6-17-1506 (c) (1)

Date Adopted:
Date Revised: 04/29/2013

3.6—LICENSED PERSONNEL EMPLOYEE TRAINING

For the purposes of this policy, professional development (PD) means a set of coordinated, planned learning activities for District employees who are required to hold a current license issued by the State Board of Education as a condition of employment that:

- Is required by statute or the Arkansas Department of Education (ADE); or
- Meets the following criteria:
  - Improves the knowledge, skills, and effectiveness of teachers;
  - Improves the knowledge and skills of administrators and paraprofessionals concerning effective instructional strategies and methods;
  - Leads to improved student academic achievement; and
  - Is researched-based and standards-based.

All employees shall attend all local PD training sessions as directed by his/her supervisor.

The District shall develop and implement a professional development plan (PDP) for its licensed employees. The District's PDP shall, in part, align District resources to address the PD activities identified in each school's Arkansas Comprehensive School Improvement Plan (ACSIP) and incorporate the licensed employee's PDP. The plan shall describe how the District's categorical funds will be used to address deficiencies in student performance and any identified academic achievement gaps between groups of students. At the end of each school year, the District shall evaluate the PD activities' effectiveness at improving student performance and closing achievement gaps.

Each licensed employee shall receive a minimum of thirty-six (36) hours of PD annually to be fulfilled between July 1 and June 30;[1] the District may require a licensed employee to receive more PD than the minimum when necessary to complete the licensed employee's PDP.[2] All licensed employees are required to obtain thirty six (36) hours of approved PD each year over a five-year period as part of their licensure renewal requirements. PD hours earned in excess of each licensed employee's required number of hours in the designated year cannot be carried over to the next year.

Licensed employees who are prevented from obtaining the required PD hours due to their illness or the illness of an immediate family member as defined in A.C.A. § 6-17-1202 have until the end of the following school year to make up the deficient hours. Missed hours of PD shall be made up with PD that is substantially similar to that which was missed and can be obtained by any method, online or otherwise, approved by ADE. This time extension does not absolve the employee from also obtaining the following year's required hours of PD. Failure to obtain required PD or to make up missed PD could lead to disciplinary consequences, up to termination or nonrenewal of the contract of employment.

The goal of all PD activities shall be improved teaching and learning knowledge and skills that result in individual, team, school-wide, and District-wide improvement designed to ensure that all students demonstrate proficiency on the state's academic standards. The District's PD plan shall be research-based and standards-based and in alignment with applicable ADE Rules and/or Arkansas code.

Teachers, administrators, and paraprofessionals shall be involved in the design, implementation, and evaluation of the plan for their own PD offerings. The results of the evaluation made by the participants in each program shall be used to continuously improve the District's PD offerings and to revise the school improvement plan.

Flexible PD hours (flex hours) are those hours that ~~which~~ an employee is allowed to substitute PD activities, different than those offered by the District, but ~~which~~ are still aligned to the employee's Individual Improvement Plan, Professional Growth Plan, or the school's ACSIP. The District shall determine on an annual basis how many, if any, flex hours of PD it will allow to be substituted for District scheduled PD offerings. The determination may be made at an individual building, a grade, or by subject basis. The District administration and the building principal have the authority to require attendance at specific PD activities. Employees must receive advance approval from the building principal for activities they wish to have qualify for flex PD hours. To the fullest extent possible, PD activities are to be scheduled and attended such that teachers do not miss their regular teaching assignments. Six (6) approved flex hours credited toward fulfilling the licensed employee's required hours shall equal one (1) contract day. Hours of PD earned by an employee that are not at the request of the District and are in excess of the employee's required hours, or not pre-approved by the building principal, shall not be credited toward fulfilling the required number of contract days for that employee.[3] Hours earned that count toward the licensed employee's required hours also count toward the required number of contract days for that employee. Employees shall be paid their daily rate of pay for PD hours earned at the request of the District that necessitate the employee work more than the number of days required by their contract.[4]

Teachers and administrators who, for any reason, miss part or all of any scheduled PD activity they were required to attend, must make up the required hours in comparable activities, which are to be pre-approved by the employee's appropriate supervisor.

To receive credit for his/her PD activity, each employee is responsible for obtaining and submitting documents of attendance, or completion for each PD activity he/she attends. Documentation is to be submitted to the building principal or designee. The District shall maintain all documents submitted by its employees that reflect completion of PD programs, whether such programs were provided by the District or an outside organization.

To the extent required by ADE Rules, employees will receive up to six (6) hours of educational technology PD that is integrated within other PD offerings, including taking or teaching an online or blended course.

The following PD shall count toward a licensed employee's required PD hours to the extent the District's or school's PDP includes such training, is approved for flex hours, or is part of the employee's PDP and it provides him/her with knowledge and skills for teaching:

- Students with intellectual disabilities, including Autism Spectrum Disorder;
- Students with specific learning disorders, including dyslexia;
- Culturally and linguistically diverse students;
- Gifted students.

Beginning in the 2013-14 school-year and every fourth year thereafter, all mandated reporters and licensed personnel shall receive two (2) hours of PD related to child maltreatment required under A.C.A. § 6-61-133(d)(e)(2). For the purposes of this training, "mandated reporters" includes school social workers, psychologists, and nurses.

Beginning in school-year 2014-15 and every fourth year thereafter, teachers shall receive two (2) hours of PD designed to enhance their understanding of effective parental involvement strategies.

Beginning in school-year 2014-15 and every fourth year thereafter, administrators shall receive two (2) hours of PD designed to enhance their understanding of effective parental involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parental participation.

Beginning in the 2015-16 school-year and every fourth year thereafter, all licensed personnel shall receive two (2) hours of PD in teen suicide awareness and prevention, which may be obtained by self-review of suitable suicide prevention materials approved by ADE.

Beginning in the 2016-17 school-year and every fourth year thereafter, teachers who provide instruction in Arkansas history shall receive at least two (2) hours of PD in Arkansas history as part of the teacher's annual PD requirement.

Anticipated rescuers shall receive training in cardiopulmonary resuscitation and the use of automated external defibrillators as required by ADE Rule. Such training shall count toward the required annual hours of PD.

At least once every three (3) years, persons employed as athletic coaches shall receive training related to the recognition and management of concussions, dehydration, or other health emergencies; ~~as well as~~ students' health and safety issues related to environmental issues; and communicable diseases. The training may include a component on best practices for a coach to educate parents of students involved in athletics on sports safety.

All licensed personnel shall receive training related to compliance with the District's antibullying policies.

For each administrator, the thirty six (36) hour PD requirement shall include training in data disaggregation, instructional leadership, and fiscal management. This training may include the Initial, Tier 1, and Tier 2 training required for Superintendents and other designees by ADE's Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements.

Building level administrators shall complete the credentialing assessment for the teacher evaluation PD program prior to conducting any summative teacher evaluations.[5]

Teachers' PD shall meet the requirements prescribed under the Teacher Evaluation and Support System (TESS).[6]

By the end of the 2014-15 school-year, teachers shall have received professional awareness on the characteristics of dyslexia and the evidence-based interventions and accommodations for dyslexia .[7]

Teachers required by the superintendent, building principal, or their designee to take approved training related to teaching an advance placement class for a subject covered by the College Board and Educational Testing Service shall receive up to thirty (30) hours of credit toward the hours of PD required annually.

Licensed personnel may earn up to twelve (12) hours of PD for time they are required to spend in their instructional classroom, office or media center prior to the first day of student/teacher interaction **provided** the time is spent in accordance with state law and current ADE rules that deal with PD. The hours may be earned through online PD approved by the ADE provided the PD relates to the district's ACSIP and the teacher's PDP. Licensed personnel who meet the requirements of this paragraph, the

associated statute, and ADE Rules shall be entitled to one (1) hour of PD for each hour of approved preparation.

Licensed personnel shall receive five (5) PD hours for each credit hour of a graduate level college course that meets the criteria identified in law and applicable ADE rules. A maximum of fifteen (15) such hours may be applied toward the thirty six (36) hours of PD required annually for license renewal.[8]

In addition to other required PD, personnel of Alternative Learning Environments shall receive PD on classroom management and on the specific needs and characteristics of students in alternative education environments.

District administrators as well as licensed personnel selected by the superintendent or building principal shall receive training on the appropriate use of restraint and seclusion in accordance with ADE's Advisory Guidelines for the Use of Student Restraints in Public School or Educational Settings.

Employees who do not receive or furnish documentation of the required annual PD jeopardize the accreditation of their school and academic achievement of their students. Failure of an employee to receive his/her required annual hours of PD in any given year, unless due to illness as permitted by law, ADE Rule, and this policy, shall be grounds for disciplinary action up to and including termination.

Approved PD activities may include:

- Conferences/workshops/institutes;
- Mentoring/peer coaching;
- Study groups/learning teams;
- National Board for Professional Teaching Standards Certification;
- Distance and online learning (including ArkansasIDEAS;
- Internships;
- State,/district /school programs;
- Approved college/university course work;
- Action research; and
- Individually guided (to be noted in the employee's PDP).

Approved PD activities that occur during the instructional day or outside the licensed employee's annual contract days may apply toward the annual minimum PD requirement.

PD activities shall relate to the following areas:

- Content (K-12);
- Instructional strategies;
- Assessment/data-driven decision making;
- Advocacy/leadership/fiscal management;
- Systemic change process;
- Standards, frameworks, and curriculum alignment;
- Supervision;
- Mentoring/peer coaching;
- Next generation learning/integrated technology;
- Principles of learning/developmental stages/diverse learners;
- Cognitive research;
- Parent involvement/academic planning and scholarship;

- Building a collaborative learning community;
- Student health and wellness; and
- The Code of Ethics for Arkansas Educators.

Additional activities eligible for PD credit, as included in the District, school, and licensed employee's PDP, include:

- School Fire Marshall program (A.C.A. § 6-10-110);
- Tornado safety drills (A.C.A. § 6-10-121);
- Literacy assessments and/or mathematics assessments (A.C.A. § 6-15-420);
- Test security and confidentiality (A.C.A. § 6-15-438);
- Emergency plans and the Panic Button Alert System (A.C.A. § 6-15-1302);
- Teacher Excellence and Support System (A.C.A. § 6-17-2806);
- Student discipline training (A.C.A. § 6-18-502);
- Student Services Program (A.C.A. § 6-18-1004);
- Training required by ADE under academic, fiscal and facilities distress statutes and rules; and
- Annual active shooter drills (6-15-1303).[9]

Notes: There are special rules that apply to part time employees who teach adults or are high school equivalency Test examiners. Since such employees apply to very few districts, they are not included in this policy. PD for such employees is covered under 7.04 of the rules and A.C.A. § 6-17-706.

[1] The rules make July 1 through June 30 the default. Districts using those dates no longer need documentation of its choice. Districts can still choose June 1 through May 30, but that choice would have to be documented. The documentation may be noted by the selection chosen for this policy and also in the district's "plan" for professional development required by A.C.A. § 6-17-704(c)(1).

[2] A.C.A. § 6-17-2402(1) defines a "basic contract" as a teacher employment contract for 190 days that includes no less than six (6) days of PD. When calculated with the one hundred seventy-eight (178) mandatory student contact days and the two (2) parent-teacher conference days, this means there are four (4) days unassigned in the basic contract. Districts may use these days as additional student contact days, parent-teacher conferences, for classroom setup, or PD. The use for the days may vary from school to school or even from licensed employee to licensed employee, though days used for additional student contact days should be uniform throughout the district and staff. The use of the four (4) days may be assigned on the school calendar or otherwise accounted for in policy. If districts require employees to use those four (4) days for something other than PD but require the licensed employee to receive more than thirty-six (36) hours of PD, then the district must pay the employee for the additional hours of district mandated PD as set forth in footnote 4.

[3] The number of contract days may vary between employees, but the concern here is with the number of contract days specified in each individual employee's contract.

[4] There is confusion surrounding districts requiring more than the required PD and employees who get more than their required hours, but do so of their own choosing. A.C.A. § 6-17-807(a) requires districts to pay a teacher their daily rate of pay for days worked in excess of the number in their contract. Each six (6) hours of PD equal one day worked. Teachers who are

required/requested to attend six (6) more hours than would total the number of days in the employee's contract have worked an extra day of their contract. This can be addressed by giving the employees a flex PD day off or paying them their daily rate of pay for the extra day worked. Teachers who are so dedicated that, on their own, they get more than their required PD hours do not get credit for a day worked for each six (6) hours of excess PD.

[5] This requirement tracks the language in model policy 3.50—ADMINISTRATOR EVALUATOR CERTIFICATION and is based on the TESS Rules. A corollary point to this policy's sentence is to make the hiring of any new administrator who will be responsible for conducting TESS summative evaluations contingent upon the new hire's successful credentialing for TESS evaluations. We suggest calling the ASBA staff attorney for language, including required completion dates and employment consequences, for both the hiring motion, and to include on the contract, where it should remain until TESS credentials are successfully obtained.

[6] TESS includes requirements and restrictions on PD that is not otherwise prescribed by law or rule and that varies by whether the teacher has a summative evaluation and/or is on Intensive Support Status. Consult A.C.A. § 6-17-2806 for specifics.

[7] This is required by A.C.A. § 6-41-608. There is no statutory clarification regarding required hours of training, but teachers will need to be credited toward the required hours of PD for time spent fulfilling the requirement. A.C.A. § 6-41-609 and 1.02.2.2 of the PD Rules delegate future dyslexia training to Higher Education.

[8] ~~This is an instance of the rules not mirroring the statute, A.C.A. § 6-15-1004(c), so we~~ We suggest reading A.C.A. § 6-15-1004(c) and Section 4 of the PD Rules ~~along with the statute~~. Both permit the district to require additional hours~~, but~~ however, if you choose to do so and the employee's required PD would total more hours than the number of contract days provided for in the employee's contract, then the employee is due his/her daily rate of pay for the excess hours. See footnote #4.

[9] Districts are required to annually provide active shooter drill and school safety assessment training for all of its employees and, to the extent practicable, students, in collaboration with local law enforcement and emergency management personnel. Since this is statutorily required training (PD), employees get to count it toward their annual required hours.

Cross References: Policy 3.50—ADMINISTRATOR EVALUATOR CERTIFICATION
Policy 4.37—EMERGENCY DRILLS

Legal References: Arkansas State Board of Education: Standards of Accreditation 15.04
ADE Rules Governing Professional Development
ADE Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements
ADE Rules Governing Student Special Needs Funding
ADE Advisory Guidelines for the Use of Student Restraints in Public School or Educational Settings
A.C.A. § 6-10-121
A.C.A. § 6-10-122
A.C.A. § 6-10-123

A.C.A. § 6-15-404(f)(2)
A.C.A. § 6-15-420
A.C.A. § 6-15-426(f)(g)(h)
A.C.A. § 6-15-438
A.C.A. § 6-15-1004(c)
A.C.A. § 6-15-1302
A.C.A. § 6-15-1303
A.C.A. § 6-15-1703
A.C.A. § 6-16-1203
A.C.A. § 6-17-703
A.C.A. § 6-17-704
A.C.A. § 6-17-708
A.C.A. § 6-17-709
A.C.A. § 6-17-2806
A.C.A. § 6-17-2808
A.C.A. § 6-18-502(f)
A.C.A. § 6-18-514(f)
A.C.A. § 6-20-2204
A.C.A. § 6-20-2303 (15)
A.C.A. § 6-41-608
A.C.A. § 6-61-133

Date Adopted:
Last Revised:7/1/16

3.7 - LICENSED PERSONNEL BUS DRIVER DRUG TESTING

Scope of Policy

Each person hired for a position that allows or requires the employee operate a school bus shall meet the following requirements:

1. The employee shall possess a current commercial vehicle drivers license for driving a school bus;
2. Have undergone a physical examination, which shall include a drug test, by a licensed physician or advanced practice nurse within the past two years; and
3. A current valid certificate of school bus driver in service training.

Each person's initial employment for a job entailing a safety sensitive function is conditioned upon the district receiving a negative drug test result for that employee. The offer of employment is also conditioned upon the employee's signing an authorization for the request for information by the district from the Commercial Driver Alcohol and Drug Testing Database.

Methods of Testing

The collection, testing methods and standards shall be determined by the agency or other medical organizations chosen by the School Board to conduct the collection and testing of samples. The drug and alcohol testing is to be conducted by a laboratory licensed pursuant to the most recent guidelines issued by the United States Department of Health and Human Services for such facilities ("Mandatory Guidelines for Federal Workplace Drug Testing Programs").

Definitions

"Safety sensitive function" includes:

a) All time spent inspecting, servicing, and/or preparing the vehicle;
b) All time spent driving the vehicle;
c) All time spent loading or unloading the vehicle or supervising the loading or unloading of the vehicle; and
d) All time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

"School Bus" is a motorized vehicle that meets the following requirements:

1. Is designed to carry more than ten (10) passengers;
2. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
3. Is operated for the transportation of students from home to school, from school to home, or to and from school events.

Requirements

Employees shall be drug and alcohol free from the time the employee is required to be ready to work until the employee is relieved from the responsibility for performing work and/or any time they are performing a safety-sensitive function. In addition to the testing required as an initial condition of

employment, employees shall submit to subsequent drug tests as required by law and/or regulation. Subsequent testing includes, and/or is triggered by, but is not limited to:

1. Random tests;
2. Testing in conjunction with an accident;
3. Receiving a citation for a moving traffic violation; and
4. Reasonable suspicion.

Prohibitions

A. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater;
B. No driver shall use alcohol while performing safety-sensitive functions;
C. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol;
D. No driver required to take a post-accident alcohol test under #2 below shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first.
E. No driver shall refuse to submit to an alcohol or drug test in conjunction with #1,2 and/or 4 above;
F. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when used pursuant to the instructions of a licensed medical practitioner who, with knowledge of the driver's job responsibilities, has advised the driver that the substance will not adversely affect the driver's ability to safely operate his/her vehicle. It is the employee's responsibility to inform his/her supervisor of the employee's use of such medication.
G. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

Violation of any of these prohibitions may lead to disciplinary action being taken against the employee, which could include termination or non-renewal.

Testing for Cause

Drivers involved in an accident in which there is a loss of another person's life shall be tested for alcohol and controlled substances as soon as practical following the accident. Drivers shall also be tested for alcohol within eight (8) hours and for controlled substances within thirty two (32) hours following an accident for which they receive a citation for a moving traffic violation if the accident involved: 1) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or 2) one or more motor vehicles incurs disabling damage as a result of the accident requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Refusal to Submit

Refusal to submit to an alcohol or controlled substance test means that the driver

- Failed to appear for any test within a reasonable period of time as determined by the employer consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a urine specimen for any required drug test;
- Failed to provide a sufficient amount of urine without an adequate medical reason for the failure;

- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the drive to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

School bus drivers should be aware that refusal to submit to a drug test when the test is requested based on a reasonable suspicion can constitute grounds for criminal prosecution.

Consequences for Violations

Drivers who engage in any conduct prohibited by this policy, who refuse to take a required drug or alcohol test, refuse to sign the request for information required by law, or who exceed the acceptable limits for the respective tests shall no longer be allowed to perform safety-sensitive functions. Actions regarding their continued employment shall be taken in relation to their inability to perform these functions and could include termination or non-renewal of their contract of employment.

Drivers who exhibit signs of violating the prohibitions of this policy relating to alcohol or controlled substances shall not be allowed to perform or continue to perform safety-sensitive functions if they exhibit those signs during, just preceding, or just after the period of the work day that the driver is required to be in compliance with the provisions of this policy. This action shall be based on specific, contemporaneous, articulatable observations concerning the behavior, speech, or body odors of the driver. The Superintendent or his/her designee shall require the driver to submit to "reasonable suspicion" tests for alcohol and controlled substances. The direction to submit to such tests must be made just before, just after, or during the time the driver is performing safety-sensitive functions. If circumstances prohibit the testing of the driver the Superintendent or his/her designee shall remove the driver from reporting for, or remaining on, duty for a minimum or 24 hours from the time the observation was made triggering the driver's removal from duty.

If the result for an alcohol test administered to a driver is equal to or greater than 0.02, but less than 0.04, the driver shall be prohibited from performing safety-sensitive functions for a period not less than 24 hours from the time the test was administered. Unless the loss of duty time triggers other employment consequence policies, no further other action against the driver is authorized by this policy for test results showing an alcohol concentration of less than 0.04.

Legal Reference: A.C.A. § 6-19-108
A.C.A. § 6-19-119
A.C.A.§27-23-201 et seq.
49 C.F.R. § 382-101-605
49 C.F.R. § part 40
49 C.F.R. § 390.5
Ark. Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers

Date Adopted:
Date Revised: 05/13/2014

3.8 - LICENSED PERSONNEL SICK LEAVE (ASBA Option "B")

Definitions

1. "Employee" is a full-time employee of the District.

2. "Sick Leave" is absence from work due to illness, whether by the employee or a member of the employee's immediate family, or due to a death in the family. The principal shall determine whether sick leave will be approved on the basis of a death outside the immediate family of the employee.

3. "Excessive Sick Leave" is absence from work , whether paid or unpaid, that exceeds twelve (12) days in a contract year for an employee and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American's With Disabilities Act; or due to a compensable Workers' Compensation claim.

4. "Grossly Excessive Sick Leave" is absence from work, whether paid or unpaid, that exceeds ten percent (10%) of the employee's contract length and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American's With Disabilities Act; or due to a compensable Workers' Compensation claim.

5. "Current Sick Leave" means those days of sick leave for the current contract year, which leave is granted at the rate of one (1) day of sick leave per contracted month, or major part thereof.

6. "Accumulated Sick Leave" is the total of unused sick leave, up to a maximum of ninety (90) days accrued from previous contracts, but not used. Accumulated sick leave also includes the sick leave transferred from an employee's previous public school employment.[1]

7. "Immediate family" means an employee's spouse, child, parent, or any other relative provided the other relative lives in the same household as the teacher.

Sick Leave

The principal has the discretion to approve sick leave for an employee to attend the funeral of a person who is not related to the employee, under circumstances deemed appropriate by the principal.

Employees who are adopting or seeking to adopt a minor child or minor children may use up to fifteen (15) sick leave days in any school year for absences relating to the adoption, including time needed for travel, time needed for home visits, time needed for document translation, submission or preparation, time spent with legal or adoption agency representatives, time spent in court, and bonding time. See also, 3.32—LICENSED PERSONNEL FAMILY MEDICAL

LEAVE, which also applies. Except for bonding time, documentation shall be provided by the employee upon request.[2]

Pay for sick leave shall be at the employee's daily rate of pay, which is that employee's total contracted salary, divided by the number of days employed as reflected in the contract. Absences for illness in excess of the employee's accumulated and current sick leave shall result in a deduction from the employee's pay at the daily rate as defined above.

At the discretion of the principal (or Superintendent), and, if FMLA is applicable, subject to the certification or recertification provisions contained in policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE the District may require a written statement from the employee's physician documenting the employee's illness. Failure to provide such documentation of illness may result in sick leave not being paid, or in discipline up to and including termination.

Should a teacher be absent frequently during a school year, and said absences are not subject to FMLA leave, and if such a pattern of absences continues, or is reasonably expected to continue, the Superintendent may relieve the teacher of his/her assignment (with Board approval) and assign the teacher substitute duty at the teacher's daily rate of pay. Should the teacher fail, or otherwise be unable, to report for substitute duty when called, the teacher will be charged a day of sick leave, if available or if unavailable, the teacher will lose a day's wages at his/her daily rate of pay.

Temporary reassignment may also be offered or required in certain circumstances as provided in 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

If the employee's absences are excessive or grossly excessive as defined by this policy, disciplinary action may be taken against the employee, which could include termination or nonrenewal of the contract of employment. The superintendent shall have the authority when making his/her determination to consider the totality of circumstances surrounding the absences and their impact on district operations or student services.

Sick Leave and Family Medical Leave Act (FMLA) Leave

When an employee takes sick leave, the District shall determine if the employee is eligible for FMLA leave and if the leave qualifies for FMLA leave. The District may request additional information from the employee to help make the applicability[3] determination. If the employee is eligible for FMLA leave and if the leave qualifies under the FMLA, the District will notify the employee in writing, of the decision within five (5) workdays. If the circumstances for the leave as defined in policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE don't change, the District is only required to notify the employee once of the determination regarding the applicability of sick leave and/or FMLA leave within any applicable twelve (12) month period. To the extent the employee has accumulated sick leave, any sick leave taken that qualifies for FMLA leave shall be paid leave and charged against the employee's accrued leave including, once an employee exhausts his/her accumulated sick leave, vacation or personal leave. See 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE .

Sick Leave and Outside Employment
Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 3.44, if an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

3.8L – LEAVE OF ABSENCE (this section is older policy, not currently aligned with *model policies*)

Maternity Leave for Instructional Personnel
Instructional personnel who become pregnant will be allowed to teach as long as she and her physician think it is medically safe, as evidenced by her physician's written statement, and her performance is satisfactory.

Payment under the district's sick leave policy shall apply to pregnancy and childbirth on the same terms and conditions as they apply to other temporary disabilities. The teacher shall return to her assignment when it is medically safe after the termination of pregnancy as reflected in a physician's statement.

If a teacher is absent from her assignment more than five weeks (twenty five working days) during a semester, the superintendent may recommend to the Board of Education that she be given a leave of absence for the remainder of that semester and may be determined eligible for FMLA coverage, rules, and regulations..
If a teacher is given a leave of absence, any earned unused accumulated sick leave may be brought forward and apply upon the teacher's resumption of teaching duties.

Reporting Absence
Whenever a teacher will be absent from duty he/she should report this to the building principal or his/her designee as soon as possible and no later than 7:00 a.m. allowing the principal ample time to secure a substitute teacher.

Record Keeping for Sick Leave
Contracted staff shall complete appropriate district forms to report/request leave and submit it to their principal or supervisor. The principal or immediate supervisor will compile this information at the end of each month and forward it to the superintendent's office where it will be kept in permanent record.

Accumulated Sick Leave at Retirement
The district will buy back, at the current substitute pay, up to 45 days of accumulated sick leave for an employee who retires with at least 3 years of service in the district. For an employee who retires from the district with 5 years or more of service in the District, up to 90 accumulated sick days will be paid at the current substitute pay.

Notes: This policy is similar to Policy 8.5B. If you change this policy, review 8.5B at the same time to ensure applicable consistency between the two.

[1] A.C.A. § 6-17-1206(b)(2) requires that leave transferred from prior public school employment be used first. In addition, 1206(b)(3) requires that the leave, if any remains, be included in the total count of accumulated sick leave if the district pays out unused sick leave upon retirement.

[2] This paragraph is optional. Leave for adoption is protected by FMLA, but FMLA leave is unpaid unless otherwise provided for in policy. By including this paragraph, you would allow the employee to receive sick leave pay for the days missed during the adoption process. If you choose to include it, select the number of days of sick leave an employee may use annually for the adoption/bonding process (Fifteen (15) is not a required number of days).

[~~2~~3] As used in this policy, "applicable" is a very important word. Some leave taken under FMLA also applies to sick leave and therefore, the employee will get paid for the leave to the extent the employee has accumulated sick leave. Other leave taken under FMLA is not eligible for sick leave and therefore the FMLA leave is unpaid except to the extent vacation and/or personal leave is available to the employee. For instance, "applicable leave" in terms of time taken under FMLA due to the birth of a child will vary depending on the language in your district's policy on sick leave. For instance, if sick leave may be taken "for reason of personal illness or illness in the immediate family" (based on the statutory definition in A.C.A. § 6-17-1202), and an employee gives birth to a child, she may take sick leave for the amount of time that her personal physician deems it necessary for her to physically recover from childbirth. Once the medically necessary time has passed, sick leave is no longer appropriate and cannot be used. While under the FMLA, the employee could take additional time off work, she would need to take unpaid FMLA leave for this purpose, unless she had personal days or vacation days available. However, if your District has a much more liberal definition of sick leave in District policy, the results could be entirely different. For example, if your district has included an extremely liberal position of "paid time off" in this policy with no reference to personal or family illness required, then bonding time could be compensated. Another example would be the potential for overlap between pregnancy complications that arise to the level of a "serious health condition." For instance, pregnancy complications that rose to the level of a "serious health condition" would qualify for both, while missing work for a dentist's appointment would qualify for sick leave, but would not qualify for FMLA leave. Consult policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE when making the determination of what sick leave qualifies under both policies. It may also be helpful to consult 29 CFR 825.113, 114, and 115, which are available by calling the ASBA office.

Cross References:	3.18—LICENSED PERSONNEL OUTSIDE EMPLOYMENT 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE 3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION
Legal References:	A.C.A. § 6-17-1201 et seq. 29 USC §§ 2601 et seq. 29 CFR part 825

Date Adopted:
Last Revised: 7/1/16

3.9L - LICENSED PERSONNEL SICK LEAVE DONATION

[Note: This is NOT the ASBA policy("3.9 Sick Leave Bank"), but is a local policy.]

Licensed employees may donate accumulated sick leave days to other licensed employees in the case of a catastrophic situation, with the approval of the district's sick leave donation committee (defined as the members of the current licensed personnel policy committee). With the approval of the sick leave donations committee, licensed employees may donate accumulated sick leave days to a licensed employee in the case of a pregnancy when she has exhausted all of her sick leave and other paid time off.

A catastrophic situation is an illness, injury, or tragedy that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee's family, which incapacity requires the employee to take time off from work for a period of time to care for that family member, and taking extended time off work creates a financial hardship for the employee because he/she has exhausted all of his/her sick leave and other paid time off.

This does not include accidents for which the employee is receiving Workers' compensation. Absences from work for elective surgery may not be covered by donated sick day(s).

An employee who meets the eligibility requirements to receive sick leave donation days also may meet FMLA eligibility requirements. Thus, any time taken with donated sick leave may reduce your twelve (12) week FMLA entitlement for the calendar year in which it occurs.

Applying for Donations

1. The employee submits a request to the Superintendent and provides evidence of the catastrophic situation. The employee's next of kin or designee may make this request on behalf of an employee that is unable to make such a request on his/her own behalf. The request shall include a summary statement of the employee's or family member's situation.
2. The Superintendent will present the request to the district's sick leave donation committee for review to determine whether:
    a. the situation meets the definition of catastrophic or pregnancy as defined in this policy;
    b. the employee has exhausted all available paid leave benefits;
    c. the situation will necessitate the employee's extended absence from work; and
    d. the extended absence from work will create a financial hardship.
3. Once the committee makes the determination, the Superintendent will notify the employee of the decision, and will notify the licensed staff that they may donate sick leave days to the employee if they wish by signing the appropriate form.
4. Individual employees are not to solicit sick leave donations from other employees.

Donated days are only given one at a time on an as needed basis to the person they were donated for. Unused donated days will go back to the donor at the end of each school contract.

While Centerpoint School District payroll is scheduled to go out on the 20th of each month, payroll is calculated from the 5th of each month. Because of this, days requested or missed after the 5th will be recorded on the next month's payroll.

Legal Reference: A.C.A. § 6-17-1208
Date Adopted:
Last Revised: 04/29/13

3.10 - LICENSED PERSONNEL PLANNING TIME

The superintendent is responsible for ensuring master schedules are created which determine the timing and duration of each teacher's planning and scheduled lunch periods. Planning time is for the purpose of scheduling conferences, instructional planning, and preparation. Each teacher will have the ability to schedule these activities during his/her designated planning time. Teachers may not leave campus during their planning time without prior permission from their building level supervisor.

The planning time shall be in increments of not less than forty (40) minutes and shall occur during the student instructional day unless a teacher requests, in writing, to have his/her planning time occur outside of the student instructional day. For the purposes of this policy, the student instructional day means the time that students are required to be present at school

Legal Reference: A.C.A. § 6-17-114 (a)(d)

Date Adopted:
Last Revised: 06/14/12

3.11 - LICENSED PERSONNEL PERSONAL AND PROFESSIONAL LEAVE

Personal Leave

For the district to function efficiently and have the necessary personnel present to effect a high achieving learning environment, employee absences need to be kept to a minimum. The district acknowledges that there are times during the school year when employees have personal business that needs to be addressed during the school day. Each full-time employee shall receive two (2) days of personal leave per contract year. The leave may be taken in increments of *1, 2, 3 hours, ½ day, or a full day.*

Employees shall take personal leave or leave without pay for those absences which are not due to attendance at school functions which are related to their job duties and do not qualify for other types of leave (for sick leave see Policy 3.8 , for professional leave see below).

School functions, for the purposes of this policy, means:

1. Athletic or academic events related to the school district; and
2. Meetings and conferences related to education.

For employees other than the superintendent, the determination of what activities meet the definition of a school function shall be made by the employee's immediate supervisor or designee. For the superintendent, the school board of directors shall determine what activities meet the definition of a school function. In no instance shall paid leave in excess of allotted vacation days and/or personal days be granted to an employee who is absent from work while receiving remuneration from another source as compensation for the reason for their absence.

Any employee desiring to take personal leave may do so by making a written request to his supervisor at least twenty-four (24) hours prior to the time of the requested leave. The twenty-four hour requirement may be waived by the supervisor when the supervisor deems it appropriate.

Employees who fail to report to work when their request for a personal day has been denied or who have exhausted their allotted personal days, shall lose their daily rate of pay for the day(s) missed (leave without pay). While there are instances where personal circumstances necessitate an employee's absence beyond the allotted days of sick and/or personal leave, any employee who requires leave without pay must receive advance permission (except in medical emergencies and/or as permitted by policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE) from their immediate supervisor. Failure to report to work without having received permission to be absent is grounds for discipline, up to and including termination.

3.11L *One day of unused personal leave may be rolled over and carried into the next year, allowing employees to accumulate a maximum of three (3) personal days for a given year. Any unused personal leave days over the maximum of three will roll into and be added to the employee's sick leave total. Personal leave days may not be donated to other employees.*

Personal leave may not be taken the day before or the day after a holiday.

Professional Leave

"Professional Leave" is leave granted for the purpose of enabling an employee to participate in professional activities (e.g., teacher workshops or serving on professional committees) which can serve to improve the school District's instructional program or enhances the employee's ability to perform his duties. Professional leave will also be granted when a school District employee is subpoenaed for a matter arising out of the employee's employment with the school District. Any employee seeking professional leave must make a written request to his immediate supervisor, setting forth the information necessary for the supervisor to make an informed decision. The supervisor's decision is subject to review and overruling by the superintendent. Budgeting concerns and the potential benefit for the district's students will be taken into consideration in reviewing a request for professional leave.

Applications for professional leave should be made as soon as possible following the employee's discerning a need for such leave, but, in any case, no less than two (2) weeks before the requested leave is to begin, if possible.

If the employee does not receive or does not accept remuneration for his/her participation in the professional leave activity and a substitute is needed for the employee, the District shall pay the full cost of the substitute. If the employee receives and accepts remuneration for his/her participation in the professional leave activity (e.g. scholastic audits), the employee shall forfeit his/her daily rate of pay for the District for the time the employee misses. The cost of a substitute, if one is needed, shall be paid by the employee/District.

Legal Reference: A.C.A. § 6-17-211

Date Adopted:
Last Revised: 7/1/16

3.12- LICENSED PERSONNEL RESPONSIBILITIES IN DEALING WITH SEX OFFENDERS ON CAMPUS

Individuals who have been convicted of certain sex crimes must register with law enforcement as sex offenders. Arkansas law places restrictions on sex offenders with a Level 1 sex offender having the least restrictions (lowest likelihood of committing another sex crime).

While Levels 1 and 2 place no restrictions prohibiting the individual's presence on a school campus, Levels 3 and 4 have specific prohibitions. These are specified in Policy 6.10 – SEX OFFENDERS ON CAMPUS (MEGAN'S LAW) and it is the responsibility of district staff to know and understand the policy and, to the extent requested aid school administrators in enforcing the restrictions placed on campus access to Level 3 and Level 4 sex offenders.

It is the intention of the board of directors that district staff not stigmatize students whose parents or guardians are sex offenders while taking necessary steps to safeguard the school community and comply with state law. Each school's administration should establish procedures so attention is not drawn to the accommodations necessary for registered sex offender parents or guardians.

Legal References: A.C.A. § 12-12-913 (g) (2)
Arkansas Department of Education Guidelines for "Megan's Law"
A.C.A. § 5-14-132

Date Adopted:
Last Revised:

3.13 - LICENSED PERSONNEL - PUBLIC OFFICE

An employee of the District who is elected to the Arkansas General Assembly or any elective or appointive public office (not legally constitutionally inconsistent with employment by a public school district) shall not be discharged or demoted as a result of such service.

No sick leave will be granted for the employee's participation in such public office. The employee may take personal leave or vacation (if applicable), if approved in advance by the Superintendent, during his/her absence.

Prior to taking leave, and as soon as possible after the need for such leave is discerned by the employee, he/she must make written request for leave to the Superintendent, setting out, to the degree possible, the dates such leave is needed.

An employee who fraudulently requests sick leave for the purpose of taking leave to serve in public office may be subject to non-renewal or termination of his/her employment contract.

Note: This policy is similar to Policy 8.9. If you change this policy, review 8.9 at the same time to ensure applicable consistency between the two.

Legal Reference: A.C.A. § 6-17-115

Date Adopted:
Last Revised: 06/14/12

3.14 - LICENSED PERSONNEL JURY DUTY

Employees are not subject to discharge, loss of sick leave, loss of vacation time or any other penalty due to absence from work for jury duty, upon giving reasonable notice to the district through the employee's immediate supervisor.

The employee must present the original (not a copy) of the summons to jury duty to his/her supervisor in order to confirm the reason for the requested absence.

Employees shall receive their regular pay from the district while serving jury duty.

Legal Reference: A.C.A. § 16-31-106

Date Adopted:
Last Revised:

3.15 - LICENSED PERSONNEL LEAVE – INJURY FROM ASSAULT

Any teacher who, while in the course of their employment, is injured by an assault or other violent act; while intervening in a student fight; while restraining a student; or while protecting a student from harm, may be granted a leave of absence for up to one (1) year from the date of the injury, with full pay.

A leave of absence granted under this policy shall not be charged to the teacher's sick leave.

In order to obtain leave under this policy, the teacher must present documentation of the injury from a physician, with an estimate for time of recovery sufficient to enable the teacher to return to work, and written statements from witnesses (or other documentation as appropriate to a given incident) to prove that the incident occurred in the course of the teacher's employment.

Legal Reference: A.C.A. § 6-17-1209

Date Adopted:
Last Revised:

3.16 - LICENSED PERSONNEL REIMBURSEMENT FOR THE PURCHASE OF SUPPLIES

Pre-kindergarten through sixth grade teachers shall be allotted the amount required by law per student enrolled in the teacher's class to be used for the purchase of classroom supplies and class activities. The amount shall be credited to an account from which the teacher shall be reimbursed for his/her covered purchases to the extent funds are available in the account. For the purpose of this policy, pre-kindergarten through sixth grade teachers shall be eligible for the allotted supply reimbursement for those students enrolled in the teacher's class for more than 50% of the school day at the end of the first three months of the school year.

Teachers may purchase materials and supplies using their own funds and apply for reimbursement by submitting itemized receipts up to the amount allotted. Supplies and materials purchased with school funds, or for which the teacher is reimbursed with school funds, are school property, and should remain on school property except to the extent they are used up or consumed or the purchased supplies and/or materials are intended/designed for use away from the school campus.

Reimbursement requests submitted by the 10th of each month will be processed by the 20th of each month.

Unused allotments shall not be carried over from one fiscal year to the next.

Legal Reference: A.C.A. § 6-21-302(b)(1)

Date Adopted:
Last Revised: 06/14/12

3.17 - INSULT OR ABUSE OF LICENSED PERSONNEL

Employees are protected from abusive language and conduct by state law. An employee may report to the police any language which is calculated to:

1. Cause a breach of the peace;

2. Materially and substantially interfere with the operation of the school; and/or

3. Arouse the person to whom the language is addressed to anger, to the extent likely to cause imminent retaliation.

Legal Reference: A.C.A. § 6-17-106

Date Adopted:
Last Revised:

3.18 - LICENSED PERSONNEL OUTSIDE EMPLOYMENT

An employee of the district may not be employed in any other capacity during regular working hours.

An employee may not accept employment outside of his/her district employment which will interfere, or otherwise be incompatible with the district employment, including normal duties outside the regular work day; nor shall an employee accept other employment which is inappropriate for an employee of a public school.

The Superintendent, or his/her designee(s), shall be responsible for determining whether outside employment is incompatible, conflicting or inappropriate.

When a licensed employee is additionally employed by the District in either a classified capacity or by a contract to perform supplementary duties for a stipend or multiplier, the duties, expectations, and obligations of the primary licensed position employment contract shall prevail over all other employment duties unless the needs of the district dictate otherwise. If there is a conflict between the expectations of the primary licensed position and any other contracted position, the licensed employee shall notify the employee's building principal as far in advance as is practicable. The building principal

shall verify the existence of the conflict by contacting the supervisor of the secondary contracted position. The building principal shall determine the needs of the district on a case-by-case basis and rule accordingly. The principal's decision is final with no appeal to the Superintendent or the School Board. Frequent conflicts or scheduling problems could lead to the non-renewal or termination of the classified contract of employment or the contract to perform the supplementary duties.

Sick Leave and Outside Employment

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 3.44, if an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

Legal Reference: A.C.A. § 6-24-106,107,111

Cross References: 3.8—LICENSED PERSONNEL SICK LEAVE
3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE
3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION

Date Adopted:
Last Revised: 6/29/2015

3.19 - LICENSED PERSONNEL EMPLOYMENT

All prospective employees must fill out an application form provided by the District, in addition to any resume provided; all of the information provided is to be placed in the personnel file of those employed.

If the employee provides false or misleading information, or if he/she withholds information to the same effect, it may be grounds for dismissal. In particular, it will be considered a material misrepresentation and grounds for termination of contract of employment if an employee's licensure status is discovered to be other than as it was represented by an employee or applicant, either in writing on application materials or in the form of verbal assurances or statements made to the school district.

It is grounds for termination of contract of employment if an employee fails a criminal background check or receives a true report on the Child Maltreatment Central Registry check.[1]

An individual with a currently suspended license or whose license has been revoked by the State Board of Education is not eligible to be employed by the District; this prohibition includes employment as a substitute teacher, whether directly employed by the District or providing substitute teaching services under contract with an outside entity.

The Centerpoint District is an equal opportunity employer and shall not discriminate on the grounds of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, age, disability, or genetic information.[2]

Inquiries on non-discrimination may be directed to Superintendent Dan Breshears, who may be reached at 870-356-2912. For further information on notice of non-discrimination or to file a complaint, visit http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

In accordance with Arkansas law[5], the District provides a veteran preference to applicants who qualify for one of the following categories:
1. a veteran without a service-connected disability;
2. a veteran with a service-connected disability; and
3. a deceased veteran's spouse who is unmarried throughout the hiring process.

For purposes of this policy, "veteran" is defined as:
a. A person honorably discharged from a tour of active duty, other than active duty for training only, with the armed forces of the United States; or
b. Any person who has served honorably in the National Guard or reserve forces of the United States for a period of at least six (6) years, whether or not the person has retired or been discharged.

In order for an applicant to receive the veterans preference, the applicant must be a citizen and resident of Arkansas, be substantially equally qualified as other applicants and do all of the following:
1. Indicate on the employment application the category the applicant qualifies for;
2. Attach the following documentation, **as applicable**, to the employment application:
   - Form DD-214 indicating honorable discharge;
   - A letter dated within the last six months from the applicant's command indicating years of service in the National Guard or Reserve Forces as well as the applicant's current status;
   - Marriage license;
   - Death certificate;
   - Disability letter from the Veteran's Administration (in the case of an applicant with a service-related disability).

Failure of the applicant to comply with the above requirements shall result in the applicant not receiving the veteran preference; in addition, meeting the qualifications of a veteran or spousal category does not guarantee either an interview or being hired.

3.19L The Centerpoint School District will recognize out of state teaching experience and other teaching experience as long as the teaching job required a state licensed position and the teacher had a valid teaching certificate at the time of the teaching position.

Any vacant positions that are to be advertised shall be posted at a minimum by:

- *Internet*
- *The district website*
- *By interschool email to all staff*

Notes: This policy is similar to Policy 8.13. If you change this policy, review 8.13 at the same time to ensure applicable consistency between the two.

[1] A.C.A. § 6-17-411 allows an individual who fails the criminal background check or has a true finding on the Child Maltreatment Central Registry to be employed by a district if the State Board grants a waiver. A.C.A. § 6-17-410 provides that the State Board must receive a written request for a hearing for a waiver within thirty (30) days from when notice of the individual's denial, nonrenewal, or revocation is received. Either the school board or the individual seeking employment may request the hearing for a waiver. A waiver from the State Board for an individual to get a license counts as a waiver for the same offense when hiring.

[2] A copy of the non discrimination statement should be included in all district publications unless the publication is intended only for students and parents. Publications intended only for students and parents should include the nondiscrimination clause in Policy 4.11—EQUAL EDUCATIONAL OPPORTUNITY.

[3] Insert the position(s) designated to be contacted on discrimination inquiries. If you have different positions designated to answer questions on disability discrimination (504 coordinator) and sex discrimination (Title IX coordinator), then you will need to include the position responsible for each area. Do not include the name(s) of the person(s) to be contacted in the policy; changing the name of the person (due to a staffing change) would necessitate amending the policy, which would require it to go through the entire adoption process.

[4] Insert the address and phone number to be used to contact the designated position. If you have more than one position designated as set forth in footnote 2, you will need to include a contact number and address for each position. The contact number and address may be the school/district address and phone number.

[5] Act 444 of 2013, as codified at A.C.A. § 21-3-301 et seq., added public schools to the list of employers required to provide a preference to applicants who qualify for a veteran or a deceased veteran's spouse category when selecting interview candidates, during the interview process, in selecting a new employee.

A.C.A. § 21-3-302 covers the requirements for giving a veteran preference during the application, interview, and hiring processes. The statute does not require districts to use a

particular scoring method to demonstrate giving a preference and districts can continue using the system they have previously been using. However, A.C.A. § 21-3-302 and A.C.A. § 21-3-303 require districts be able to demonstrate that any qualifying applicant was given a preference during the entire application, interview, and hiring, processes.

If a veteran who is not hired requests, the district must provide the veteran with his/her base score, adjusted score, and the successful candidate's score. While there is no statutorily required method, ASBA suggests districts use a numerical scoring rubric for the entire hiring process. The use of such a rubric makes it easy to demonstrate a preference was given as you can point to where qualifying applicants received additional points. Districts that don't use a numerical scoring method are required, upon a veteran's request, to provide all documentation allowed to be released under FOIA to the veteran to demonstrate how the preference was used to develop the list of qualified candidates to be interviewed and to select the person actually hired.

Legal References:
A.C.A. § 6-17-410
A.C.A. § 6-17-411
A.C.A. § 21-3-302
A.C.A. § 21-3-303
28 C.F.R. § 35.106
29 C.F.R. part 1635
34 C.F.R. § 100.6
34 C.F.R. § 104.8
34 C.F.R. § 106.9
34 C.F.R. § 108.9
34 C.F.R. § 110.25

Date Adopted:
Last Revised: 7/1/16

3.20 - LICENSED PERSONNEL TRAVEL: REIMBURSEMENT OF TRAVEL EXPENSES, SCHOOL VEHICLE FOR TRAVEL, and OUT-OF-STATE TRAVEL

Employees shall be reimbursed for personal and/or travel expenses incurred while performing duties or attending workshops or other employment-related functions, provided that prior written approval for the activity for which the employee seeks reimbursement has been received from the Superintendent, principal (or other immediate supervisor with the authority to make school approvals), or the appropriate designee of the Superintendent and that the teacher's attendance/travel was at the request of the District.

It is the responsibility of the employee to determine the appropriate supervisor from which he/she must obtain approval.

Reimbursement claims must be made on forms provided by the District and must be supported by appropriate, original receipts. Copies of receipts or other documentation are not acceptable, except in extraordinary circumstances.

Use of School Vehicle by Staff

The school vehicle will not be furnished or mileage paid for the normal 60 hours of professional development.

The vehicle may be used for other training, away from the school campus, with special permission from the Superintendent's Office. The school vehicles will be on a first-come, first-served basis. However, a person may be "bumped" by a staff member going a greater distance. In that case, the staff member being denied use of the school vehicle will receive mileage reimbursement at the district's current rate per mile.

If more than one person is going to the same meeting, arrangements should be made to carpool. The school will only reimburse for one trip vehicle unless otherwise preapproved in advance by the administration.

All out-of-state travel and related expenses by staff must be pre-approved by the superintendent. When traveling distances were warranted, airfare or mileage reimbursement may be requested with the amount granted the being the lesser amount of the two.

Date Adopted:
Last Revised: 06/14/12

3.21 - LICENSED PERSONNEL TOBACCO USE

Smoking or the use of tobacco, or product containing tobacco in any form, in or on any property owned or leased by the district, including buses or other school vehicles, is prohibited.

Legal Reference: A.C.A. § 6-21-609

Date Adopted:
Last Revised: 05/09/11

3.22 - DRESS OF LICENSED PERSONNEL

Employees shall ensure that their dress and appearance are professional and appropriate to their positions.

Date Adopted:
Last Revised:

3.23 - LICENSED PERSONNEL POLITICAL ACTIVITY

Employees are free to engage in political activity outside of work hours to the extent that it does not affect the performance of their duties or adversely affect important working relationships.

It is specifically forbidden for employees to engage in political activities on the school grounds or during work hours. The following activities are forbidden on school property:

1. Using students for preparation or dissemination of campaign materials;

2. Distributing political materials;

3. Distributing or otherwise seeking signatures on petitions of any kind;

4. Posting political materials; and

5. Discussing political matters with student, in the classroom, in other than circumstances appropriate to the Frameworks and/or the curricular goals and objectives of the class.

Date Adopted:
Last Revised:

3.24 - LICENSED PERSONNEL DEBTS

For the purposes of this policy, "garnishment" of a district employee is when the employee has lost a lawsuit to a judgment creditor who brought suit against a school district employee for an unpaid debt, has been awarded money damages as a result, and these damages are recoverable by filing a garnishment action against the employee's wages. For the purposes of this policy, the word "garnishment" excludes such things as child support, student loan or IRS liens or voluntary deductions levied against an employee's wages.

All employees are expected to meet their financial obligations. If an employee writes "hot" checks or has his/her income garnished by a judgment creditor, dismissal may result.

An employee will not be dismissed for having been the subject of one (1) garnishment. However, a second or third garnishment may result in dismissal.

At the discretion of the Superintendent, he or his designee may meet with an employee who has received a second garnishment for the purpose of warning the employee that a third garnishment will result in a recommendation of dismissal to the School Board.

At the discretion of the Superintendent, a second garnishment may be used as a basis for a recommended dismissal. The Superintendent may take into consideration other factors in deciding whether to recommend dismissal based on a second garnishment. Those factors may include, but are not limited to, the amount of the debt, the time between the first and the second garnishment, and other financial problems which come to the attention of the District.

Date Adopted:
Last Revised: 04/29/13

3.25 - LICENSED PERSONNEL GRIEVANCES

The purpose of this policy is to provide an orderly process for employees to resolve, at the lowest possible level, their concerns related to the personnel policies or salary payments of this district.

Definitions
Grievance: a claim or concern related to the interpretation, application, or claimed violation of the personnel policies, including salary schedules, federal or state laws and regulation, or terms or conditions of employment, raised by an individual employee of this school district. Other matters for which the means of resolution are provided or foreclosed by statute or administrative procedures shall not be considered grievances. Specifically, no grievance may be entertained

against a supervisor for directing, instructing, reprimanding, or "writing up" an employee under his/her supervision. A group of employees who have the same grievance may file a group grievance.

Group Grievance: A grievance may be filed as a group grievance if it meets the following criteria: (meeting the criteria does not ensure that the subject of the grievance is, in fact, grievable).

1. More than one individual has interest in the matter; and
2. The group has a well-defined common interest in the facts and/or circumstances of the grievance; and
3. The group has designated an employee spokesperson to meet with administration and/or the board; and
4. All individuals within the group are requesting the same relief.

Employee: any person employed under a written contract by this school district.

Immediate Supervisor: the person immediately superior to an employee who directs and supervises the work of that employee.

Working day: Any weekday other than a holiday whether or not the employee under the provisions of their contract is scheduled to work or whether they are currently under contract.

Process

Level One: An employee who believes that he/she has a grievance shall inform that employee's immediate supervisor that the employee has a potential grievance and discuss the matter with the supervisor within five working days of the occurrence of the grievance. The supervisor shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. (The five-day requirement does not apply to grievances concerning back pay.) If the grievance is not advanced to Level Two within five days following the conference, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

If the grievance cannot be resolved by the immediate supervisor, the employee can advance the grievance to Level Two. To do this, the employee must complete the top half of the Level Two Grievance Form within five working days of the discussion with the immediate supervisor, citing the manner in which the specific personnel policy was violated that has given rise to the grievance, and submit the Grievance Form to his/her immediate supervisor. The supervisor will have ten working days to respond to the grievance using the bottom half of the Level Two Grievance Form which he/she will submit to the building principal or, in the event that the employee's immediate supervisor is the building principal, the superintendent.

Level Two: (when appeal is to the building principal): Upon receipt of a Level Two Grievance Form, the building principal will have ten working days to schedule a conference with the employee filing the grievance. The principal shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. After the conference, the principal will have ten working days in which to

deliver a written response to the grievance to the employee. If the grievance is not advanced to Level Three within five working days the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

Level Two (when appeal is to the superintendent): Upon receipt of a Level Two Grievance From, the superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

Level Three: If the proper recipient of the Level Two Grievance was the building principal, and the employee remains unsatisfied with the written response to the grievance, the employee may advance the grievance to the superintendent by submitting a copy of the Level Two Grievance Form and the principal's reply to the superintendent within five working days of his/her receipt of the principal's reply. The superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

Appeal to the Board of Directors: An employee who remains unsatisfied by the written response of the superintendent may appeal the superintendent's decision to the Board of Education within five working days of his/her receipt of the Superintendent's written response by submitting a written request for a board hearing to the superintendent. If the grievance is not appealed to the Board of Directors within five working days of his/her receipt of the superintendent's response, the mater will be considered resolved and the employee shall have no further right with respect to said grievance.

The school board will address the grievance at the next regular meeting of the school board, unless the employee agrees in writing to an alternate date for the hearing. After reviewing the Level Two Grievance Form and the superintendent's reply, the board will decide if the grievance, on its face, is grievable under district policy. If the grievance is presented as a "group grievance," the Board shall first determine if the composition of the group meets the definition of a "group grievance." If the Board determines that it is a group grievance, the Board shall then determine whether the matter raised is grievable. If the Board rules the composition of the group does not meet the definition of a group grievance, or the grievance, whether group or individual, is not grievable, the matter shall be considered closed. (Individuals within the disallowed group may choose to subsequently re-file their grievance as an individual grievance beginning with Level One of the process.) If the Board rules the grievance to be grievable, they shall immediately commence a hearing on the grievance. All parties have the right to representation by a person of their own choosing who is not a member of the employee's immediate family at the appeal hearing before the Board of Directors. The employee shall have no less than 90 minutes to present his/her grievance, unless a shorter period is agreed to by the employee and both parties shall have the opportunity to present and question witnesses. The hearing shall be open to the public unless the employee requests a private hearing. If the hearing is open, the

parent or guardian of any student under the age of eighteen years who gives testimony may elect to have the student's testimony given in closed session. At the conclusion of the hearing, if the hearing was closed, the Board of Directors may excuse all parties except board members and deliberate, by themselves, on the hearing. At the conclusion of an open hearing, board deliberations shall also be in open session unless the board is deliberating the employment, appointment, promotion, demotion, disciplining, or resignation of the employee. A decision on the grievance shall be announced no later than the next regular board meeting.

Records
Records related to grievances will be filed separately and will not be kept in, or made part of, the personnel file of any employee.

Reprisals
No reprisals of any kind will be taken or tolerated against any employee because he/she has filed or advanced a grievance under this policy.
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Legal Reference: A.C.A § 6-17-208
A.C.A § 6-17-210

Date Adopted:
Last Revised:

3.25F - LICENSED PERSONNEL LEVEL TWO GRIEVANCE FORM

Name:_____

Date submitted to supervisor: _____

Personnel Policy grievance is based upon: _____

Grievance (be specific): _____

What would resolve your grievance? _____

Supervisor's
Response:_____

Date submitted to recipient: _____

Date Adopted:
Last Revised:

3.26 - LICENSED PERSONNEL SEXUAL HARASSMENT

The Centerpoint School District is committed to having an academic and work environment in which all students and employees are treated with respect and dignity. Student achievement and amicable working relationships are best attained in an atmosphere of equal educational and employment opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

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

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

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

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

3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creates an intimidating, hostile, or offensive academic or work environment.

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

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

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

Employees who believe they have been subjected to sexual harassment are encouraged to file a complaint by contacting their immediate supervisor, administrator, or Title IX coordinator who will assist them in the complaint process. Under no circumstances shall an employee be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment. To the extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form.

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

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

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
Title VII of the Civil Rights Act of 1964, 42 USC 2000-e, et seq.
ACA § 6-16-1005 (b) (1)

Date Adopted:
Last Revised:

3.27 - LICENSED PERSONNEL SUPERVISION OF STUDENTS

All District personnel are expected to conscientiously execute their responsibilities to promote the health, safety, and welfare of the District's students under their care. The Superintendent shall direct all principals to establish regulations ensuring faculty supervision of students throughout the school day and at extracurricular activities.

Date Adopted:
Last Revised:

3.28 - LICENSED PERSONNEL COMPUTER USE POLICY

The Centerpoint School District provides computers and/or computer Internet access for many employees, to assist employees in performing work related tasks. Employees are advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that under Arkansas law both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act. Consequently, no employee or student-related reprimands or other disciplinary communications should be made through email.

Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users

from accessing material that is harmful to minors. The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.

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

Date Adopted:
Last Revised:

3.28F - LICENSED PERSONNEL INTERNET USE AGREEMENT

Name (Please Print) _____

School _____ Date _____

The Centerpoint School District agrees to allow the employee identified above ("Employee") to use the district's technology to access the Internet under the following terms and conditions:

1. Conditional Privilege: The Employee's use of the district's access to the Internet is a privilege conditioned on the Employee's abiding to this agreement.

2. Acceptable use: The Employee agrees that in using the District's Internet access he/she will obey all federal and state laws and regulations. Internet access is provided as an aid to employees to enable them to better perform their job responsibilities. Under no circumstances shall an Employee's use of the District's Internet access interfere with, or detract from, the performance of his/her job-related duties.

3. Penalties for Improper use: If the Employee violates this agreement and misuses the Internet, the Employee shall be subject to disciplinary action up to and including termination.

4. "Misuse of the district's access to the Internet" includes, but is not limited to, the following:
    a. using the Internet for any activities deemed lewd, obscene, vulgar, or pornographic as defined by prevailing community standards;
    b. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
    c. posting anonymous messages on the system;
    d. using encryption software;
    e. wasteful use of limited resources provided by the school including paper;
    f. causing congestion of the network through lengthy downloads of files;
    g. vandalizing data of another user;
    h. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
    i. gaining or attempting to gain unauthorized access to resources or files;
    j. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
    k. using the network for financial or commercial gain without district permission;
    l. theft or vandalism of data, equipment, or intellectual property;
    m. invading the privacy of individuals;
    n. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
    o. introducing a virus to, or otherwise improperly tampering with, the system;
    p. degrading or disrupting equipment or system performance;
    q. creating a web page or associating a web page with the school or school district without proper authorization;
    r. attempting to gain access or gaining access to student records, grades, or files of students not under their jurisdiction;
    s. providing access to the District's Internet Access to unauthorized individuals; or
    t. 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;
    u. making unauthorized copies of computer software.
    v. personal use of computers during instructional time.

w. installing software on district computers without prior approval of technology director or his/her designee.

5. Liability for debts: Staff shall be liable for any and all costs (debts) incurred through their use of the District's computers or the Internet including penalties for copyright violations.

6. No Expectation of Privacy: The Employee signing below agrees that in using the Internet through the Districts access, he/she waives any right to privacy the Employee may have for such use. The Employee agrees that the district may monitor the Employee's use of the District's Internet Access and may also examine all system activities the Employee participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system.

7. Signature: The Employee, who has signed below, has read this agreement and agrees to be bound by its terms and conditions.

Employee's Signature: _____ Date: _____

Date Adopted:
Last Revised:

3.29 - LICENSED PERSONNEL SCHOOL CALENDAR

The superintendent shall present to the personnel policies committee (PPC) a school calendar which the board has adopted as a proposal. The superintendent, in developing the calendar, shall accept and consider recommendations from any staff member or group wishing to make calendar proposals. The PPC shall have the time prescribed by law and/or policy in which to make any suggested changes before the board may vote to adopt the calendar.

The Centerpoint School District shall operate by the following calendar.

Legal Reference(s): A.C.A. § 6-17-201
Arkansas Comprehensive Testing, Assessment, and Accountability Plan Rules

Date Adopted:
Last Revised: 06-14-12

CENTERPOINT SCHOOL DISTRICT 2016-2017 CALENDAR

June 1-Aug 5	TBD	18 hours PD toward PGP (by admin approval)	(3 days)
August 3	Wednesday	Bus Driver Training	
August 8	Monday	New Staff Training / Teacher Work Day 1	(1 day)
August 9	Tuesday	District PD Day	(1 day)
August 10	Wednesday	District PD Day	(1 day)
August 11	Thursday	District PD Day (8am-2pm)	(1 day)
August 11	Thursday	Open House (5:00-6:30pm)	
August 15	Monday	Kindergarten Screening	
August 15	Monday	First Day of School	
August 22	Monday	First Day of Kindergarten classes	
September 5	Monday	Labor Day (No School)	
October 11	Tuesday	End 1st Quarter	41 days
October 17	Monday	Teacher Work Day 2 (No Students)	(1 day)
October 18	Tuesday	Parent-Teacher Conference 6-12 (3:30pm-7:00pm)	
October 20	Thursday	Parent-Teacher Conference K-5 (3:30pm-7:00pm)	
Nov. 21-25	Monday-Friday	Thanksgiving Holiday	(5 days)
December 16	Friday	End 2nd. Quarter	42 days
Dec. 19-Jan. 2	Monday-Monday	Christmas Holiday	(11 days)
January 3	Tuesday	Return to School	
February 9	Thursday	Parent-Teacher Conference (2:30pm-6:30pm)	(early dismissal)
February 10	Friday	Teacher Work Day 3 (No Students)	(1 day)
February 20	Monday	Inclement Weather day 1 (if not, no school)	(1 day)
March 10	Friday	End 3rd. Quarter	47 days
March 20-24	Monday-Friday	Spring Break	5 days
April 14	Friday	Inclement Weather day 2 if needed (if not, no school)	(1 day)
May 19	Friday	Inclement Weather day 3 (if not, no school)	(1 day)
May 26	Friday	End Fourth Quarter/End 2nd Semester	48 days
May 26	Friday	Last Day of School	178 days
May 29	Monday	Memorial Day Holiday	
May 30	Tuesday	* Inclement Weather day 4 if needed (if not, no students)	(1 day)
May 31	Wednesday	Inclement Weather day 5 if needed (if not, no school)	(1 day)
June 1	Thursday	* Teacher Work Day 4 (will be on 5/30 if no snow day)	(1 day)

Instructional Days	178
Summer PD (by Admin. Approval)	3
Required Professional Development Before School Begins	3
Teacher Work Days	4
Parent Teacher Conferences	2
Teacher Contracted Days	190
Inclement Weather Make-up Days	5 (Required)

PD Days: 36 hours (6 days) of professional development are required of districts and their licensed personnel.

**** District Days*** are the remaining 4 contractual days (of the 10 beyond student days) to be used at the discretion of district admin. In extraordinary circumstances, the superintendent may dismiss a scheduled school day, to be made up on an Inclement Weather day or added to the end of the calendar

3.30 - PARENT TEACHER CONFERENCES

Centerpoint high school and elementary schools will schedule one parent teacher conference day each semester.

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

Parent-teacher conferences are encouraged and may be requested by parents or guardians when they feel they need to discuss their child's progress with his/her teacher.

Conferences shall be scheduled at a time and place to best accommodate those participating in the conference. Documentation of each conference or non-participation will be kept on file. A teacher will follow up by phone call to any parent who does not attend the conference. Documentation will be kept on file for each phone call or attempt.

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

Legal References: State Board of Education Standards of Accreditation 12.04.1, 12.04.2, and 12.04.3
A.C.A. § 6-15-1701(b)(3)(C)

Date Adopted:
Last Revised: 06/14/12

3.31 - DRUG FREE WORKPLACE – LICENSED PERSONNEL

The conduct of district staff plays a vital role in the social and behavioral development of our students. It is equally important that the staff have a safe, healthful, and professional environment in which to work. To help promote both interests, the district shall have a drug free workplace. It is, therefore, the district's policy that district employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, alcohol, as well as inappropriate or illegal use of prescription drugs. Such actions are prohibited both while at work or in the performance of official duties while off district property; violations of this policy will subject the employee to discipline, up to and including termination.

To help promote a drug free workplace, the district shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the district's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. [CPC Pinnacle Point Hospital – (800) 880-3322, Family Service Agency (Drug Treatment Center) – (501) 372-4242, Wilbur D. Mills Addiction Treatment Center (White County) – (501) 268-7777, and Center for Youth and Families – (501) 666-9436]

Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance, whether or not engaged in any school or school-related activity, and the behavior of the employee, if under the influence, is such that it is inappropriate for a school employee in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination. This policy also applies to those employees who are under the influence of alcohol while on campus or at school-sponsored functions, including athletic events.

An employee living on campus or on school owned property is permitted to possess alcohol in his/her residence. The employee is bound by the restrictions stated in this policy while at work or performing his/her official duties.

Possession, use or distribution of drug paraphernalia by any employee, whether or not engaged in school or school-related activities, may subject the employee to discipline, up to and including termination. Possession in one's vehicle or in an area subject to the employee's control will be considered to be possession as though the substance were on the employee's person.

It shall not be necessary for an employee to test at a level demonstrating intoxication by any substance in order to be subject to the terms of this policy. Any physical manifestation of being under the influence of a substance may subject an employee to the terms of this policy. Those physical manifestations include, but are not limited to: unsteadiness; slurred speech; dilated or constricted pupils; incoherent and/or irrational speech; or the presence of an odor associated with a prohibited substance on one's breath or clothing.

Should an employee desire to provide the District with the results of a blood, breath or urine analysis, such results will be taken into account by the District only if the sample is provided within a time range that could provide meaningful results and only by a testing agency chosen or approved by the District. The District shall not request that the employee be tested, and the expense for such voluntary testing shall be borne by the employee.

Any incident at work resulting in injury to the employee requiring medical attention shall require the employee to submit to a drug test, which shall be paid at the District's worker's compensation carrier's expense. Failure for the employee to submit to the drug test or a confirmed positive drug test indicating the use of illegal substances or the misuse of prescription medications shall be grounds for the denial of worker's compensation benefits in accordance with policy 3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION.[2]

Any employee who is charged with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his/her immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive, excluding holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately.

If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.

Any employee so charged is subject to discipline, up to and including termination. However, the failure of an employee to notify his or her supervisor or the Superintendent of having been so charged shall result in that employee being recommended for termination by the Superintendent.

Any employee convicted of any criminal drug statute violation for an offense that occurred while at work or in the performance of official duties while off district property shall report the conviction within 5 calendar days to the superintendent. Within 10 days of receiving such notification, whether from the employee or any other source, the district shall notify federal granting agencies from which it receives funds of the conviction. Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

Any employee convicted of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances, or of drug paraphernalia, shall be recommended for termination.

Any employee who must take prescription medication at the direction of the employee's physician, and who is impaired by the prescription medication such that he/she cannot properly perform his/her duties shall not report for duty. Any employee who reports for duty and is so impaired, as determined by his/her supervisor, will be sent home. The employee shall be given sick leave, if owed any. The District or employee will provide transportation for the employee, and the employee may not leave campus while operating any vehicle. It is the responsibility of the employee to contact his/her physician in order to adjust the medication, if possible, so that the employee may return to his/her job unimpaired. Should the employee attempt to return to work while impaired by prescription medications, for which the employee has a prescription, he/she will, again, be sent home and given sick leave, if owed any. Should the employee attempt to return to work while impaired by prescription medication a third time the employee may be subject to discipline, up to and including a recommendation of termination.

Any employee who possesses, uses, distributes or is under the influence of a prescription medication obtained by a means other than his/her own current prescription shall be treated as though he was in possession, possession with intent to deliver, or under the influence, etc. of an illegal substance. An illegal drug or other substance is one which is (a) not legally obtainable; or (b) one which is legally obtainable, but which has been obtained illegally. The District may require an employee to provide proof from his/her physician and/or pharmacist that the employee is lawfully able to receive such medication. Failure to provide such proof, to the

satisfaction of the Superintendent, may result in discipline, up to and including a recommendation of termination.

A report to the appropriate licensing agency shall be filed within seven (7) days of:

1) A final disciplinary action taken against an employee resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances; or
2) The voluntary resignation of an employee who is facing a pending disciplinary action resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances.

The report filed with the licensing authority shall include, but not be limited to:

- The name, address, and telephone number of the person who is the subject of the report; and
- A description of the facts giving rise to the issuance of the report.

When the employee is not a healthcare professional, law enforcement will be contacted regarding any final disciplinary action taken against an employee for the diversion of controlled substances to one (1) or more third parties.

Notes: This policy is similar to Policy 8.28. If you change this policy, review 8.28 at the same time to ensure consistency between the two.

[1] This is where you should insert the drug counseling services, rehabilitation, and employee assistance abuse programs available within your district. For example, "Such services are available from the following sources…"

This policy addresses the requirement for Safe and Drug Free Schools which is required for your district to be eligible to receive **any** federal grants. It is required that all employees receive a copy of the policy and be advised of the contents and requirements of the policy. In addition to publishing a policy statement, the statutes require employers to establish a drug-free awareness program to educate employees about the dangers of drug abuse as well as about the specifics of their policy. The statute does not specify a particular format for the awareness program, although it does state that the education effort must be ongoing and not just a one-time event. For assistance in constructing a drug awareness program the Department of Labor has the following web site: http://www.dol.gov/asp/programs/drugs/workingpartners/materials/materials.asp.

[2] Requiring employees who need medical treatment for injuries at work to be drug tested is optional but is recommended. A.C.A. § 11-9-102 states that an injury resulting while the employee is under the influence of alcohol or illegal drugs is not a compensable injury. Requiring all employees to be drug tested for work injuries resulting in medical treatment will allow the district to abide the prohibition against paying worker's comp for a drug related injury.

Legal References: 41 U.S.C. § 8101, 8103, and 8104
A.C.A. § 11-9-102
A.C.A. § 17-80-117

Date Adopted:
Last Revised: 6/29/2015

not live in traditional 'nuclear' families with their biological father and mother. Increasingly, those who find themselves in need of workplace accommodation of their child care

responsibilities are not the biological parent of the children they care for, but their adoptive, step, or foster parents, their guardians, or sometimes simply their grandparents or other relatives or adults." Congress stated that the definition was intended to be "construed to ensure that an employee who actually has day-to-day responsibility for caring for a child is entitled to leave even if the employee does not have a biological or legal relationship to that child."

[3] Districts can choose one of four (4) possible "twelve (12) - month periods." Each one has possible advantages and disadvantages. Choose the one that will work best for your district. The four (4) options are:

1) the calendar year;
2) Any fixed twelve (12) - month leave year such as a fiscal year or a year starting on an employee's "anniversary" date;
3) The twelve (12) - month period measured forward from the date any employee's first FMLA leave for reasons 1 through 5 begins;
4) A rolling twelve (12) - month period measured backward from the date an employee uses any FMLA leave for reasons 1 through 5.

[4] A Department of Labor poster along with several additional forms that are necessary to fulfill FMLA's requirements are available at http://www.dol.gov/whd/fmla/index.htm. Please note that the DOL forms lack the required disclaimer required by the Genetic Information Nondiscrimination Act (GINA). We suggest that you include the following language taken from the final rule implementing the GINA:

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

[5] We suggest you use the Department of Labor's *Notice of Eligibility and Rights and Responsibilities* form (otherwise known as ~~Appendix D~~ WH-381) to help you fulfill the requirements of this section. It's available at the link in footnote #4 or by calling the ASBA office. When making the determination, we suggest initially erring on the side of granting it. Retroactively designating leave as FMLA has more potential liability for the district if the employee can demonstrate the initial failure to grant the leave under FMLA caused him/her harm or injury. If due to receipt of the medical certification, it turns out that the leave does not qualify, you will need to readjust the available FMLA leave accordingly.

[6] As used in this policy, "applicable" is a very important word. Some leave taken under FMLA also applies to sick leave and therefore, the employee will get paid for the leave to the extent the employee has sick leave accrued. Other leave taken under FMLA is not applicable to sick leave and therefore the FMLA leave is unpaid. For instance, "applicable leave" in terms of time taken under FMLA due to the birth of a child will vary depending on the language in your District's policy on sick leave. For instance, if sick leave may be taken "for reason of personal illness or illness in the immediate family" (based on the statutory definition in A.C.A. § 6-17-1202, and an employee gives birth to a child, she may take sick leave for the amount of time that her personal

physician deems it necessary for her to physically recover from childbirth. Once the medically necessary time has passed, sick leave is no longer appropriate and cannot be used. While under the FMLA, the employee could take additional time off work, she would need to take unpaid FMLA leave for this purpose, unless she had personal days or vacation days available. However, if your district has a much more liberal definition of sick leave in District policy, the results could be entirely different. Another example would be the potential for overlap between pregnancy complications that arise to the level of a "serious health condition." For instance, pregnancy complications that rose to the level of a "serious health condition" would qualify for both, while missing work for a dentist's appointment would qualify for sick leave, but would not qualify for FMLA leave. Consult policy 3.8—LICENSED PERSONNEL SICK LEAVE when making the determination of what sick leave qualifies under both policies.

[7] There are several issues that must be addressed in the written notice. ~~Appendix E of Part 825~~ The *Designation Notice* (WH-382) available from the Wage and Hour Division of the US Department of Labor is a good way to both give your employee written notice and help ensure you have included the necessary information in the notice. ~~Appendix E~~ The *Designation Notice* is available at the link contained in footnote #4 or by calling the ASBA office.

[8] The District cannot cancel an employee's insurance for the employee's failure to pay his/her share of the premium until the payment is thirty (30) or more days late. The District must give prior, written notice to the employee at least fifteen (15) days prior to the cancelation of the policy stating that the policy will be terminated on a given date if payment is not received by that date, which must be at least fifteen (15) days from the date of the letter.

[9] Due to the district's liability for meeting the requirement of this paragraph and similar obligations for life insurance premiums or other benefits, the District needs to consider picking up the costs of such premiums during an employee's **unpaid** FMLA leave **if** the employee fails to pay his/her share of the costs. If the District elects to maintain such benefits during the leave, at the conclusion of leave the District is entitled to recover only the costs incurred for paying the employee's share of any premiums whether or not the employee returns to work. To help you decide if you should choose to pay premium costs in such a situation, the following excerpt from 29 CFR 825.212(c):

If coverage lapses because an employee has not made required premium payments, upon the employee's return from FMLA leave the employer must still restore the employee to coverage/benefits equivalent to those the employee would have had if leave had not been taken and the premium payment(s) had not been missed, including family or dependent coverage. See § 825.215(d)(1) through (5). In such case, an employee may not be required to meet any qualification requirements imposed by the plan, including any new preexisting condition waiting period, to wait for an open season, or to pass a medical examination to obtain reinstatement of coverage. If an employer terminates an employee's insurance in accordance with this section and fails to restore the employee's health insurance as required by this section upon the employee's return, the employer may be liable for benefits lost by reason of the violation, for other actual monetary losses sustained as a direct result of the violation, and for appropriate equitable relief tailored to the harm suffered.

[10] You may choose the time interval of the required duty to report, but it must be reasonable.

[11] ASBA model policy 3.8—LICENSED PERSONNEL SICK LEAVE includes language entitling employees with up to fifteen (15) days of sick leave in a school-year for issue relating to the adoption of a child. If you have not adopted this provision, delete #2 from this sentence.

Include reason #1 if you have a liberal sick leave policy that would permit leave to be taken for bonding with a new born son or daughter.

[12] The Department of Labor's *Designation Notice* has entries that address this section's requirements. It's very helpful. ~~Unfortunately, the titles of the DOL forms leave a lot to be desired. The Designation notice **and** the *Medical Condition Certification* form are both listed as Appendix E.~~ For this section, you will ~~actually~~ need both ~~of them~~ the *Designation Notice* (WH-382) and the appropriate *Medical Certification form* (WH-380-E or WH-380-F); the *Designation Notice* to fulfill your notice requirements and the medical certification form to enable you to determine if the employee's leave is actually covered under the FMLA. They are ~~both~~ available at the link in footnote #4 or by calling the ASBA office.

[13] The types and amounts of leave available for a particular type of qualifying exigency are covered in 29 C.F.R. § 825.126. Call the ASBA office for a copy. ~~While the current CFR has not been updated since the FMLA law was amended, it can still be helpful to give an idea of the types of circumstances that trigger leave eligibility.~~

[14] You can use ~~Appendix G~~ WH-384, *Certification of Qualifying Exigency for Military Family Leave* to obtain the certification. ~~(It hasn't been updated to meet the changes in the FMLA law, but it will work.~~ It's available at the link in footnote #4 or by calling the ASBA office.

[15] You can use ~~Appendix H~~ WH-385, *Covered Service Member Serious Injury* form to obtain the certification. It's available at the link in footnote #4 or by calling the ASBA office.

Cross References: 3.8—LICENSED PERSONNEL SICK LEAVE
3.18—LICENSED PERSONNEL OUTSIDE EMPLOYMENT
3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION

Legal References: 29 USC § 2601 et seq.
29 CFR part 825

Date Adopted:
Last Revised: 7/1/16

3.33 - ASSIGNMENT OF EXTRA DUTIES FOR LICENSED PERSONNEL

From time to time extra duties may be assigned to licensed personnel by the school principal or the Superintendent as circumstances dictate.

Legal Reference: A.C.A. § 6-17-201

Date Adopted:
Last Revised:

3.34 - LICENSED PERSONNEL CELL PHONE USE

Use of cell phones or other electronic communication devices by employees during instructional time for other than instructional purposes is strictly forbidden unless specifically approved in advance by the superintendent, building principal, or their designees.

In any instance where the district issues a cell phone or school computer to a school employee for use for school business purposes, the employee shall not use the equipment for personal use. Any employee who uses a school issued cell phone and/or computer for non-school purposes, except as permitted by the district's Internet/computer use policy, shall be subject to discipline, up to and including termination.

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

Legal Reference: IRS Publication 15 B

Date Adopted:
Last Revised: 05/12/14

3.35 - LICENSED PERSONNEL BENEFITS

The Centerpoint School District provides its licensed personnel benefits consisting of the following:

1. The priceless reward of helping shape the life and future of our children;
2. Health insurance assistance;
3. A $15,000.00 life insurance policy.
4. Contribution to the teacher retirement system;
5. One sick leave day per contract calendar month, or greater portion thereof; and
6. Two personal days.

Legal Reference: A.C.A. § 6-17-201

Date Adopted:
Last Revised: 06/14/12

3.36 - LICENSED PERSONNEL DISMISSAL AND NON-RENEWAL

For procedures relating to the termination and non-renewal of teachers, please refer to the Arkansas Teacher Fair Dismissal Act A.C.A. §§ 6-17-1501 through 1510. The Act specifically is not made a part of this policy by this reference.

A copy of the Act is available for review in the office of the principal of each school building.

Legal Reference: A.C.A. §6-17-201

Date Adopted:
Last Revised: 04/29/13

3.37 - ASSIGNMENT OF TEACHER AIDES

The assignment of teacher aides shall be made by the principal or his/her designee and approved by the Superintendent. Changes in the assignments may be made as necessary due to changes in the student population, teacher changes, and to best meet the educational needs of the students.

Legal Reference: A.C.A. § 6-17-201

Date Adopted:
Last Revised: 06/14/12

3.38—LICENSED PERSONNEL RESPONSIBILITIES GOVERNING BULLYING

Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of bullying as defined in this policy, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the principal. The principal or his/her designee shall be responsible for investigating the incident(s) to determine if disciplinary action is warranted.

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

District staff are required to help enforce implementation of the district's anti-bullying policy. The district's definition of bullying is included below. Students who bully another person are to be held accountable for their actions whether they occur on school equipment or property; off school property at a school-sponsored or school-approved function, activity, or event; or going to or from school or a school activity. 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.

A school principal or his or her designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

District employees are held to a high standard of professionalism, especially when it comes to employee-student interactions. Actions by a District employee towards a student that would constitute bullying if the act had been performed by a student shall result in disciplinary action, up to and including termination. This policy governs bullying directed towards students and is not applicable to adult on adult interactions. Therefore, this policy does not apply to interactions between employees. Employees may report workplace conflicts to their supervisor.[1]

Definitions:

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

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

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

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

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

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

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

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

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

1. Sarcastic comments "compliments" about another student’s personal appearance or actual or perceived attributes,
2. Pointed questions intended to embarrass or humiliate,
3. Mocking, taunting or belittling,
4. Non-verbal threats and/or intimidation such as “fronting” or “chesting” a person,
5. Demeaning humor relating to a student’s race, gender, ethnicity or actual or perceived attributes,
6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
7. Blocking access to school property or facilities,
8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings,
10. Threats of harm to student(s), possessions, or others,
11. Sexual harassment, as governed by policy 3.26, is also a form of bullying, and/or
12. Teasing or name-calling based on the belief or perception that an individual is not conforming to expected gender roles (Example: “Slut”) or conduct or is homosexual, regardless of whether the student self-identifies as homosexual (Examples: “You are so gay.” “Fag” “Queer”).

Notes: A school employee who has reported violations under the school district's policy shall be immune from any tort liability which may arise from the failure to remedy the reported incident.

This policy is similar to Policy 8.26. If you change this policy, review 8.26 at the same time to ensure consistency between the two.

[1] This paragraph is optional. We have included it because we have received multiple phone calls where district employees were attempting to use the policy against fellow employees.

Legal Reference: A.C.A. § 6-18-514

Date Adopted:
Last Revised: 7/1/16

3.39 - LICENSED PERSONNEL RECORDS AND REPORTS

The superintendent or his/her designee shall determine, by individual or by position, those records a teacher is responsible to keep and those reports he/she is required to maintain. It is a requirement of employment that all required records and reports be completed, submitted, or otherwise tendered, and be accepted by the principal or superintendent as complete and satisfactory, before the last month's pay will be released to the licensed employee.

Legal Reference: A.C.A.§6-17-104

Date Adopted:
Last Revised:

3.40 - LICENSED PERSONNEL DUTY TO REPORT CHILD ABUSE, MALTREATMENT OR NEGLECT

It is the statutory duty of licensed school district employees who have reasonable cause to suspect child abuse or maltreatment to directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. Failure to report suspected child abuse, maltreatment or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Notification of local or state law enforcement does not satisfy the duty to report; only notification by means of the Child Abuse Hotline discharges this duty.

The duty to report suspected child abuse or maltreatment is a direct and personal duty, and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment or neglect has occurred, or to rule out such a belief. Employees and volunteers who call the Child Abuse Hotline in good faith are immune from civil liability and criminal prosecution.

By law, no school district or school district employee may prohibit or restrict an employee or volunteer from directly reporting suspected child abuse or maltreatment, or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline.

Legal References: A.C.A. § 12-18-107
A.C.A. § 12-18-201 et seq.
A.C.A. § 12-18-402

Date Adopted:
Last Revised:

3.41 - LICENSED PERSONNEL VIDEO SURVEILLANCE

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

Signs shall be posted on district property and in or on district vehicles to notify students, staff, and visitors that video cameras may be in use. Violations of school personnel policies or laws caught by the cameras may result in disciplinary action.

The district shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording.

Videos containing evidence of a violation of district personnel policies 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 staff handbook/ and release or viewing of such records shall be in accordance with current law.

Staff who vandalize, damage, defeat, disable, or render inoperable (temporarily or permanently) surveillance cameras and equipment shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Video recordings may become a part of a staff member's personnel record.

Date Adopted:
Last Revised:

3.42 - OBTAINING and RELEASING STUDENT'S FREE and REDUCED PRICE MEAL ELIGIBLITY INFORMATION

Obtaining Eligibility Information

A fundamental underpinning of the National School Lunch and School Breakfast Programs (Programs) is that in their implementation, there will be no physical segregation of, discrimination against, or overt identification of children who are eligible for the Program's benefits. While the requirements of the Programs are defined in much greater detail in federal statutes and pertinent Code of Federal Regulations, this policy is designed to help employees understand prohibitions on how the student information is obtained and/or released through the Programs. Employees with the greatest responsibility for implementing and monitoring the Programs should obtain the training necessary to become fully aware of the nuances of their responsibilities.

The District is required to inform households with children enrolled in District schools of the availability of the Programs and of how the household may apply for Program benefits. However, the District and anyone employed by the district is **strictly forbidden** from **requiring** any household or student within a household from submitting an application to participate in the program. There are NO exceptions to this prohibition and it would apply, for example, to the offer of incentives for completed forms, or disincentives or negative consequences for failing to submit or complete an application. Put simply, federal law requires that the names of the children shall not be published, posted or announced in any manner.

In addition to potential federal criminal penalties that may be filed against a staff member who violates this prohibition, the employee shall be subject to discipline up to and including termination.

Releasing Eligibility Information

As part of the district's participation in the National School Lunch Program and the School Breakfast Program, the district collects eligibility data from its students. The data's confidentiality is very important and is governed by federal law. The district has made the determination to release student eligibility status or information as permitted by law. Federal law governs how eligibility data may be released and to whom. The district will take the following steps to ensure its confidentiality:

Some data may be released to government agencies or programs authorized by law to receive such data without parental consent, while other data may only be released after obtaining parental consent. In both instances, allowable information shall only be released on a need to know basis to individuals authorized to receive the data. The recipients shall sign an agreement with the district specifying the names or titles of the persons who may have access to the eligibility information. The agreement shall further specify the specific purpose(s) for which the data will be used and how the recipient(s) shall protect the data from further, unauthorized disclosures.

The superintendent shall designate the staff member(s) responsible for making eligibility determinations. Release of eligibility information to other district staff shall be limited to as few individuals as possible who shall have a specific need to know such information to perform their job responsibilities. Principals, counselors, teachers, and administrators shall not have routine access to eligibility information or status.

Each staff person with access to individual eligibility information shall be notified of their personal liability for its unauthorized disclosure and shall receive appropriate training on the laws governing the restrictions of such information.

Legal References: Commissioner's Memos IA-05-018, FIN 09-041, IA 99-011, and FIN 13-018
ADE Eligibility Manual for School Meals Revised July 2012
7 CFR 210.1 – 210.31
7 CFR 220.1 – 220.22
7 CFR 245.5, 245.6, 245.8
42 USC 1758(b)(6)

Date Adopted: 05/09/11
Last Revised: 04/29/13

3.43 - DUTY OF LICENSED EMPLOYEES TO MAINTAIN LICENSE IN GOOD STANDING

It is the responsibility of each teacher, and not the district, to keep his/her teaching license continuously renewed with no lapses in licensure, and in good standing with the State Board of Education. Failure of a teacher to do so will be grounds for termination.

Legal References: A.C.A. § 6-17-401

Date Adopted: 05/09/11
Last Revised: 06/14/12

3.44 - LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION

The district provides Workers' Compensation Insurance, as required by law. Employees who sustain **any** injury at work must immediately notify their immediate supervisory, on in the absence of their immediate supervisor notify the school nurse assigned to the campus where the injury occurred. An injured employee must fill out a Form N and the employee's supervisor or the school nurse will determine whether to report the claim or to file the paperwork if the injury requires neither medical treatment or lost work time. While many injuries will require no medical treatment or time lost at work, should the need for treatment arise later, it is important that there be a record that the injury occurred. All employees have a duty to provide information and make statements as requested for the purposes of the claim assessment and investigation.

For injuries requiring medical attention, the district will exercise its right to designate the initial treating physician and an injured employee will be directed to seek medical attention, if necessary, from a specific physician or clinic. In addition, employees whose injuries require medical attention shall submit to a drug test, which shall be paid at the District's worker's compensation carrier's expense. Failure for the employee to submit to the drug test or a confirmed positive drug test indicating the use of illegal substances or the misuse of prescription medications shall be grounds for the denial of worker's compensation benefits.[2]

A Workers' Compensation absence may run concurrently with FMLA leave (policy 3.32) when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will be charged for any paid leave accrued by the employee at the rate necessary to bring the total amount of combined income up to 100% of usual contracted daily rate of pay. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a "light duty job," but is unable to return to the employee's same or equivalent job, the employee may decline the District's offer of a "light duty job." As a result, the employee may lose his/her workers' compensation payments, but for the duration of the employee's FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

Employees who are absent from work in the school district due to a Workers' Compensation claim may not work at a non-district job until they have returned to full duties at their same or equivalent district job; those who violate this prohibition may be subject to discipline up to and including termination. This prohibition does NOT apply to an employee who has been cleared by his/her doctor to return to "light duty" but the District has no such position available for the employee and the employee's second job qualifies as "light duty".

To the extent an employee has accrued sick leave and a WC claim has been filed, an employee:

- Will be charged for a day's sick leave for the all days missed until such time as the WC claim has been approved or denied;
- Whose WC claim is accepted by the WC insurance carrier as compensable and who is absent for eight or more days shall be charged sick leave at the rate necessary, when combined with WC benefits, to bring the total amount of combined income up to 100% of the employee's usual contracted daily rate of pay;
- Whose WC claim is accepted by the WC insurance carrier as compensable and is absent for 14 or more days will be credited back that portion of sick leave for the first seven (7) days of absence that is not necessary to have brought the total amount of combined income up to 100% of the employee's usual contracted gross pay.

Notes: This policy is similar to policy 8.36. If you change this policy, review 8.36 at the same time to ensure applicable consistency between the two.

[1] Insert the **position** of the person to be notified.

[2] Requiring employees who need medical treatment for injuries at work to be drug tested is optional but is recommended. A.C.A. § 11-9-102 states that an injury resulting while the employee is under the influence of alcohol or illegal drugs is not a compensable injury. Requiring all employees to be drug tested for work injuries resulting in medical treatment will allow the district to abide the prohibition against paying worker's comp for a drug related injury.

Cross References: 3.8—LICENSED PERSONNEL SICK LEAVE
3.18—LICENSED PERSONNEL OUTSIDE EMPLOYMENT
3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE

Legal References: Ark. Workers Compensation Commission RULE 099.33 - MANAGED CARE
A.C.A. § 11-9-102
A.C.A. § 11-9-508(d)(5)(A)
A.C.A. § 11-9-514(a)(3)(A)(i)

Date Adopted:
Last Revised: 7/1/16

3.45 - LICENSED PERSONNEL SOCIAL NETWORKING AND ETHICS

Technology used appropriately gives faculty new opportunities to engage students. District staff is encouraged to use educational technology, the Internet, and professional/education social networks to raise student achievement and to improve communication with parents and students. Technology and social networking websites also offer staff many ways they can present themselves unprofessionally and/or interact with students inappropriately.

It is the duty of each staff member to appropriately manage all interactions with students, regardless of whether contact or interaction with a student occurs face-to-face or by means of technology, to ensure that the appropriate staff/student relationship is maintained. This includes instances when students initiate contact or behave inappropriately themselves.

Public school employees are, and always have been, held to a high standard of behavior. Staff members are reminded that whether specific sorts of contacts are permitted or not specifically forbidden by policy, they will be held to a high standard of conduct in all their interactions with students. Failure to create, enforce and maintain appropriate professional and interpersonal boundaries with students could adversely affect the District's relationship with the community and jeopardize the employee's employment with the district.

The Arkansas Department of Education *Rules Governing the Code of Ethics for Arkansas Educators* requires District staff to maintain a professional relationship with each student, both in and outside the classroom. The School Board of Directors encourages all staff to read and become familiar with the Rules. Conduct in violation of the *Rules Governing the Code of Ethics for Arkansas Educators*, including, but not limited to conduct relating to the inappropriate use of technology or online resources, may be reported to the Professional License Standards Board (PLSB) and may form the basis for disciplinary action up to and including termination.

Legal Reference: RULES GOVERNING THE CODE OF ETHICS FOR ARKANSAS EDUCATORS

Date Adopted: 05/09/11
Last Revised:

3.46 – LICENSED PERSONNEL VACATIONS

Employees contracted for 240 days or more per year shall be credited with 10 days of vacation at the beginning of each fiscal year and may accumulate a total of twenty (20) days. All unused vacation days above twenty days will be lost. This is based on the assumption that a full contract year will be worked. If an employee fails to finish the contract year due to resignation or termination, the employee's final check will be reduced at the rate of .833 days per month, or major portion of a month, for any days used but not earned.

Employees must provide a two (2) week notice to have vacation approved. Instructional employees may not generally take vacation during instructional time. All vacation time must be approved by the superintendent. If vacation is requested, but not approved, and the employee is absent from work in spite of the vacation denial, disciplinary action will be taken against the employee, which may include termination or nonrenewal.

For licensed employees retiring with three or more years of service to the Centerpoint district, the district will pay for vacation days at the retiring employee's daily rate of pay per day accumulated up to a maximum of twenty days.

Date Adopted:
Last Revised: 04/29/13

3.47 - DEPOSITING COLLECTED FUNDS

From time to time, staff members may collect funds in the course of their employment. It is the responsibility of any staff member to turn over such funds they have collected at least daily to the appropriate administrative office for safekeeping and/or deposit. The Superintendent or his/her designee shall be responsible for determining the need for receipts for funds collected and other record keeping requirements and of notifying staff of the requirements.

Staff members that use any funds collected in the course of their employment for personal purposes, or who deposit such funds in a personal account, may be subject to discipline up to and including termination.

Date adopted: 05/09/11
Last Revised:

3.48—LICENSED PERSONNEL WEAPONS ON CAMPUS

Firearms
Except as permitted by this policy, no employee of this school district, including those who may possess a "concealed carry permit," shall possess a firearm on any District school campus or in or upon any school bus or at a District designated bus stop.

Employees who meet one or more of the following conditions are permitted to bring a firearm onto school property~~.~~:

- He/she is participating in a school-approved educational course or program involving the use of firearms such as ROTC programs, hunting safety or military education, or before or after-school hunting or rifle clubs;
- The firearms are securely stored and located in an employee's on-campus personal residence and/or immediately adjacent parking area;[2]
- He/she is a registered, commissioned security guard acting in the course and scope of his/her duties~~;~~
- He/she has a valid conceal carry license and leaves his/her handgun in his/her locked vehicle in the district parking lot.

Possession of a firearm by a school district employee who does not fall under any of the above categories anywhere on school property, including parking areas and in or upon a school bus, will result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Other Weapons[3] (ASBA Option 2)
An employee may possess a pocket knife which for the purpose of this policy is defined as a knife that can be folded into a case and has a blade or blades of less than three (3) inches or less each. An employee may carry, for the purpose of self-defense, a small container of tear gas[4] or mace which for the purpose of this policy is defined as having a capacity of 150cc or less. Employees are expected to safeguard such items in such a way as to ensure they are not possessed by students. Such items are not to be used against students, parents or other school district employees. Possession of weapons, knives or self-defense items that do not comply with the limits contained herein, the failure of an employee to safeguard such items, or the use of such items against students, parents or other school district employees may result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Employees who are participating in a Civil War reenactment may bring a Civil War era weapon onto campus with prior permission of the building principal. If the weapon is a firearm, the firearm must be unloaded.[5]

Notes: This policy is similar to Policy 8.40. If you change this policy, review Policy 8.40 at the same time to ensure consistency between the two.

[1] The possession of handguns and firearms is a very hot topic. In Arkansas, the laws governing their possession on school grounds are both complicated and less than clear. The two statutes most directly affecting schools are A.C.A. § 5-73-119 (herein after 119) and A.C.A. § 5-73-306 (herein after 306).

119 governs firearms (including handguns) while 306 deals strictly with concealed handguns (those guns having a barrel length of 12" or less). 119 prohibits firearms on "developed school property" while 306 prohibits concealed handgun permit holders from carrying their handguns into school buildings or events but permits the concealed carry licensee to leave a handgun in his/her locked vehicle at a publicly owned parking lot.

119 permits those who are on a "journey beyond the county in which a person lives" to carry handguns and firearms on school property. Technically, this would allow those employees who commute from outside the county in which they teach to bring their firearms to school. While we accept that concealed carry licensees may leave their handgun in their locked vehicle in the parking lot, we see this as complicated to enforce and generally problematic. Also, as we interpret the statute, parents visiting the school for an athletic or other event can bring their handgun, though it must be left in their locked vehicle, with them. We cannot control that through policy.

[2] If your district has housing for any employee and that employee chooses to have any firearms in the house, they should be kept in a very secure place. It would be wise to keep them in a locked gun safe so that no one other than the employee has access to them.

[3] Select the option that works best for your district. In making your decision, note that in Option #2, you can choose to include only the first or the second sentence or you can keep both sentences. If you keep the first sentence, the length of the blade allowed is limited by A.C.A. § 5-73-120(b)(4) to less than 3". Also, A.C.A. § 5-73-120(a) prohibits individuals from carrying a weapon "with a purpose to employ the…weapon against a person." Presumably, an employee could possess a small pocket knife with no intent to use it against another person. Inherent in making the decision on either sentence in Option #2 is the possibility of a student taking the knife or the tear gas and misusing it.

[4] You can replace "tear gas" with "pepper spray" or leave "tear gas" in the policy and add "pepper spray."

[5] While the policy language only specifically covers employees, A.C.A. § 6-5-502 permits any person who is a Civil War reenactor to bring a Civil War era weapon onto campus with the prior permission of the principal

Legal References: A.C.A. § 5-73-119
A.C.A. § 5-73-120
A.C.A. § 5-73-124(a)(2)
A.C.A. § 5-73-301
A.C.A. § 5-73-306
A.C.A. § 6-5-502

Date Adopted: 4/29/13
Last Revised 7/1/16

3.49 - TEACHERS' REMOVAL OF STUDENT FROM CLASSROOM

Note and advisement: This policy is adopted by the Board of Directors in order to bring the District into compliance with ADE rules concerning student discipline, and to incorporate the provisions of A.C.A. § 6-18-511. However, teachers should be aware that federal law governing a student's Individual Education Program (IEP) or 504 plan, or status as an individual with a disability will supersede Arkansas law. In many cases, removing a student from a classroom due to behavioral problems, will violate a student's IEP, violate a student's 504 plan, or constitute discrimination against the student due to a disability that affects the student's ability to conform his or her behavior. Teachers have been successfully sued for IEP and 504 plan violations in other jurisdictions, and teachers need to understand that violating a student's rights is outside of the scope of his or her employment, and no insurance is available or provided by the school district for either legal defense or to pay a money judgment. Teachers who rely on this law and this policy to exclude a student with special needs or a disability are assuming a grave personal risk.

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

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

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

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

1. The principal or the principal's designee;
2. The teacher;
3. The school counselor;

4. The parents, guardians, or persons in loco parentis; and
5. The student, if appropriate.

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

Legal References: A.C.A. § 6-18-511
Arkansas Department of Education Guidelines for the Development, Review and Revision of School District Student Discipline and School Safety Policies

Date Adopted: 05/12/2014
Last Revised

3.50 - ADMINISTRATOR EVALUATOR CERTIFICATION

Continuing Administrators

The Superintendent or designee shall determine and notify in writing by August 31 of each year those currently employed administrators who will be responsible for conducting Teacher Excellence Support System (hereinafter TESS) summative evaluations who are not currently qualified to fulfill that role. All currently employed administrators so notified shall have until December 31 of the contract year to successfully complete all training and certification requirements for evaluators as set forth by the Arkansas Department of Education (ADE). It shall constitute just and reasonable cause for nonrenewal of the contract of employment for any administrator who is required to obtain and maintain TESS evaluator certification, as a term and condition of employment, to fail to do so by December 31 of any contract year. No administrator may conduct a summative evaluation unless they have successfully completed all training and certification requirements for evaluators required by the ADE.

Newly Hired or Promoted Administrators

All newly hired or newly promoted administrators, as a term and condition of their acceptance of their contract of employment for their administrative position, are required to obtain and maintain evaluator certification for TESS on or before December 31 of the initial administrative contract year, unless they are explicitly excused from such a contractual requirement by board action at the time of the hire or promotion. It shall constitute just and reasonable cause for nonrenewal of the contract of employment for any newly hired or newly promoted administrator who is required to obtain and maintain TESS evaluator certification, as a term and condition of employment, to fail to do so by December 31 of any contract year. No administrator may conduct a summative evaluation unless they have successfully completed all training and certification requirements for evaluators required by the ADE.

Legal Reference: Arkansas Department of Education Rules Governing the Teacher Excellence and Support System 4.05

Date Adopted: 05/12/2014

3.51 - SCHOOL BUS DRIVER'S USE OF MOBILE COMMUNICATION DEVICES

"School Bus" is a motorized vehicle that meets the following requirements:

1. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
2. Is operated for the transportation of students from home to school, from school to home, or to and from school events.

Any driver of a school bus shall not operate the school bus while using a device to browse the internet, make or receive phone calls or compose or read emails or text messages. If the school bus is safely off the road with the parking brake engaged, exceptions are allowed to call for assistance due to a mechanical problem with the bus, or to communicate with any of the following during an emergency:

- An emergency system response operator or 911 public safety communications dispatcher;
- A hospital or emergency room;
- A physician's office or health clinic;
- An ambulance or fire department rescue service;
- A fire department, fire protection district, or volunteer fire department; or
- A police department.

In addition to statutorily permitted fines, violations of this policy shall be grounds for disciplinary action up to and including termination.

Legal Reference: A.C.A. § 6-19--120

Date Adopted: 05/12/2014
Last Revised:

3.52—WRITTEN CODE OF CONDUCT FOR EMPLOYEES INVOLVED IN PROCUREMENT WITH FEDERAL FUNDS ~~IN THE CHILD NUTRITION PROGRAM~~

For purposes of this policy, "Family member" includes:

- An individual's spouse;
- Children of the individual or children of the individual's spouse;
- The spouse of a child of the individual or the spouse of a child of the individual's spouse;
- Parents of the individual or parents of the individual's spouse;
- Brothers and sisters of the individual or brothers and sisters of the individual's spouse;
- Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual's spouse; or
- Anyone acting or serving as an agent of the individual or as an agent of the individual's spouse.

No District employee, administrator, official, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds, including the District Child Nutrition Program funds, if a conflict of interest exists, whether the conflict is real or apparent. Conflicts of interest arise when one or more of the following has a financial or other interest in the entity selected for the contract:

1. The employee, administrator, official, or agent;
2. Any family member of the District employee, administrator, official, or agent;
3. The employee, administrator, official, or agent's partner; or
4. An organization that currently employs or is about to employ one of the above.

Employees, administrators, officials, or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements including, but not limited to:

a. Entertainment;
b. Hotel rooms;
c. Transportation;
d. Gifts;
e. Meals; or
f. Items, ***other than those*** of nominal value (e.g. calendar or coffee mug).[1]

Violations of the Code of Conduct shall result in discipline, up to and including termination. The District reserves the right to pursue legal action for violations.

All District personnel involved in purchases with Federal funds, including child nutrition personnel, ~~and any District employees involved in purchasing for the Child Nutrition Program~~ shall

receive training on the Code of Conduct. Training should include guidance about how to respond when a gratuity, favor, or item with monetary value is offered.[2]

Notes: This policy is similar to Policy 8.41. If you change this policy, review 8.41 at the same time to ensure applicable consistency between the two.

[1] Districts may set standards covering instances where the financial interest is not substantial or the gift is an unsolicited item of nominal value. If you do wish to set standards for these situations, delete this sentence and add a statement permitting such acceptance and the circumstances where it is acceptable.

[2] The training provided should cover instances where there is doubt concerning the appropriateness of accepting gifts, favors, etc. the employee should be instructed to consider the following questions:

- How would the public perceive this action of receiving the gift, favor, etc.?
- Will acceptance of the gift, favor, etc. possibly influence a future purchasing decision?

The training should cover the Rules Governing Ethical Guidelines And Prohibitions For Educational Administrators, Employees, Board Members And Other Parties including the contract disclosure forms checklists from Commissioner's Memo FIN 09-036.

Legal References: A.C.A. § 6-24-101 et seq.
Arkansas Department of Education Rules Governing the Ethical Guidelines And Prohibitions For Educational Administrators, Employees, Board Members And Other Parties
Commissioner's Memo FIN 09-036
Commissioner's Memo FIN-10-048
Commissioner's Memo FIN 15-074
2 C.F.R. § 200.318
7 C.F.R. § 3016.36
7 C.F.R. § 3019.42

Date Adopted: 5/11/2015
Last Revised:

3.53 - LICENSED PERSONNEL BUS DRIVER END of ROUTE REVIEW

Each bus driver shall walk inside the bus from the front to the back to make sure that all students have gotten off the bus after each trip. If a child is discovered through the bus walk, the driver will immediately notify the central office and make arrangements for transporting the child appropriately. If children are left on the bus after the bus walk through has been completed and the driver has left the bus for that trip, the driver shall be subject to discipline up to and including termination of the employee's classified contract.

Date Adopted: 05/12/2014
Last Revised:

3.54—VOLUNTARY TEACHING DURING PLANNING PERIOD AND/OR OF MORE THAN THE MAXIMUM NUMBER OF STUDENTS PER DAY

A teacher in grades 7-12 may voluntarily enter into an agreement with the District to teach:
1) An additional class in place of a planning period; and/or
2) More than one hundred fifty (150) students per day.

A teacher who agrees to teach more than the maximum number of students per day is still bound by the maximum number of students per class period in the Standards for Accreditation.

A 7-12 grade teacher who enters into an agreement with the District shall receive compensation based on the teacher's:
a) Hourly rate of pay for the loss of a planning period; and/or
b) Basic contract that is pro-rated for every additional student they teach over the maximum number of students permitted per day.[1]

A teacher who wishes to volunteer for numbers 1, 2, or both above must enter into a signed agreement with the District prior to the teacher giving up his/her planning period or teaching more than the maximum number of students per day. A teacher shall not be eligible to receive compensation until after the agreement has been signed. The maximum length of the signed agreement between the teacher and the District shall be for the semester the agreement is signed.

Neither the District nor the teacher are obligated to:
- Enter into an agreement;
- Renew an agreement; or
- Continue an agreement past the semester in which the agreement is signed.

The provisions of the Teacher Fair Dismissal Act, A.C.A. § 6-17-1501 et seq., do not apply to an agreement between a teacher and the District entered into under this policy.

Notes: Standards has stated that a teacher teaching more than the maximum daily number of students will result in a flag during the cycle 2 report. If you provide Standards with a copy of the supplementary contract, Standards will go in and remove the flag.

[1] The method used to determine the amount of pay for teaching more than the maximum number of students is:
1) Take the teacher's salary from the salary schedule and divide it by the number of days in the teacher's contract to find the teacher's daily rate of pay;
2) Divide the teacher's daily rate of pay by one hundred fifty (150) to find the teacher's per student per day amount;
3) Multiply the the teacher's per student per day amount by the number of students the teacher is teaching above one hundred fifty (150).; and
4) Multiply the result by the number of days the teacher will be teaching the extra students.

Example: Teacher has a contract for one hundred ninety days (190) with a salary of $31,000. To calculate the daily per student amount would look like this: (31,000/190) / 150= $1.09

If Teacher agrees to teach ten (10) additional students per day over the one hundred fifty (150) daily limit, then the teacher's per student amount of one dollar and nine cents ($1.09) would be multiplied by ten (10) for each day the teacher has the ten (10) students above the one hundred fifty (150) in class.

Legal Reference: A.C.A. § 6-17-812

Date Adopted:
Last Revised: 7/1/16

3.54F—VOLUNTARY TEACHING INSTEAD OF PREPARATORY PERIOD AND/OR EXTRA DAILY STUDENTS CONTRACT ADDENDUM

The Centerpoint School District (District) and _____ (Teacher) enter into the following contract addendum:

1. Teacher has volunteered to teach a class on _____ instead of a preparatory period from _____ through _____;[1, 2]
2. District agrees to pay Teacher for the loss of Teacher's preparatory period in the amount of _____.[2]
3. District agrees to pay Teacher for those students who enroll and attend Teacher's class that are in excess of the Standard's maximum daily number of students at the per student per day amount of _____[3];
4. District agrees to pay teacher *As a lump sum to be paid as part of Teacher's final check of the semester.* [4].
5. This addendum between District and Teacher is in addition to and separate from any other contract between District and Teacher;
6. Teacher understands that this agreement is not covered by the Teacher Fair Dismissal Act of 1983 (A.C.A. § 6-17-1501 et seq.); and
7. District and Teacher agree that this contract shall be effective for the current semester and that future semesters shall require District and Teacher to enter into a new contract.

Teacher's Signature: _____ Date: _____

Superintendent's Signature: _____ Date: _____

Board President's Signature: _____ Date: _____

Notes: [1] Insert the start and end dates of the contract.

[2] A teacher is not required to use his/her prep period in order to teach more than the one hundred fifty (150) students daily maximum so long as each class period does not go above thirty (30) students. If this is the situation, delete #2, pluralize "class" in #3, renumber the remaining paragraphs, and substitute the following language for #1:
Teacher has volunteered to teach more than the one hundred fifty (150) maximum daily number of students, who shall be placed in the appropriate classes so that no one class contains more than thirty (30) students, from _____ through _____.

Standards has stated that a teacher teaching more than the maximum daily number of students will result in a flag during the cycle 2 report. If you provide Standards with a copy of the supplementary contract, Standards will go in and remove the flag.

[3] A.C.A. § 6-17-812 requires that a teacher who volunteers to teach more than the maximum one hundred fifty (150) daily number of students must be paid for each student that the teacher has above the one hundred fifty (150) daily limit. In order to calculate the per student per day rate of pay:

- Take the base contract salary and divide it by the number of days in the contract to determine the teacher's daily rate of pay; and

- Divide the teacher's daily rate of pay by one hundred fifty (150) to find the per student per day rate.

The teacher will then be paid the resulting per student amount multiplied by the number of students over one hundred fifty (150) that the teacher has enrolled each day. For example, Teacher has a contract for one hundred ninety days (190) with a salary of $31,000. To calculate the daily per student amount would look like this: (31,000/190) / 150= $1.09

If Teacher agrees to teach ten (10) additional students per day over the one hundred fifty (150) daily limit, then the teacher's per student amount of one dollar and nine cents ($1.09) would be multiplied by ten (10) for each day the teacher has the ten (10) students above the one hundred fifty (150) in class.

The per student per day payments are in addition to any payments a teacher will receive under A.C.A. § 6-17-114 for agreeing to teach instead of a preparatory period.

4 Insert the payment schedule you wish to use. Our recommended language is either :

a. *"As a lump sum to be paid as part of Teacher's final check of the semester."* Or

b. *"As an addition to Teacher's regular monthly payment."*

Legal References: A.C.A. § 6-17-114
A.C.A. § 6-17-812

Date Adopted:
Last Revised: 7/1/16

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STUDENTS

CENTERPOINT SCHOOL DISTRICT
STUDENT-PARENT HANDBOOK
2015-2016 Edition

PREFACE

This handbook is intended for use by students, parents, and staff of the Centerpoint School District. Its purpose is to set forth the standards of behavior and the limits on behavior established by law and Board of Education's policy and to provide you with information concerning the management of the schools.

It is impossible to list in this handbook all of the rules and guidelines. Therefore, the contents of this handbook should not be construed to limit or to deny your rights and responsibilities on your own campus as a member of the student body or as a citizen; neither should it be construed as limiting nor denying the administration the right and responsibility to develop such necessary rules and regulations that are consistent with federal and state laws and Board of Education policies and regulations. A student who is well informed concerning his/her rights and responsibilities and the standards of behavior expected should not require disciplinary action. Each student is responsible for his/her own conduct at all times. Each student will receive a copy of the policy handbook and will be required to sign a statement of receipt.

MISSION

The goal of the faculty, staff, and administration of the Centerpoint School District, with cooperation from parents and community members, is to create a learning community in which we educate well-adjusted, competent learners, who possess the skills, confidence, and knowledge to meet the challenges of the 21st century.

4.1—RESIDENCE REQUIREMENTS

Definitions:

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

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

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

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

Any person eighteen (18) years of age or older may establish a residence separate and apart from his or her parents or guardians for school attendance purposes.

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

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

Cross References: Policy 4.40—HOMELESS STUDENTS; Policy 4.52—STUDENTS WHO ARE FOSTER CHILDREN

Legal References: A.C.A. § 6-18-202; A.C.A. § 6-18-203; A.C.A. § 6-27-102, 112; A.C.A. § 9-28-113

Date Adopted: 05-28-13

Last Revised: 2015

4.2—ENTRANCE REQUIREMENTS

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

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

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

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

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

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

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

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

1. The parent, guardian, or other responsible person shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the department of education.
2. The parent, guardian, or other responsible person shall provide the district with one (1) of the following documents indicating the child's age:
   a. A birth certificate;
   b. A statement by the local registrar or a county recorder certifying the child's date of birth;
   c. An attested baptismal certificate;
   d. A passport;
   e. An affidavit of the date and place of birth by the child's parent or guardian;
   f. United States military identification; or
   g. Previous school records.
3. The parent, guardian, or other responsible person shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding.
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~~,~~: "active duty members of the uniformed services" includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;"uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services; "veteran" means: a person who served in the uniformed services and who was discharged or released there from under conditions other than dishonorable.

"Eligible child" means the children of:

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

An eligible child as defined in this policy shall:

1. be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;
4. be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to 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 his/her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
6. make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
7. be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;
8. be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty.

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

Legal References: A.C.A. § 6-18-201 (c); A.C.A. § 6-18-207; A.C.A. § 6-18-208; A.C.A. § 6-18-510; A.C.A. § 6-18-702; A.C.A. § 6-15-504 (f); A.C.A. § 6-27-102, 105; A.C.A. § 9-28-113; Plyler v Doe 457 US 202,221 (1982)

Date Adopted: 05/28/13

Last Revised: 2015 04/27/15

4.3—COMPULSORY ATTENDANCE REQUIREMENTS

Every parent, guardian, or other person having custody or charge of any child age five (5) through seventeen (17) years on or before August 1 of that year who resides, as defined by policy (4.1—RESIDENCE REQUIREMENTS), within the District shall enroll and send the child to a District school with the following exceptions.

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

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

Date Adopted: 05/28/13

Last Revised: 2015 04/27/15

4.4—STUDENT TRANSFERS

The Centerpoint District shall review and accept or reject requests for legal transfers, both into and out of the district, on a case-by-case basis at the June, July, and December regularly scheduled board meetings. *If there is no board meeting held in July, the board may hear all such requests in August.*

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

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

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

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

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

4.4L Except in the case of extraordinary, limited, and exceptional circumstances as determined by the superintendent, the board shall only hear legal transfer requests at the July (or August) and December regularly scheduled board meetings.

Legal References: A.C.A. § 6-18-316; A.C.A. § 6-18-317; A.C.A. § 6-18-318; A.C.A. § 6-18-510; A.C.A. § 6-15-504 (f); A.C.A. § 9-28-113(b)(4); A.C.A. § 9-28-205;
State Board of Education Standards of Accreditation 12.05
Date Adopted: 05/28/13
Last Revised: 7/1/16

4.5 - SCHOOL CHOICE

Standard School Choice

Definition

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

Transfers Into the District

Capacity Determination and Public Pronouncement

The Board of Directors will 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 has a lack of capacity by the District having reached ninety percent (90%) of the maximum student population in a program, class, grade level, or school building authorized by the Standards or other State/Federal law.

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

Application Process

The student's parent shall submit a school choice application on a form approved by ADE to this district. The transfer application must be postmarked or hand delivered on or before May 1 of the year preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications as they are received in the District's central office. It is the District's responsibility to send a copy of the application that includes the date and time stamp to the student's resident district. Applications postmarked or hand delivered on or after May 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.

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

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

Accepted Applications

Applications which fit within the District's stated capacity standards shall be provisionally accepted, in writing, with the notification letter stating a reasonable timeline by which the student shall enroll in the District by taking the steps detailed in the letter, including submission of all required documents. If the student fails to enroll within the stated timeline, or if all necessary steps to complete the enrollment are not taken, or examination of the documentation indicates the applicant does not meet the District's stated capacity standards, the acceptance shall be null and void.

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

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

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

Rejected Applications

The District may reject an application for a transfer into the District under Standard School Choice due to a lack of capacity. However, the decision to accept or reject an application may not be based on the student's previous academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings other than a current expulsion.

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

Rejection of applications shall be in writing and shall state the reason(s) for the rejection. A student whose application was rejected may request a hearing before the State Board of Education to reconsider the application which must be done, in writing to the State Board within ten (10) days of receiving the rejection letter from the District. Any applications that are denied due to the student's resident district reaching the three percent (3%) limitation cap shall be given priority for a choice transfer the following year in the order that the District received the original applications.

Transfers Out of the District

All Standard School Choice applications shall be granted unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) of more than three percent (3%) of the average daily membership on October 15 of the immediately preceding year. By December 15 of each year, ADE shall determine and notify the District of the net number of allowable choice transfers. For the purpose of determining the three percent (3%) cap, siblings are counted as one student, and students are not counted if the student transfers from a school or district in:

- Academic Distress under either A.C.A. § 6-15-430(c)(1) or A.C.A. § 6-18-227; or
- Facilities Distress under A.C.A. § 6-21-812.

If, prior to July 1, the District receives sufficient copies of requests from other districts for its students to transfer to other districts to trigger the three percent (3%) cap, it shall notify each district the District received Standard School Choice applications from that it has tentatively reached the limitation cap. The District will use confirmations of approved choice applications from receiving districts to make a final determination of which applications it received that exceeded the limitation cap and notify each district that was the recipient of an application to that effect.

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 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

For the purposes of this section of the policy, a "lack of capacity" is defined as when the receiving school has reached the maximum student-to-teacher ratio allowed under federal or state law, the ADE Rules for the Standards of Accreditation, or other applicable rules. There is a lack of capacity if, as of the date of the application for Opportunity School Choice, ninety-five percent (95%) or more of the seats at the grade level at the nonresident school are filled. Unless there is a lack of capacity at the District's school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student who is enrolled in or assigned to a school classified by the ADE to be in academic distress is eligible to transfer to the school closest to the student's legal residence that is not in academic distress. The student's parent or guardian, or the student if over the age of eighteen (18), must successfully complete the necessary application process by July 30 preceding the initial year of desired enrollment. Within thirty (30) days from receipt of an application from a student seeking admission under this section of the policy, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, whether the Opportunity School Choice application has been accepted or rejected. The notification shall be sent via First-Class Mail to the address on the application. If the application is accepted, the notification letter shall state the deadline by which the student must enroll in the receiving school or the transfer will be null and void. If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection. A parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District's decision to deny the application to the State Board of Education. The appeal must be in writing to the State Board of Education via certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District.

A student's enrollment under Opportunity School Choice is irrevocable for the duration of the school year and is renewable until the student completes high school or is beyond the legal age of enrollment. This provision for continuing eligibility under Opportunity Choice does not negate the student's right to apply for transfer to a district other than the student's assigned school or resident district under the Standard 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 or the District has been classified by the ADE as being in academic distress the District shall timely notify the parent, guardian, or student, if the student is over eighteen (18) years of age, as soon as practicable after the academic distress designation is made of all options available under Opportunity Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to enroll the student in any public school or school district that has not been classified by the ADE as a public school or school district in academic distress.

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

Legal References: A.C.A. § 6-1-106; A.C.A. § 6-13-113; A.C.A. § 6-15-430(b); A.C.A. § 6-18-227; A.C.A. § 6-18-510; A.C.A. § 6-18-1901 et seq.; A.C.A. § 6-21-812
ADE Rules Governing the Guidelines, Procedures and Enforcement of the Arkansas Opportunity Public School Choice Act

Date Adopted:
Last Revised: 2015 04/27/15

4.6—HOME SCHOOLING

Parents or legal guardians desiring to provide a home school for their children must give written notice to the Superintendent of their intent to do so and sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time the parents choose to home school. Notice shall be given:

1. At the beginning of each school year, but no later than August 15;
2. By December 15 for parents who decide to start home schooling at the beginning of the spring semester; or
3. Fourteen (14) calendar days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive absences) and at the beginning of each school year thereafter.

The parents or legal guardians shall deliver written notice in person to the Superintendent the first time such notice is given and the notice must include:

1. The name, date of birth, grade level, and the name and address of the school last attended, if any;
2. The location of the home school;
3. The basic core curriculum to be offered;
4. The proposed schedule of instruction; and
5. The qualifications of the parent-teacher.

To aid the District in providing a free and appropriate public education to students in need of special education services, the parents or legal guardians home-schooling their children shall provide information which might indicate the need for special education services.

Legal References: A.C.A. § 6-15-503; A.C.A. § 6-41-206
Date Adopted: 5/28/13
Last Revised: 2015

4.7—ABSENCES

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

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

Absences for students enrolled in digital courses 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 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.

Excused Absences

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings a written statement to the principal or designee upon his/her return to school from the parent or legal guardian stating such reason. A written statement presented for an absence having occurred more than two (2) 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 FHA, 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.

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

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

Unexcused Absences

Absences not defined above or not having an accompanying note from the parent or legal guardian, presented in the timeline required by this policy, shall be considered as unexcused absences. Students with eight (8) 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 four (4) unexcused absences, his/her parents, guardians, or persons in loco parentis shall be notified. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student exceeds eight (8) unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, guardian, or persons in loco parentis shall be subject to a civil penalty as prescribed by law.

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

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

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

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

Legal References: A.C.A. § 6-4-302; A.C.A. § 6-18-209; A.C.A. § 6-18-220; A.C.A. § 6-18-222; A.C.A. § 6-18-229; A.C.A. § 6-18-231; A.C.A. § 6-18-507(g); A.C.A. § 7-4-116; A.C.A. § 9-28-113(f); A.C.A. § 27-16-701; Arkansas Department of Education Rules Governing Distance and Digital Learning

Cross Ref. 5.11—DIGITAL LEARNING COURSES

Date Adopted: 05/28/13
Last Revised: 7/1/16

4.8—MAKE-UP WORK

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

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

Work may not be made up for credit for unexcused absences. Work missed for out of school suspensions cannot be made up.

Cross Reference: 4.7—ABSENCES; 4.57—IMMUNIZATIONS
Date Adopted: 05/28/13
Last Revised: 2015 04/27/15

4.9—TARDIES

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

A student is considered tardy if he/she is not in the room when the tardy bell rings. Teachers will record the number of times a student is tardy for class.

Date Adopted: 05/28/13
Last Revised: 2015

4.10—CLOSED CAMPUS

All schools in the Centerpoint 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.

Date Adopted: 05/28/13
Last Revised: 2015

4.11—EQUAL EDUCATIONAL OPPORTUNITY

No student in the Centerpoint School District shall, on the grounds of race, color, religion, national origin, sex, sexual orientation, gender identity, age, or disability be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District. The District has a limited open forum granting equal access to the Boy Scouts of America and other youth groups. Inquiries on nondiscrimination may be directed to 504 Coordinator who may be reached at _(870)-356-3612. For further information on notice of non-discrimination or to file a complaint, visit http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Legal References: A.C.A. § 6-18-514; 28 C.F.R. § 35.106; 34 C.F.R. § 100.6; 34 C.F.R. § 104.8;34 C.F.R. § 106.9;34 C.F.R. § 108.9;34 C.F.R. § 110.25
Date Adopted: 05/28/13
Last Revised: 7/1/16

4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS

Non-curriculum-related secondary school student organizations wishing to conduct meetings on school premises during noninstructional time shall not be denied equal access on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Such meetings must meet the following criteria.

1. The meeting is to be voluntary and student initiated;
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
3. The meeting must occur during noninstructional time;
4. Employees or agents of the school are present at religious meetings only in a nonparticipatory capacity;
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
6. 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 wellbeing 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.

Legal References: A.C.A. § 6-5-20 2 requires the automatic expulsion of a student who is convicted of hazing. A.C.A. § 6-5-201 et seq.; A.C.A. § 6-21-201 et seq; 20 U.S.C. 4071 Equal Access Act; Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990); A.C.A. § 6-18-601 et seq.

Date Adopted: 05/28/13

Last Revised: 7/1/16

4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION

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

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.

For purposes of this policy, the Centerpoint 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, guardian, person acting in loco parentis, or an agent of the Department of Human Services must present a file-marked copy of such order to the building principal and the superintendent. The school will make good-faith efforts to act in accordance with such court order, but the failure to do so does not impose legal liability upon the school. The actual responsibility for enforcement of such court orders rests with the parents or guardians, their attorneys and the court which issued the order.

A parent or guardian does not have the right to remove any material from a student's records, but such parent or guardian may challenge the accuracy of a record. The right to challenge the accuracy of a record does not include the right to dispute a grade, disciplinary rulings, disability placements, or other such determinations, which must be done only through the appropriate teacher and/or administrator, the decision of whom is final. A challenge to the accuracy of material contained in a student's file must be initiated with the building principal, with an appeal available to the Superintendent or his designee. The challenge shall clearly identify the part of the student's record the parent wants changed and specify why he/she believes it is inaccurate or misleading. If the school determines not to amend the record as requested, the school will notify the requesting parent or student of the decision and inform them of their right to a hearing regarding the request for amending the record. The parent or eligible student will be provided information regarding the hearing procedure when notified of the right to a hearing.

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

A student's name and photograph will only be displayed on the district or school's web page(s) after receiving the written permission from the student's parent or student if over the age of 18.

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

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

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

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

Notes: With very few exceptions; Health Insurance Portability and Accountability Act (HIPAA) privacy requirements don't apply to public K-12 schools and, for that reason, ASBA has no model policy addressing HIPAA. An excellent explanation of the relation between FERPA and HIPAA is available at http://arsba.org/policy-resources.

Districts must annually notify parents or students if over the age of 18 of the provisions of this policy and "…shall effectively notify parents who have a primary or home language other than English." (34 CFR 99.7(b)(2)

Districts may release directory information (DI) (as presently defined by the district) of former students to the extent there is not a signed prohibition against such release. As the definition of DI changes over time (for example, the addition of email addresses to the definition of DI), districts may release DI according to the current definition. It also applies to the release of information that is now defined as DI for students who left the district prior to 1974, when there was no such thing as DI.

As stated in this policy, once a student turns 18, the rights to his/her educational records transfers to the student. The release of educational records to a parent becomes permissive and not a right. At that point, the school gets to decide if it wants to release educational records to parents. The student, however, doesn't have the right to object one way or the other. If the parents don't establish dependency, once the student turns 18, the parents don't have an absolute **right** to see their student's educational records. "Dependency" in this regard is defined according to the IRS; if the student is claimed by either of their parents (regardless of custody issues, or filing jointly or separately) as a dependent, then the rights of the parent once the student turns 18 is as described. Without dependency, the parents have no right to see their student's educational records once the student turns 18.

There are several areas of permissible release of students' PII that are not mentioned in this policy (it's not required and would make the policy very long), but that are listed in 34 CFR 99.31. One of the areas that has been greatly elaborated on in the DOE Rules, released 12/2/11, relates to the district's release of PII to an "authorized representative" for the purpose conducting an audit or evaluation of federal or state education programs. This new area is covered in 34 CFR 99.35. Both documents are available by calling the ASBA office and requesting a copy. They could come in handy when answering parents' questions regarding the release of PII.

The Arkansas Supreme Court, Arkansas Department of Education, and ASBA collaborated in the creation of a form in an effort to aid juvenile intake and probation officers in acquiring necessary information for the officer to make more knowledgeable decisions/recommendations on a course of action for each juvenile's case. The Form allows for parents to authorize the officer to access certain portions of the student's education records and the parent's ESchool PLUS Home Access Center. The form, when completed by the parent and probation officer, will be sent to the district by the officer. A copy of the form, along with a background letter, may be found at http://arsba.org/policy-resources.

[1] You may choose a lesser number of days, but you may not exceed 45 days.

[2] This paragraph along with the preceding paragraph are added (and permitted) due to the amendments in the Code of Federal Regulations resulting from the Virginia Tech shootings in 2007. The paragraph can also apply to the release of PII to state health officials during outbreaks of communicable diseases. This would apply, for example, to immunization records to determine which students need to be removed from the school. (See Policy 4.34).

[3] The requirements for conducting a hearing are addressed in 34 CFR 99.22. The district's obligations regarding the results of the hearing are covered in 34 CFR 99.21. Both are available by calling the ASBA office and requesting a copy.

[4] The 12/2/11 DOE Rules now provide districts with the option of greater specificity in choosing to whom it will release DI. ASBA has not amended the model policy to include this expanded option because we feel it can result in unintentional restrictions for desired release of DI. The following is the language from 34 CFR 99.37 governing this option:

> *In its public notice to parents and eligible students in attendance, … an educational agency or institution may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. When an educational agency or institution specifies that disclosure of directory information will be limited to specific parties, for specific purposes, or both, the educational agency or institution must limit its directory information disclosures to those specified in its public notice.*

[5] Dates of attendance means the period of time during which a student attends or attended your district, e.g. an academic year or semester. It does not mean specific daily records of attendance.

[6] This paragraph is language from the amended 34 CFR 99.37 and is included to help eliminate the potential problem of a student (who is in a class where the student really doesn't want to be - for example JAG), who has opted out of release of DI, refusing to give the information necessary for the class.

Legal References:	A.C.A. § 9-28-113(b)(6); 20 U.S.C. § 1232g; 20 U.S.C. 34 CFR 99.3, 99.7, 99.21, 99.22, 99.30, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37, 99.63, 99.64
Cross References:	Policy 4.34—Communicable Diseases and Parasites Policy 5.20—District Web Site Policy 5.20.1—Web Site Privacy Policy Policy 5.20F1—Permission to Display Photo of Student on Web Site
Date Adopted:	05/28/13
Last Revised: 7/1/16	

4.14—STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE

Student Publications

All publications that are supported financially by the school or by use of school facilities, or are produced in conjunction with a class shall be considered school-sponsored publications. School publications do not provide a forum for public expression. Such publications, as well as the content of student expression in school-sponsored activities, shall be subject to the editorial control of the District's administration whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations.

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

Student Publications on School Web Pages

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

1. Not contain any non-educational advertisements. Additionally, student web publications shall;
2. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using a student's photograph when associated with the student's name unless written permission has been received from the student's parent or student if over the age of 18.
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

Student Distribution of Non-school Literature, Publications, and Materials

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

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

The regulations shall:

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

6. Students shall be responsible for the removal of excess literature that is left at the distribution point for more than five (5) days. Students who distribute the materials will also be required to pick up extra materials which end up as litter on the school campus.

The Superintendent, along with the student publications advisors, shall develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and timelines for the review of materials.

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

Date Adopted: 05/28/13
Last Revised: 2015

4.15—CONTACT WITH STUDENTS WHILE AT SCHOOL

CONTACT BY PARENTS

Parents wishing to speak to their children during the school day shall register first with the appropriate school 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 visitation may eat lunch, volunteer in their child's classroom, or otherwise have contact with their child during school hours and the prior approval of the school's principal. Such contact is subject to the limitations outlined in Policy 4.16, Policy 6.5, and any other policies that may apply.

Arkansas law provides that, In order to avoid continuing child custody controversies from involving school personnel and to avoid disruptions to the educational atmosphere in the District′s schools, the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school′s property on normal school days during normal hours of school operation. The custodial or non-custodial parent may send to/drop off the student at school to be sent to/picked up by the other parent on predetermined days in accordance with any court order provided by the custodial parent or by a signed agreement between both the custodial and non-custodial parents that was witnessed by the student′s building principal.[1] 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 Department of Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Except as provided below, other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen [18] years of age), or in response to a subpoena or arrest warrant.

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

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of

a court with jurisdiction over a child with a court order signed by a judge. Upon release of the student, the principal or designee shall give the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis notice that the student has been taken into custody by law enforcement personnel or a state's social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and an after-hours telephone number.

Contact by Professional Licensure Standards Board Investigators

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

Legal References: A.C.A. § 6-18-513; A.C.A. § 9-13-104; A.C.A. § 12-18-609, 610, 613
A.C.A. § 12-18-1001, 1005
Date Adopted: 05/28/13
Last Revised: 7/1/16

4.16—STUDENT VISITORS

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

Cross References: For adult visits see Policy 4.15—CONTACT WITH STUDENTS WHILE AT SCHOOL and Policy 6.5—VISITORS TO THE SCHOOLS
Date Adopted: 05/28/13
Last Revised: 2015

4.17—STUDENT DISCIPLINE

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

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

The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies. The District's student discipline policies shall be distributed to each student during the first week of school each year and to new students upon their enrollment. Each student's parent or legal guardian shall sign and return to the school an acknowledgement form documenting that they have received the policies. It is required by law that the principal or the person in charge report to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the Superintendent, that person shall also inform the Superintendent of the incident. Additionally, the principal shall inform any school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The Superintendent or designee shall inform the Board of Directors of any such report made to law enforcement.

Legal References: A.C.A. § 6-18-502; A.C.A. § 6-17-113

Date Adopted: 05/28/13
Last Revised: 2015

4.18—PROHIBITED CONDUCT

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

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior that interferes with orderly school operations;
3. Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or stealing school property;
7. Possession of any paging device, beeper, or similar electronic communication devices on the school campus during normal school hours unless specifically exempted by the administration for health or other compelling reasons;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
10. Inappropriate public displays of affection;
11. Cheating, copying, or claiming another person's work to be his/her own;
12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, “throwing signs” or other gestures associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying.; and
23. Operating a vehicle on school grounds while using a wireless communication device.

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

Legal References: A.C.A. § 6-18-502; A.C.A. § 6-18-707; A.C.A. § 6-15-1005; A.C.A. § 6-21-609
A.C.A. § 6-18-506; A.C.A. § 6-18-222; A.C.A. § 6-5-201; A.C.A. § 6-18-514
A.C.A. § 27-51-1602; A.C.A. § 27-51-1603; A.C.A. § 27-51-1609

Cross-References: Prohibited Conduct #1—Policy # 3.17; Prohibited Conduct #2— Policy # 4.20
Prohibited Conduct #3— Policy # 4.21, 4.26; Prohibited Conduct #4— Policy # 4.22
Prohibited Conduct #5— Policy # 4.23; Prohibited Conduct #7—Policy 4.47
Prohibited Conduct #8— Policy # 4.24; Prohibited Conduct # 13— Policy # 4.25
Prohibited Conduct # 14— Policy # 4.2; Prohibited Conduct # 15— Policy # 4.7
Prohibited Conduct # 16 — Policy # 4.9; Prohibited Conduct # 17— Policy # 4.43
Prohibited Conduct # 19— Policy # 4.12; Prohibited Conduct # 20— Policy # 4.26
Prohibited Conduct # 21—Policy # 4.27; Prohibited Conduct # 22— Policy # 4.43

Prohibited Conduct # 23— Policy # 4.47
Date Adopted: 05/28/13
Last Revised: 2015 04/27/15

4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY

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

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

Legal References: A.C.A. § 6-19-119 (b); Ark. Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers 4.0
Date Adopted: 05/28/13
Last Revised: 2015

4.20—DISRUPTION OF SCHOOL

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

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

Legal Reference: A.C.A. § 6-18-511
Date Adopted: 05/28/13
Last Revised: 2015

4.21—STUDENT ASSAULT OR BATTERY

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

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

Legal Reference: A.C.A. § 6-17-106 (a)
Date Adopted: 05/28/13
Last Revised: 2015

4.22—WEAPONS AND DANGEROUS INSTRUMENTS

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

A weapon is defined as any firearm, knife, gun, pistol, revolver, shotgun, BB gun, rifle, pellet gun, razor, ice pick, dirk, box cutter, numchucks, 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.

Possession means having a weapon, as defined in this policy, on the student's body or in an area under his/her control. If a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon to school 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. The weapon shall be confiscated and held in the office until such time as the student's parent/legal guardian shall pick up the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

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

The mandatory expulsion requirement does not apply to a firearm authorized by the district for use in a sanctioned activity that includes the use of firearms. Such activities may include ROTC programs, hunting safety or military education, or before or after-school hunting or rifle clubs.

A firearm brought inadvertently to school by a student shall be grounds for disciplinary action against the student, but the School Board of Directors may consider the "inadvertent circumstances" of the incident in determining the student's discipline.

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

Cross Reference: Policy 4.31—EXPULSION

Legal References: A.C.A. § 6-18-502 (c) (2)(A)(B); A.C.A. § 6-18-507 (e) (1)(2); A.C.A. § 6-21-608
A.C.A. § 5-4-201; A.C.A. § 5-4-401; A.C.A. § 5-27-210;
A.C.A. § 5-73-119(e)(8)(9)(10); 20 USCS § 7151; A.C.A. § 5-73-133
US Department of Education *Guidance Concerning State and Local Responsibilities under the Gun-Free Schools Act*

Date Adopted: 05/28/13
Last Revised: 7/1/16

4.23—TOBACCO AND TOBACCO PRODUCTS

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any property owned or leased by a District school, including school buses, 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. Any tobacco cessation product being used by students must be reported to the school nurse for authorization of use on school grounds.

Legal Reference: A.C.A. § 6-21-609
Date Adopted: 05/28/13
Last Revised: 2015

4.24—DRUGS AND ALCOHOL

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

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

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

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

Date Adopted: 05/28/13
Last Revised: 2015

4.25—STUDENT DRESS AND GROOMING

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

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 staff-approved costume or uniform worn by a student while participating in a school-sponsored activity or event.

The Superintendent shall establish student dress codes for the District's schools, to be included in the student handbook, and are consistent with the above criteria.

Legal References: A.C.A. § 6-18-502(c)(1); A.C.A. § 6-18-503(c)
Date Adopted: 05/28/13
Last Revised: 2015

4.26—GANGS AND GANG ACTIVITY

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

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

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

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. Students arrested for gang related activities occurring off school grounds shall be subject to the same disciplinary actions as if they had occurred on school grounds.

Legal References: A.C.A. § 6-15-1005(b)(2); A.C.A. § 5-74-201
Date Adopted: 05/28/13
Last Revised: 2015

4.27—STUDENT SEXUAL HARASSMENT

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

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

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

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

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

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

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

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

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

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

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

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
A.C.A. § 6-15-1005 (b) (1)
Date Adopted: 05/28/13
Last Revised: 2015

4.28—LASER POINTERS

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

Legal References: A.C.A. § 6-18-512; A.C.A. § 5-60-122
Date Adopted: 05/28/13
Last Revised: 2015

4.29—INTERNET SAFETY and ELECTRONIC DEVICE USE POLICY

Definition

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

The 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 Use and 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.

Misuse of Internet

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

- The disabling or bypassing of security procedures, compromising, attempting to compromise, or defeating the district’s technology network security or Internet filtering software;
- The altering of data without authorization;
- Disclosing, using, or disseminating passwords, whether the passwords are the student’s own or those of another student/faculty/community member, to other students;

- Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, addresses, and phone numbers.
- Using electronic devices for any illegal activity, including electronic device hacking and copyright or intellectual property law violations;
- Using electronic devices to access or create sexually explicit or pornographic text or graphics;
- Using electronic devices to violate any other policy or is contrary to the Internet safety and electronic device use agreement.

Legal References: Children's Internet Protection Act; PL 106-554;FCC Final Rules 11-125 August 11,2011;20 USC 6777;47 USC 254(h)(l) ;47 CFR 54.520 ;47 CFR 520(c)(4)
A.C.A. § 6-21-107; A.C.A. § 6-21-111

Date Adopted:
Last Revised: 2015

4.30—SUSPENSION FROM SCHOOL

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

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

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

a) the student shall be given written notice or advised orally of the charges against him/her;
b) 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
c) 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), 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), 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 parents' or legal guardians' responsibility to provide current contact information to the district which the school shall use to immediately notify the parent or legal guardian upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:

- 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.

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

During the period of their suspension, students serving in-school suspension shall not attend 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.

Cross Reference: 4.7—ABSENCES
Legal References: A.C.A. § 6-18-507; *Goss v Lopez*, 419 U.S. 565 (1975)
Date Adopted: 05/28/13
Last Revised: 7/1/16

4.31—EXPULSION

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

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

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

The President of the Board, Board attorney, or other designated Board member shall preside at the hearing. The student may choose to be represented by legal counsel. Both the district administration and School Board also may be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent, or student if age18 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 not less than one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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.

Cross Reference: Policy 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Legal Reference: A.C.A. § 6-18-507
Date Adopted: 05/28/13
Last Revised: 2015

4.32—SEARCH, SEIZURE, AND INTERROGATIONS

The District respects the rights of its students against arbitrary intrusion of their person and property. At the same time, it is the responsibility of school officials to protect the health, safety, and welfare of all students enrolled in the District in order to promote an environment conducive to student learning. The Superintendent, principals, and their designees have the right to inspect and search school property and equipment. They may also search students and their personal property in which the student has a reasonable expectation of privacy, when there is reasonable 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 Department of Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold " without first obtaining a court order. Other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen [18] years of age), or in response to a subpoena or arrest warrant.

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

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

Legal References: A.C.A. § 6-18-513; A.C.A. § 9-13-104; A.C.A. § 12-18-609, 610, 613
A.C.A. § 12-18-1001, 1005
Date Adopted: 05/28/13
Last Revised: 2015 04/27/15

4.33—STUDENTS' VEHICLES

A student who has presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive his/her vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking.

Parking on school property is a privilege which may be denied to a student for any 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 during the school day for any reason unless given permission to do so by school personnel.

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

Date Adopted: 05/28/13
Last Revised: 2015

4.34—COMMUNICABLE DISEASES AND PARASITES

Students with communicable diseases or with human host parasites that are transmittable in a school environment shall demonstrate respect for other students by not attending school while they are capable of transmitting their condition to others. Students whom the school nurse determines are unwell or unfit for school attendance or who are believed to have a communicable disease or condition will be required to be picked up by their parent or guardian. Specific examples include, but are not limited to: Varicella (chicken pox), measles, scabies, conjunctivitis (Pink Eye), impetigo/MRSA (Methicillin-resistant Staphylococcus aureus), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis A, B, or C, mumps, vomiting, diarrhea, and fever (100.0 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 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 contacted and asked to pick their child as soon as possible. The parents or legal guardians will be given information concerning the eradication and control of human host parasites. A student may be readmitted after the school nurse or designee has determined the student no longer has live human host parasites that are transmittable in a school environment.

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

Cross References: 4.2— ENTRANCE REQUIREMENTS
4.7— ABSENCES
4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION
4.57— IMMUNIZATIONS

Legal References: A.C.A. § 6-18-702; Arkansas State Board of Health Rules and Regulations Pertaining To Immunization Requirements
Arkansas Department of Education Rules Governing Kindergarten Through 12th Grade Immunization Requirements

Date Adopted: 05/28/13

Last Revised: 7/1/16

4.35—STUDENT MEDICATIONS

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

Unless authorized to self-administer, students are not allowed to carry any medications, including over-the-counter medications or any perceived health remedy not regulated by the US Food and Drug Administration, while at school. The parent or legal guardian shall bring the student's medication to the school nurse. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, 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 over-the-counter medications to the extent giving such medications are included in the student's IHP.

(ASBA Option 2) Students taking Schedule II medications methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse) shall be allowed to attend school in those cases where it is ABSOLUTELY MEDICALLY NECESSARY and the student remains fully capable of performing normally in the classroom.

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

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

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

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

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

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

A student is prohibited from sharing, transferring, or in any way diverting his/her medications to any other person. The fact that a student with a completed consent form on file is allowed to carry a rescue inhaler, auto-injectable

epinephrine, diabetes medication, or combination does not require him/her to have such on his/her person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler, auto-injectable epinephrine, diabetes medication, or any combination on his/her person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

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

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

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

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

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

Emergency Administration of Epinephrine

The school nurse or other school employees designated by the school nurse as a care provider who have been trained[1] and certified by a licensed physician may administer an epinephrine auto-injector in emergency situations to students who have an IHP developed under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of an epinephrine auto-injector in emergency situations.

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

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

The school nurse for each District school shall keep epinephrine auto-injectors on hand that are suitable for the students the school serves. The school nurse or other school employee designated by the school nurse as a care provider who has been trained[1] and certified by a licensed physician may administer auto-injector epinephrine to those students who the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes is having a life-threatening anaphylactic reaction.

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

4.35L 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.

It is the policy of the Centerpoint School District that no drug or medicinal preparation except for medicines used in first aid, will be administered to students on any school premises by school personnel unless the student requires the medication in order to attend school and the following guidelines are met:

1. A medication administration form must be filled out by the student's parent/guardian for each medication given (one form per medication) at the beginning of each school year for any prescription medication to be given on a daily basis.

2. The parent/guardian is solely responsible for providing all prescription medications to be given at school. These medications must be in the original container issued by the pharmacy with the student's name, medication name, medication strength, dosage amount, physician's name, date issued, and expiration date.

3. The parent/ guardian is sole responsible for notifying the school of any changes in the medication dose amount, time to be given, or a change in the medication strength. This notification is to be made in writing to the school nurse or principal. The school and its employees will not be held responsible if an incorrect dose is given prior to receiving the above notification.

4. The parent/guardian is solely responsible for replenishing medications in a timely fashion. The school will not be held responsible if a student should miss a dose or several doses because the parent/guardian has not had the medication refilled. It is the sole responsible of the parent/ guardian to know when medications need replaced.

5. If a student should need to receive intermittent prescription medications, it would be preferable to arrange the dose schedule so that students can take the medication at home. An example would be an antibiotic taken three times a day; it would be preferable to have the student take it before school, after school, and at bedtime. However, if the parent/guardian or the physician prefers to have the student receive a dose during school hours, the parent/guardian will need to fill out a mediation administration form for that medication which will cover ONLY that medication for the duration it is to be given. It is the responsibility of the parent/guardian to see that the medication is brought to school every day and taken home at the end of the day.

ALL MEDICATIONS AT SCHOOL WILL BE KEPT IN CENTRALLY LOCATED, SUPERVISED and LOCKED DRAWER. AT NO TIME ARE THEY TO BE REMOVED FROM THIS AREA EXCEPT BY A PARENT/GUARDIAN.

Notes: A.C.A. § 17-87-103(11), as amended by Act 833 of 2015, provides for the administration of Glucagon, insulin, or both to students suffering from diabetes.

Districts are not under any obligation to "recruit" volunteers and 4.~~06~~11 of the Rules explicitly states that no employee shall be pressured into volunteering.

[1] Arkansas Children's Hospital, The University of Arkansas Medical System, the Department of Health, and ADE have developed a training that would meet the statute's and this policy's certification requirements.

[2] The time frame in this paragraph is not statutorily mandated and may be changed to better suit your district and the employment contract of the school nurse. Any changes you make, however, need to address the need for students to have their medications through the last day of school and the reality of parent's work schedules.

This policy offers two different options regarding permissibility of students attending and participating in classes while taking Schedule II medications. Be sure only one option is included in the adopted policy and delete the heading "Option One" or "Option Two" in the final version. The footnote numbers relate to the language contained within the specific option.

Option Two

[1] A partial, but not all-inclusive listing of Schedule II medications not specifically permitted includes: Opium, morphine, codeine, hydromorphone (Dilaudid), methadone, meperidine (Demerol), cocaine, oxycodone (Percodan), amobarbital, pentobarbital, sufentanile, etorphine hydrochloride, phenylactone, dronabinol, secobarbital, and fentanyl.

[2] The specific authorization should be provided on the doctor's letterhead along with the completed Medication Administration Consent Form (4.35F) .

[3] A student who had surgery or was in an accident and is taking a Schedule II medication may be told by his/her doctor to not attend class. In such a case, a 504 plan can be developed to cover the duration of the student's recovery. The plan could include homebound instruction.

Legal References: Ark. State Board of Nursing: School Nurse Roles and Responsibilities
Arkansas Department of Education and Arkansas State Board of Nursing Rules Governing the Administration of Insulin and Glucagon to Arkansas Public School Students with Diabetes
A.C.A. § 6-18-707
A.C.A. § 6-18-711
A.C.A. § 6-18-1005(a)(6)
A.C.A. § 17-87-103 (11)
A.C.A. § 20-13-405

Date Adopted: 05/28/13
Last Revised: 7/1/16

4.36—STUDENT ILLNESS/ACCIDENT

If a student becomes too ill to remain in class and/or could be contagious to other students, the principal or designee will attempt to notify the student's parent or legal guardian. The student will remain in the school's health room or a place where he/she can be supervised until the end of the school day or until the parent/legal guardian can check the student out of school.

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

Date Adopted: 05/28/13
Last Revised: 2015

4.37—EMERGENCY DRILLS

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

The District shall annually conduct an active shooter drill and school safety assessment for all District schools in collaboration with local law enforcement and emergency management personnel. The training will include a lockdown exercise with panic button alert system training. Students will be included in the drills to the extent that is developmentally appropriate to the age of both the students and grade configuration of the school. Drills may be conducted during the instructional day or during non-instructional time periods.

Other types of emergency drills may also be conducted to test the implementation of the 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.

Notes: [1] Students who only ride buses occasionally, such as to go to and/or from a field trip will also have to participate in the evacuation drills.

[2] A.C.A. § 6-15-1302 requires that ~~any~~ the district's Panic Button Alert System meet the following requirements:

a) Connect the caller with 911 while simultaneously notifying designated on-site personnel;
b) Directly integrate into the existing statewide Smart911 system.
c) Be available for use as a smartphone application and have a mechanism for panic notifications to be triggered by non-smartphone wireless callers and landline callers; and
d) Be limited to users designated, approved, and confirmed by school administrators.

Smart911 is required to provide a way for schools to geo-fence the school campus and provide and manage floor plans and other documents to assist emergency responders when they automatically display during a 911 call. Districts are responsible for keeping the floor plans and pertinent emergency contact information for the statewide Smart911 system up to date.

[3] The purpose of the training is to allow participants to:

- Discuss simulated emergency situations in a low-stress environment;
- Clarify the roles and responsibilities of individuals and the logistics of handling an emergency on the school campus; and
- Identify areas in which the school safety plan should be modified.

[4] Student involvement will need to be worked out school by school and determined relative to grade and age considerations in conjunction with the actual content of the drill. There may be drills conducted that do not include any students due to the explicit nature of the drill and the age of the students while a drill in another school would include students. There are so many facets of responding to a school intruder/shooting incident that it's difficult to know when your planning has dealt with all the contingencies. A good resource on active shooter drills is the "I Love You Guys" Foundation, which was created by the parents of the victim of the school shooting at Platte Canyon High School in Colorado to develop a protocol to advance school safety. The Foundation has **free** materials for districts that can be a big help when developing protocols and training for both personnel and students. A description of the Foundation's recommended protocol and the materials can be found at http://iloveuguys.org/srp.html. Some of this site's information could also be applied to the emergency plans required by statute and this policy.

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

Last Revised: 7/1/16

4.38—PERMANENT RECORDS

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

Legal References: A.C.A. § 6-18-901; ADE Rule *Student Permanent Records*
Date Adopted: 05/28/13
Last Revised: 2015

4.39—CORPORAL PUNISHMENT

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

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

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

Legal Reference: A.C.A. § 6-18-503 (b); A.C.A. § 6-18-505 (c) (1)
Date Adopted: 05/28/13
Last Revised: 2015

4.40—HOMELESS STUDENTS

The Centerpoint 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.[1]

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

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

- The school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool; and

- The designated receiving school at the next grade level for all feeder schools when the child completes the final grade provided by the school of origin.

1. Continue the child's or youth's education in the school of origin for the duration of homelessness:
   - In any case in which a family becomes homeless between academic years or during an academic year; and
   - For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
2. Enroll the child or youth in any public school that nonhomeless 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.[2]

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

A. Are:
   - Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
   - Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
   - Living in emergency or transitional shelters;
   - Abandoned in hospitals; or
   - Awaiting foster care placement;

B. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

C. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

D. Are migratory children who are living in circumstances described in clauses (a) through (c).

In accordance with Federal law, information on a homeless child or youth's living situation is part of the student's education record and shall not be considered, or added, to the list of directory information in Policy 4.13.[3]

Notes: LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney – Vento Homeless Education Assistance Improvements Act without further determinations from other governmental entities.

[1] 42 U.S.C. § 11432(g)(1)(I) requires that SEAs and LEAs demonstrate they have developed policies to remove barriers to the identification, enrollment, and retention of homeless children and youths, including barriers to enrollment and retention due to outstanding fees or fines, or absences. The policy language is designed to provide as much flexibility as possible to allow a homeless student to succeed while still holding the homeless student responsible for circumstances that are unrelated to the student's living situation.

[2] The District's liability for transportation is more fully covered by 42 U.S.C. § 11432(g)(1)(J)(iii)(I) and (II), which read as follows:
(I) If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.
(II) If the child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing the child's or youth's education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

[3] The prohibition on the release of a student's homeless status is from 42 U.S.C. § 11432(g)(3)(G).

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

Date Adopted:05/28/13
Last Revised: 7/1/16

4.41—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.

4.41L *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.*

Note: This policy is not intended to and does not cover invasive physical examinations. "Invasive Physical Examinations" is defined in federal law 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. It is our understanding that most students who would receive an invasive physical examination would do so as part of the student's individual health plan (IHP) or while at a school based health clinic; neither situation is intended to be covered by this policy.

In the event a student did not fall under one of the above situations, districts should be aware that an invasive physical examination requires that the student's parent/legal guardian be "directly" notified of the specific or approximate dates (to the extent known) during the school year when the invasive physical examination is scheduled within a reasonable period of time that would provide the parent and opportunity to object. Parents of a student whose IHP covers an invasive physical examination have granted permission for that specific type of exam as part of the establishment of the IHP.
"Directly notified" means by mail or email; inclusion in the student handbook does not meet the law's requirements.
Districts with students who participate as athletes in the Arkansas Special Olympics programs should be aware that the student's physical examination for participation in the program must be signed by either an advanced practice nurse or a licensed physician. Many of the participating students often have multiple health challenges, which can sometimes be deadly in the right circumstances (These are often referred to as " co-morbidities".) As a result, it is important that the Special Olympics athlete medical form be completed by the parent and the qualified health care provider. A copy of the medical form can be found on the Policy Resources Page at http://arsba.org/policy-resources.

Legal References: A.C.A. § 6-18-701 (b), (c), (f)
Date Adopted: 05/28/13
Last Revised: 7/1/16

4.42—STUDENT HANDBOOK

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

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

Principals and counselors shall also review Policies 4.45—SMART CORE CURRICULUM AND GRADUATION and the current ADE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, the Principal and/or Counselor shall notify the Superintendent and Curriculum Coordinator immediately, so that corrections may be made and notice of the requirements given to students and parents.
Date Adopted: 05/28/13

Last Revised: 2015

4.43—BULLYING

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

A school principal or his or her designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

Definitions:

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

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

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

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

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

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

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

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

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

1. Sarcastic comments "compliments" about another student’s personal appearance or actual or perceived attributes,
2. Pointed questions intended to embarrass or humiliate,
3. Mocking, taunting or belittling,
4. Non-verbal threats and/or intimidation such as “fronting” or “chesting” a person,
5. Demeaning humor relating to a student’s race, gender, ethnicity or actual or perceived attributes,
6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,

7. Blocking access to school property or facilities,
8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings,
10. Threats of harm to student(s), possessions, or others,
11. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
12. Teasing or name-calling based on the belief or perception that an individual is not conforming to expected gender roles (Example: "Slut") or conduct or is homosexual, regardless of whether the student self-identifies as homosexual (Examples: "You are so gay." "Fag" "Queer").

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

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

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

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

Copies of this policy shall be available upon request.

Legal Reference: A.C.A. § 6-18-514
Date Adopted: 05/28/13
Last Revised: 2015

4.44— ATTENDANCE REQUIREMENTS FOR STUDENTS IN GRADES 9 - 12

Students in grades nine through twelve (9-12) are required to schedule and attend at least 350 minutes of regularly scheduled class time daily. Part of this requirement may be met by students taking post-secondary courses. Eligible students' enrollment and attendance at a post-secondary institution shall count toward the required weekly time of school attendance. Each credit hour shall count as three (3) hours of attendance time. This means a three (3) hour course shall count as nine (9) hours of the weekly required time of attendance.

Study Halls

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

Extracurricular Classes

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

Course Enrollment Outside of District

Enrollment and attendance in vocational-educational training courses, college courses, school work programs, and other department-sanctioned educational programs may be used to satisfy the student attendance requirement even if the programs are not located at the public schools. Attendance in such alternative programs must be pre-approved by the

school's administration. The district shall strive to assign students who have been dropped from a course of study or removed from a school work program job during the semester into another placement or course of study. In the instances where a subsequent placement is unable to be made, the district may grant a waiver for the student for the duration of the semester in which the placement is unable to be made.

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

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

Legal References: A.C.A. § 6-18-210, 211
Arkansas Department of Education Rules Governing the Mandatory Attendance Requirements for Students in Grades Nine through Twelve

Date Adopted: 05/28/13
Last Revised: 2015

4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2017

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year[3] to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

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

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children for all students who meet the definition of "eligible child" in Policy 4.2—ENROLLMENT.

GRADUATION REQUIREMENTS

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of 22 units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Arkansas Department of Education, the district requires an additional 24 units to graduate for a total of 24 units. The additional required units may be taken from any electives offered by the district.[6] There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

SMART CORE: Sixteen (16) units

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

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

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

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

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

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

Natural Science: a total of three (3) units with lab experience chosen from
One unit of Biology; and either:
Two units chosen from the following three categories (there are acceptable options listed by the ADE for each):

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

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

Social Studies: three (3) units

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

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

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

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

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.[7]

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

CAREER FOCUS: - Six (6) units

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

CORE: Sixteen (16) units
English: four (4) units – 9, 10, 11, and 12
Oral Communications: one-half (1/2) unit
Mathematics: four (4) units

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

*****A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four (4) unit requirement.
Science: three (3) units

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

Two units chosen from the following three categories:

- Physical Science;
- Chemistry;
- Physics; or

One unit from the three categories above and one unit of computer science chosen from ADE Essentials of Computer Programming, ADE Computer Science and Mathematics, AP Computer Science, AP Computer Science Principles, IB Computer Science, or other options approved by ADE.
Social Studies: three (3) units

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

Physical Education: one-half (1/2) unit
Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.
Health and Safety: one-half (1/2) unit
Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.[7]
Fine Arts: one-half (1/2) unit

CAREER FOCUS: - Six (6) units
All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

Notes: [1] New Smart Core Consent and Smart Core Waiver Forms are available at http://arsba.org/policy-resources and on the ADE website. While 9.03.1.8 of the Standards and the Smart Core Guidance both require parents to sign one of the forms, there's not much you can do if they don't. Either way, the default option is Smart Core.

[2] The Department's Guidelines stipulate completion by the end of the senior year. We believe this is not in agreement with Arkansas code 6-18-202(b)(1) which requires public schools to be open through the completion of the secondary program to students between the ages of 5 and 21. Therefore, we suggest that students be allowed to switch from Core to Smart Core if they could successfully complete its requirements by the time they attained their twenty first birthday. Acceptance of a diploma negates a student's right to switch programs.

[3] The Standards require a review, but do not stipulate its frequency. Select an interval to insert here (never is not an option). Standards require the inclusion of students, parents, and staff in the formulation and review of this policy.

[4] Schools are required to retain documentation procedures and methods used.

The Guidelines require the policy to include the training "procedure." If you prefer a different procedure than inclusion in your district's annual professional development process, change this sentence accordingly.

[6] The Standards For Accreditation Unit has objected to the policy's previous implication (if you substituted a number greater than 22) that the ADE was requiring more than 22 units to graduate. Therefore, this sentence is necessary if your district requires more than 22 units. If you have specific requirements for the additional units, change the new sentence's wording to reflect those requirements.

[7] The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

Cross Reference: 4.55—STUDENT PROMOTION AND RETENTION

Legal References: Standards for Accreditation 9.03 – 9.03.1.9, 14.02
ADE Guidelines for the Development of Smart Core Curriculum Policy
Smart Core Informed Consent Form
Smart Core Waiver Form
A.C.A. § 6-4-302

Revised: 7/1/16

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

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

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents at least every other year[3] to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

- Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;

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

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

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children for all students who meet the definition of "eligible child" in Policy 4.2—ENROLLMENT.

GRADUATION REQUIREMENTS

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of 22 units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Arkansas Department of Education, the district requires an additional 2 units to graduate for a total of 2 units. The additional required units may be taken from any electives offered by the district.[6] There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

Digital Learning Courses

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format.[7] In addition to the other graduation requirements contained in this policy, students are required to take at least one (1) digital learning course for credit while in high school.

SMART CORE: Sixteen (16) units

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

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

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

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

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

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

Natural Science: a total of three (3) units with lab experience chosen from
One unit of Biology; and either:
Two units chosen from the following three categories (there are acceptable options listed by the ADE for each):

- Physical Science;
- Chemistry;
- Physics or Principles of Technology I & II or PIC Physics; or
- One unit from the three categories above and one unit of computer science chosen from ADE Essentials of Computer Programming, ADE Computer Science and Mathematics, AP Computer Science, AP Computer Science Principles, IB Computer Science, or other options approved by ADE.

Social Studies: three (3) units

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

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

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

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.[8]

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

CAREER FOCUS: - Six (6) units

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

CORE: Sixteen (16) units

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

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

Mathematics: four (4) units

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

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

Science: three (3) units

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

Two units chosen from the following three categories:

- Physical Science;
- Chemistry;
- Physics; or

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

Social Studies: three (3) units

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

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

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

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

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.[8]

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

CAREER FOCUS: - Six (6) units

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

Notes: [1] New Smart Core Consent and Smart Core Waiver Forms are available at http://arsba.org/policy-resources and on the ADE website. While 9.03.1.8 of the Standards and the Smart Core Guidance both require parents to sign one of the forms, there's not much you can do if they don't. Either way, the default option is Smart Core.

[2] The Department's Guidelines stipulate completion by the end of the senior year. We believe this is not in agreement with Arkansas code 6-18-202(b)(1) which requires public schools to be open through the completion of the secondary program to students between the ages of 5 and 21. Therefore, we suggest that students be allowed to switch from Core to Smart Core if they could successfully complete its requirements by the time they attained their twenty first birthday. Acceptance of a diploma negates a student's right to switch programs.

[3] The Standards require a review, but do not stipulate its frequency. Select an interval to insert here (never is not an option). Standards require the inclusion of students, parents, and staff in the formulation and review of this policy.

[4] Schools are required to retain documentation procedures and methods used.

[5] The Guidelines require the policy to include the training "procedure." If you prefer a different procedure than inclusion in your district's annual professional development process, change this sentence accordingly.

[6] The Standards For Accreditation Unit has objected to the policy's previous implication (if you substituted a number greater than 22) that the ADE was requiring more than 22 units to graduate. Therefore, this sentence is necessary if your district requires more than 22 units. If you have specific requirements for the additional units, change the new sentence's wording to reflect those requirements.

[7] For a detailed explanation/discussion of district options for digital learning courses see policy 5.11—DIGITAL LEARNING COURSES.

[8] The Rules specify the option is dependent upon the licensure of the teacher. Specifically, if the course is taught by a licensed social studies teacher, both options exist. If the course is taught by a licensed business education teacher, the credit must be applied toward the career focus requirement.

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
5.11—DIGITAL LEARNING COURSES

Legal References: Standards For Accreditation 9.03 – 9.03.1.9, 14.02
ADE Guidelines for the Development of Smart Core Curriculum Policy
ADE Rules Governing the Digital Learning Act of 2013
Smart Core Informed Consent Form 2016
Smart Core Waiver Form 2016
A.C.A. § 6-4-302
A.C.A. § 6-16-1406

Date Adopted:
Last Revised: 7/1/16

4.46—PLEDGE OF ALLEGIANCE

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

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

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

Legal Reference: A.C.A. § 6-16-108
Date Adopted: 05/28/13
Last Revised: 2015

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

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

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

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

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

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

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

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

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

Students who use a school issued cell phones and/or computers for non-school purposes, except as permitted by the district's Internet/computer use policy, shall be subject to discipline, up to and including suspension or expulsion. Students are forbidden from using school issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including expulsion. No student shall use any wireless communication device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle which is in motion and on school property. Violation may result in disciplinary action up to and including suspension.

Legal References: A.C.A. § 6-18-515; A.C.A. § 27-51-1602; A.C.A. § 27-51-1603; A.C.A. § 27-51-1609
Date Adopted: 05/28/13
Last Revised: 2015 04/27/15

4.48—VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING

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

The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as 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 also be notified through the student handbook that cameras may be in use in school buildings, on school grounds and in school vehicles. Students will be held responsible for any violations of school discipline rules caught by the cameras and other technologies authorized in this policy.

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

Videos, automatic identification, or data compilations containing evidence of a violation of student conduct rules and/or state or federal law shall be retained until the issue of the misconduct is no longer subject to review or appeal as

determined by board policy or student handbook; any release or viewing of such records shall be in accordance with current law.

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

Legal References: 20 USC 1232; 20 U.S.C. 7115; 34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31
Date Adopted: 05/28/13
Last Revised: 2015 06/4/14

4.49—SPECIAL EDUCATION

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

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

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

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

Legal References: 34 C.F.R. 300 et seq.; 42 U.S.C. §12101 et seq. American with Disabilities Act
29 U.S.C. § 794 Rehabilitation Act of 1973, Section 504,
20 U.S.C. §1400 et seq. Individuals with Disabilities Education Act,
P.L. 108-446 2004 Reauthorization of the Individuals with Disabilities Act
A.C.A. § 6-41-201 et seq.
Date Adopted: 05/28/13
Last Revised: 2015

4.50—SCHOOL LUNCH SUBSTITUTIONS

The district only provides substitute meal components on menus to accommodate students with handicapping conditions meeting the definition of a disability as defined in USDA regulations. A parent/guardian wishing to request such a dietary accommodation must submit to the district's Director of Child Nutrition[1] a Certification of Disability for Special Dietary Needs Form completed by:

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

Notes: [1] Insert the title of the person handling this responsibility for your district.

[2] A Registered Dietitian Nutritionist may make recommendations for alternate foods for children whose disability restricts their diet, but the medical statement must be signed by one of the professionals listed in this policy.

Legal References: Commissioner's Memo FIN-09-044
Commissioner's Memo FIN-15-122
7 CFR 210.10(g)

Date Adopted: 05/28/13
Last Revised: 7/1/16

4.51— FOOD SERVICE PREPAYMENT

The Centerpoint School Food Service Program provides well-balanced, state and federally approved lunch and breakfast menus for all students at minimum cost. Free and reduced meals are available for those who qualify. To check for eligibility, each student must complete an eligibility form and return it to the office at the beginning of each school year. Forms may be submitted at other times during the school year as students new to the district enroll or family circumstances change.

GRADES K-5 CAFETERIA/FOOD SERVICE PAYMENT

Centerpoint students in kindergarten through fifth grade will be able to charge up to 12 meals in the cafeteria before an alternative meal will be issued at the regular meal price. This will include any combination of breakfast and lunch. After four (4) alternative meals the student will not be allowed to charge or receive an alternative meal until all charges have been paid in full. The parent or legal guardian will then be responsible for providing all meals for the student until the charges have been paid in full. Notice will be sent home with the students each week of the amount owed. When they have reached eight (8) charges, the parent/legal guardian will be notified by certified mail. When the charges reach ten (10) the parent/legal guardian will be contacted by phone that the student is about to receive an alternative meal. When a student receives four (4) alternative meals the principal or designee will contact the parent/legal guardian by phone notifying them that their student's meals will need to be provided from home until all charges have been paid in full.

If you have any questions you may contact either Lee Ann Hampton at 870-356-3612, ext. 243, Rodney Whitfield at 870-356-3206 or Penny Smothers at 870-342-5377.

Students in grades K-5 should bring meal money on Monday morning in a sealed envelope, with child's and teacher's name, amount enclosed and clarification about whether it's meant for breakfast and/or lunch written on the front of envelope.

Parents who come to eat with their child must check in at the office and pick up a visitor's pass before going to the cafeteria.

GRADES 6-12 CAFETERIA/FOOD SERVICE PAYMENT

Students in grades 6-12 will not be allowed to charge for their breakfasts and lunches. Payment for meals is due at the time the food items are received. Parents or students choosing to do so may pay weekly or monthly in advance for students' meals.

Date Adopted: 05/28/13
Last Revised: 2015

4.52—STUDENTS WHO ARE FOSTER CHILDREN

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

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

The District, working with other individuals and agencies shall, unless the presiding court rules otherwise, ensure that the foster child remains in his/her 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 him/her. Immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.

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

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

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

Cross References: 4.1—RESIDENCE REQUIREMENTS; 4.2—ENTRANCE REQUIREMENTS
4.7—ABSENCES

Legal Reference: A.C.A. § 9-28-113
Date Adopted: 05/28/13
Last Revised: 2015 04/27/15

4.53— PLACEMENT OF MULTIPLE BIRTH SIBLINGS

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

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

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

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

Legal Reference: A.C.A. § 6-18-106
Date Adopted: 05/28/13
Last Revised: 2015

4.54 - STUDENT ACCELERATION

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

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 time span. Either form of acceleration can be triggered by either a

parent/guardian, student, or community member's request or by the referral of school personnel. In either case, the process of determining the appropriateness of the request shall be under the direction of the district/school Gifted and Talented Program Coordinator who shall convene the individuals necessary to make an informed decision which shall include the student's parents or guardians.

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

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

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

Legal Reference: ADE Gifted and Talented Rules
Date adopted: 05/28/13
Last Revised: 2015

4.55—STUDENT PROMOTION AND RETENTION

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

1. Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria. Pupils who satisfactorily complete a course of study prescribed for their grade level in the Centerpoint Primary, Intermediate, and Middle Schools will be promoted to the next grade level at the end of the school year.
2. Promotion/Retention Policy for sixth (6) seventh (7) and eighth (8) grades:
    a. Any 6th, 7thor 8th grade student earning an "F" grade for the year in two or more core courses (math, English, science, social studies) will not be promoted to the next grade. Yearly grades will be determined by averaging of the two semester grades.
    b. Any 6th7thor 8th grade student having eight (8) or more failing semester grades for the entire year, including electives will not be promoted to the next grade.
3. Students in grades six (6), seven (7) and eight (8) shall not be retained more than one year. After having been retained for one year, they will be evaluated for an appropriate educational program.
4. It will be the responsibility of the teacher to notify parents of possible failures and to arrange conferences with parents before the child is given a failing grade on a year's work.
5. Students in the ninth (9th) grade must choose a career focus to help determine course scheduling for their high school careers.
6. Students who do not score proficient or advanced on the Benchmark exams, End of Course Exams in Algebra I, Geometry, Biology, and Literacy must participate in a remediation program at CHS or be subject to retention and/or loss of credit. Academic Improvement Plans (AIP) shall be developed for students who score below Proficient on Benchmark test and End of Course test. The development of the AIP will be a collaborative effort between school personnel and the parents/guardian.

If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference between the building principal, the student's teacher(s), counselor, a 504/special education

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

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

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

The Superintendent or designee may wave this provision when the student's failure was due to exceptional or extraordinary circumstances.

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

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

To the extent required by the State Board of Education, students in grade eleven (11) and below who do not meet the required score on a college and career readiness measurement shall participate in the remediation activities prescribed in his/her IAIP which may include additional opportunities to retake the measurement.

Such remediation shall not require the student to pass a subsequent college and career readiness measurement in order to graduate from high school.

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

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

3.30—PARENT-TEACHER COMMUNICATION

4.56—EXTRACURRICULAR ACTIVITIES - SECONDARY SCHOOLS

4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: A.C.A. 6-15-433; A.C.A. § 6-15-2001; A.C.A. § 6-15-2005; A.C.A. § 6-15-2009;A.C.A. § 9-28-205

ADE Rules Governing the Arkansas Comprehensive Testing, Assessment, and Accountability Program and the Academic Distress Program
ADE Rules Governing Public School End-Of-Course Assessments and Remediation; Murphy v. State of Ark., 852 F.2d 1039 (8th Cir. 1988)

Date Adopted:
Last Revised: 2015 04/27/15

4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Definitions:

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

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

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

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

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

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

Extracurricular Eligibility

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student's educational experience. At the same time, the Board believes that a student's participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excluded). 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.

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

Interscholastic Activities

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

ACADEMIC REQUIREMENTS: Junior High

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

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

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

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

ACADEMIC REQUIREMENTS: Senior High

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

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

STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM

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

ARKANSAS ACTIVITIES ASSOCIATION

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

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).

References: 4.55—STUDENT PROMOTION AND RETENTION
4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: State Board of Education Standards for Accreditation 10.05 and 10.06
Arkansas Activities Association Handbook

Date Adopted:
Last Revised: 2015 6/4/14

4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Definitions

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

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

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

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

Extracurricular Eligibility

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student's educational experience. At the same time, the Board believes that a student's participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity[1] (tournaments or other similar events excepted with approval of the Centerpoint School District)[2] 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.[3]

Any student who refuses to sit for a State assessment or attempts to boycott a State assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following state mandated assessment, as applicable, or completes the required remediation for the assessment the student failed to put forth a good faith effort on. The superintendant or designee may wave this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.[4] Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.[5]

A student who enrolls in the district and meets the definition of "eligible child" in Policy 4.2—ENROLLMENT 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.

Notes: [1] State Board of Education Standards for Accreditation 10.05 require a policy that "shall limit and control interruptions of instructional time in the classroom and the number of absences for such activities." You could replace “one per week per extracurricular activity” with a specific number of days per semester that could also allow the student to "bank" or accumulate days in anticipation of a major event.

[2]Fill in the blank with the position of the person you wish to make responsible for the decision, e.g. principal or superintendent.

[3] Make sure your student handbook matches this language.

[4] This sentence is optional but it would keep the policy from having "zero tolerance" (which we do not support) and give you latitude to accommodate instances beyond the student's or parent's control such as a car accident, serious illness, or other acts of God. If you choose to include the sentence, you may change "Superintendent" to "principal" if that would work better in your district. Be sure to align your decision for this footnote with the decision you have made on the same issue that exists in policies 4.55 and 4.56.

[5] This paragraph is entirely optional. Participation in extracurricular activities is not a right, and districts may legally place conditions on a public school student’s eligibility for participation (such as testing compliance), but districts cannot deny a diploma to an otherwise qualified student or deny a student the ability to attend school. If you choose to include the paragraph, the third to the last sentence may be amended to apply to a timeline of your choice.

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Legal References: State Board of Education Standards for Accreditation 10.05 and 10.06
A.C.A. § 6-4-302

Date Adopted:
Last Revised: 7/1/16

4.56 —EXTRACURRICULAR ACTIVITIES Secondary Schools
Definitions:

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

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the

purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

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

"Interscholastic Activities" means athletic or non-athletic/academic activities where students compete on a school vs. school basis.[1]

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

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

Extracurricular Eligibility

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

Any student who refuses to sit for a State assessment or attempts to boycott a State assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following state mandated assessment, as applicable, or completes the required remediation for the assessment the student failed to put forth a good faith effort on. The superintendant or designee may wave this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances.[3] Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.[4]

A student who enrolls in the district and meets the definition of "eligible child" in Policy 4.2— ENTRANCE REQUIREMENTS ~~ENROLLMENT~~ 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.

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.[5]

ACADEMIC REQUIREMENTS: Junior High

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

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

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

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

ACADEMIC REQUIREMENTS: Senior High

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

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

STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM

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

ARKANSAS ACTIVITIES ASSOCIATION

In addition to the foregoing rules, the district shall abide by the rules and regulations of AAA governing interscholastic activities. AAA provides catastrophic insurance coverage for students participating in AAA governed extracurricular activities who are enrolled in school. As a matter of District policy, no student may participate in a AAA governed extracurricular activity unless he or she is enrolled in a district school, to ensure all students are eligible for AAA catastrophic insurance.[6]

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.[7]

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).

NOTES: The standards as outlined above are minimum standards and can be raised locally if desired. If your district does not offer a SIP, delete the references to it in your policy.

AAA standards allow a student to participate in an SIP for a maximum of two consecutive semesters and require the student to improve his/her GPA by at least 10% by the end of the first semester to remain eligible for the second semester. By the end of the second semester, the student must have attained a 2.0 GPA to be eligible for competitive interscholastic activities. Following one or more semesters where the student has attained a 2.0 GPA, this cycle may be repeated.

[1] The definition for **inter**scholastic activities is effectively taken from the AAA Handbook and is the origin for the extrapolated definition of **intra**scholastic activities. When it comes to implementing this policy, it may be important/helpful to keep in mind that the Handbook also points out the following: Performance activities such as band, speech, drama, etc. may be viewed as competitive arenas both internally (ratings by individual schools) and externally (comparisons of individual or school ratings with a view toward determining an ultimate winner). Additionally, both inter and intra scholastic activities may be curricular if the activity is required as part of the course.

[2] State Board of Education Standards for Accreditation 10.05 require a policy that "shall limit and control interruptions of instructional time in the classroom and the number of absences for such activities." You could replace “one per week per extracurricular activity” with a specific number of days per semester that could also allow the student to "bank" or accumulate days in anticipation of a major event.

[3] This sentence is optional but it would keep the policy from having "zero tolerance" (which we do not support) and give you latitude to accommodate instances beyond the student's control such as a car accident, serious illness, or other acts of God. If you choose to include the sentence, you may change "Superintendent" to "principal" if that would work better in your district. Be sure to align your decision for this footnote with the decision you have made on the same issue that exists in policies 4.55 and 4.56.1.

[4] This paragraph is entirely optional. Participation in extracurricular activities is not a right, and districts may legally place conditions on a public school student's eligibility for participation (such as testing compliance), but districts cannot deny a diploma to an otherwise qualified student or deny a student the ability to attend school. If you choose to include the paragraph, the third to the last sentence may be amended to apply to a timeline of your choice.

[5] This paragraph is not statutorily required, but has been added to align with policy 4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS with the belief that such information will benefit all students.

[6] This also applies to home schooled students and is cleverly accommodated by an adjustment to APSCN reporting outlined in Commissioner's Memo FIN-14-11.

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

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: State Board of Education Standards for Accreditation 10.05 and 10.06
Arkansas Activities Association Handbook
A.C.A. § 6-4-302

Date Adopted:
Last Revised: 7/1/16

4.56.2—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 subject to regulations 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[2] as permitted by this policy. 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 activities without discrimination.

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. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series,

Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one course in the District's school where the student is intending to participate in an interscholastic activity.

The student shall regularly attend the class in which the student is registered beginning no later than the eleventh (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 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;
- required drug testing;
- 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 student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five days after the student withdraws from the member school.

References: A.C.A. § 6-15-509; Arkansas Activities Association Handbook

Date Adopted:
Last Revised: 2015 6/4/14

4.57—IMMUNIZATIONS

Definitions

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

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

General Requirements

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

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

The 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.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating "up-to-date", "complete", "adequate", and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted. Valid proof of immunization and of immunity based on serological testing shall be entered into the student's record.
In order to continue attending classes in the 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 twenty-one (21) days or longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the 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.

Cross References: 4.2—ENTRANCE REQUIREMENTS; 4.7—ABSENCES; 4.8 - MAKE- UP WORK

Legal References: A.C.A. § 6-18-702; ADE Rules Governing Kindergarten Through 12th Grade Immunization Requirements In Arkansas Public Schools; ADH Rules and Regulations Pertaining to Immunization Requirements

Date Adopted:

Last Revised: 2015 4/27/15

4.58—FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA

No student shall remove school provided food items from the food service area at the end of the meal period, especially milk, juice, and other items requiring temperature controlled environments. Except for food service workers as required by their job duties, District employees may only remove school provided food items from the food service area when required by a 504 plan or a student's IEP.

Legal References: Commissioner's Memo FIN 08-076; Commissioner's Memo FIN 15-052

Date Adopted:

Last Revised: 2015 4/27/15

5.11—DIGITAL LEARNING COURSES

Definitions

For the purposes of this policy

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

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

"Highly Qualified Teacher" means a teacher who holds at least a Bachelor's Degree and has demonstrated subject area competence in each of the core academic subjects in which the teacher teaches. A highly qualified teacher that delivers digital learning courses under these rules is not required to be licensed as a teacher or administrator by the State Board of Education. This definition, however, does not override the fact that Federal laws or regulations may require teachers in certain subject areas to hold a teaching license (e.g., special education teachers who teach core academic subjects).

"Instructional Materials" means:

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

"Online Learning" is education in which instruction and content are delivered primarily over the Internet. The term does not include print-based correspondence education, broadcast television or radio, videocassettes, compact disks and stand-alone educational software programs that do not have a significant Internet-based instructional component.

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 Arkansas Department of Education (ADE). 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 ADE.

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 three 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 school 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 school principal may revoke a student's eligibility to continue taking a digital learning course if the student's performance during the semester indicates the student is not succeeding in the course.

Cross References: 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2018 AND THEREAFTER
4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2015, 2016, AND 2017
5.8—USE OF COPYRIGHTED MATERIALS

Legal References: A.C.A. § 6-16-1401 et seq.
ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING THE DIGITAL LEARNING ACT OF 2013

Date Adopted:
Last Revised: 2015 6/4/14

5.26—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 or legal guardian (if they choose to participate);
    - The District shall document its efforts to contact the student's parent or guardian to schedule a meeting or a phone call for a placement meeting at the parent or guardian's convenience, 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 of the following characteristics a through l:

a) Disruptive behavior;
b) Dropping out from school;
c) Personal or family problems or situations;
d) 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:

e) Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
f) Abuse: physical, mental, or sexual;
g) Frequent relocation of residency;
h) Homelessness;
i) Inadequate emotional support;
j) Mental/physical health problems;
k) Pregnancy; or
l) 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 or legal guardian (if they choose to participate), and the student, outlining the responsibility of the ALE, parent or legal guardian, 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 Arkansas Department of Education (ADE) 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 ADE Rules.

Legal References: A.C.A. § 6-20-2305(b)(2);A.C.A. § 6-48-101 et seq.;ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds – 3.01, 4.00, and 8.0

Date Adopted:
Last Revised: 2015 6/4/14

5.27—ENGLISH LANGUAGE LEARNERS

The district shall utilize the special needs funding it receives for identified English Language Learners on activities, and materials listed in the ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds.

The expenditures of ELL supplemental funding shall be evaluated at least annually to determine their overall effectiveness. The evaluation shall specifically address how the use of ELL funds is in alignment with the district's ACSIP in addressing identified achievement gaps and student performance deficiencies.

Legal References: A.C.A. § 6-20-2305(b)(3)
A.C.A. § 6-15-426(f)
ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds – 3.04~~9~~, 5.00, 8.00

Date Adopted:
Last Revised: 2015 6/4/14

6.7—COMPLAINTS

Parental Grievance Policy

It is a goal of the Board and the District to be responsive to the community it serves and to continuously improve the educational program offered in its schools. The Board or the District welcomes constructive criticism when it is offered with the intent of improving the quality of the system's educational program to the delivery of the District's services.

The Board formulated and adopts policies to achieve the District's vision and elects a Superintendent to implement its policies. The administrative functions of the District are delegated to the Superintendent who is responsible for the effective administration and supervision of the District. Individuals with complaints concerning personnel, curriculum, discipline, coaching, or the day to day management of the schools need to address those complaints according to the following sequence:

1. Teacher, coach, or other staff member against whom the complaint is directed;
2. Principal;
3. Superintendent;

Other than in the few instances where statutorily allowed or required, student discipline and personnel matters may not be discussed in board meetings. Individuals with complaints regarding such matters need to follow the sequence outlined above.

Unless authorized by the board as a whole for a specific purpose, no individual Board member has any authority when acting alone. District constituents are reminded that the Board serves as jury in matters regarding student suspensions initiated by the Superintendent, expulsions, and personnel discipline.

Date Adopted:
Last Revised: 2015 6/4/14

Other Policies and Procedures

Equity Statement

Students shall have the right maintain student organizations and are not restricted from membership on the basis of race, sex, national origin, or other arbitrary criteria. School fraternities and secret societies are banned.

Centerpoint District Wide Parental Involvement Policy

The Centerpoint Middle/High School understands the importance of involving parents and the community as a whole in promoting higher student achievement and general good will between the school and those it serves. Therefore, the school shall strive to develop and maintain the capacity for meaningful and productive parental and community involvement that will result in partnerships that are mutually beneficial to the school, students, parents, and the community. To achieve such ends, the school shall work to

1. Involve parents and the community in the development of the long range planning of the school;
2. Have a coordinated involvement program where the involvement activities of the school enhance the involvement strategies of other programs such as Career Awareness and/or Career Action Planning for Students (CAPS), Parents as Partners, Parents as Teachers, and Parents as Volunteers. Parent will also be assisted with College/Technical preparation (FAFSA, Scholarship) etc.
3. Explain to parents and the community the State's content and achievement standards, State and local student assessments and how the school's curriculum is aligned with the assessments and how parents can work with the school to improve their child's academic achievement;

4. Provide parents with the materials and training they need to be better able to help their child achieve. The school may use parent resource centers or other community based organizations to foster parental involvement and provide literacy and technology training to parents.
5. Educate school staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent involvement programs that will promote positive
6. Keep parents informed about parental involvement programs, meetings, and other activities they could be involved in. Such communication shall be, to the extent practicable, in a language the parents can understand;
7. Find ways to eliminate barriers that work to keep parents from being involved in their child's education. This may include providing transportation and child care to enable parents to participate, arranging meetings at a variety of times, and being creative with parent/teacher conferences;
8. Find and modify other successful parent and community involvement programs to suit the needs of our school;
9. Train parents to enhance and promote the involvement of other parents;
10. Provide reasonable support for other parental involvement activities as parents may reasonably request.

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

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

The Centerpoint Middle/High School shall, at least annually, involve parents in reviewing the school's Title I Program and Parental Involvement Policy in order to help ensure their continued improvement. This policy shall be part of the school's Title I plan and shall be distributed to parents of the district's students and provided, to the extent practicable, in a language the parents can understand.

The "compact" is also required to be developed jointly with parents of the children served under Title I and distributed to parents annually.

Plan de accion de la inclusion de padres del districto de la escuela de Centerpoint

El districto de la escuela de Centerpoint entiende la importancia de incluir a los padres y a la comunidad entera en promover un nivel mas alto de aprendizaje para el estudiante y tambien buena voluntad entre el districto escolar y a los que sirve. Por lo tanto, el districto tratara de desarrolar y mantener la capacidad de tener participacion productiva y significante de los padres y de la comunidad que resultaran en una relacion que sera de beneficio a los estudiantes, los padres, la escuela y la comunidad. Para lograr esto el districto trabajara para:

1. Incluir a los padres y a la comunidad en el desarrollo de planes futuros del districto.
2. Dar a escuelas en el districto el apoyo necesario para permitirles planear e implementaractividades en que habra participacion de los padres.
3. Tener un programa coordinado de la participacion donde las actividades del districto mejoran las estrategias de participacion de otros programas tales como Head Start, HIPPY, Parents as Partners, Parents as Teachers, ABC, ABC for School Success, programas de pre-kinder, y Even Start
4. Explicar a los padres y a la comunidad el contenido y los estandares de exito del estado, los examenes estudantiles locales y del estado y como el plan de estudios del districto se alinea con los examenes y como los padres puedan trabajar con el districto para mejorar el alcance academico de su nino ;
5. Proveer a los padres los materiales y el entrenamiento que necesitan para poder mejor ayudar a su nino a tener exito. El districto puede utilizar centros de recurso para padres u otras organizaciones en la comunidad para fomentar la participacion de los padres y para proveer entrenamiento para los padres en tecnologia, lectura y escritura.
6. Educar a los empleados del districto, con la ayuda de los padres, en las maneras de trabajar y comunicarse con los padres y como saber implementar los programas de participacion de padres que promoveran relaciones positivas entre la escuela y los padres;

7. Mantener a padres informados sobre programas, reuniones, y otras actividades en las cuales pueden participar. Tal comunicado sera escrita cuando es posible en una idioma que los padres puedan entender;
8. Encontrar maneras de eliminar las barreras que prohiben la participacion de los padres en la educacion de su nino. Esto puede incluir el transporte y el cuidado de los ninos para permitir participacion de los padres, arreglando reuniones en horas variadas, y siendo creativos con conferencias del padre y el profesor;
9. Encontrar y modificar otros programas acertados de participacion de padres o de la comunidad para satisfacer las necesidades de nuestro districto;
10. Entrenar a los padres a realizar y promover la participacion de otros padres;

Proporcionar el apoyo adecuado para otras actividades parentales que los padres pidan. Para asegurarnos de la continuada mejorada del programa de participacion parental, el districto conducira una revision anual de su plan de accion de participacion parental para examinar su efecto en el exito del estudiante. La revision sera hecha por un comite que consiste de empleados certificados y clasificados, los padres y otros miembros de la Comunidad, y los miembros de la administracion. Este plan sera parte del plan del Titulo I de la escuela y sera distribuida a los padres de los estudiantes del districto y con tal que puedan, en una lengua que los padres puedan entender

PART I. GENERAL EXPECTATIONS

The Centerpoint School District agrees to implement the following statutory requirements:

* The school district will put into operations programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
* Consistent with section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consist with section 1118(d) of the ESEA.
* The school district will incorporate this district wide parental involvement policy into its LEA plan developed under section 1112 of the ESEA.
* In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 f the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in language parents understand.
* If the LEA plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents on participating of participating children, the school district will submit any parent comments with the plan when the school district submits the plan to the State Department of Education
* The school district will involve the parents of children served in Title I, Part A schools in decisions about how the 1 percent of Title 1, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.
* The school district will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring

(A) that parents play an integral role in assisting their child's learning;

(B) that parents are encouraged to be actively involved in their child's education at school;

(C) that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;

(D) the carrying out of other activities, such as those described in section 1118 of the ESEA.

PART II. DESCRIPTION OF HOW DISTRICT WILL IMPLEMENT REQUIRED DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS

1. The Centerpoint School District will take the following actions to involve parents in the joint development of its district wide parental involvement plan under section 1112 of the ESEA:

Parents serving as the building level parent involvement person will be invited to review and revise the district Parental Involvement Plan.

2. The Centerpoint School District will take the following actions to involve parents in the process of school review and improvement under section 1116 of the ESEA:

The district will hold a yearly public meeting and building open house to share district information regarding AYP, district accreditation, and school improvement information. This information is also made available on the district website.

3. The Centerpoint School District will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve student's academic achievement and school performance:

** Informational Packets * Volunteer Resource Book*

** Parent Involvement Meetings * Parent Survey*

** School's Process for Resolving Parental Concerns in the Handbook*

** Seminars to Inform parents of High School Students About How to be Involved in Decisions*

4. The Centerpoint School District will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs: Head Start and ABC Programs, by:

** Providing transition activities*

** Providing parent information packets*

** Providing access to the Parent Information Center*

5. The Centerpoint School District will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy or are of any racial or ethnic minority background). The school district will use the findings of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies.

The evaluation of the parental involvement policy will be included in the Parent Survey. The Parent Involvement Facilitator along with building level parent involvement representatives and building level parent representatives will review data and make needed corrections.

6. The Centerpoint School District will build the schools' and parent's capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:

A. The school district will, with the assistance of its Title I, part A schools, provide assistance to parents of children served by the district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described in this paragraph—

** the State's academic content standards,*

** the State's students academic achievement standards,*

** the State and local academic assessments including alternate assessments,*

** the requirements of Part A*

** how to monitor their child's progress, and*

** how to work with educators:*

B. The school district will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by making available to parents:

** Parent Information Packets*

** Parent Involvement Website*

** Parent Literacy Nights*

** Parent Technology Training*

C. The school district will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with and work with parents as equal partners, in the value

and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:
** Teachers will complete at least two hours of professional development on understanding effective parent involvement strategies.*
** Administrators will complete at least three hours professional development that include understanding effective parent involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parental participation.*
D. The school district will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, ABC Programs and other preschool programs that encourage and support parents in more fully participating in the education of their children, by:
** Providing transition activities*
** Providing parent information packets*
** Providing access to the Parent Information Center*
E. The school district will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practical, in a language the parents can understand:
Meeting information is included in the Superintendent's Bulletin, on the school website, notes home and is provided if needed in an alternate language.
Updated 6/13/10

ESL Program Policies and Procedures

1. Statement of Goals and Objectives:

   The goal of the Centerpoint School District's ESL Program is to develop English language proficiency and Cognitive Academic Language Proficiency (CALP) in English language learners so that they can function independently in the mainstream classroom setting. To this end, program instruction is conducted in English. A standards-based curriculum is used for all English language learners (ELLs).

2. Student and Parent Orientation Procedures:
   - At the time of registration, the students and their families are given an orientation to the district, the various programs offered, the resources available and the personnel who are here to be of assistance.
   - An initial language assessment is given to any student who responds with a language other than English on the home language survey.
   - Two family/parent Open House/Conferences are held each year. Teachers, instructional assistants, school counselors, as well as interpreters are available to answer questions. Books and program materials are available.

3. Identification and Placement:
   The District identifies and places the students using the following procedures.
   - Screening procedures, entry/exit criteria
   - If the home language survey indicates that the student's first language is other than English, or a language other than English is spoken at home the student is assessed with the Pre-LAS or LAS.
   - The screening process for entry is based on the following:
   - Intake assessment
   - Home Language Survey
   - Interview
   - Pre-LAS or LAS assessment
   - Prior school records
   - Conferencing with regular classroom teachers
   - Recommendations from reading specialists
   - Observation of student's interaction with peers, teachers, and other school personnel
   - The process for exiting a student is based on the following:
   - ELDA assessment and ACTAAP scores
   - When the student attains English proficiency in the areas of oral communication, reading, and writing as determined by ELDA and scores proficient on both math and literacy, he/she will be exited from the program.

• However, even when exited from the program the student's performance will be monitored for two years to determine if future assistance is needed.

4. Instructional Program:
   • Program Description: The District's program is an English as a Second Language program wherein the medium of all instruction and subject matter is English, even though the native language may be used occasionally to clarify concepts.
   • Planned instruction/standards:
   • ESL is designed to enable ELLs to access mainstream curriculum and to achieve their personal best in the school setting as well as becoming responsible citizens in the local, national, and worldwide community. Language learning through meaningful context in an academic setting improves the education and language acquisition of the ELL. State ESL Standards for English Language Proficiency provide the academic framework for instruction.
   • Learners receive direct instruction using vocabulary, concrete based materials, background instruction, graphic organizers, practice, and other appropriate strategies. The ESL program is flexible and based on the needs of the learners.
   • Time in ESL classes:
   • Students may receive up to one hour a day/ five hours a week of direct instruction in a pullout setting.
   • Several computer programs are used to increase the student's proficiency in English acquisition, literacy and math, while allowing them to have individualized instruction and progress at their own pace. These programs include ELLIS, Star Reading, and Accelerated Math.
   • Individualized instruction is also made available for grades 1-5 through Title I classes. Placement in this program is based on the previous year's performance on the Augmented ACTAAP.
5. Students Participation in Related and Extracurricular Activities:
   ELLs are encouraged to participate in any related school activities and extracurricular activities that interest them.
6. Pupil Personnel Services:
   • Counseling: Guidance counselors are available in each school in the District.
   • Special Education Services: Special Education Services are available for students with demonstrated need. The district has a structured pre-referral process for Special Education identification.
7. Faculty/Staff Training and Development related to the Program:
   • The district's ESL Coordinator as well as the ESL committee chairperson from each building holds an ESL endorsement from the State of Arkansas.
   • ESL staff members attend workshops related to the profession.
   • All faculty is in-serviced in the fall regarding the laws, statutes, and regulations regarding ELLs.
   • All faculty who teach ELLs receive on-going instruction during the school year regarding appropriate instruction for ELLs.
8. Parent Involvement:
   • The description the district's parental involvement policy and it components is fully explained in the Student Handbook, pages 25-27.
   • An Open House is held in the fall on each campus. An interpreter is available, as well as an ESL staff member to answer questions and concerns.
   • The library on the high school campus is open one night a week. Computers are made available as well as brochures, bilingual books, and tapes.
   • Two Parent Conferences are held each year. An Interpreter and ESL staff member is available to assist.
   • School communication is sent to ESL families in Spanish as well as English. Examples: Notes from the school nurse, announcements, class projects instruction, newsletters, etc.
9. Complaint Resolution Process:
   Complaints may be resolved in the following manner:
   • First discuss the situation with the classroom teacher or staff member involved.
   • Second, if the situation cannot be resolved at this level, discuss it with the building principal.
   • Third, if the situation cannot be resolved at this level, discuss it with the Superintendent

Educational Trips

All students leaving the campus for an educational trip during school hours must have written permission from their parents and give the slip to the supervising teacher. These permission slips must be turned in to the supervising teacher at least one day prior to the trip so a master list can be created to make all teachers aware of the students that are to be gone. This master list must be made available to the teachers one day prior to the trip. All trips of this manner must have prior approval of the principal and the superintendent.

Students will be held responsible for their conduct on all trips. Students will not be marked absent from school but will be required to do all make-up work in the allotted time. All school trips that require out of state travel must be presented to and approved by the school board.

Updated June 13, 2011

Interscholastic Competition

No individual or group of students from the Centerpoint Schools may participate in any activity of this nature that has not been sanctioned by the Arkansas Activities Association.

Extracurricular Activities

Students that successfully complete grades 6-8 and are promoted to the next grade level will be eligible for extracurricular activities in grades 7-9. Beginning with the second semester of the 9th grade year, students must maintain a 2.0 GPA the previous semester to be eligible.

Updated June 18, 2012

Student Organizations/Equal Access

Non-curricula-related secondary school student organizations wishing to conduct meetings on school premises during non-instructional time shall not be denied equal access on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Such meetings must meet the following criteria.

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

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.

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

Pregnancy

A pregnant student may attend school until her doctor feels that she should not.

Outside Demands on Students

Although cognizant of the values both social and scholastic, derived by students participating in various school/community-sponsored activities, the following points should be used by the principal in determining whether or not pupils may participate in such activities during school hours.

1. Participation in the project will deprive students of time needed in acquiring basic skills.
2. Regular schedule will not be interrupted unless the majority of students benefit through their participation.
3. Neither an individual nor the school as a whole shall be permitted to use school time in working on school/community-sponsored projects unless such an understanding is contributing to the educational program.
4. School trips will be scheduled, attempting to limit the number of classes missed.

Challenge to Instructional/Supplemental Materials (ASBA 5.6)

Instructional and supplemental materials are selected for their compatibility with the District's educational program and their ability to help fulfill the District's educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials may do so by filling out a Challenge to Instructional Material form available in the school's office.

The contesting individual may present a copy of the form to the principal and request a conference be held at a time of mutual convenience. Prior to the conference, the principal shall consult with the teacher regarding the contested material. In the conference, the principal shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the principal shall have five (5) working days to submit a summary of the concerns expressed by the individual and the principal's response to those concerns to the Superintendent.

If the contesting individual is not satisfied with the principal's response, the individual may, after the five (5) working day period, request a meeting with the Superintendent where the individual shall present the same Challenge to Instructional Material form previously presented to the principal. The Superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.2

Following the conclusion of the meeting, the Superintendent shall have five (5) working days to write a summary of the concerns expressed by the individual and the Superintendent's response to those concerns. The Superintendent shall create a file of his/her response along with a copy of the principal's response and a copy of the contesting individual's Challenge to Instructional Material form.

If, after meeting with the Superintendent, the contesting individual is not satisfied with the Superintendent's response regarding the appropriateness of the instructional or supplemental material, he/she may appeal the Superintendent's decision to the Board. The Superintendent shall present the contesting individual's Challenge to Instructional Material form to the Board at the next regularly scheduled meeting along with the written responses to the challenge. The Board may elect, if it so chooses, to hear brief verbal presentations from the parties involved in the challenge.

The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be the appropriateness of the material for its intended educational use. Updated 6/13/10

Lockers

Lockers and locks shall be assigned to students at the beginning of each school year. The amount of rental of locks for the current year shall be announced to students at the beginning of the school year. Locks owned by the school shall be used on all lockers.

School Bus Transportation

Riding a school bus is a privilege which may be denied if a student fails to follow the established rules. Acts of misconduct on the bus may also lead to suspension from school. When students are suspended from riding the bus parents become responsible for transporting their children to and from school.

Bus transportation is provided for those students that live to far from school to walk. Regular loading and unloading stations will not be changed except by the proper school authorities. Students will be expected to get to these stations if they wish to ride the school bus. Buses will load and unload only at the designated station.

Pupils are expected to conduct themselves properly on the buses and any student misbehaving could result in the pupil being removed from riding the bus. Any pupil causing damage to a bus will be required to pay for the damage. The driver of a bus has the same authority over bus passengers that a teacher has over pupils in the classroom. Drivers have the responsibility of conduct on their bus and should identify pupils who cause trouble to the pupil's building principal.

We believe all students can behave appropriately and safely while riding on a school bus. We will tolerate no student stopping drivers from doing their job or preventing other students from having safe transportation.

Pupils must ride the bus they are assigned to ride. Each driver will go over the rules of conduct on the bus with the pupils riding the bus. Some of our buses are equipped with video cameras. These cameras are to assist the driver in maintaining a safe, disciplined atmosphere on the school bus. The video tapes will be reviewed periodically and appropriate disciplinary action will be taken for those students misbehaving and creating an unsafe atmosphere for your child.

1. Bus rules and consequences
    a. Students are to follow directions of the driver.
    b. Students are to remain seated while the bus is in motion.
    c. Students are to keep all parts of the body in the bus.
    d. Students are not to push, shove, fight or throw objects at any time.
    e. Students are not to eat, drink, smoke, spit, or use vulgar language or behaviors at any time.
    f. Balloons will not be allowed on the school buses.
2. If a student chooses to break a rule
    1st incident: Driver warns student and documents warning.
    2nd incident: Driver reports student to principal, parents are contacted.
    3rd incident: Five day suspension from bus transportation.
    4th incident: Ten day suspension from bus transportation
    5th incident: Bus suspension for the rest of the semester or 30 days whichever is longer.

The administration has the authority to adjust the bus discipline policy at any time deemed necessary without prior notification of parents, for the safety of the passengers on the school bus. The following inappropriate behavior could result in suspension of transportation privileges on the first offense.

1. Physical harm to another student.
2. Physical harm or threat of physical harm to driver.
3. Property damage.
4. Refusal to obey driver.
5. Possession of alcohol, drugs, tobacco products, or weapons.
6. Total disruption.

Centerpoint School District Probationary Attendance Program

Students who are recommended for expulsion for violation of district policy may be eligible to appeal to the superintendent of schools for placement in the probationary attendance program in lieu of expulsion. This program is designed to allow eligible students the possibility of continuing their education under strict probation and with specific limitations if they meet policy criteria as well as any additional conditions specified by superintendent.

A written request must be presented directly to the superintendent by the parent or guardian and/or the student. Parents making the request for this probationary status must contact the superintendent of schools and arrange for a meeting within ten school days prior to an expulsion hearing. Those in attendance at this meeting will include the superintendent, an administrator from the student‘s school or designee, a school counselor, the student, and their parent or guardian, and any other personnel deemed relevant to the situation by the superintendent. At the completion of the ten day suspension period, the superintendent may choose to allow the student to attend school on a probationary status for the remainder of the expulsion term or a period of time otherwise determined to be suitable by the superintendent (but not more than the recommended expulsion period) under the probationary attendance program. Unless excused by the Superintendent the student must attend the expulsion hearing in order to be eligible for the Probationary Attendance Program.

Criteria for participation include:

1) Recommendation of the building principal or designee. The probationary student‘s presence cannot pose a perceived threat to the health, safety, or educational environment of the school.
2) The student cannot have previously been expelled from any public or private school.
3) Students who have been found to have sold, or in any way distributed or provided prohibited substances to others on school property, at school events, or while in transit to/from any school event are not eligible for the probationary attendance program.
4) The parent and student must agree for the student to enroll in and complete any counseling or rehabilitation program deemed appropriate by the superintendent. The parent, guardian, or child will bear the responsibility of paying for such services.
5) Probationary students may neither participate in nor attend any extracurricular activities during the probationary attendance period.

6) Students in the probationary attendance program may be prohibited from riding on school transportation (buses) during this period except as required by his/her IEP.
7) Students who are placed on probationary status will be assigned a modified schedule so that they may attend regular, state-mandated academic courses.
8) If a student and/or parent fail(s) to meet or violate(s) the agreed upon terms of the probationary attendance program, the student will be recommended to the board for expulsion for the remainder of the original expulsion period.
Date Adopted: 05/11/2015
Last Revised: 2015 06/29/2015

Centerpoint K-5 Policies and Procedures

EPSDT SCREENING FOR KINDERGARTEN

All entering kindergarten students must have proof of the EPSDT screening or its equivalent (physical exam) within 30 days of school enrollment.

ARRIVAL AND DEPARTURE

School begins at 7:55 a.m. at the Intermediate and 8:00 a.m. at the primary. Any student that checks in after that time will be considered tardy. **PARENTS MUST SIGN THEIR STUDENT IN AT THE OFFICE AND RECEIVE A TARDY SLIP**. Children should not arrive at school before 7:40 a.m. We are concerned for the safety of your child when he/she arrives at school before 7:40 a.m. There is no one to supervise children at this time. We ask parents who arrive at school before 7:40 a.m. to wait with your child until the doors are unlocked and someone is on duty.

Car/bus rider departure times at primary/intermediate will vary at the beginning of the year, the building principals will determine the times as possible. It is very important for the student to have a regular routine at the end of the school day. The parent/guardian should list on the registration form the method that the student will use to go home. Any changes other than emergency situations should be taken care of by the parent/guardian before the school day begins.

CHANGE IN TRANSPORTATION

We realize situations arise occasionally during the day, other than emergencies, that you deem it necessary to change your child's transportation home. Please remember the importance of the young student's regular routine at the end of the school day, and any changes may be confusing. Changes in transportation should not occur on a regular basis-please keep these changes to a minimum. When necessary the following procedure should be followed if there is to be a change in your child's ride home:

- Notify the school by note or by phone before 2:30 p.m. of any change.
- Long term changes can be made by a note to the teacher stating the exact change and duration of the change.

Without a phone call or note, the student will be required to report to his/her regular bus or car rider station. Students are not allowed (without a note) to ride a bus other than the one they are assigned. **All notes must be turned into the office first period**.

EMERGENCY DISMISSAL

The parent/guardian should list on the student registration form an early dismissal plan in case of inclement weather or some other emergency or school closing. This plan should be discussed with your child.

It is absolutely necessary that any changes-method of going home, address, and telephone number-be reported to the office. **This is the only method the school has to contact family members should it become necessary.**
INCLEMENT WINTER WEATHER - Stay tuned to KWXI radio and local news stations for announcements for school closing or late schedule.
FIRE AND TORNADOES - Students are instructed in proper procedures to follow in case of fire or tornado emergencies. Fire exit procedures are posted in each classroom.

TARDY AND EARLY CHECKOUT

A student who checks out early or is tardy not only disturbs his/her classmates, but also gets a late start and misses out on instruction. A student is considered tardy when the 8:00 a.m. bell rings at the primary and 7:55 a.m. at the intermediate. Students must report to the principal's office for a tardy slip.

Students arriving late or checking out early must be signed in or out by an adult designated on the student registration form. No student will be released to a parent from the classroom. All checkouts for K-5 will be handled from the office. Parents are to come to the office to check out students and the student will be called to the office. Parents should be prepared to show I.D. when asked by school officials. Students will be released only to authorized persons. If you plan for someone else to pick up your child, you must call and notify the main office in advance. Students with tardies or early outs will not be eligible for the perfect attendance award.

Students checking in before 10:00am will be counted tardy. If the student checks in after 10:00am or checks out before 1:00pm, they will be considered absent one-half day

After five tardies/early checkouts during each nine week period, a letter of notification will be mailed to the guardian from the principal's office.

After ten tardies/early checkouts a letter will be sent to notify the guardians of a meeting with the principal. If the problem is not resolved after 13 tardies/early checkouts it will be turned over to the Prosecuting Attorney's office.

Parents will be able to excuse up to five (5) absences per semester. These absences will be labeled "Parent Contact Absences". Parents must notify the attendance office in writing or by phone in order to excuse an absence.

In order to have other absences excused, students must provide some form of written documentation from an official agency. Documentation can be note from a professional appointment (doctor, dentist, counselor, etc.), notification to appear in court, etc. These absences will be labeled "Documented Absences". Examples of documental absences are

a. Attendance at an appointment with a government agency
b. Attendance at a medical/dental/counseling appointment
c. Appearance in court
d. Participation in a FFA, FHA or 4-H sanctioned activity
e. Death or serious illness in immediate family
f. Observance of recognized holidays observed by their faith
g. Exceptional circumstances with prior approval of the principal

Absences with "Parent Contact" only (note or phone call from parent) in excess of five (5) will be considered and labeled "Unexcused Absences". Absences for which there is no documentation or parent contact will be labeled "Unexcused Absences". Students who accumulate more than sixteen (16) "Unexcused Absences" during the year could be retained.

PARENTS SHOULD SCHEDULE VACATIONS AND OTHER TRIPS TO COINCIDE WITH THEIR CHILD'S SCHOOL CALENDAR IN ORDER TO ELIMINATE UNNECESSARY ABSENCES. EXCESSIVE ABSENCES WILL BE COUNTED AS UNEXCUSED AND THERE WILL BE NO MAKE-UP WORK GIVEN, WHICH COULD LEAD TO RETENTION OR FAILURE.

Who is responsible for the prompt, regular attendance of students?

Young students are unable to assume full responsibility for their attendance at school. The compulsory attendance law, therefore, is directed toward the person having custody or charge of the child when violation of the law occurs.

What is the number of days that a student must be in school?

The number of days of student-teacher interaction time scheduled by the District establishes the required student attendance days.

Are there acceptable reasons for student absences?

Absences because of the student's illness, death in the family, or because of religious observances are excused.

What is the procedure to use if the student is absent?

When the student returns, he should present a written statement from the parent explaining his absence. Written notes from the parent (or doctor) are important factors in the safety of the child as well as being evidence to the school that school attendance laws are being followed by the parent.

Who enforces school attendance laws?

School principals are required by law to report to legal authorities the parents of children who have an excessive number of unexcused absences. Absences may also cause denial of student promotion.

Car Rider Information

For your child's safety we ask that you help us with the following rules:

1. Children are to be quiet and orderly--no playing, eating or disorderly behavior.
2. All parents must remain in the car line. The duty teacher will escort the children to the car and open the door for them. Please do not motion to your child to come to you, as they may not be paying close attention to the traffic. Do not park on the edge of the street. This causes danger to students and can disrupt the flow of traffic.
3. Students must watch for their cars.
4. Students must have a note from parent or guardian that has been dated and signed if there is any change in their normal routine or if someone different is to be picking up student
5. Students who misbehave can be dangerous to other students and will be sent inside to the office to wait for their parents to park and go inside for them.

SELF DISCIPLINE

At all times during the school day-in the building, on the playground and on the bus-the school strives to develop self-discipline in each individual.

One important lesson you learn in school is self-discipline. Self-discipline is the key to good conduct and proper consideration for other people.

For those who have not yet mastered self-discipline, the following alternatives are examples of corrective measures that may be used:

COUNSELING - A conference with the teacher, counselor, or principal.
PARENT CONFERENCE - A discussion with you, your parents, and your teacher, counselor or principal.
IN-SCHOOL SUSPENSION - A period of time apart from your classmates.
CORPORAL PUNISHMENT - A discipline procedure used for disruptive and unmanageable conduct.
SUSPENSION FROM SCHOOL - A discipline procedure used when school policies and rules are repeatedly ignored, and when conduct tends to be disruptive to the education program.
EXPULSION - A discipline procedure used by the local school board for severe cases of student misconduct.

STANDARDS OF CONDUCT

The major "rules for school living" are listed in the following pagers. Below each rule is a list of Actions, (minimum-conference through maximum expulsion) which a school may take if the Rule is broken. The order in which the punishment is used will depend upon the seriousness of the situation or in some cases, whether or not the student has broken a number of rules. For the most part, however, the action taken will be in the order in which the penalties are listed. The school reserves the right to make needed adjustments in the discipline plan of individual students. Parents will be notified if their child's discipline is altered.

Offenses - Category I

Category I offenses are considered minor in nature and should be dealt with exclusively by the principal and building staff and in consultation with the student's parent/guardian. Normally, disciplinary actions for Category I offenses will become progressively more severe if minor rule infractions persist. However, the administration may move to the most severe penalty at any time based on the circumstances involved in the particular incident

For Category I violations, the principal may choose from the following consequences:

1. **Student/staff/administrator/parent conference**
2. **Stay in during physical activity (recess time)**
3. **Corporal punishment**
4. **Suspension (1 - 10 days)**
5. **Recommendation of expulsion**

RULE 1: Academic Dishonesty - cheating on test or copying the work of another student. For all offenses involving academic assessments, the student will receive a zero on the assessment or test.

RULE 2: Insubordination- Failure to Follow Reasonable Directives of the school staff and/or school rules and regulations, failure to obey reasonable instructions from teachers, administrators, instructional aides, bus drivers, or any other authorized school district employee.
RULE 3*: Minor Altercations* - engaging in physical struggle having the potential of producing bodily harm. All participants in an altercation will be disciplined according to the degree of involvement of each student.
RULE 4: Harassment/bullying - behavior or actions that violate a person's right to privacy or any action verbal, physical or by electronic communication to intimidate another student.

A. Annoyance - to "pick at or tease" on a continual basis
B. Communications - non-solicited oral, written or electronic communication offensive to the recipient
C. Sexual - to violate another person by using sexually explicit language or gestures

RULE 5: Repeatedly being tardy at school and/or class - A student is tardy if he/she is not in his/her classroom or assigned location by the time the tardy bell rings. Students violating this rule will be disciplined in accordance with the Centerpoint Primary and Intermediate Schools Tardy Policy.
RULE 6: Displays of Affection - any type of conduct that is suggestive in nature (kissing, hugging, etc.)
RULE 7: Possession of Inappropriate Materials - Students should not be in possession of any materials detrimental or disruptive to the educational climate including radios, CD players, cell phones, tape players, electronic games, pornographic materials, playing cards, trading cards, laser pointers and any personal toy from home.

Offenses - Category II

Generally, disciplinary actions for violations of Category II offenses will move progressively for each rule violation. However, the administration may move to the most severe penalty at any time based on the circumstances involved in the particular incident.

1. Student/staff/administrator/parent conference
2. Stay in during physical activity(recess time)
3. Corporal punishment
4. Suspension (1 - 10 days)
5. Recommendation of expulsion

RULE 8: Leaving School Grounds Without Permission - No student is to leave the school campus without being checked out by a parent/guardian or without the approval of the school administrator.
RULE 9: Failure to Serve Detention - A student who fails to serve detention when directed to do so by a school administrator or other authorized school personnel will be disciplined.
RULE 10: Using Verbally Abusive Language, Obscene Gestures, or "Fighting Words" - Profanity, inflammatory or abusive language or obscene gestures are prohibited in the school environment.
RULE 11: Use of Tobacco Products – Smoking or possession of tobacco products of any kind on school district property or on the school bus is prohibited.
RULE 12: Assault - A threat to harm another person physically or an unsuccessful attempt to do so with "blows"; a violent attack-as with words, profanities, etc. in an attempt to promote or insight physical violence. All assaults will be reported to the Sheriff's Office.
RULE 13: Battery – The repeated beating or striking of another person either directly or with an object producing bodily harm.
RULE 14: Theft - All thefts will be reported to the Sheriff's Office.

A. Burglary and/or Larceny - To steal school property or property belonging to another person.
B. Robbery - The violent taking of any goods, money, or other valuable items from another by force or threats.

RULE 15: Gambling - Playing a game of chance for something of value.
RULE 16: Fighting - Mutual combat in which participants inflict intentional and serious bodily injury to any person. All participants in a fight will be disciplined according to the degree of involvement by the participants.
RULE 17: Use of Profanity Directed toward a Staff Person -to direct profanity in a non-threatening manner to a school staff member.
RULE 18: Loitering - Lingering on the ground of a school or within 100 feet of the school without permission of a school administrator

RULE 19: Vandalism - To intentionally destroy property, cut, deface, or otherwise damage property belonging to another person or belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child.

RULE 20: Disorderly Conduct - Inappropriate behavior that substantially disrupts or interferes with or is likely to disrupt or interfere with any school function, activity, or school program.

A. The use of violent, abusive, obscene, or profane language or gestures directed at another person or to the public in general.

B. Habitual or repeated violations of school rules and regulations:

a .Violation of single rule - two or more times in a semester

b. Violation of a combination of rules four times in a semester

RULE 21: Harassing Communications - Use of telephone, telegraph, the mail, email or any other form of written communication to annoy, cause alarm, or threaten to harm another person, or knowingly allowing another person to use a telephone or other electronic device under your control for such a purpose, is a crime.

RULE 22: Forgery or Falsification of Information – Falsifying teacher signatures or information on school records.

RULE 23: Possession/Use of Paging Devices (Beepers), Cell phones and/or other Electronic Communication Devices - The use or cell phones or beepers or other communication devices during the school day is prohibited except when they are required for medical reasons. In such cases, medical documentation must be on file at the school building.

Offenses - Category III

FIRST OFFENSE – REFERRED TO AUTHORITIES, TEN DAYS SUSPENSION AND RECOMMENDATION FOR EXPULSION

Students found guilty of these offenses shall receive an expulsion recommendation. The sheriff's department shall be immediately notified.

RULE 26: Use and/or Possession of Alcohol, Controlled Substances or Unauthorized Drugs or Substances - The possession or use of non-prescribed narcotic drugs, hallucinogens, marijuana, or any unauthorized drug or substance is a violation of district policy. In addition to suspension, students must show proof of having enrolled in an approved drug/alcohol counseling program prior to reinstatement.

RULE 27: Sexual Misconduct - To deliberately show the sex organs in a public place; to engage in or attempt to engage in a sexual act with another person or to touch in a sexually of

RULE 28: Terroristic threatening – Any student who calls in a bomb threat or makes terroristic threats with an explosive device, gun, knife, chemical agents other weapons that could harm the safety of students or employees.

RULE 29: Arson - The willful and deliberate burning of or attempt to burn school property.

RULE 30: Drug/Alcohol Possession, Use, Sale or Distribution - The sale or distribution of alcohol, marijuana, prescribed/non-prescribed drugs, hallucinogens, or similar substances. Students expelled for this violation shall be required to submit proof of the successful completion of drug/alcohol counseling and/or treatment program prior to petitioning the Board for reinstatement.

RULE 31: Physical Assault on Staff - Striking or attempting to strike a teacher or other school personnel.

RULE 32: Verbal Abuse of Staff - The use of violent, abusive, or obscene language or gestures addressed to a teacher or staff person in a threatening manner.

RULE 33: Possession of a Firearm - The act of possessing a firearm on school district property or at a school related event will require an expulsion recommendation for a period of not less than one year.

RULE 34: Use of Weapon - The act of using a weapon or firearm to cause injury or threaten injury to another person.

RULE 35: Possession or Use of Explosives - The possession, use or threat to use any explosives or other such devices capable of inflicting bodily harm.

RULE 36: Extortion - Obtaining or attempting to obtain money or property from an individual by force or threat of force.

RULE 37: Unlawful Assembly - When three or more students get together with the intent to commit an unlawful act.

RULE 38: Inciting a Riot - An act of conduct which results in a riot or which urges others to commit acts of force and violence or participation in a gang fight or similar disturbances at school or at school related activities.

RULE 39: Membership Prohibited Clubs, Gangs, Fraternities, Sororities or Similar Organizations - Students shall not participate in secret societies or organization of any kind while on school property, at school sponsored activities or while on the way to or from school. Gangs or similar groups, whether organized in the community or in other settings, are prohibited on school grounds or at any school sponsored activity.

K-5 CAFETERIA POLICY

Centerpoint students in kindergarten through fifth grade will be able to charge up to 12 meals in the cafeteria before an alternative meal will be issued at the regular meal price. This will include any combination of breakfast and lunch. After four (4) alternative meals the student will not be allowed to charge or receive an alternative meal until all charges have been paid in full. The parent or legal guardian will then be responsible for providing all meals for the student until the charges have been paid in full. Notice will be sent home with the students each week of the amount owed. When they have reached eight (8) charges, the parent/legal guardian will be notified. When the charges reach ten (10) the parent/legal guardian will be contacted by phone that the student is about to receive an alternative meal. When a student receives four (4) alternative meals the principal or designee will contact the parent/legal guardian by phone notifying them that their student's meals will need to be provided from home until all charges have been paid in full.
If you have any questions you may contact either Lee Ann Hampton at 870-356-3612, ext. 243, Rodney Whitfield at 870-356-3206 or Penny Smothers at 870-342-5377.

Regular Meal Prices

Regular breakfast	$1.50
Regular lunch	$2.25

We ask that you send lunch money on Monday morning in a sealed envelope, with child & teacher's name, breakfast or lunch money and amount enclosed on front of envelope. Parents who come to eat with their child must check in at the office and pick up a visitors pass before going to the cafeteria.

5.15 GRADING

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

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

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

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

The grading scale for kindergarten, first, second and third will be a performance based report card only.
The grading scale for fourth and fifth grade shall be as follows.

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

For the purpose of determining grade point averages, the numeric value of each letter grade shall be
A = 4 points
B = 3 points
C = 2 points
D = 1 point
F = 0 points

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

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

grading period transferred from outside the district times the transferred grade from outside the district plus the percentage of days in the grading period while in the district times the grade earned in the district.

For example: The grading period had 40 days. A student transferred in with a grade of 83% earned in 10 days at the previous school. The student had a grade of 75% in our district's school earned in the remaining 30 days of the grading period. 10 days is 25% of 40 days while 30 days is 75% of 40 days. Thus the final grade would be .25 (83) + .75 (73) = 75.5%.

HOMEWORK

Homework is an integral part of a student's education. It is an extension of the school day and is assigned to help the student become more self-reliant, learn to work independently, improve the skills that have been taught and complete certain projects. Homework may include the reading of worthwhile books and the preparation of research papers or reports. Homework assignments allow parents to become involved with school programs and their own child's educational progress.

The following guidelines will be used in giving homework assignments at the elementary level.

Kindergarten	15 minutes
First – Third Grades	30 minutes
Fourth – Fifth Grades	one hour

Homework assignments should not be confused with class work that was not completed at school, but that teachers have sent home to give the student the opportunity to finish at home. .

PROMOTION AND RETENTION

Pupils who satisfactorily complete a course of study prescribed for their grade level in the Primary/Intermediate School, Centerpoint School District, will be promoted to the next grade level at the end of the school year.

If a student is not making normal progress, the parents must be notified at the end of the first quarter so that the school and home may cooperate in helping that student. A second meeting will be held at the end of the semester.

The teacher is to discuss possible retention with the principal prior to discussion with the parent. A meeting will be arranged with the parents after the teacher/principal discussion is held to get the child on track. Close to the end of the third nine weeks, if the student is still failing to make normal progress, the teacher will notify the principal who will activate a committee to study all information regarding the student. The committee will consist of a minimum of two teachers, the principal and the counselor. Light's Retention Scale and other documentation will be completed.

If the school committee feels that retention might be in the best interest of the student, the committee or designee will meet with the parents during the Spring Parent/Teacher Conference. The appropriate forms will be signed by all parties at the conference during the third nine weeks and placed in the student's permanent records. If the parent does not agree with the committee's decision, they may appeal to the superintendent.

The district will make every effort to keep the student in his/her chronological age group, but it is realized that there are exceptions to this principle. The district encourages that retention take place early in a student's formal schooling, if there is evidence that his/her future learning will be affected by a lack of basic skills.

HONOR ROLL AND PRINCIPALS LIST

All students who make a "B" or better in all subjects and citizenship/conduct will qualify for the Honor Roll. Students who make an "A" in all subjects and citizenship/conduct will be carried on the Principal's List.

STUDENT AWARDS

At the end of each nine weeks Centerpoint Primary School students will be recognized for the following:

- Principal's List
- Honor Roll
- Bugs Club
- Outstanding Students of the Quarter
- Perfect Attendance

Centerpoint Intermediate School rewards will be based on goals developed by parents, teachers and students each nine weeks. Students meeting or exceeding their goals will be rewarded with special activities determined by the teacher and students. The following awards will be presented at the end of the year at both campuses:

- Principal's List

- Honor Roll
- Perfect Attendance
- Core Classes – Language Arts, Math, Social Studies and Science
- Music
- Physical Education
- Art
- Accelerated Reader and Accelerated Math – criteria for these awards will be established by the Curriculum Coordinator.

Physical Activity, Outside Activity Time (OAT) and P.E. Excuses

Physical Activity, Outside Activity Time and P.E. are part of the curriculum at Centerpoint Primary/Intermediate School. If your child has to miss more than one day of either activity you are required to send a doctor's note to school excusing your child from OAT and/or P.E.

EMERGENCY INFORMATION

In case of illness or injury and emergency medical treatment is deemed necessary, the parents will be contacted. If parents are not available, the child will be taken to the emergency room at the hospital. **Remember, an emergency telephone number where parents can be reached must be on file at the school. This is the only method that the school has to contact family members should it become necessary.**

In case of medical emergency each student is required to have on file at the school office the following information:

* Name(s) of parent/guardian,
* Complete and up-to-date address,
* Home phone and parent/guardian work phone,
* Emergency phone number of friend or relative,
* Physician's name and phone number,
* Medical alert information.

CHILD ABUSE AND NEGLECT

Child abuse and neglect is a crime. The Centerpoint School District is under the jurisdiction of Arkansas State Law 42-808, which requires all school personnel to report any suspected child abuse or neglect.
"Child" means any person under the age of eighteen (18).
"Abuse" means any non-accidental physical injury, mental injury, sexual abuse, or sexual exploitation inflicted on a child by any one legally responsible for the care and maintenance of the child, or an injury that is variance with the history given. The term encompasses both acts and omissions.
"Neglect" means a failure to provide, by those legally responsible for the care and maintenance of the child, the proper or necessary support; education, as required by law; medical surgical or any other care necessary for his well-being; or any maltreatment of the child. The term includes both acts and omissions.

Child abuse and neglect shall be reported to the school nurse or counselor within 24 hours based upon suspicion. The receiver of the report must act and give feedback to the reporting person within 48 hours.

Visitors

All visitors are required to report to the school office upon entering the building and obtain a visitor pass to carry with them while on school grounds. Parents are welcome and are encouraged to visit the school; however, when you stand at the door or in the classroom and talk to the teacher, she is distracted from her other students. If you need to talk to your child's teacher, please contact the teacher by note, call or come by the office and we will gladly make arrangements for her to have time for you. Each teacher must reserve the right to refuse unscheduled conferences that interfere with normal class instruction. Students are not allowed to bring "guests" to school, i.e. younger brothers or sisters, cousins, friends.

Parties

BIRTHDAY PARTIES - Birthday parties are not an academically acceptable activity and, therefore, should take place outside the school situation. No birthday parties will be held on school time, nor will any party invitations be distributed to the class unless all children are to receive one.

BALLOONS, CARDS, GIFTS, ETC. - BIRTHDAY OR OTHER - Delivery of balloons to the school are discouraged. Balloons cannot be taken home on the bus. Any delivery for student-balloons, flowers, gifts, cards, and etc.- will remain in the office and will not be delivered to the classroom during school hours.

CLASSROOM PARTIES - Two (2) holiday parties (Christmas and Valentine's Day) will be celebrated at Centerpoint Primary/Intermediate each year. Parents will be contacted to help with these parties. All parties will begin during the last period of the day.

Money

When sending money to school with your child, please seal the money in an envelope, write the amount that is enclosed; and include your child's name, teacher's name and what the money is for on the envelope.

Labeling

Please place your child's name on all outside clothing-coats, sweaters, etc. Also, please label your child's lunch boxes and other things your child brings to school.

STUDENT DRESS AND GROOMING

The school recognizes that among those rights retained by the people under our constitutional form of government is the freedom to govern one's personal appearance. When, however, dress and grooming disrupt the learning process of the individual student or other students or disrupts the learning climate of the school, it becomes a matter subject to disciplinary action. Student dress, grooming, and appearance should be the responsibility of the individual and his/her parents. Parents are urged to consider **this when selecting their child's school clothing. Following are dress and appearance guidelines. (See Policy 4.25)**

1. Dress and grooming should be clean and in keeping with health and sanitary practices.
2. No wearing: halter tops, bare midriffs, extremely short clothing, sagging or low-riding pants, underwear exposed, see-through blouses and shirts, backless shirts, tank tops with less than three inches of material across each shoulder, spaghetti straps, and those garments with emblems that advertise alcoholic beverages, tobacco or drugs, contain vulgar and/or obscene phrases and pictures.
3. Shorts may be worn, but must not be any shorter than four inches above the knee. Skirts, dresses and skorts must not be any shorter than four inches above the knee. Skirts, dresses or shorts with slits may be worn, but the slit must not be any shorter than four inches above the knee.
4. No headgear will be allowed on campus without the approval of the principal.
5. On campus, students may not wear clothing that sags to the extreme.

Centerpoint High School Policies and Procedures
Grades 6-12

Classification of Students

1. Transfer students will be classified and enrolled on a temporary basis until confirmation is received from the school he/she last attended.
2. It is the duty of the principal to see that all records pertaining to transfer students are sent for and brought up to date.
3. Any student transferring from a school accredited by the Arkansas Department of Education shall be placed into the same grade level the student would have been in had the student remained at the former school.
4. Transfer students from non-accredited may be placed on a different grade level from that of the school from which they withdrew. Reasons for such placement would be tests, chronological age, mental age and academic performance.
5. The following are the minimum classification requirements for 9th - 12th grade students:
   a. Successful completion of the 8th grade will result in the classification of freshman.
   b. At least five credits earned will result in the classification of sophomore.
   c. At least ten credits earned will result in the classification of Junior.

d. At least seventeen credits earned will result in classification of Senior.

Arkansas School for Mathematics, Sciences, and the Arts

Students choosing to attend the Arkansas School for Mathematics, Sciences, and the Arts (ASMSA) will be excluded from participating in activities for Centerpoint High School students.

Placement and/or Scheduling of Former Home School Students and Students from Non Accredited Schools (schools non accredited by a state or regional association)

1. Specific Requirements for Grades 6 - 12
    a. The local school shall administer a battery of examinations either standardized or district developed for placement or determination of credits.
    b. A placement conference shall be held for any student who scores less than the 50th percentile on the required achievement test (the percentile score will attained by comparison of the raw score to previous raw scores that have been normed). Conference participants shall include an administrator, a counselor, the parent(s), and other personnel deemed necessary. Based on data presented, the school administrator shall determine class and grade placement. The local school shall retain the option to reconsider placement at any time during the school year.
    c. In the event that a student who has received home instruction has not taken or passed an approved standardized test, he/she will be tested at the school before permanent placement is assigned.
    d. Parents must present a written list of subjects taught and textbooks and materials used to the counselor or principal at the time of registration.
    e. Rank in class and grade point average will be determined only by credits earned while attending an accredited high school.
    f. A student must attend an accredited public or private school for a minimum of six (6) semesters to be considered for honor graduate status. Summer school may not be substituted for a regular semester.
    g. A student must meet all graduation and attendance requirements for the Centerpoint School District to receive a diploma.
2. Home Schooling Information
    Students and their parents interested in home schooling need to be aware that:
    a. Some college scholarships are based on GPA. Students receiving "cr" and not letter grades would not be eligible for these scholarships.
    b. It is the sole responsibility of the school district to determine the method by which credits are earned in order to receive a high school diploma. There is no requirement that the school honor credits earned through home schooling experience.

Chemical Screen Test Policy for Centerpoint School

The Centerpoint School District recognizes that chemical abuse or misuse is a significant health problem for students, detrimentally affecting overall health, behavior, learning ability, reflexes, and the total development of each individual. The Centerpoint Board of Education is determined to help students by providing another option for them to say "No." Chemical abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of legal drugs and medications.

Purpose of a Chemical Abuse Policy

1. To allow the students of Centerpoint schools to know that the school is concerned about their total well-being. The school district is interested in helping the students who may be having problems.
2. To emphasize concerns for the health of students in areas of safety while they are participating in activities, as well as the long-term physical and emotional effects of chemical use on their health.
3. To assist students of Centerpoint Schools to resist the peer pressure that directs them toward the abuse or misuse of chemical substances.
4. To establish standards of conduct for students of Centerpoint Schools who are considered leaders and standard bearers among their peers.

5. To work cooperatively with the parents by assisting them in keeping their children free from mood-altering chemicals.
6. To provide referrals for students who need evaluations regarding their use of mood-altering chemicals.
7. To deter chemical abuse or misuse by all students through the use or random drug testing.

Scope

The provisions of this policy apply to all students in Centerpoint Schools in grades six through twelve whose parent/guardian sign Consent Form "A" of the Chemical Screen Policy.

General Provisions

Illegal Drugs are defined as drugs, or the synthetic or generic equivalent or derivative of drugs, which are illegal under federal, state or local laws including, but not limited to, marijuana, heroine, hashish, cocaine, hallucinogens, depressants, and stimulants not prescribed for the user. Illegal drugs include steroids and its derivatives or related substances, which are not prescribed by a physician or are prescribed by a physician for uses not authorized by the manufacturer of the drug. Alcohol is defined as ethyl alcohol or any beverage containing ethyl alcohol.

Reasonable Suspicion Provisions

The use or possession of illegal drugs or alcohol by a student on property under the control of the District or prior to entering property controlled by the District or at a District-sponsored event where the illegal drug or alcohol has the possibility of impairing the student is a violation of this Policy. The presence of an illegal drug or its metabolites or alcohol in a student's body is considered possession.

Reasonable Suspicion is defined as a reasonable suspicion by an administrator or other district employee that a student has used, possessed, or sold illegal drugs on District property or has used illegal drugs off the District property, but is on District property or at a District-sponsored event while under the influence of illegal drugs; or that a student has used or possessed alcohol on District property, but is on District property or at a District-sponsored event while under the influence of alcohol; or that a student is using or misusing prescription medications on District property or at a District-sponsored event while under the influence of the prescription medication. Examples of reasonable suspicion include, but are not limited to:

*Eyewitness evidence by as a District official, administrator, employee:

*Eyewitness evidence of another person plus additional evidence:

*Individualized suspicion possessed by an employee of the District that is based upon a reasonable suspicion and/or reasonably reliable evidence.

Random Testing Provisions

The use or possession of illegal drugs during school activities or prior to school activities where the illegal drug has the possibility of impairing the participant is a violation of this policy. The presence of an illegal drug and its metabolites in a student's body is considered possession. Any student undergoing medical treatment prescribed by a physician that includes the use of a drug or medication capable of affecting the student's mental or physical capabilities must notify the appropriate school official at the time of testing. If there is any doubt concerning the effects of the drug or medication, the appropriate school official should be notified. A student's failure to notify the appropriate school official that the student is undergoing medical treatment that includes the use of any drug or medication capable of affecting the student's mental and physical abilities is violation of this policy. The penalty for this violation may be the same as an initial positive test result under the random testing provisions.

Procedure

Type of Testing—The District may require each student of CenterPoint Schools, grades six through twelve, to provide a urine specimen. Each specimen cup will have a number on it that will be assigned to a participant's name. The numbers that are selected through a random process will be sent to the lab for testing. A urinalysis will be the method utilized to test for the presence of chemicals in the body. All students selected show up for providing urine samples to be taken at Centerpoint Schools or must go to a pre-designated doctor's office and give a urine specimen.

Selection Process—While students are in school, they will be subject to random selection for testing. Each student will be assigned a number. Particular days will be selected for testing. The amount of numbers drawn will be not less than (2%) or greater than (15%) of the students in grades seven through twelve. If any student whose number is drawn is absent on that day, the selection process will continue until the number of students selected for testing equals the number representing the percentage of students designated for random testing.

Refusal to Submit to Testing—Students not consenting to be tested (in the random pool) are allowed to join clubs or organizations, but are not allowed to attend after school meetings or participate in off campus trips. Any participant who refuses to submit to random drug testing will not be allowed to participate in any school activity for the remainder of the school year. Each student must consent by the beginning of the 2nd Semester in order to participate in the 2nd semester activities. The following is as a list of activities that students not consenting (in the random pool) will not be allowed to participate in for the school year. Examples include:

Class Trips Dances Prom Athletics

Homecoming Band Cheerleading School Club and Organization Trips

Any attempt by a student to manipulate the outcome of his/her drug test will be equivalent to a refusal to submit to testing. Any attempt to manipulate or aid in manipulating the outcome of any drug test will be considered falsification of information. (See Rule 22 of the Centerpoint Discipline Policy) Use of Positive Tests—Upon receipt of a positive test result for any student, a student may request a retest at his or her expense within as a 24-hour period of a positive result. (The school will reimburse the cost of this test should the result be negative.) The specimen must be given at a pre-designated doctor's office.

*The superintendent or designee will notify the student and the student's custodial parents/legal guardians.

*The superintendent or designee will schedule a conference with the student's custodial parents/legal guardians to explain the result.

*Counseling/rehabilitation of the student will be strongly recommended for the student who tests positive. This will be at the expense of the student.

*The student will be placed on probation of twenty days. After twenty-one days, the student will be tested again at the student' s own expense and a written copy of the results will be given to the superintendent or designee. If the test is negative, the probation will be lifted. If the test is positive, the student will not be allowed to continue in school activities for one calendar year. The student cannot participate in any form of extra curricular activity involving Centerpoint Schools. To regain eligibility for participation in activities for the next year, a student must have a negative Chemical Screening test. This must be administered by the pre-designated doctor at the student's expense.

Exception—Certain chemicals that take more than twenty days to leave the student's system will be considered differently if a doctor's written opinion details said residual effects of that particular substance.

Testing Procedure

Analysis of Urine Specimens—The initial urinalysis method will be an immunoassay screen. If a specimen tests positive for any substance being checked, a student may request a confirmation test within 24 hours of receiving the positive results. The confirmation test will be at the student's expense at the office of a pre-designated physician. Gas chromatography/mass spectrometry GC/MS will be conducted on the specimen. The student will be allowed to retest at the end of the 20-day probation period at his or her expense. If the result of the GC/MS test is positive, the student will be considered to have had as a positive result. If the GC/MS is negative for the suspected substance or substances, the student will be considered to have had a negative result.

All test results from the laboratory will be communicated to the superintendent or designee. To ensure proper testing procedures, United Stated Department of Health and Human Services Standards as defined by the National Institute of Drug Abuse certified laboratories will be followed.

All urine specimens will be taken at a designated restroom. Any student who is requested to provide a urine specimen will be directed to the collection site where the student will complete the necessary forms. Students selected as part of the random test will be required to execute an additional consent form.

The following precautions will be taken, as appropriate, at the collection site:

1. Positively identify the examinee.
2. The observer will ask the individual to remove any unnecessary outer garments (i.e., coat, jackets) that might conceal items or substances that could be used to tamper with or adulterate the urine specimen. All personal belongings (i.e., purse, briefcases, etc.) must remain with the outer garments. The observer will note any unusual behavior or appearance.
3. The student will be instructed to wash and dry his or her hands prior to providing the specimen. After washing his or her hands, the student will not be outside of the presence of the observer and not have access

to water fountains, faucets, soap dispenser, or cleaning agents until after the specimen has been provided and sealed. Only one person will be allowed at a time in the washroom and process area.

4. The student will be allowed to provide the specimen in a stall or other partitioned area that allows for individual privacy. After the specimen had been provided, the student should leave the stall.
5. At the collection site, toilet bluing agents may be place in the toilet tanks whenever possible. No other source of water will be available in the enclosure where urination occurs.
6. After the specimen has been provided to the observer, the observer will continue with chain of custody procedures and determine whether it contains at least 60 milliliters of urine. If there isnot at least 60 milliliters, additional urine should be collected. The student may be given reasonable amounts of water for drinking. If a student fails for any reason to provide the necessary amount of specimen, the observer will contact the superintendent or designee for guidance.
7. Immediately after collection the observer will check the temperature of the specimen and inspect the specimen for color and signs of contaminants. Freshly filled specimens should be warm.
8. Both the observer and the student being tested will keep the specimen in view at all times prior to its being sealed and labeled.
9. The student will observe the tamper-proof seal. The labels for the specimen bottle must have all information completed before being placed over the bottle cap and down the sides of the bottle. The observer will place the identification label securely on the bottle.
10. The student and the observer will sign the chain of custody form and have the observer initial the specimen label.
11. The identification label on the specimen container will contain: the date; the student's name; the student's assigned number
12. The observer will enter the identifying information in a record book. Both the observer and the student will sign the record book. Both the observer and the student will sign the permanent record book next to the identifying information.
13. The student will be asked to read and sign a certification statement regarding the urine specimen.

Results and notification

Test results will be reported to the superintendent or his designee within a specified number of days after the lab's receipt of the specimens. All reports will be in writing. All specimens testing negative on the initial test or negative on the confirmation test will be reported as negative. Only specimens confirmed as a positive will be reported as positive for a specific drug(s).

Consent Form

Students and parents/guardians will be strongly encouraged to sign a consent form to the random testing at various times of the year. The form must be co-signed by the student's custodial parent/legal guardian. No student will be allowed to participate in any school activity (any activity outside the regular curriculum) until both student and custodial parent/legal guardian have signed the consent form and returned it to the principal.

Substances Tested

The substances for which students will be tested include:

BARBITURATES	AMPHETAMINES	BENZODIAZEPINES
Amobarbital• Butabarbital	Amphetamine	Alprazolam• Chlordiazepoxide
Butalbital• Pentobarbital	Methamphetamine	Clorazepate• Diazepam
Phenobarbital• Secobarbital		Halazepam• Prazepam
Trizolam		

COCAINE METABOLITES	PROPOXYPHENES	PHENCYCLIDINE(PCP)
QUALITATIVE THC	OPIATES	ETHYLALCOHOL
Codeine• Heroin • Morphine		

The cut off levels for initial screens will be 100 nanograms per milliliter (ng/ml) for marijuana metabolites (THC), 300 ng/ml for cocaine, metabolites, and opiates, 25 ng/ml for phencyclidine, and 100 ng/ml for amphetamines. The cut off level for ethyl alcohol shall be four one-hundredths of one percent (.04%) by weight of alcohol in the student's breath or blood. Cuts off levels used are determined by the National Institute on Drug Abuse. The cut off levels for confirmation

tests will be 15 mg/ml for marijuana metabolites, 150 ng/ml for cocaine metabolites, 300 ng/ml for opiates, 500 ng/ml for amphetamines, and 25 ng/ml for phencyclidine.

Cost

The test to be given during random selection will be paid by the District. Any second test or test requested by the parent or student will be at the parent's own expense.

Testing Due to Reasonable Suspicion

Students who have been identified though the criteria outlined as reasonable suspicion may be tested separately from the times of the random testing. The testing should take place a soon as possible after the determination of reasonable suspicion has been verified. The charge of the testing for those identified will be the responsibility of the District.

Records

The superintendent or designee in a separate file under lock and key will maintain all records concerning chemical abuse testing. The records will not be kept in a student's regular file. Only the superintendent or his designee will have access to the files. The files on each student will be destroyed upon graduation or two years after termination of enrollment. A student and the student's custodial parents/legal guardians may obtain a copy of their chemical abuse testing records upon written request

ACADEMIC REQUIREMENTS

Grading System

1. The grading system used in the Centerpoint School District for grades seven (6) through twelve (12) shall be as follows: A, B, C, D, F, and I. The percentage scale to arrive at the above grades is:

   A- 90 thru 100 B- 80 thru 89 C- 70 thru 79
   D- 60 thru 69 F- 59 and below
   I- Incomplete work which may be completed for a grade, at such time the "I" will be changed to the appropriate grade.
2. For the purpose of determining grade point averages, the numeric value of each letter grade shall be:
   A= 4 points B = 3 points C = 2 points D = 1 point F = 0 points
3. The grade point values for Advanced Placement (AP), International Baccalaureate (IB), and approved honor courses shall be one point greater than for regular courses with the exception that an F shall still be worth 0 points. Updated: June 13, 2011
4. The semester grade will be figured by doubling the two nine weeks grades adding the semester exam and then divide the total by 5. This will allow each nine weeks to count as 40 percent and the semester exam will count as 20 percent of the semester grade.
5. There will be a cumulative semester exam given in each accredited/graded class.
6. All students grade 7-12 will take the first semester exam. For the 2nd semester exam, students who meet the following conditions will be exempt for the test:

   No in-school or out of school suspension for the semester

   Five or fewer absences (including all absentee codes that is not a school absence) in the class with an average of 90% or above

   Three or fewer absences (including all absentee codes that is not a school absence) in the class with an average of 80% or above
7. Factors affecting promotion or graduation may be, but are not limited to, absences, academic performance, standardized tests and earned grades during the school year. Grades shall be based on educational objectives only.
8. The Centerpoint School Board feels there is a definite need for a grading system. Reasons include:
   a. To inform parents of the progress of their children.
   b. To help administrators evaluate the effectiveness of the school program.
   c. To furnish information for pupil guidance and counseling.
   d. To assist in promotion, retention, transfer and grade placement.
   e. To show the achievement of pupils in relation to others.

Homework

Homework is considered to be part of the educational program of the District. Assignments shall be an extension of the teaching learning experience that promotes the student's educational development. As an extension of the classroom,

homework must be planned and organized and should be viewed by the students as purposeful. Teachers should be aware of the potential problem students may have completing assignments from multiple teachers and vary the amount of homework they give from day to day. Students grade 6th through 8th should have no more than 20 minutes of *homework per subject per night. *(Homework is not to be confused with unfinished class work)

Videos are used as a supplement to the teaching lesson. Parents/Guardians have the right to have a student placed on a "no video" list. If the parent/guardian wishes for a student not to see videos at school, please contact the office for the proper paperwork and more information.

Entrance into the Centerpoint School District GT Program

A. Be Nominated

a . Students may be nominated by teachers, parents, counselors, peers or themselves.

b. A nomination form and a questionnaire will be given to the person nominating. The questionnaire will be analyzed by the G/T coordinator to discover if the student truly displays gifted characteristics.

c. A form will be sent home with the student to be signed by the parent /guardian for permission to test. The G/T enrollment cannot proceed without this form.

B. Be Tested

a. Each nominated student will be administered the Naglieri Non-Verbal Ability Test in the fourth grade (or as soon as possible) and once every three years afterward.

b. Each nominated student will also be administered the William's Creativity Test. This is a test of creativity.

C. Be Observed

a. The G/T coordinator will observe the nominee during regular classroom hours and record a summary of observed gifted characteristics.

b. The nominee's teacher(s) will be given a rating scale to be completed for the consideration by the G/T advisory committee. This is a rating as to gifted behavior characteristics.

D. Be Graded

a. G/T students should display school achievement as a consideration of placement. A grade point average (GPA) of 3.0 or better is considered the norm.

b. Data collection is from a variety of sources. Data collection may include current standardized test scores, the Naglieri Non-verbal Ability Test, William's Creativity Test, Grade point average, Teacher Checklist, enrichment portfolio evaluation, and the Kingor Observation Inventory (KOI) used for grades K-3.

E. Be Rated

a. Once all appropriate data has been collected, analyzed and put in a matrix, the data will be presented to the placement/screening committee for that school. The committee will consist of the G/T coordinator, the school principal, the school counselor and two teachers. The committee will make placement decisions in a professional manner keeping what is best for the students at the forefront of its, decisions.

b. Parents will be notified of the committee's decision in a timely manner. A form will be sent home for permission of placement if the student is selected.

c. Instructional, useful information about individual students obtained during the identification process will be communicated to the instructional staff regardless of final placement decisions.

Exit from the Centerpoint School District GT Program

A student may be removed from the gifted program through a parent, teacher, or student request. The final decision of exiting the GT program will be determined by the identification committee of 5 educational professionals chaired by the GT Coordinator. Due process for removal shall include the following:

1. In the event of a parent request removal, the reasons of removal must be filed in writing with the Coordinator of the Gifted Program
2. In the event of a student request for removal, parental permission must be obtained.
3. Prior to teacher request for removal from the program, the GT Coordinator will notify the parents of the concern and request a conference with the parents.
4. If it is determined by the identification committee, a copy of the removal request and reasons for removal will be filed and concerned school personnel will be notified.
5. Parents will be notified in writing when a student is dropped and advised of appeal procedures and re-entrance procedures.

6. Parents may appeal a removal decision by requesting a review of the reasons for removal by the Appeals Committee that will consist of 5 educational professionals, chaired by the GT Coordinator. At that time, the committee shall hear the appeal and make a decision in private at the end of the appeals process.
7. Students removed from the program may request re-entrance at the next program change. If students desire to re-enter, the Identification Committee will review the circumstances and reasons surrounding their removal and the student will be considered for replacement.

Updated 6-11-12

Additional Promotion Requirements

7. Pupils who satisfactorily complete a course of study prescribed for their grade level in the Centerpoint elementary and junior high schools will be promoted to the next grade level at the end of the school year.
8. Promotion/Retention Policy for sixth (6) seventh (7) and eighth (8) grades:
    c. Any 6th, 7thor 8th grade student earning an "F" grade for the year in two or more core courses (math, English, science, social studies) will not be promoted to the next grade. Yearly grades will be determined by averaging of the two semester grades.
    d. Any 6th7thor 8th grade student having eight (8) or more failing semester grades for the entire year, including electives will not be promoted to the next grade.
9. Students in grades six (6), seven (7) and eight (8) shall not be retained more than one year. After having been retained for one year, they will be evaluated for an appropriate educational program.
10. It will be the responsibility of the teacher to notify parents of possible failures and to arrange conferences with parents before the child is given a failing grade on a year's work.
11. Students in the ninth (9th) grade must choose a career focus to help determine course scheduling for their high school careers.
12. Students who do not score proficient or advanced on the Benchmark exams, End of Course Exams in Algebra I, Geometry, Biology, and Literacy must participate in a remediation program at CHS or be subject to retention and/or loss of credit. Academic Improvement Plans (AIP) shall be developed for students who score below Proficient on Benchmark test and End of Course test. The development of the AIP will be a collaborative effort between school personnel and the parents/guardian.

    Reference 4.45

Scheduling

1. Students must withdraw from a class within the first week of a class. Students must enroll in another class and make up missed work. Students dropping athletics will go to off season until the end of the semester. (See the Athletic Policy for other information regarding dropping athletics.)
2. Some classes have required prerequisites. Please note the following when considering student scheduling:
    a. Advanced Math—Students must have successfully completed Algebra II.
    b. AP Calculus—Students must have successfully completed Advanced Math.

Requirements for Honor Graduates

To be considered an honor student at Centerpoint High School, students are to meet the following conditions:

1. Meet all requirements for graduation.
2. Have a 3.5 grade point average or better.
3. Earn credit in the following courses: Algebra I, Algebra II, Geometry, Pre-Cal, Chemistry, Physics, 2 units of Foreign Language or take an additional AP course (for a total of 3), and 3 units of Social Studies to include American History, World History, Government, at least 2 AP courses, and an elective which is not a Practical Art.
4. Advanced placement (AP) courses will be weighted on a 5.0 point scale:

    a. A=5.0; B=4.0;C=3.0; D=2.0; F=0.0

    b. Students must be enrolled in the class for the year, take the AP exam and the teacher must have the appropriate training in order to receive weighted credit.

    c. All International Baccalaureate (IB) courses and ADE approved honor courses will also be accepted for the 5.0 scale.

Adopted 5/11/09

5. Class rank will be determined by grade point averages ranked in numerical order of the official office computer except in cases of students who have all A's with the same number of state-mandated weighted classes. Students who have all A's in both non-weighted classes and the same number of weighted classes will have the same rank regardless of the total number of credits. For example, student who has two weighted credits and 27 non-weighted credits will not be ranked above a student who has two weighted credits and 29 non-weighted credits.

Example: Student A	Student B
27 total credits	29 total credits
4 X 25 = 100	4 X 27 = 108
5 X 2 = 10	5 X 2 = 10
110/27 = 4.074	118/29 = 4.068

Students A and B would have the same class rank.

Courses taken for high school credit during the 8th grade year would count toward a student's GPA.

6. To be considered for high honors (valedictorian, salutatorian) as student must have attended the previous four (4) semesters at Centerpoint High School.
7. Beginning with the graduates of 2014 Centerpoint Honor Students will be distinguished in the following manner:
   a. Students with a 3.50-3.75 GPA will graduate Cum Laude
   b. Students with a 3.76-3.99 GPA will graduate Magna Cum Laude
   c. Students with a 4.0 and above GPA will graduate Summa Cum Laude

Updated June 13, 2011

Credit through Correspondence Study and Concurrent Credit

1. Correspondence courses may not be used in lieu of regular courses offered by Centerpoint High School to meet the requirements for graduation before the student has completed six (6) semesters. Any student may then apply for correspondence study through the office of the principal. Approval for correspondence study will be based on the following:

   a. The course must be one of the required courses for graduation which the student has failed.
   b. No more than one (1) course may be taken at a time.
   c. Credit will be awarded only on courses taken to meet the minimum graduation requirements.

2. According to A.C.A. 6-18-223, "a student who enrolls in and successfully completes a course or courses offered by an institution of higher education shall be entitled to receive appropriate academic credit in both the institution of higher education and the public school in which such student is enrolled at the rate of one-half (1/2) credit for each three (3) semester hours of college credit, which credit shall be applicable to graduation requirements." To ensure proper credit all concurrent courses must be pre-approved by the principal or counselor to determine unit placement. Unless approved by the school principal or counselor, prior to enrolling for the course, the concurrent credit shall be applied toward the student's graduation requirements as an elective.

Students are responsible for having the transcript for the concurrent credit courses they have taken sent to their school in order to receive credit for the courses. Credit for concurrent credit courses will not be given until a transcript is received. Transcripts for students who take concurrent credit courses as partial fulfillment of the required full day of class for students in grades 9-12 are to be received by the school by the same time grades are due for regularly scheduled high school students. Students will retain credit applied toward a course required for high school graduation from a previously attended, accredited, public school. Any and all costs of higher education courses taken for concurrent credit are the student's responsibility.

Network Acceptable Use Policy

The Centerpoint School District makes computers and/or computer Internet access available to students, to permit students to perform research and to allow students to learn how to use computer technology. Use of district computers is for educational and/or instructional purposes only. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. For the purposes of this policy "harmful to minors" is defined as 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.

The purpose of the Centerpoint Public School District's network is to support learning and enhance educational opportunities. Through a partnership with the Arkansas Public School Computer Network, students and staff have access to the Internet, a "network of networks" of computer systems all over the globe. The Internet affords users virtually unlimited access to high quality research and the capacity to collaborate with students, teachers and experts in various fields of study throughout the world. The district recognizes that to insure that its substantial investment in technology is utilized to accomplish its educational goals, it is necessary that all users behave in a responsible, efficient, ethical and legal manner.

The Board, therefore, expects that all students in the Centerpoint Public School District shall:

1. Use the network only with permission of a teacher and only after the appropriate permission document(s) is/are signed by the student and the student's parent or guardian and filed at the school. Using the Internet for research requires a permission slip. Individual accounts, such as for electronic mail, require a letter which outlines specific procedures and regulations.
2. Use the network only for legitimate educational pursuits as directed by a teacher. Use of the network for recreational games, accessing inappropriate material such as that of a sexually explicit nature, or using the network for commercial purposes is prohibited.
3. Abide by all district, local, state, and federal regulations and laws, including but not limited to copyright laws.
4. Refrain from any activities which might cause damage to hardware, software or data files which are not the sole property of the student.
5. Refrain from using inordinate amounts of network time or materials.
6. Refrain from bringing personal software into the network environment.
7. If in doubt about how to do something on the computer or unsure if an action is appropriate, ask a teacher or system administrator.
8. Students must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security or Internet filtering software, alter data without authorization, or disclose passwords to other students.
9. Students who misuse district-owned computers or internet access in any way, including using computers to violate any other policy or contrary to the computer use agreement, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, as specified in the student handbook and or computer use agreement.

Discouragement of Gifts

Students, individually, or as a group, are discouraged from presenting a gift of value to instructional personnel.

Student Discipline

Any conduct by a student at school or any school function found to be detrimental to the educational or extracurricular goal will be subject to disciplinary action.

The Centerpoint School Board recognizes the need for firmness in the dispensing with problems calling for disciplinary action in the classrooms and on the school premises. They further recognize that the principal and faculty of each school must always be in a position to take disciplinary action if the atmosphere for learning is to be maintained. All disciplinary action should contribute to the general welfare of the school or class as a whole and should be directed toward positive improvement of citizenship for the group or individual involved. Disciplinary actions may range from a minimum of a verbal warning to a maximum of recommendation of expulsion. Updated 5/11/09

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

Conduct at School Activities

Students will be expected to conduct themselves at school activities in the same manner as during school hours. The same disciplinary action will be taken for misconduct at school activities as would apply during school hours. All student complaints and/or grievances need to be handled and addressed in the proper order which is as follows:

1st - Teacher
2nd - Principal
3rd - Superintendent

Dress Code

The primary responsibility for the appearance of students rests with the parents and the students themselves. Dress and appearance must not present health or safety hazards or cause disruption of the educational process. Clothing not approved includes:

1. Torn, or cut-off jeans, trousers, slacks
2. Halter tops
3. Bare midriffs
4. Hats in the building
5. Short shorts*
6. See- through clothing
7. Undershirts or tank tops worn as an outer garment
8. Under shorts of any kind worn as an outer garment
9. Pants worn below the normal position
10. Tops, shirts, or bodices that are low cut in front, back or sides. The "three b's" (breasts, belly, and buttocks) must be covered at all times
11. Sleeveless shirts male or female
12. Pajamas, house shoes, and/or sleepwear
13. Ripped clothing
14. Holes in clothing above the knee showing skin or underwear (boxers, panties) or holes in the
15. Private areas of clothing.
16. Leggings

Clothing which promotes student use of drugs, alcohol, and immoral behavior or which is demeaning to other students is considered inappropriate for school wear. Shoes must be worn at all times. *Shorts and skirts must be no shorter than two inches above the knee. Final decision of any wearing apparel will be at the discretion of the principal.

Detention Hall

Detention Hall will be after-school. Detention will be held in an assigned room Mondays through Thursdays, supervised by a classroom teacher, and the student will be responsible for their transportation home after detention has been completed.

Detention hall is assigned by the principal to students for inappropriate behavior. Teachers are encouraged to try other means of discipline whenever possible before referring a student to the office. Such methods as talking with the student, contacting the parent, or assigning reports may be effective ways of correcting the problem. At times, however, the seriousness of the offense may indicate that detention is warranted as the first option.

In-School Suspension (ISS)

In-school suspension (ISS) is assigned by the principal to students for disciplinary reasons. Other forms of discipline may be used; however, the seriousness of the offense may warrant a student being assigned ISS as the first option.

ISS is designed as a disciplinary measure to avoid students being suspended from school. Students who are assigned ISS will be isolated from their peers for the length of the assignment, yet will be furnished with the regular classroom assignment as well as other assignments that may be deemed appropriate. In-school suspension shall be treated as if the student was present at school. The student shall not attend any extra-curricular activities on any day of an imposed in-school suspension nor shall the student participate in any extra-curricular activities on any day of an imposed in-school suspension.

Rules for ISS are as follows:

1. Any behavior contrary to the ISS rules, school rules, or the ISS teacher's instructions will result in immediate suspension.

2. Students must have all books and materials for class.
3. Students must be working on class/ISS assignments at all times.
4. Students will not be allowed to talk or sleep in class.
5. While out of the ISS room, students will not be allowed to talk to anyone else on campus.
6. Students will not be allowed outside the ISS room except for regularly scheduled restroom and lunch breaks.
7. If a student is suspended from school while in ISS, the student must complete the remaining ISS days upon his/her return to school.

Corporal Punishment see Rule 4.39

Alternative Suspension

The alternative suspension program is designed to allow students the opportunity to continue receiving credit during a time of suspension. Parents/Guardians may have the opportunity to enroll a student in an alternative suspension program equal to double the amount of time the suspension has been assigned. Alternative suspension may be served in ISS or Alternative School at the discretion of the principal. All applicable ISS rules and ALE polices will be in place for this program.

Suspensions see Rule 4.30

Expulsions see Rule 4.31

Discipline for Disabled

1. Disabled students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to a free, appropriate public education.
2. The individualized education plan (IEP) team for a disabled student should consider whether particular discipline procedures should be adopted for that student and included in the IEP.
3. Handicapped students may be excluded from school only in emergencies and only for the duration of the emergency. In no case should a disabled student be excluded from school for more than ten days in a school year.
4. After an emergency suspension is imposed on a disabled student, an immediate meeting of the student's IEP team should be held to determine the cause and effect of the suspension with a view toward assessing the effectiveness and appropriateness of the student's placement and toward minimizing the harm resulting for the exclusion.
5. The suspended student should be offered alternate educational programming for the duration of the exclusion.
6. The school counselor is the person designated as the grievance officer for Act 504 - Arkansas law.

Offenses - Category I

Category one offenses are considered minor in nature and should be dealt with exclusively by the principal and building staff and in consultation with the student's parents/guardians.

Normally, disciplinary actions for Category One Offenses will become progressively more severe if minor rule infractions persist. However, the administrator may choose the most severe penalty at any time based on the student's past disciplinary record.

For category one violations, the principal may choose from a minimum of student/staff/administrator/ parent conference to a maximum of 3-10 day suspension: Updated 5/11/09

1. Student/staff/administrator/parent conference
2. In-school suspension
3. Detention hall
4. Corporal punishment
5. 3-10 day suspension

Rule 1: Academic Dishonesty

1. Cheating on tests
2. Copying the work of another student
3. Plagiarism--The unauthorized use or close imitation of the language and thoughts of another author and the representation of them as one's own original work. Example--to copy and paste passages and writings from the web or other digital sources into one's own assignment without the use of proper works cited. For all offenses involving academic assessments, the students will receive a zero on the assessment or test.

Rule 2: Insubordination *– Failure to follow reasonable directives of the school staff and/or school rules and regulations.*

Failure to obey reasonable instructions from teachers, administrators, instructional aides, bus drivers, or any other authorized school district employee.

Rule 3: Minor altercations

Engaging in physical struggle having the potential of producing bodily harm. All participants in an altercation will be disciplined according the degree of involvement of each student.

Rule 4: Harassment/Bullying

Behavior or actions that violate a person's right to privacy.

1. Annoyance - To "pick at or tease" on a continual basis
2. Communications - Non-solicited oral or written communication offensive to the recipient.
3. Sexual - To violate another person by using sexually explicit language or gestures.
4. Sexual Harassment as described in 4.27
5. Bullying as described in 4.43

Rule 5: Repeated school and/or class tardies

A student is tardy if he/she is not in his/her classroom or assigned location by the time the tardy bell rings. In the morning students will be counted absent from their first period class if they have not arrived prior to 8:10 am. Teachers will record the number of times a student is tardy for class. The following actions will be taken in response to continued tardiness:

a. Third (3rd) tardy—Teachers will notify the office with referral students must sign and the report will be sent to student's parents.
b. Fourth (4th) tardy—Student will be sent to the office and assigned detention hall.
c. Fifth (5th) tardy—Student will be assigned to ISS.
d. Sixth (6th) tardy—Student will be assigned to three days ISS and a parent conference will be required.
e. Seventh (7th) tardy—Student will be recommended for suspension.

.***Rule 6: Displays of Affection***

Any type of conduct this is suggestive in nature.

Rule 7: Possession of Inappropriate materials

Students should not be in possession of any materials detrimental or disruptive to the educational climate, including radios, cell phones, tape players, electronic games, playing cards, trading cards, pocketknives, pepper spray, laser pointers, and any items that resemble weapons.

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

Electronic devices may be used during the school day with the exception of class time. During class time, electronic devices may only be used for educational purposes at the discretion of the teacher. As used in this policy, "electronic devices" means anything that can be used to transmit or capture images, sound, or data. Misuse of electronic devices includes, but is not limited to:

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

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

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

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

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

Rule 8: Failure to serve Detention

A student who fails to serve detention when directed to do so by school administration or other authorized school personnel will be disciplined.

Offenses - Category II

Generally, disciplinary actions for violations of Category Two Offenses will move progressively through a defined schedule at each rule violation. However, the administration may move to the most severe penalty at any time based on the circumstances involved in the particular incident.

Rule 9: Leaving school grounds without permission

No student is to leave the school campus after arrival without being checked out by a parent or without the approval of the school administrator.

Minimum—in-school suspension Maximum—out of school suspension

Rule 10: Use of cell phone

The use of cell phones (by calling, texting or viewing) or beepers or other communication devices during the school day is prohibited except when they are required for medical reasons or being used as per Rule 7 permits. In such cases, medical documentation must be on file at the school building.

Minimum—ISS/corporal punishment Maximum—out of school suspension

Rule 11: Use of iPods, MP 3 players *or other musical devices during class time is prohibited*

Minimum—detention Maximum—ISS

Rule 12: Skipping Class

Failure to attend regularly schedule class without the express permission of the assigned teacher is prohibited.

Minimum—ISS/corporal punishment Maximum—out of school suspension

Rule 13: Possession of pornographic materials *in the school setting or school activities is prohibited.*

Minimum—ISS/corporal punishment Maximum—out of school suspension

Rule 14: Using verbally abusive language, obscene gestures, or "fighting words"

Profanity, inflammatory or verbally abusive language or obscene gestures are prohibited in the school environment.

Minimum—ISS Maximum—out of school suspension

Rule 15: Use of Tobacco Products

Smoking or possession of tobacco product of any kind on school district property or on the school bus is prohibited.

Minimum—out of school suspension Maximum—expulsion

Rule 16: Assault

A threat to harm another person physically or an unsuccessful attempt; to do so with "blows", a violent attack - as with words, profanities, etc. in an attempt to promote or incite physical violence. All assaults will be reported to the Pike County Sheriff's Office.

Minimum—out of school suspension Maximum—expulsion

Rule 17: Battery

Repeated beating or striking of another person either directly or with an object, producing bodily harm.

Minimum—10 days out of school suspension Maximum—expulsion

Rule 18: Theft

All thefts will be reported to the Pike County Sheriff's Office

1. Burglary and or Larceny- to steal school property or property belonging to another person.
   Minimum—out of school suspension Maximum—expulsion recommendation
2. Robbery - the violent taking of any goods, money, or other valuable items from another by force or threats.
   Minimum—expulsion recommendation
3. Possession of Stolen Property- an individual has bought, been given, or acquired stolen goods some other way (other than they themselves having stolen them).
   Minimum- ISS/Corporal Punishment Maximum-expulsion

Rule 19: Gambling

Playing a game of chance for something of value.
Minimum—out of school suspension Maximum—expulsion recommendation

Rule 20: Fighting

Mutual combat in which participants inflict intentional and serious bodily injury to any person. All participants in a fight will be disciplined according to the degree of involvement by the participants.
Minimum—out of school suspension Maximum—expulsion recommendation

Rule 21: Use of Profanity directed toward a staff person

To direct profanity in a non-threatening manner to a school staff member.
Minimum—3 days out of school suspension Maximum—expulsion recommendation

Rule 22: Loitering

Lingering on the ground of a school or within 100 feet of the school without permission of a school administrator. No suspended and/or expelled student is allowed on school district property for any purpose while serving the suspension/expulsion.
Minimum—out of school suspension Maximum—expulsion recommendation

Rule 23: Vandalism

To intentionally destroy property, cut, deface, or otherwise damage property belonging to another person belonging to the school district. The parent/guardian shall be responsible for all damages to property caused by his/her child.
Minimum—out of school suspension Maximum—expulsion recommendation
Full restitution will be required

Rule 24: Disorderly Conduct

Inappropriate behavior that substantially disrupts or interferes with or is likely to disrupt or interfere with any school function, activity, or school program.

1. The use of violent, abusive, obscene, or profane language or gestures directed at another person or to the public in general.
2. Habitual or repeated violations of school rules and regulations:
   a. Violation of single rule - two or more times in a semester.
   b. Violation of a combination of rules four times in a semester.

Note: The student will be placed on probation prior to using rule (2). The parent and student will be notified by certified mail that they have been placed on probation.
Minimum—out of school suspension Maximum—expulsion recommendation

Rule 25: Harassing communications

Use of telephone, telegraph, the mail, fax, e-mail or any other form of written communication to annoy, cause alarm or threaten to harm another person, or knowingly allow another person to use a telephone or other electronic device under your control for such a purpose, is a crime.
Minimum—out of school suspension Maximum—expulsion recommendation

Rule 26: Forgery or Falsification of Information

Falsifying teacher signatures or information on official school records.
Minimum—out of school suspension Maximum—expulsion recommendation

Rule 27: Use of inappropriate devices/materials

The use of inappropriate items including, but not limited to, pocketknives and pepper spray is prohibited on school grounds or at school activities.

Minimum—out of school suspension Maximum—expulsion recommendation

Rule 28: Possession of weapons, and chemical agents

The possession, without permission from a school official of a dirk, brass knuckle, martial arts implement, razor, ice pick, knife, unauthorized tools, blackjack, chemical agents, mace, and other devices generally considered to be a weapon, or dangerous objects of no reasonable use to the student at school which may cause bodily harm.

Minimum—out of school suspension Maximum—expulsion recommendation

Rule 29: Possession of Fireworks

The possession of fireworks on a school campus or at a school related activity.

Minimum—out of school suspension Maximum—expulsion recommendation

Rule 30: Possession and/or use of alcoholic beverages

The possession or use of alcoholic beverages or the use of unauthorized inhalants on a school campus or at a school related activity is strictly prohibited.

Minimum—out of school suspension Maximum—expulsion recommendation

Rule 31: Misuse of medical supplies/medication

Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession. Depending on the severity of the infraction, incident penalties may range from:

Minimum—ISS/corporal punishment Maximum—out of school suspension

Updated 6-11-12

Offenses - Category III

Students found guilty of these offenses shall receive an expulsion recommendation. The sheriff's department shall be immediately notified and violators will be prosecuted to the fullest extent of the law.

Rule 32: Use and/or possession of a controlled substances or unauthorized drugs or substances

The possession or use of non-prescribed narcotic drugs, hallucinogens, marijuana, any unauthorized drug or substance, or drug paraphernalia as defined by Arkansas Code is a violation of district policy. In addition to suspension, students must show proof of having enrolled in an approved drug/alcohol counseling program prior to reinstatement.

Rule 33: Sexual Misconduct

To deliberately show the sex organs in a public place; to engage in or attempt to engage in a sexual act with another person or to touch in a sexually offensive manner on school district property or at a school related activity.

Rule 34: False Alarm

To turn in an alarm of fire, bomb threat, or other emergency without a lawful purpose.

Rule 35: Arson

The willful and deliberate burning of or attempt to burn school property.

Rule 36: Drug/Alcohol uses, sale or distribution

The sale, attempt to sell, purchase or attempt to purchase, or distribution of alcohol, marijuana, non-prescribed/prescribed drugs, hallucinogens, or similar substances, students expelled for this violation shall be required to submit proof of the successful completion of drug/alcohol counseling and/or treatment program prior to petitioning the board for reinstatement.

Rule 37: Physical assault on staff

Striking or attempting to strike a teacher or other school personnel.

Rule 38: Verbal Abuse of staff

The use of violent, abusive, or obscene language or gestures addressed to a teacher or staff person in a threatening manner.

Rule 39: Possession of a firearm

State and federal law (Gun-Free School Act of 1994) requires expulsion for students for a period of not less than one year for possession of any firearm or other weapon prohibited upon school campus by law; however, the superintendent shall have discretion to modify such expulsion requirements for a student on a case-by-case basis.

Rule 40: Use of weapon

The act of using a weapon or firearm to cause injury or threaten injury to another person.

Rule 41: Possession or use of explosives

The possession, use or threat to use any explosives or other such devices capable of inflicting bodily harm.

Rule 42: Extortion

Obtaining or attempting to obtain money or property from an individual by force or threat of force.

Rule 43: Unlawful assembly

When three or more students get together with the intent to commit an unlawful act.

Rule 44: Inciting a riot

An act or conduct which results in a riot or which urges others to commit acts of force and violence or participation in a gang fight or similar disturbance at school or at school related activities.

Rule 45: Membership prohibited clubs, gangs, fraternities, sororities or similar organizations and hazing

Students shall not participate in secret societies or organizations of any kind while on school property, at school sponsored activities or while on the way to or from school. Gangs or similar groups, whether organized in the community or in other setting, are prohibited on school grounds or at any school sponsored activity.

SCHOOL ORGANIZATIONS AND ACTIVITIES

Centerpoint Band

Philosophy

The philosophy of the Centerpoint High School Band is to create self-esteem and broaden horizons through the rewarding experience of studying instrumental music. These opportunities within the program will include various ensembles such as marching band, concert band, jazz band, all-region band, all-state band as well as solo and ensemble. Included in this program is the opportunity for individual instruction to better one's own ability on a band instrument.

General Code of Conduct

CHS Band members are ambassadors of the school and community. This means we must conduct ourselves at the highest level in and out of the public eye. Poor behavior by one member will reflect on the entire group. Some simple guidelines to follow include: 1) be neat in appearance, 2) always be on time, 3) always use appropriate behavior in all settings (rehearsal and performance), 4) exhibit a positive attitude, and 5) always give a best effort.

The Band Room

The band room and the equipment in the band room is the responsibility of the band director and band students to maintain. Students are to treat the space, equipment and their peer's belongings with respect as well as conduct themselves in a manner that will keep the space in good repair. This includes but is not limited to: not chewing gum, eating or drinking in the facility, using equipment not assigned to them, tossing or throwing objects, handling or tampering with other students' equipment or belongings.

Daily Rehearsal Points

Students receive 20 points per day per rehearsal. Points will be deducted for (including but not limited to) impeding rehearsal through disruption, leaving music and instruments at home, not bringing the correct shoes for marching, and (woodwind players) not having two working reeds ready to use. Summer band will start approximately two weeks before the first day of school. These two weeks give the band the opportunity to learn marching fundamentals, train new band members and sharpen musical skills before fall classes begin. A detailed schedule of events during summer band will be mailed out to students and parents before the end of June.

Instrument Maintenance and Liability

There is an annual rental fee on school owned instruments. This is to aid in the annual expense of maintenance and repair to such instruments. Students using school owned band equipment are expected to take care of it to the best of their abilities. Any repairs made due to unnecessary abuse to the instruments will be charged to the student. The student and parent will sign a form taking responsibility for the instrument each August in conjunction with payment of the rental fee. Any student using a personal instrument is liable for the maintenance and repair of that instrument. The band director will arrange for transportation of the personal instrument, upon the student's from the horn shop if repairs are necessary. When a repair is made, a notice will be sent home indicating the amount owed. A copy of the invoice from the horn shop will accompany the notice sent home. Personal instruments will not be returned until the bill for the repairs is paid.

Uniform Policy

Senior band students will be issued a CHS band uniform. Students are responsible for the safety of the uniform when signed out to their care, even if they leave the uniform in care of a classmate. Damages up to and including the full value of a new uniform will be billed to the student if the uniform is damaged or lost while under student care. To assist in the maintenance and cleaning of uniforms, senior band students will pay a non-refundable $25 uniform fee each August. Students will purchase their own black socks, black shoes and plain white t-shirt to wear under the uniform. Students will be recommended for disciplinary action if they do not properly hang, bag and return their uniforms after each use. At no time will uniforms be taken home without express permission from the band director.

Band Officers

Positions as band officers are available to those band students who express a desire, demonstrate an interest and have not caused disciplinary problems in the band. The band elects officers at the end of the year prior to service. The offices include: president, vice-president, secretary treasurer, librarians parliamentarian, and quartermasters.

Summer Band Rehearsals

Summer band will start approximately two weeks before the first day of school. This will give the band an opportunity to "freshen-up" on marching fundamentals and begin learning the half-time show. A detailed schedule of the events during summer band will be mailed out to students and parents before the end of June.

Out of Town Trips to Attend School Sanctioned Activities

Trips will include football games, all-region auditions, region concerts and contests. All students will be required to ride the bus to all events. Students may ride back from events with their parents if a release statement is given in writing before leaving Centerpoint High School. All school rules apply on school-sponsored trips.

Optional Spring Band Trip

A Spring Trip is a privilege and reward for a job well done. All band students in good standing can go except those who have spent more than three days in ISS or have spent any time in A-School during that academic year. The reason being that if a student cannot be trusted to behave properly while in their home town, the band director cannot be expected to chaperone a student who has shown disregard for school policy. If a student has paid for a trip and is then placed under disciplinary action before the trip, then every effort to refund the student's money will be made. All money will be refunded except for any non-refundable deposits which have been made.

Color Guard and Drum Major

Students must be in the 7th-11th grade and be a member of the CHS concert band or CHS beginner band the year of the audition; as well as be pre-registered for band in the next school year. Students must be academically eligible as mandated by the Arkansas Activities Association. All candidates will audition on the same day. Numbers will be drawn to decide the order in which students try out. The number of color guard members will be determined by the band director. Students may be expected to audition for All-Region and participate in Solo and Ensemble. If the drum major fails to do so, they will be barred from auditioning for their position the next year. Students with an unexcused absence from a mandatory rehearsal, performance, or competition will be placed on probation; students with two or more unexcused absences will be removed from their position.

Activity Fund Monies

Band students have the opportunity to raise money for trips and other band activities through fundraisers. A percentage of the money raised will be kept in account for band students and the remaining percentage will be used by the CHS Band program to assist the overall band program. The money in account for students not used by the time the student graduates will be used for the greater good of the band program. The money in the account is to be used only for band activities and will remain with the CHS Band program.

Concerts and Other Public Appearances

All football games, concerts, concert and marching contests depend on all members of the band being present. For that reason, substantial points are given for attending such events. An unexcused absence to such an event will have a detrimental effect on a student's grade for that class. An excused absence will result in an additional but reasonable assignment being given to the student to make up the points lost by missing the performance.

Student Council Constitution

ARTICLE I: Title:

The title of this organization shall be the Student Council of Centerpoint High School.

ARTICLE II: Purpose:

The student council shall function primarily by promoting student betterment. This may be achieved through creating student awareness, providing improved social atmosphere, offering the organization as a place where student opinions are represented, or by other means recognizable as beneficial to the Centerpoint student.

ARTICLE III: Membership and Organization

Section I: The student council shall consist of representatives elected by each homeroom, (one from each class), the elected officers and members at large. The electorate shall be the student in grades seven (7) through twelve (12).

Section II: The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer, Reporter, and the six Senators.

Section III: The Legislative Committee shall consist of all the council members.

Section IV: One faculty sponsors, whose duty shall be to advise the student council, shall be responsible for the council annually. The sponsors will be appointed by the principal.

Section V: Elections shall be held according to the established standards subject to yearly review prior to the election.

Section VI: All council members shall serve for a term of one year. The constitution shall not prohibit a qualified student from serving more than one term should he/she be duly elected.

Section VII: Regular meetings shall be held during school hours. The day and time of these meetings shall be planned by the school schedule. In case of special needs, the student council may meet either in legislative or executive session when a resolution to do so is passed by 2/3 of the entire body. The executive committee shall meet once per month to plan for future legislative meetings.

Section VIII: All officers and member shall be elected by secret ballot. A plurality vote shall constitute an election.

Section IX: A vacancy in the office of president of the council shall be filled by the succession to the presidency of the vice president. All other elected positions shall be filled by another election unless prohibiting conditions such as time preventing a proper election from being held arise. In such cases, a council vote shall be sufficient.

ARTICLE IV: Qualifications of Officers and Members

Section I: The president shall be a member of the senior class with at least one year of previous council experience.

Section II: The vice president shall be a member of either the senior or junior class.

Section III: The secretary, treasurer, and reporter shall be elected from the junior or senior class.

Section IV: Senatorial candidates require no previous council experienced.

Section V: Student Council positions may be filled by any student who has maintained a 2.00 GPA for the previous semester of academic work.

Section VI: Any council member must maintain a 2.00 GPA each nine weeks in order to serve as an active member. Under extenuating circumstances, a student may remain on the council in a probationary capacity if he/she fails to maintain a 2.00 GPA.

Section VII: In the event of unusual circumstances which have prohibited a person from attaining the necessary requirements for seeking a position, the council may review the case in resume committee and then upon recommendation of the committee, bring the matter to a vote in the legislative session.

ARTICLE V: Duties of Officers and Members:

President:

1. Shall preside over all meetings
2. Shall appoint all committees and duties subject to the approval of the legislative council.
3. Shall vote only in case of a tie.
4. Shall preside over assemblies and introduce speakers.
5. Shall not have veto power

Vice President:

1. Shall take the place of the president when he/she is absent.
2. Shall assist the president in all of his/her duties
3. Shall succeed to the office of president in case of his/her resignation or suspension.
4. Shall be responsible to take the roll call of the legislature and bring to account all absent members.

Secretary:

1. Shall take minutes of all meetings.
2. Carry on correspondence of the council.

3. Shall keep notes on all executive meetings.

Treasurer:

1. Take charge of all council funds.
2. Shall make deposits and disbursements.
3. Shall render a financial report at regular intervals.
4. Shall keep all financial records of the council.

Reporter:

1. Shall write all articles to appear in publication regarding council work.
2. Shall be responsible for keeping the council scrapbook.

Senators:

1. Shall function as link between members and officers at officers meetings.
2. Shall represent the opinion of and the interest of the grade that they represent.
3. Shall perform as a working member of the executive committee.

Members:

1. Shall attend all meetings.
2. Shall do all assigned work on the council activities.

ARTICLE VI: Standing Committees and Duties:

Executive Committee:

1. The executive committee shall have the principal as an ex-officio member for the purpose of coordinating the work of the council with the policies of the school.
2. It shall be the duty of this committee to review or propose legislation to be voted on the legislature.
3. The president shall cause all proposed measures to be voted on by the committee with recommendations for passage to be voted on by the legislature. If a majority of the quorum vote in favor of the proposed measure, it shall be enacted.

Resume Committee:

1. The resume committee shall have five members appointed by the president. This committee shall be charged with the duty of reviewing any case deemed unusual by the executive committee. (Example: qualifications of officer candidates who do not meet constitutional requirements.)
2. The committee shall make recommendations to the legislature regarding the case in question.

ARTICLE VII: By-Laws:

All persons vested in the student council are represented by the administration and most directly the principal. As such the council activities are subject to administration approval and scrutiny. This should not deter the council form taking an unpopular course if the will of the student body is represented. The student council is student representation and should be expressed as such. A reasonable course often may be arbitrarily worked out to each side's satisfaction and more often than not proposals of the council will have full administration approval and confidence.

The following by-laws are established:

1. To guarantee representation at all times a member must be aware of council functions; therefore compulsory attendance of scheduled meeting s is required. Any student missing two meetings without excuse is on probation and is subject to have a case brought before the resume committee to determine expulsion.
2. Members must abide by a code of standards which each council shall draw up and enact at the earliest date possible. Violations of these standards shall be cause for review by the resume committee and if warranted, expulsion from the council shall be recommended.
3. Responsibly of duty is pre-eminent and only very trying conditions shall give the resume committee reason not to expel a member if he/she fails to perform an assigned task.
4. Any member, officer, or senator, is at all times representative of the council and as such Centerpoint High School student body. Proper conduct is always expected. This is not to impose on individual freedoms, which the council supports as necessary to norm social function, but rather to encourage the development of leaders by their own design and choosing.

AMENDMENTS:

1. The grade levels for Centerpoint Student Council shall include sixth through twelfth grades thus enlarging the number of senators and representatives to seven for each.

2. Elections for all Student Council positions shall be held in the spring semester beginning with elections for the 2006-2007 school year.
3. Changes for election procedures shall be as follows:
    a. Election for sixth grade representative and senator will be held within that grade level only.
    b. Election for representatives of grades seventh through twelfth shall be by grade only.
    c. The student body, sixth through twelfth, as a whole shall make election of Council Officers.
    d. Election of seventh, eighth, and ninth grade senators shall be by those grades only and election of tenth, eleventh, and twelfth grade senators shall be by those grades only.

Centerpoint Athletic Policies

1. Joining, quitting, and/or removal from, a team
    a. A student athlete may go out for a team at any time, provided that student has not been participating in another sport, and the coach has no objection.
    b. If a student athlete is participating in one sport, he/she cannot quit that sport and go to another one if he/she is still a member of the squad two weeks before the first regular scheduled game. If an athlete notifies the coach he/she is quitting the squad two weeks before the date of the first game, that student may select another sport.
    c. Students who quit after the deadline (first regular scheduled game) will be enrolled in study hall or class and cannot participate in another sport until the last playing date of the activity they quit.
    d. An exception to this may involve an athlete with a certain type of injury which would prohibit activity in one sport, but not in another. To be allowed to go from one activity to another under these circumstances would require approval of both coaches and principals involved.
    e. Quitting or being removed from a team a second time in the same school year, will prevent the student from competing in any other athletic team in that same school year.
    f. Students who quit or are removed from a team need to turn in all of their equipment within one week and notify their coach and parents of their decision to quit or their removal.
    g. Alcohol, drug, and tobacco policies are followed as stated in the student handbook.
2. ISS/Detention Hall
    a. ISS/Detention Hall may result in extra conditioning and/or loss of playing time determined to be appropriate by the coach.
    b. Out of school suspension will result in a game suspension of or equal to 10% of the total games.
3. Practices

    All athletes are expected to attend all practices. Coaches should be notified ahead of time if an athlete is going to miss. Missed practices may result in extra conditioning. An absence may also result in other disciplinary action based on the reason for the absence and the number of absences.
4. Conduct and Sportsmanship

    Athletes, coaches, and fans are expected to follow the guidelines established by the AAA. The effective secondary school must support both an academic program and an activities program. We believe that these programs must do more than merely exist – the must be integrated and support each other in "different" arenas. The concept of "sportsmanship" must be taught, modeled, expected, and reinforced in the classroom and in all competitive activities. Therefore all AAA member schools stand together in support of the following Sportsmanship Policy.

    PHILOSOPHY: Activities are an important aspect of the total education process in our schools. They provide the arena for participants to grow, to excel, to understand, and to value the concepts of SPORTSMANSHIP and team work. They are an opportunity for coaches and school staff to teach and model SPORTSMANSHIP, to build school pride, and to increase student/community involvement – this ultimately translates into improved academic performance. Activities are also an opportunity for the community to demonstrate its support for the participants and the school, and to model the concepts of SPORTSMANSHIP for our youth as respected representatives of society. Sportsmanship is good citizenship in action. Fans are not at a ball game to intimidate or ridicule the other team or its fans but to support and yell for their team and to enjoy watching skill and competition.

Section 1: General Regulation (see Article 11, Section 1, Rules 1 through 2, Pages 14-16 AAA Handbook)

Article1: SPORTSMANSHIP is a general way of thinking and behaving.

Good SPORTSMANSHIP includes the following:

* Be courteous to all (participants coaches, officials, staff, fans spirits groups)
* Know the rules, abide by and respect the officials' decisions.
* Win with character and lose with dignity.
* Display appreciation for good performance regardless of the team.
* Exercise self-control and reflect positively upon yourself, team and school.
* Permit only POSITIVE behavior to reflect on your school and its activities.

Article 2: Specific Prohibitions

* Students who wear extreme or unusual clothing to the game or who paint their faces will not be allowed in the gym. (Examples: Togas, bandannas, cowboy hats, gang colors, etc.)
* Negative, derogatory or obscene yells will not be permitted in any athletic event.
* Students will not be allowed to turn their backs or hold up newspapers while teams are being introduced, or when teams, cheerleaders, or drill teams are performing.

5. Turning in Equipment

The day following the last game, each athlete is expected to turn in all equipment to his/her coach. If any of the equipment is lost, the athlete will pay for the unreturned equipment. If any equipment is not turned in immediately, that person will not be allowed to continue in athletics until all of his/her equipment is completely turned in.

6. Lettering

All athletes that begin the season and complete the season will letter in that particular sport. Beginning in the 9th grade, athletes that letter in a particular sport would receive the following:

a. 1st Year Letterman—Recognition at the Athletic Awards if lettering in a varsity sport.
b. 2nd Year Letterman—Letter jacket
c. 3rd Year Letterman—Pins for jacket
d. 4th Year Letterman—Pins for jacket

No athlete will receive more than one letter jacket. Also, athletes must letter in the same sport for two consecutive years in order to receive a jacket.

7. Off-Season

Athletes must participate in off-season workouts in the semester or summer before playing in a sport. An exception is made to students making up graduation requirements that conflict with off-season scheduling and students participating in other sports that conflict with offseason scheduling.

8. Bus Riding

All athletes are required to ride the bus to the game, but if given written notice signed by the parent to the head coach, the athlete can ride home with the parents.

9. Attendance

In order to participate in a game, the athlete must be in school at least a half (-) day and have it cleared through his/her head coach.

Athletes are expected to be with their respective teams on game day. Any athlete missing a game will be subject to dismissal from that team and possible future consideration of playing on any other athletic team during that school year will be evaluated by the coaching staff.

Centerpoint Cheerleading Policy

ARTICLE I – Elections

Section I – In the spring up to sixteen (16) cheerleaders shall be selected from the freshman, sophomore, and junior classes as varsity cheerleaders for the senior high and up to sixteen (16) cheerleaders (from grades six through eight for the junior high). All candidates must have a 2.0 GPA to be eligible to tryout. In order to be selected for the varsity squad, candidates must receive a minimum score of 2.75; the top fifteen varsity candidates receiving the minimum score will be selected. For the junior high squad, there will be no minimum score required; the top sixteen (16) junior high candidates will be selected for the squad. One alternate will be eligible for the Jr. High and Varsity squads should a cheerleader quit or be removed from the squad prior to the first day of the school year. The alternate will be the cheer candidate with the highest tryout

score but did not make the team due to that score being lower than the 16 qualifying candidates. The alternate will be named at the time of a squad vacancy. In the event of a temporary physical restriction or disability of a cheer candidate the alternative tryout procedure shall be used. The procedure is as follows:
A Medical Restriction with details must be attained from the attending Physician.
The candidate will be required to attend Cheer tryout practices as outlined in the policy.
The candidate will be required to perform all tryout skills that are not restricted by the medical order. Restricted skill performances will be scored based on the previous year's tryout score and/or video of skill/ performance from the past 12 months. Acceptance of video depends on the quality of the recording and will be at the Coach's discretion. The score sheets will have the restricted skills highlighted that are not to be scored during the tryout. Judges will not be given access to the previous year's score sheet as to not influence other areas of scoring. Previous years scores will be placed on score sheet after current judging is complete. Judges will use the videos provided to establish their own scoring of skills in areas that are recorded. Modifications to the above policy will be at the discretion of the Cheer Coach, Athletic Director and Administration.

Section II – The selection of cheerleaders shall be held at any convenient time following the close of basketball season. A minimum of six (6) practices and a mock tryout will be held prior to the tryout date. Each candidate must attend at least five (5) of the practices and mock tryouts to be eligible to tryout. All students must attend school on the day of tryouts. The order in which individual tryouts are held will be determined by a random drawing. Tryouts will begin at 4:00 with the Jr. High starting first.
Section III – All candidates shall have written permission from parents or guardians in order to tryout.
Section IV – There will be a screening committee for all candidates consisting of the cheer coach and the candidates' fall semester teachers. The purpose of the committee is to screen candidates on the basis of grades (candidate must have at least a 2.0 GPA) for the previous semester, character, and ability to perform the duties of cheerleader. This score counts as twenty-five (25) percent of the total tryout score.
Section V – The cheer coach, with the approval of the principal, shall select a panel of judges. This panel shall judge the candidates and select the junior high and varsity cheerleaders.
Section VI – All score sheets from the tryout will be kept on file until the next year's tryout. A copy of the judges score sheets only may be provided for an individual candidate; these will be provided upon written request of the parent or guardian.
Section VII – Each candidate for cheerleader will wear solid colored gym shorts and a solid colored t-shirt with sleeves for tryouts. The clothing (including socks) may not have any logos or words printed on them. The candidate may select the color.
Section VIII – Any student who has quit or been removed from a Centerpoint cheerleading squad will not be eligible to tryout for cheerleader during that school year.

ARTICLE II – Grade Requirements
Grade requirements for cheerleaders will be the same as those required by the Arkansas Activities Association.
ARTICLE III – Captains
A captain and co-captain will be appointed for each squad. This appointment will be based on the following: 1st- Cheerleading tryout total score, 2nd- cheerleading experience, 3rd- grade level. Freshman trying out are not eligible for Varsity Captain/Co-Captain. Any cheerleader chosen as captain/co-captain will be removed from that position should she receive fifteen (15) or more demerits. If a cheerleader does not complete a season, that year's experience does not count.
ARTICLE IV – Uniforms
Section I – The Centerpoint School District furnishes, for the cheerleading squads, the following uniform items: shell and skirt. (A $60 uniform fee is required – see Article IV, Section IV.) The individual will purchase any other uniform item decided on by the sponsor.
Section II – Uniforms for the cheerleading squads and for cheerleading camp will be selected by the coach.
Section III – Inspection of uniform, make-up, hair, and shoes will be held before any performance. This will be done by the coach and will meet all AAA requirements.

Section IV – Upon being selected as a Centerpoint cheerleader, a $60 uniform fee will be required to be paid by each cheerleader. These monies accumulate in the uniform account to provide maintenance and/or replacement of cheerleader uniforms.

ARTICLE V – Duties and Responsibilities

Section I – Cheerleaders will be responsible for the following: all regularly scheduled and playoff football games, all home basketball games, selected basketball tournaments, all scheduled pep rallies, cheer competitions, and any other games deemed appropriate by the principal and coach.

Section II – Cheerleader practices must be held regularly as planned by the coach, and cheerleaders must attend each practice unless excused by the coach. The coach is in charge of all practice sessions. Cheerleaders must provide an acceptable written excuse from a parent or guardian upon failure to attend a scheduled practice. The sponsor must be notified a day prior to the scheduled practice if the cheerleader cannot be present at a practice. If not notified, demerits will be given.

Section III – Cheerleaders must cheer at all games and performances unless excused by the coach. Examples of acceptable excuses for missing a game or performance are illness or emergency. Cheerleaders must cheer for the entire game; a short break will be allowed at the beginning of third quarter if necessary due to half-time performances.

Section IV – Transportation to and from the away games and performances shall be arranged by the coach. Permission to ride home with a parent or guardian may be granted by the coach if the cheerleader has been signed out on the sign out sheet at the game or if the cheerleader has provided written permission. The sign out sheet and/or written permission must be signed by a parent or guardian.

ARTICLE VI – Dismissal and Demerit System

Section I – A dismissal committee shall consist of the principal, superintendent, and cheerleader coach.

Section II – Automatic dismissal will be the result of the following:

1. Use of drugs or possession of drugs
2. Use of alcohol or possession of alcohol
3. Use of tobacco
4. Failure to meet academic requirements (see Article II)
5. Suspension from school, assignment to alternative school, or assignment to alternative
6. Suspension served either in ISS or alternative school
7. Becoming pregnant
8. Unsporting behavior of any kind at any time
9. Conduct which casts doubt as to the personal morality or which impugns the integrity of the cheerleader or behavior that casts the cheerleading squad or Centerpoint High School in an undesirable position.

Section III – The dismissal procedure will follow these steps:

1. Fifteen (15) demerits – benched for one game ("benched" is defined as a cheerleader, in uniform, sitting with the coach at the selected event.)
2. Thirty (30) demerits – hearing before the dismissal committee

Section IV – Demerits will be given for the following reasons:

A. 30 – missing a game or pep rally without proper excuse
B. 10 – "F" on a report card
C. 15 – missing a practice or meeting without notifying the coach
D. 5 – forgetting necessary equipment
E. 10 – attitude not becoming a cheerleader (This will be decided at the discretion of the coach and/or principal.)
F. 10 – tardy more than 10 minutes from any practice or activity
G. 5 – receiving detention hall
H. 15 – receiving In-School Suspension

Section V – Demerits for minor infractions (such as D, F, and G listed above) may be worked off at the cheerleader's request and the discretion of the coach. This may include extra weekly jobs or extra conditioning.

Section VI – The demerit system will begin immediately following tryouts and will continue through the next school year. Demerits may be given before, during, and/or after the actual cheerleading season.

ARTICLE VII – Expenses

Section I – Cheerleaders will be responsible for the following expenses:

A. $60 uniform fee (see Article IV, Section I) – no uniforms will be issued to any cheerleader until this fee has been paid. The due date will be determined by the coach.

B. $100 deposit – This deposit will be required of each cheerleader no later than one week after tryouts.

C. The balance of expenses will be due according to a schedule set by the coach. This will include the cost of any equipment, camp clothing, etc. deemed necessary.

D. Items will not be released until paid for in full.

E. Limited opportunities for fundraisers may be offered at the discretion of the coach.

F. All cheerleaders must sell ads for the athletic program. These funds are for the squad's operating expenses during the season.

ARTICLE VIII – ***Cheer Camp***

Section I – Each student who is selected to be a cheerleader must attend cheerleader camp.

Section II – Each cheerleader is responsible for paying his/her own camp expenses. Transportation to and from camp will be arranged by the coach.

Section III – The cheer coach will select the camp the cheerleaders will attend. The date and location of the camp will be announced before the end of the school year, and each cheerleader should make summer plans around that date. If an unavoidable conflict arises, a committee made up of the cheerleader coach and the administration will determine if the cheerleader should be allowed to attend a different camp from the other squad members. (Examples of acceptable conflicts – sudden illness, serious injury, death in the family. Examples of unacceptable conflicts – family vacations, summer jobs, participation in beauty contests.)

ARTICLE IX- Cheer Competition

Section I- The cheer coach will select the competitions the cheerleaders will attend.

Section II- Cheerleaders will attend a mandatory competition boot camp during the summer. All competition material will be taught.

Section III- The junior high and senior high squads are declared competitive. All cheerleaders must participate in competitive cheerleading.

Textbooks

1. Textbooks will be furnished free for all students in grades one (1) through twelve (12) by the state.
2. Students will be responsible for their books and should a book be lost or not properly taken care of, the student will be expected to pay damages.
3. Textbooks will be assigned to students at the beginning of the school year and returned at the close of the year.

High School Dances and Parties grades 9-12:

1. All school-sponsored dances and parties must be concluded by12:00 midnight.
2. Only officially enrolled students of Centerpoint High School and their approved guests will be admitted.
3. All guests must be approved by the superintendent or principal prior to the dance or party.
4. A Student bringing an approved guest will be responsible for the conduct of this guest while on school premises.
5. Students must have appropriate dress for school dances and no person will be admitted who is not wearing appropriate dress.
6. The school organization sponsoring the dance or party will be expected to clean up the facility and put everything back in order before classes resume.
7. Three dances per year will be allowed: Football Homecoming, Jr./ Sr. Prom, basketball homecoming. Additional dances sponsored by clubs, organizations, or classes, may be allowed with administrative approval. Requests must be submitted one month in advance with the following information: Sponsor(s), date, chaperone.
8. School sponsorship of the Junior Senior Banquet and Prom activities will end at the conclusion of the dance. Any activities after the conclusion of the dance will be the responsibility of the parents and students. The location of the Junior Senior Prom will be determined by a majority vote of the junior class under the

supervision of the eleventh grade sponsor. The final decision must be approved by the principal and superintendent. Invited guests to the Junior Senior Banquet and Prom will include the following:

a. Junior and senior class sponsors
b. School board members
c. Superintendent
d. High school principal
e. Elementary principals
f. Four (4) chaperons (which could come from any district campus). The superintendent or principal, when deemed necessary, can appoint extra chaperons.
g. All students and dates that attend prom must be in at least the 10th grade, but less than 21 years of age. Any non-Centerpoint student must present a copy of a driver's license or photo ID prior to the date of the prom. Students inviting outside of school guests must accompany their guest at all times while on school property. Centerpoint students will be responsible for the actions of their outside of school guests. Updated 6/13/10

Middle School Dances grades 6-8.

1. Middle school dances are for Centerpoint Students only.
2. The dances will conclude by 10:00.
3. Students must have appropriate dress for school dances and no person will be admitted who is not wearing appropriate dress.
4. The school organization sponsoring the dance or party will be expected to clean up the facility and put everything back in order before classes resume.
5. Two dances per year will be allowed:
    a. Fall Ball
    b. Spring Dance
6. School conduct rules and policies will apply.

Homecoming Policy

The purpose of all homecoming activities is to foster pride and loyalty in Centerpoint High School. Every student, both present and past, should show the pride, loyalty and support to the school and its programs. Those selected to participate hold a position of responsibility as well as honor. They represent all the students and therefore, each participant should strive to discharge their obligations with the highest dignity. The date for the homecoming game will be set by a committee consisting of the head coach, cheerleader sponsor and principal.

1. There will be one homecoming observed during the football season
2. The booster club will co-sponsor the homecoming with financial backing and organization of practices and decorating.
3. The homecoming court will be announced four weeks prior to the scheduled night of the homecoming.
4. Four maids each, from the 10th and 11th grades, will represent their class. One maid will be chosen by the senior high football team, one will be chosen by the senior high basketball teams and two maids will be chosen by their respective class.
5. Five maids from the 12th grade class will be chosen. One maid will be chosen by the senior high football team, one maid will be chosen by the senior high basketball teams and three maids will be chosen by the senior class. The queen will be selected from the five senior maids by a majority vote of the student body, 10th through 12th grades.
6. The court will be presented at the pep rally during the day of the homecoming in formal attire. The maids will wear their homecoming dresses and the escorts will wear tuxedos.
7. The announcement of the queen and the coronation will take place during the pep-rally on the afternoon of homecoming.
8. A previous queen or one of the past senior maids, if possible, will present the crown to the escort for crowning.
9. All escorts will be selected from the boys on the football and basketball athletic teams beginning with 12th grade team members, and then progressing down by grade.

10. The escorts for the presentation of the queen during the evening ceremony prior to the game will be the maids' fathers or other male representative.
11. No elementary attendants will be required.
12. All maids will wear white. The queen will wear a purple/gold cape over her gown and a crown.
13. All decorating and practices will be after school.
14. The Centerpoint High School Band will provide music for the activities.
15. It is recommended that an area be set aside for the court to sit and reign during the majority of the game.

Updated 6/13/10

Student Newspaper

Centerpoint High School students will have the right of establishing and maintaining a student or school newspaper, if this publication is to report school news. Students will have the right to edit, but must meet the approval of the teacher sponsor and the building principal. Students must refrain from printing or distributing any materials which might contain obscene language, libelous materials, would be regarded as an invasion of privacy, or would cause the disruption of the orderly operation of the school.

Food Service

The cafeteria provides a well-balanced, state-approved lunch and breakfast for all students at minimum cost. The cost for lunch and breakfast will be:

Group	Lunch	Breakfast
Student-Regular	$2.50	$1.75
Student-Reduced	$0.40	$0.30
Faculty	$3.25	$2.25
Guests	$3.75	$2.75

Free and reduced meals are available for those who qualify. Each student must complete an eligibility form and return it to the office at the beginning of each school year. No food, drinks, gum, candy, etc. is allowed outside the designated eating areas. Cafeteria Charges: Students will not be allowed to charge for their breakfasts and lunches.

Updated May 14, 2013

Insurance for Students

Accident insurance protection is offered to all students and employees who would like to purchase it. Due to policies varying from year to year, this program is explained at the beginning of each year.

TRANSPORTATION

Driving Permits and Regulations

1. All students driving any type of automobile to school must purchase a school driving permit.
2. Students are to abide by all state, city and school regulations pertaining to the operation of motor vehicles.
3. Students are to park their vehicles in designated areas when arriving at school.
4. Students will not be allowed to drive their vehicles during the school day unless they have permission from the principal.
5. Students shall not loiter in or around vehicles for any reason during the school day.
6. Violation of any parking regulations will result in the following disciplinary action per semester:

   First offense – Warning
   Second offense – ISS (3 days) or loss of parking privileges
   Third offense – Loss of driving privileges the remainder of the quarter
   Fourth offense - Loss of driving privileges the remainder of the school year.

SAFETY PROCEDURES

Accident and Illness at School

Accidents to students on school premises are to be reported to the principal, only first-aid treatment is given and the family is notified. If necessary, the family physician may be called. When students are injured or become ill, their parents should be notified and if serious enough, they should be taken home. The school assumes no responsibility for financial obligations involved in treatment.

Fire Drills

The fire alarm is a modulating tone and strobe lights which can be heard and seen throughout the building and grounds. Students will move quickly and quietly into designated areas outside the building. Students are to remain outside until the all clear bell has been sounded.

Fire drills will be conducted monthly and are required by the State Department of Education. Students who ride school buses shall also participate in emergency evacuation drills at least twice each school year.

Tornado Drills

The tornado alarm is a distinct tone sounded through the school bell system. Students are to proceed to the designated areas, face an interior wall if possible, place their knees on the floor with their head on their knees and their hands on the back of their necks. Students are to remain in this position until the all clear signal is sounded.

Danger Alert

The danger alert is a distinct tone sounded through the school bell system. Students are to remain in the classroom away from all doors and windows. The school building will be locked down and no one will be allowed to enter or exit until the all clear signal is sounded.

Policies not covered in this handbook

The superintendent has authority to temporarily enact any policy that is needed but not printed in this handbook. The temporary period of duration will be until the school board meets in regular session.

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CURRICULUM AND INSTRUCTION

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5.1—EDUCATIONAL PHILOSOPHY

The Centerpoint School District assumes the responsibility of providing students attending its schools a high quality education that challenges each student to achieve to their maximum potential. The District shall endeavor to create the environment within the schools necessary to attain this goal. The creation of the necessary climate shall be based on the following core beliefs:*****

1. The District's vision statement will be developed with input from students, parents, business leaders, and other community members.

2. All students can be successful learners.

3. Students learn at different rates and in different ways.

4. A primary goal shall be to give students the skills they need to be life-long learners.

5. The education of all citizens is basic to our community's well-being.

6. Student achievement is affected positively by the involvement of parents and the community in the schools.

7. The District is responsible for helping will help cultivate good citizenship skills in its students.

8. Students reflect the moral and ethical values of their environment and communities.

9. All people have a right to a safe learning environment.

10. Each person is responsible for his/her own actions.

11. Innovation involves taking risks and being patient.

12. Schools are responsible for creating the conditions that promote success.

13. Each person is entitled to retain his/her dignity.

14. All people have the right to be treated with respect and the responsibility to treat others respectfully.

15. For teachers to succeed in cultivating high student achievement, they need to be given the materials, training, and environment necessary to produce such results.

***** *These are sample core beliefs and should serve only as an example. Your district should create its own list of core beliefs.*

Date Adopted:
Last Revised:

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5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT

Each school in the district shall develop a comprehensive school improvement plan (CSIP) to address deficiencies in student performance based on analysis of students' grade-level State assessments and other relevant data. The purpose of each CSIP shall be to ensure that all students meet the state assessment standards established by the State Board of Education, as well as student achievement goals established by the District.[1] A cumulative review of all academic improvement plans shall also be part of the data used to develop the CSIP. Each CSIP shall be developed with administrator, teacher, other school staff, parent, community, and student (when appropriate) input and shall have as one of its components a plan for a parental involvement program.[2] Professional development activities are to be designed to meet the needs identified in each schools' CSIP. Each CSIP is to be reviewed annually and revised to meet the changing needs reflected in student data.

Any school in the district identified by the Arkansas Department of Education (ADE) as failing to meet the established levels of academic achievement on the state's assessments shall revise its CSIP.[3]

The district shall develop, with appropriate staff and community input, a comprehensive district improvement plan (CDIP). The CDIP shall coordinate the actions of the various CSIPs within the district. The CDIP shall align district resources to help ensure all of its students attain proficiency on the State assessments.[4]

Notes: Standards for Accreditation Checklist requires the board to approve the ACSIPs as evidenced in the board's minutes.

[1] Each school is required to hold at least an annual meeting to explain its goals,; programs,; and policies, and to allow public input concerning the school's programs. (Standards 7.02.3)

[2] See A.C.A. § 6-15-1702 for a detailed listing of required components of the CSIP. The Model Policy Service has also provided a guide (See Supporting Information for Policies 6.11 and6.12) for easier understanding of the language in the code. The Standards For Accreditation Checklist requires an annual meeting to be held to discuss student achievement and the "program."

[3] For schools identified in school improvement, the revised CSIP must be filed with and approved by the ADE. (A.C.A. § 6-15-404(i)(2)(A)(i)(ii))

[4] The school board is required to hold a public meeting by Nov. 15 of each year to discuss its "progress toward accomplishing its district's program objectives, accreditation standards, and proposals to correct deficiencies." (Standards 7.03.3.1)

Legal References:
A.C.A. § 6-15-404 (i)(1)
A.C.A. § 6-15-404 (i)(2)(B)
A.C.A. § 6-15-404 (i) (2)(A)(i)(ii)
A.C.A. § 6-15-419(2)(B)(iii)
A.C.A. § 6-15-419(9)
A.C.A. § 6-15-419(12)

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ADE Rules Governing the ACTAAP and the Academic Distress Program 3.10, 3.16, 8.0 – 8.04, and 9.04
ADE Rules for Governing Standards for Accreditation of Arkansas Public Schools and School Districts 7.0, 8.01, and 16.0 – 16.03.5 (The old Standards required the Student Services Plan be included in the ACSIP. While the new Standards do not specifically require it to be included in your ACSIP, prudence would still recommend it.)

Date Adopted:
Last Revised: 7/1/16

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5.3—CURRICULUM DEVELOPMENT

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

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

Each school shall review each curriculum area annually to address the continued relevancy, adequacy, and cost effectiveness of individual courses and instructional programs and to ensure each area is aligned with the current curriculum frameworks and course content standards approved by the State Board of Education,[1] Each school's administration shall implement a monitoring process to ensure that the instructional content of each course offered is consistent with the content standards and curriculum frameworks approved by the State Board of Education.[2]

In addition to the requirements listed above, the district's superintendent[3] shall work with staff as may be appropriate to ensure a successful transition to the implementation of the Common Core State Standards.

Notes: [1] A.C.A. § 6-15-101 requires school boards to adopt and implement the academic standards and expected outcomes that have been defined by the State Board. The Standards Checklist requires the adoption be noted in the district's board minutes.

[2] A.C.A. § 6-15-1505(b) requires each district's superintendent to submit a letter of assurance to ADE by October 1 of each year that the content of each class and subject area is aligned to the content standards and curriculum frameworks developed by the state board under its plan developed pursuant to A.C.A. § 6-15-1502(a).

[3] Insert the title of the staff person(s) who is/are responsible for the Common Core transition alignment.

Legal References: Standards of Accreditation 9.01.2, 7.04.2
ADE Rules Governing the ACTAAP and the Academic Distress Program 4.05
A.C.A. § 6-15-101
A.C.A. § 6-15-1505(a)

Date Adopted:
Last Revised: 2014

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5.4—SCHOOL IMPROVEMENT TEAMS

A team structure is officially incorporated into the school improvement plan. New school administrators shall receive a description of the teams' purposes and how each team is constituted; In addition, each new administrator shall receive training on methods for effective teams.

All teams shall create work plans for the year, which shall include specific work products for the team to produce. To aid in maintaining the work plan, all teams shall develop an agenda and keep minutes for each meeting. The school principal shall be responsible for maintaining a file of the agendas, work products, and minutes of all teams.

(5.4L) Regular team meetings **will not interfere with the student instructional time. Meetings may be held during PLC time, after school, or during common planning time (if agreed to by team members).**

Leadership Team

Each school shall have a Leadership Team that consists of members that include:[2]

1. The principal;
2. The chair of each Instructional Team;
3. The school guidance counselor;
4. An instructional facilitator; and
5. Other key professionals designated by the principal.

(5.4L) The Leadership Team shall meet ***at least once per*** month during the school year. Based on school performance data and aggregated classroom observation data, the Leadership Team shall make decisions and recommendations on curriculum, instruction, and professional development; in addition, the Leadership Team shall serve as a conduit of communication to the rest of the faculty and staff.

Instructional Teams

The teachers in each school shall belong to an instructional team. The instructional teams shall be organized by:

a. Grade level;
b. Grade level cluster; and/or
c. Subject area.

(5.4L) Each Instructional Team ***along with the building principal,*** shall appoint a chair for the school year who shall conduct the team meetings and shall be part of the school Leadership Team. Each Instructional Team shall meet ***at least once per month during the school year***.[3]

The purpose of the Instructional Teams is to develop and refine units of instruction and review student learning data.

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Last Revised: 7/1/16

Notes:

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[1] This language is optional; however, districts should be aware that if they require the instructional teams to meet during the student instructional day and do not also provide the minimum two hundred (200) minutes per week of individual prep time that the district would be required to compensate the members of the instructional team for the missed time. Teachers may voluntarily agree amongst each other to meet during the prep time, but the meeting during that time may not be required.

Local Note: Language changed locally. CSD works to create "PLC" time during the day for this purpose. We will not overly tax teachers' planning time

[2] The goal is to make sure all those who are necessary have a voice on the Leadership Team while keeping the number of members to a reasonable level; the recommendation is to have between five (5) and seven (7) members.

[3] In addition to the monthly meetings, you have the option to require the Instructional Teams to meet before or after the student instructional year. If you do, make sure that the days are scheduled on the school calendar since they will count against the number of days in the employee's contract. Here is our suggested language:
In addition to the regular monthly meetings during the school year, each Instructional Team shall meet for _____ days prior to the first student contact day and/or _____ days following the final student contact day.

Local Note: This is a "solution in search of a problem." Administration respects the teachers' time, and our teachers want to do the right thing by the kids and for instruction. We can go back and change this later if it becomes necessary to tie it down to a rigid schedule.

Legal References: Arkansas Comprehensive School Improvement Plan
A.C.A. § 6-17-114
AG Opinion 2015-299

5.5—SELECTION/INSPECTION OF INSTRUCTIONAL MATERIALS

The use of instructional materials beyond those approved as part of the curriculum/textbook program must be compatible with school and district policies. If there is uncertainty concerning the appropriateness of supplemental materials, the personnel desiring to use the materials shall get approval from the school's principal prior to putting the materials into use.

All instructional materials used as part of the educational curriculum of a student shall be available for inspection by the parents or guardians of the children student. For the purposes of this policy, instructional materials is defined as instructional content provided to the student regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats. The term does not include academic tests or academic assessments.

Parents or guardians wishing to inspect instructional materials used as part of the educational curriculum for their child may schedule an appointment with the student's teacher at a mutually agreeable time. Parents/guardians wishing to challenge the appropriateness of any instructional materials shall follow the

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procedures outlined in Policy 5.6—CHALLENGE OF INSTRUCTIONAL/SUPPLEMENTAL MATERIALS.

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

Note: This policy is to be developed in conjunction with parents.

Legal Reference: 20 USC § 1232h (a), (b), (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(C)(i)(ii), (2)(A)(i), (5)(B), (6)(A)(C)]

Date Adopted:
Last Revised: 2014

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5.6—CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS

Instructional and supplemental materials are selected for their compatibility with the District's educational program and their ability to help fulfill the District's educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials may do so by filling out a *Challenge to Instructional Material* form available in the school's office.

The contesting individual may present a copy of the form to the principal and request a conference be held at a time of mutual convenience. Prior to the conference, the principal shall consult with the teacher regarding the contested material. In the conference, the principal shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the principal shall have five (5) working days to submit a summary of the concerns expressed by the individual and the principal's response to those concerns to the Superintendent[1] designee.

If the contesting individual is not satisfied with the principal's response, the individual may, after the five (5) working day period, request a meeting with the Superintendent where the individual shall present the same *Challenge to Instructional Material* form previously presented to the principal. The Superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.[2]

Following the conclusion of the meeting, the Superintendent shall have five (5) working days to write a summary of the concerns expressed by the individual and the Superintendent's response to those concerns. The Superintendent shall create a file of his/her response along with a copy of the principal's response and a copy of the contesting individual's *Challenge to Instructional Material* form.

If, after meeting with the Superintendent, the contesting individual is not satisfied with the Superintendent's response regarding the appropriateness of the instructional or supplemental material, he/she may appeal the Superintendent's decision to the Board. The Superintendent shall present the contesting individual's *Challenge to Instructional Material* form to the Board at the next regularly scheduled meeting along with the written responses to the challenge. The Board may elect, if it so chooses, to hear brief verbal presentations from the parties involved in the challenge.

The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be the appropriateness of the material for its intended educational use.

Notes: [1] If your district has a curriculum coordinator or education director you might choose to have the process proceed to him/her if not resolved by the principal to the satisfaction of the contestant before having the appeal proceed to the Superintendent.
[2] Because the removal of instructional material can involve First Amendment Free Speech issues, ASBA advises the district seek legal advice. This can be done at whatever challenge level you choose, but should certainly be done at least by the time it reaches the board.

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Legal Reference: 20 USC 1232(h)(c)(C)

Date Adopted:
Last Revised: 2014

5.6F—REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL OR SUPPLEMENTAL MATERIALS

Name: _____

Date submitted: level one _____ level two _____level three _____

Instructional material being contested:

_____

_____

Reasons for contesting the material (be specific):

_____

_____

What is your proposed resolution? _____

Signature of receiving principal_____

Signature of curriculum coordinator_____

Signature of Superintendent _____

Date Adopted:
Last Revised:

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5.7—SELECTION OF LIBRARY/MEDIA CENTER MATERIALS

The ultimate authority for the selection and retention of materials for the schools' media centers rests with the Board of Education which shall serve as a final arbiter in resolving a challenge to any media center materials. Licensed media center personnel shall make the initial selections in consultation with school and district licensed staff. Materials selected shall be in accordance with the guidelines of this policy.

The purpose of the schools' libraries/media centers is to supplement and enrich the curriculum and instruction offered by the District. Promoting the dialogue characteristic of a healthy democracy necessitates the maintenance of a broad range of materials and information representing varied points of view on current and historical issues. In the selection of the materials and resources to be available in each library/media center consideration will be given to their age appropriateness. Materials should be available to challenge the different interests, learning styles, and reading levels of the school's students and that will help them attain the District's educational goals.

Selection Criteria

The criteria used in the selection of media center materials shall be that the materials:

a) Support and enhance the curricular and educational goals of the district;
b) Are appropriate for the ages, learning styles, interests, and maturity of the schools' students, or parents in the case of parenting literature;
c) Contribute to the examination of issues from varying points of view and help to broaden students understanding of their rights and responsibilities in our society;
d) Help develop critical thinking skills;
e) Are factually and/or historically accurate, in the case of non-fiction works and/or serve a pedagogical purpose;
f) Have literary merit as perceived by the educational community; and
g) Are technically well produced, physically sound (to the extent appropriate), and represent a reasonably sound economic value.

Retention and Continuous Evaluation

Media center materials shall be reviewed regularly to ensure the continued appropriateness of the center's collection to the school's curriculum and to maintain the collection in good repair. Those materials no longer meeting the selection criteria, have not been used for a long period of time, or are too worn to be economically repaired shall be withdrawn from the collection and disposed of. A record of withdrawn media materials including the manner of their disposal shall be maintained for a period of three years.

Gifts

Gifts to the media centers shall be evaluated to determine their appropriateness before they are placed in any media center. The evaluation shall use the same criteria as for all other materials considered for inclusion in the media centers. Any items determined to be unacceptable shall be returned to the donor or disposed of at the discretion of the media specialist. The media centers shall have a list of desired items to give to prospective donors to aid them in their selection of materials to donate.

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Challenges:

The parent of a student affected by a media selection, or a District employee may formally challenge the appropriateness of a media center selection by following the procedure outlined in this policy. The challenged material shall remain available throughout the challenge process.

Before any formal challenge can be filed, the individual contesting (hereinafter complainant) the appropriateness of the specified item shall request a conference through the principal's office with a licensed media center employee. The complainant shall be given a copy of this policy and the *Request for Formal Reconsideration Form* prior to the conference. The meeting shall take place at the earliest possible time of mutual convenience, but in no case later than five (5) working days from the date of the request unless it is by the choice of the complainant.

In the meeting, the media specialist shall explain the selection criteria and how the challenged material fits the criteria. The complainant shall explain his/her reasons for objecting to the selected material. If, at the completion of the meeting, the complainant wishes to make a formal challenge to the selected material, he/she may do so by completing the *Request for Formal Reconsideration Form* and submitting it to the principal's office.

To review the contested media, the principal shall select a committee of five (5) or seven (7) licensed personnel consisting of the principal as chair and at least one media specialist. The remaining committee members shall be personnel with curriculum knowledge appropriate for the material being contested and representative of diverse viewpoints. The task of the committee shall be to determine if the challenged material meets the criteria of selection. No material shall be withdrawn solely for the viewpoints expressed within it and shall be reviewed in its entirety and not selected portions taken out of context.

The principal shall convene a meeting after a reasonable time for the committee members to adequately review the contested material and the *Request for Formal Reconsideration Form* submitted by the complainant. The complainant shall be allowed to present the complaint to the committee after which time the committee shall meet privately to discuss the material. The committee shall vote by secret ballot to determine whether the contested material shall be removed from the media center's collection. A member from the voting majority shall write a summary of the reasons for their decision. A notice of the committee's decision and the summary shall be given (by hand or certified mail) to the complainant.

If the decision is to not remove the material, the complainant may appeal the committee's decision to the district Board of Directors by filing a written appeal to the Superintendent within 5 working days of the committee's decision or of written receipt of the decision. The Superintendent shall present the original complaint and the committee's decision along with the summary of its reasons for its position plus a recommendation of the administration, if so desired, to the Board within 15 days of the committee's decision. The Board shall review the material submitted to them by the Superintendent and make a decision within thirty (30) days of receipt of the information. The Board's decision is final.

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Legal Reference: A.C.A. § 6-25-101 et seq.

Date Adopted:
Last Revised: 2014

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5.7F—REQUEST FOR RECONSIDERATION OF LIBRARY/MEDIA CENTER MATERIALS

Name: _____

Date submitted: _____

Media Center material being contested:

_____

_____

Reasons for contesting the material. (Be specific about why you believe the material does not meet the selection criteria listed in policy *5.7—Selection of Library/Media Center Materials*):

_____

_____

What is your proposed resolution? _____

_____

_____

_____

Signature of receiving principal_____

Signature of Superintendent (if appealed) _____

Date Adopted:
Last Revised:

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5.8—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."[1]

Use of Copyrighted Works in Digital Transmissions

Definitions

"Class session"[2] 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.[3]

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;
    - Each student shall have a unique ID and password for accessing digital courses/materials[4]; or
    - Each course shall have a unique password to access course materials; and

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- The password to access the course materials shall be changed immediately following the close of the course.

2. To prevent students from retaining or further disseminating the copyrighted work for more than one class session;
   - The print function will be disabled;
   - A transparency shall be placed over any literary work, sheet music, or photograph;
   - Audio and video transmissions will be set to be streamed; and
   - The link to the webpage with a copyrighted work shall be deactivated at the end of the applicable class session.

Teachers who wish to provide copyrighted works to students through a digital transmission as part of a digital course as well as teachers wishing to supplement a face-to-face classroom course with a digital transmission must meet applicable copyright statutes and policy 5.11—DIGITAL LEARNING COURSES as well as the following 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:[5]
   - 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:

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

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

Notes: A useful checklist for Districts to use to help ensure compliance with Federal copyright laws can be found at http://library.uncc.edu/copyright/TEACH/teachtools.

[1] Copies of the documents are available on the Policy Resources page at http://arsba.org/policy-resources.

[2] No current law or regulation provides a definition for "class session". Unfortunately, the traditional meaning of a class session or a class period is impossible to apply to digital courses. Students have the option to digitally access course materials anytime during the day, may not required to spend a certain period of time for a given course each day, and may complete course assignments at a time when the district is closed. Also, a class session cannot be based on a student's logging in to access course materials as there are many valid reasons that would require a student to log in multiple times to complete an assignment. For now, we don't know of any way to avoid the vagueness of the term and the intricacies of legally implementing it.

[3] While we recognize the definition of "transmission" appears backwards from a traditional definition, it has been used in this policy because that is its statutory meaning. It actually refers to when students **access** something instead of referring to something being **sent** to students.

There is an important distinction in this policy between a **website** and a **webpage**. A website consists of one or more webpages all kept on the same domain while a webpage is a single place on a domain. Federal law requires reasonable measures be taken to prevent unauthorized access to copyrighted works. Therefore, districts have to ensure that any "transmission" in a digital format is by means of a password protected secure webpage. The easiest method for restricting access is by requiring users to enter a password; this does not mean that a password must be entered to access each copyrighted work. When the copyrighted work is accessed by selecting a particular webpage from a website, students should only be required to enter a password to access the website and not each individual webpage. If the webpage with the copyrighted work is reached from the district's website, then students should be required to enter a password to access the specific webpage. In short, the password should apply to the largest point of entry. Note that there are times when a non-district website would be a single webpage. Unfortunately, other than forbidding teachers from doing it, the district would have no control over the requiring of a password to access a website/webpage that is disconnected from both the district site and the digital course sites that is not a website created by the teacher. There would be nothing the school could do if someone disconnected from the school posted a copyrighted work to the web and the teacher provided a link to students.

[4] This does not require students to have a different ID or password for each digital course the student is enrolled in.

[5] It is not required that a posting of copyright notice appear in multiple places but is highly recommended. The more times the notice appears the harder it is for someone to claim to not have seen it.

Date Adopted:
Last Revised: 7/1/2016

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5.9—COMPUTER SOFTWARE COPYRIGHT

The District shall observe copyright laws governing computer software reproduction. Unless specifically allowed by the software purchase agreement, the Copyright Act allows the purchaser of software to:

1. Make one copy of software for archival purposes in case the original is destroyed or damaged through mechanical failure of a computer. However, if the original is sold or given away, the archival copy must be destroyed;

2. Make necessary adaptations to use the program; and/or

3. Add features to the program for specific applications. These improvements may not be sold or given away without the copyright owner's permission.

The District shall abide by applicable licensing agreements before using computer software on local-area or wide-area networks.

Legal Reference: 17 USC § 117 Amended Dec. 12, 1980

Date Adopted:
Last Revised: 2014

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5.10—RELIGION IN THE SCHOOLS

The First Amendment of the Constitution states that "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof…" As the Supreme Court has stated (*Abington School District v, Schempp,* 374 U.S. 203) the Amendment thus, "embraces two concepts—freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be." Therefore, it is the Board's policy that the school system, as an agency of the government, shall be neutral in matters regarding religion and will not engage in any activity that either advocates or disparages religion. The District shall assume no role or responsibility for the religious training of any student.

The need for neutrality does not diminish our school system's educational responsibility to address the historical role of religion in the development of our culture. Since we live in a diverse society, the District's goal shall be to address the subject of religion objectively in such a way that it promotes an understanding of, and tolerance for, each other's religious or non-religious views.

Discussions concerning religious concepts, practices, or disciplines are permissible when presented in a secular context in their relation to an inclusive study of religion or to the study of a particular region or country. The discussions shall be such that they are objective and academically informational and do not advocate nor denigrate any particular form of religious practice

Accommodation will be considered for those portions of instructional activities in the schools that unduly burden a student's sincere religious belief provided such accommodation doesn't amount to a significant change in curriculum, program, or course of instruction and when it is possible that a substitution of equally rigorous material that advances the same instructional goals can be arranged. Parents and students are advised that such accommodations are easier to grant when the objection is to non-state mandated Framework material than if the material is required by the Frameworks.

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 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.[1]

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.

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The teacher in charge of each classroom may, at the opening of school each day, conduct a brief period of silence with the participation of all students in the classroom who desire to participate.

Students and employees may engage in personal religious practices, such as prayer, at any time, and shall do so in a manner and at a time so that the educational process is not disrupted.

Notes: The fourth, fifth, and sixth paragraphs in this policy are not required by law and can be deleted or amended as your district chooses. The goal, however, is to be proactive for the instances when such a request is made and to have established policy BEFORE the request.

[1] The goal of this paragraph is to keep a student from waiting until the last minute to make a request. For the timeline to be workable the teacher will obviously have to issue a class syllabus sufficiently far enough in advance to allow the time required for the appeal process to play out. The following are possible alternatives to the policy's suggested sentence. 1) Pick a number less than 5 for each phase of the appeal process. Be sure, however, that it allows sufficient time to realistically take place, but with five phases, a lesser number would certainly shrink its overall length. 2) "The request must be made at least five (5) days prior to when the assignment is due. In the event of an appeal, the student will be given additional time to complete the original or alternative assignment, if offered, with no loss of credit or penalty for late work, at the conclusion of the appeal process.

Legal Reference: A.C.A. § 6-10-115

Date Adopted:
Last Revised: 2014

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5.11—DIGITAL LEARNING COURSES

Definitions

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

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

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

"Online Learning" is education in which instruction and content are delivered primarily over the Internet. The term does not include print-based correspondence education, broadcast television or radio, videocassettes, compact disks and stand-alone educational 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.[1] 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 Arkansas Department of Education (ADE). 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 ADE.

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

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

A student may elect to take any or all of his/her scheduled courses digitally. The student's attendance in 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.[2]

The District is responsible for providing all instructional materials for each student who enrolls in a District approved digital learning course.[3]

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.[4]

Notes: [1] The district is NOT required to provide its own digital learning courses, but doing so affords the most oversight of what content such courses contain and how the courses are taught. Note that should the district choose to offer digital courses to non-district students, the district will have to go through the same provider approval process as is required for all "outside" providers.

[2] 8.04 of ADE Rules Governing Distance and Digital Learning allows a student to take all courses virtually. In addition, 7.08 and 7.09 of the rules requires the student's attendance in a digital course be tracked by time spent and coursework completed rather than simply by the student's physical presence (or lack thereof) at school. There are times when a student's schedule may require that the student be assigned a period during the day for the student to work on a digital course; such a student would not be treated as being absent for that period if the student was not there to be physically counted so long as the student logged the appropriate amount of time and completed all assignments but the student may be in trouble for truancy depending on the circumstances.

Example: A ninth (9^{th}) grade student elects to take one course digitally. The other courses the student takes are scheduled for first, second, fourth, fifth, and sixth periods and the student has a study hall during seventh period. Because the student is too young to check out for third period, the student is assigned third period to work on the digital course. If the student goes to the gym one day during third period instead of the classroom where the student is supposed to be, the student would be truant but would not be absent so long as the student logged the appropriate amount of time and turned in any necessary assignments.

[3] This sentence is based on the statutory definition of "instructional materials." The statute further provides that the instructional materials shall be provided at no cost to students for all subjects taught.

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[4] While digital learning offers great promise for engaging students, it also requires maturity and study skills that will not work for some students. The intention of the paragraph is to leave the initial digital enrollment open to previously poor and/or disengaged students who might thrive in a digital format, and yet still give the principal the authority to intervene when it's in the student's best interest.

Cross References: 4.7—ABSENCES
4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2018 AND THEREAFTER
4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2017
5.8—USE OF COPYRIGHTED MATERIALS

Legal References: A.C.A. § 6-16-1401 et seq.
ADE RULES GOVERNING DISTANCE AND DIGITAL LEARNING

Date Adopted: 2014
Last Revised: 7/1/16

5.13—SUMMER SCHOOL (option #2)

The Centerpoint School District offer remediation programs during the school year to those students not performing at grade level, or for 9^{th}-12^{th} credit recovery.

Legal Reference: A.C.A. § 6-16-704

Date Adopted:
Last Revised: 2014

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5.14—HOMEWORK

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

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

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

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

Date Adopted:
Last Revised: 2014

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5.15—GRADING

Parents or guardians shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation which may enhance the probability of the student succeeding. The school shall also send timely progress reports and issue grades for each (9) nine-week grading period[1] to keep parents/guardians informed of their student's progress.

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

The grades of a child in foster care shall not be lowered due to an absence from school due to:[2]
(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 grading scale for kindergarten, first, second and third will be a performance based report card only.

The grading scale for grades 4th through 12th shall be as follows:
A =100 – 90
B = 89 – 80
C = 79 – 70
D = 69-60
F = 59 and below

For the purpose of determining grade point averages, the numeric value of each letter grade shall be
A = 4 points
B = 3 points
C = 2 points
D = 1 point
F = 0 points

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

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

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For example: The grading period had forty (40) days. A student transferred in with a grade of eighty-three percent (83%) earned in ten (10) days at the previous school. The student had a grade of seventy-five percent (75%) in our district's school earned in the remaining thirty (30) days of the grading period. Ten (10) days is twenty-five percent (25%) of forty (40) days while thirty (30) days is seventy-five percent (75%) of forty (40) days. Thus the final grade would be (0.25 X 83) + (0.75 X 75) = 77%.

Notes: [1] For districts on a 4x4 block schedule the grading period should be adjusted.

[2] A.C.A. § 9-28-113(f) makes this requirement, but does not offer any statutory solution. Presumably, class work missed due to a foster child's absence for the listed reasons would fall under the same parameters for making up missed assignments or tests as any other absence. As such, a foster child's grades could be affected by how well the child does in making up their missed assignments or tests, but not merely because the child missed school for cause.

Legal References: A.C.A. § 6-15-902
A.C.A. § 9-28-113(f)
State Board of Education: Standards for Accreditation 12.02
Arkansas Department of Education Rules and Regulations Governing Uniform Grading Scales for Public Secondary Schools

Date Adopted:
Last Revised: 7/1/2016

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5.17—HONOR ROLL AND HONOR GRADUATES

HONOR ROLL

Students in grades K-3 who earn a 3 point average (on a 4 point scale) for the grading period will be recognized as honor roll students for that grading period. Semester grades will determine the honor roll at the end of each semester.

Students in grades 4-12 who participate in the Smart Core Curriculum[1] and maintain an A or B in each class [2] for the grading period will be recognized as honor roll students for that grading period. Semester grades will determine the honor roll at the end of each semester.

[2] Students with an IEP or §504 plan are included to the extent that the courses that they have taken and successfully completed meet the requirements of their IEP for graduation, regardless of whether or not they meet the course requirements established by the State Boards of Education and Higher Education for preparation for college.

[3] You should consider including these two sentences only if your district is involved in a consolidation or annexation. This language is optional but we believe there is great potential for conflict and hurt feelings over this issue. Following the procedure we suggest may help defuse the issue. This procedure establishes a three- year transition process in which there will be more than one valedictorian and salutatorian. After the three-year period, there will only be one of each, because students eligible for graduation honors will have begun their high school careers under the merged school district.

Legal References: A.C.A. § 6-18-101 (a) (1)
A.C.A. § 6-18-101 (a) (2)
A.C.A. § 6-18-101 (b)
A.C.A. § 6-18-101(e)
A.C.A. § 6-61-217(a)

Date Adopted:
Last Revised: 2014

5.17 L Requirements for Honor Graduates

To be considered an honor student at Centerpoint High School, students are to meet the following conditions:

1. Meet all requirements for graduation.
2. Have a 3.5 grade point average or better.
3. Earn credit in the following courses: Algebra I, Algebra II, Geometry, Pre-Cal, Chemistry,

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Physics, 2 units of Foreign Language or take an additional AP course (for a total of 3), and 3 units of Social Studies to include American History, World History, , - unit of Government, at least 2 AP courses, and an elective which is not a Practical Art.

4. Advanced placement (AP) courses will be weighted on a 5.0 point scale:
   a. A=5.0; B=4.0;C=3.0; D=2.0; F=0.0
   b. Students must be enrolled in the class for the year, take the AP exam and the teacher must have the appropriate training in order to receive weighted credit.
   c. All International Baccalaureate (IB) courses and ADE approved honor courses will also be accepted for the 5.0 scale.
5. Class rank will be determined by grade point averages ranked in numerical order of the official office computer except in cases of students who have all A's with the same number of state-mandated weighted classes. Students who have all A's in both non-weighted classes and the same number of weighted classes will have the same rank regardless of the total number of credits. For example, student who has two weighted credits and 27 non-weighted credits will not be ranked above a student who has two weighted credits and 29 non-weighted credits.

Example: Student A	Student B
27 total credits	29 total credits
4 X 25 = 100	4 X 27 = 108
5 X 2 = 10	5 X 2 = 10
110/27 = 4.074	118/29 = 4.068

Students A and B would have the same class rank.

Courses taken for high school credit during the 8th grade year would count toward a student's GPA.

6. To be considered for high honors as student must have attended the previous four (4) semesters at Centerpoint High School.

7. Beginning with the graduates of 2014 Centerpoint Honor Students will be distinguished in the following manner:
   a. Students with a 3.50-3.75 GPA will graduate Cum Laude
   b. Students with a 3.76-3.99 GPA will graduate Magna Cum Laude
   c. Students with a 4.0 and above GPA will graduate Summa Cum Laude

Local Policy Adopted: 5/11/09
Revised: 2014

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5.17F— HONOR ROLL AND GRADUATE OPT OUT FORM

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 having the student named below publicly identified as an honor roll or honor graduate student.

_____
Name of student (Printed)

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

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

Form Revised: 2014

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5.18—HEALTH SERVICES

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

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

Date Adopted:
Last Revised: 9/8/2014

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5.20—DISTRICT WEB SITE

The Centerpoint School District shall maintain a web page to provide information about its schools, students, and activities to the community. This policy is adopted to promote continuity between the different pages on the district web site by establishing guidelines for their construction and operation.

The Centerpoint School District web site shall be used for educational purposes only. It shall not create either a public or a limited public forum. Any link from any page on the District's site may only be to another educational site.[1] The web site shall not use "cookies" to collect or retain identifying information about visitors to its web site nor shall any such information be given to "third parties." Any data collected shall be used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.[2]

Each school's web page shall be under the supervision of the school's Web Master and the District's web site shall be under the supervision of the District's Web Master. They shall have the responsibility for ensuring that web pages meet appropriate levels of academic standards and are in compliance with these guidelines and any additional administrative regulations. To this end, the District and School Web Masters shall have the authority to review and edit any proposed changes to web pages to ensure their compliance with this policy. All such editing shall be viewpoint neutral.

District and school web pages shall also conform to the following guidelines.

1. All pages on the District's web site may contain advertising and links only to educational sources.

2. The District's home page shall contain links to existing individual school's web pages and the school home pages shall link back to the District's home page. The District's home page may also include links to educational extracurricular organization's web pages which shall also link back to the District's home page.

3. Photos along with the student's name shall only be posted on web pages after receiving written permission from the student or their parents if the student is under the age of 18.[3]

4. The District's web server shall host the Centerpoint District's web site.[4]

5. No web page on the District web site may contain public message boards or chat rooms.

6. All web pages on the District web site shall be constructed to download in a reasonable length of time.

7. The District's home page shall contain a link to a privacy policy notice which must be placed in a clear and prominent place and manner.[5]

8. With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by Centerpoint School District.

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9. Included on the District's web site shall be:[6]
a. Local and state revenue sources;
b. Administrator and teacher salary and benefit expenditure data;
c. District balances, including legal balances and building fund balances;
d. Minutes of regular and special meetings of the school board;
e. The district's budget for the ensuing year;
f. A financial breakdown of monthly expenditures of the district;
g. The salary schedule for all employees including extended contract and supplementary pay amounts;
h. Current contract information (not including social security numbers, telephone numbers, personal addresses or signatures) for all district employees;
i. The district's annual budget;
j. The annual statistical report of the district;
k. The district's personnel policies.

The information and data required in 9) above shall be the actual data for the previous two school-years and the projected data for the current school-year.

Note: [1]A link to either a non-educational web site or advertising from non-educational sources establishes your web site as a limited open forum which would require you to allow links and advertising to other non-educational sources unless you could demonstrate that they could be disruptive to your educational environment.

[2] **Note:** Collection of data from individuals under the age of 13 makes compliance with the Children's Online Privacy Protection Act (COPPA) more difficult and cumbersome. It's simply easier to have your policy state that you will collect no data on site visitors.

[3] **Note:** This relates to the Family Educational Rights and Privacy Act (FERPA). Directory Information as defined by FERPA (see policy 4.13) allows for the release of a student's name, address, and phone number, but because of the potential for significantly greater exposure of the Internet than exists in print media, ASBA recommends limiting the release of Directory Information on the Internet to a student's photo along with their name **after** receiving written parental permission. Although it has not been definitively established by the U.S. Supreme Court, the vast increase in exposure offered by the Internet appears to dictate a more restrictive policy regarding the release of Directory Information as it relates to the Internet.

[4] **Note:** If you choose to have your district's web site hosted by a server separate from your district make sure that they are willing to abide by the requirements of this policy, especially the advertising requirements.

[5] **Note:** See policy 5.20.1

[6] **Note:** a) through k) are required by A.C.A. § 6-11-129.

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Legal References: A.C.A. § 6-11-129
20 U.S.C. § 1232 g
15 U.S.C. § 6501 (COPPA)

Date Adopted:
Last Revised: 6/29/2015

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5.20 F1—PERMISSION TO DISPLAY PHOTO OF STUDENT ON WEB SITE

I hereby grant permission to the Centerpoint School District to display the photograph or video clip of me/my student (if student is under the age of eighteen {18}) on the District's web site, including any page on the site, or in other District publications without further notice. I also grant the Centerpoint School District the right to edit the photograph or video clip at its discretion.

The student's name may be used in conjunction with the photograph or video clip. It is understood, however, that once the photograph or video clip is displayed on a web site, the District has no control over how the photograph or video clip is used or misused by persons with computers accessing the District's web site.

_____
Name of student (Printed)

_____
Signature of student (only necessary if student is over 18)

_____
Signature of parent (required if student is under 18)

_____
Date

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5.20.1—WEB SITE PRIVACY POLICY*

The Centerpoint School District operates and maintains a web site for the purpose of informing the citizens of the district about its activities. The web site does not use "cookies" or ISP addresses to collect or retain personally identifying information about visitors to its web site nor is any such information given to "third parties." Any data collected is used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

The site serves no commercial purpose and does not collect any information from individuals for such purpose.

Photographs of students, when associated with the student's name, shall not be displayed on any page of the district's web site without the prior written consent of the parent (or the student if 18 or older).

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password protected communication between the District and its staff. [1]

[1]**Note:** Include the portions of this paragraph that apply to your district.

***Note:** The language contained in both this Privacy Policy and the District Web Site policy has been carefully constructed with relation to the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Children's Online Privacy Protection Act (COPPA). COPPA relates to the collection and dissemination of personally identifying information from children under the age of 13 from a website where such website or online service is operated for commercial purposes. The policies are also aimed at helping you avoid having your web site become a limited open forum. Establishing a limited open forum as it relates to the Internet would obligate your district to permit links from your site to essentially any other site unless you can demonstrate that a site could be disruptive to your educational environment. Before changing parts of either policy, ASBA urges you to call us for an opinion.

Legal Reference: 15 U.S.C. § 6501 (COPPA)

Date Adopted:
Last Revised:

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5.21—ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE, and HONORS COURSES

Students in grades 7-12 who take advanced placement courses,[1] International Baccalaureate courses, or honors or concurrent credit college courses approved for weighted credit by the Arkansas Department of Education shall be graded according to the following schedule.

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

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

A = 5 points
B = 4 points
C = 3 points
D = 2 point
F = 0 points

For a student to be eligible to receive weighted credit for an AP, or IB course, the student's course must have been taught by an Arkansas licensed teacher who has received the appropriate training required by Arkansas statute and ADE Rule or, for an AP teacher, is in the process of completing an Additional Training Plan.

Additionally, for students taking AP or International Baccalaureate courses to receive weighted credit they must take the applicable AP or IB examination after completing the entire course . Credit shall be given for each grading period during the course of the year, but shall be retroactively removed from a student's grade for any course in which the student fails to take the applicable 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.[2]

"Honors Courses" are those courses that have been approved by a Department of Education Committee as honors courses. Honors courses must stress higher order learning and be offered in addition to curriculum offerings required by the Standards for Accreditation, Arkansas Public Schools.

Students who transfer into the district will be given weighted credit for the Advanced Placement courses, International Baccalaureate courses, honors courses approved by the Arkansas Department of Education, and concurrent college courses taken for weighted credit at his/her previous school(s) according to the preceding scale.

Notes: [1] If your board chooses to adopt a policy allowing high school students to take college courses for weighted credit (as provided by A.C.A. § 6-15-902(c)(3)) insert "and concurrent college courses for weighted credit."

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[2] The Advanced Placement Rules (3.11) stipulate that students must take the applicable AP exam to receive weighted credit for the course. Because the state now pays the total cost of the AP exams and the student's score on the exam does not affect the student's grade for the course, students can reasonably be expected to take the test. By standardizing the timing of awarding weighted credit across Arkansas, all students will be on a level playing field regarding their GPA for college applications.

Legal References: Arkansas Department of Education Rules and Regulations Governing Uniform Grading Scales for Public Secondary Schools
ADE Rules for Advanced Placement and International Baccalaureate Diploma Incentive Program
A.C.A. § 6-15-902(c)(1)
A.C.A. § 6-16-806

Date Adopted:
Last Revised: 2014

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5.22—CONCURRENT CREDIT

A ninth through twelfth grade student who successfully completes **a college course(s)** from an institution approved by the Arkansas Department of Education (ADE) 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 ADE Rules Governing Concurrent College and High School 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 the core subject area/unit requirements in English and mathematics.

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 the student attends to take the concurrent credit course.

Students are responsible for having the transcript for the concurrent credit course(s) they've taken sent to their school in order to receive credit for the course(s). Credit for concurrent credit courses will not be given until a transcript is received. Transcripts for students who take concurrent credit courses as partial fulfillment of the required full day of class for students in grades 9-12 (see Policy 4.44) are to be received by the school within 30 school days of the end of the semester in which the course is taken.[1] 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, graduation, or honor status or other applicable programs.[2]

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.

Any and all costs of higher education courses taken for concurrent credit are the student's responsibility.

Notes: [1]Fill in a time period that works for your district. It is possible you may want to have separate times for fall and spring semesters. This paragraph is not mandatory, but would put the responsibility on the student for getting his/her transcripts to you.

[2] If your district has other repercussions that would apply for failure to receive credit for a course, enter them here.

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Legal References: A.C.A. § 6-15-902(c)(2)
A.C.A. § 6-18-902(c)(2)
ADE Rules and Regulations: Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade

Date Adopted:
Last Revised: 2014

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5.23—EQUIVALENCE BETWEEN SCHOOLS #1*

The Centerpoint School District is committed to providing a quality education for all students in each of the district's schools. The equitable distribution of district resources is one means the district shall use to ensure all of its students receive a quality education. The Board directs that services in Title I schools, when taken as a whole, be at least comparable to services in schools that are not receiving Title I funds. Curriculum materials, instructional supplies, and the percentages of highly qualified personnel shall be equivalent between all schools in the district when compared on a grade-span by grade-span basis[1], school-by-school basis[1]. Specifically, the goal of the district is to have its students given an equitable opportunity to learn regardless of the school they attend within the district.

The Board understands that the equivalence between schools shall not be measured by such things as

1. Changes in enrollment after the start of the school year;

2. Varying costs associated with providing services to children with disabilities,

3. Unexpected changes in personnel assignments occurring after the beginning of the school year;

4. Expenditures on language instruction education programs and;

5. Other expenditures from supplemental State or local funds consistent with the intent of Title I.

Notes: **NCLB requires the district to "develop procedures for compliance" with this policy and to "maintain records that are updated biennially documenting … compliance…" [Section 1120A (c)(3)(A) and (B)]**

*****This policy is for districts with both Title I schools and non-Title I schools with more than one building for each grade span. This policy is **not** required for districts with only one building per grade span.

[1] Choose which method of accountability your district prefers.

Legal Reference: 20 USC § 6321(a),(b), and (c) [NCLB Act of 2001 Section 1120A]

Date Adopted:
Last Revised: 2014

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5.24—STUDENT PARTICIPATION IN SURVEYS

Section One: No student shall be required to submit to a survey, analysis, or evaluation which is administered or distributed by a school, and is funded in whole or in part by any program administered by the U.S. Department of Education without the prior written consent of the parent/guardian that reveals information concerning the following:

1. political affiliations;
2. mental and psychological problems potentially embarrassing to the student or his/her family;
3. sex behavior and attitudes;
4. illegal, anti-social, self-incriminating, and demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Section Two: No surveys shall be administered without the prior approval of the school principal. Any survey created by a third party, or funded, in whole or in part, as part of any US Department of Education administered program, containing one or more of the eight categories listed above shall be available to be inspected by a student's parent/guardian before the survey is administered or distributed by a school to a student. Parents/guardians shall have the right to deny permission for their child to participate in the taking of the survey. The school shall not penalize students whose parents/guardians exercise this option. The school shall take reasonable precautions to protect students' privacy during their participation in the administration of any survey, analysis, or evaluation containing one or more of the eight categories listed above.

Section Three: Parents or guardians wishing to inspect a survey, analysis, or evaluation shall be able to so in the administrative office of the administering school where the surveys shall be available for inspection for a period of ten (10)***** days (regular school days when school is in session) after the notice of intent to administer the survey is sent. Included in the notice shall be information regarding how the survey or questionnaire will be administered; how it will be utilized; and the persons or entities that will have access to the results of the completed survey or questionnaire. Parents may refuse to allow their student to participate before or after reviewing the survey or questionnaire.

The requirements of sections one, two, and three of this policy do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

Section Four: Prior written parental permission is required before any survey or questionnaire (not including tests mandated by state or Federal law or regulation and standardized scholastic achievement tests) is administered to a student the responses to which are to be provided to a person or entity other than another public school, school district, or any branch of the Federal Government and which requests or requires a student to provide any of the eight (8) categories of information listed above and/or the following;

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1. A student's name;

2. The name of the student's parent or member of the student's family;

3. The address, telephone number, or email address of a student or a member of a student's family;

4. A personal identification number, such as a social security number, driver's license number, or student identification number of a student or a member of the student's family;

5. Any information, the disclosure of which is regulated, or prohibited by any other state or federal law or regulation.

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

Notes: This policy is to be developed in conjunction with parents.

Parents must be "directly" notified of this policy, at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in the policy and include in the notice the specific or approximate dates (to the extent known) during the school year when these activities are scheduled.

"Directly notified" in regard to this policy means by mail or email: inclusion in the student handbook does not meet the law's requirements.

*****The length of time may be adjusted, but it must be a "reasonable period of time."

Legal References: 20 USC § 1232h (a), (b), (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(A)(i)(ii)(B), (2)(A)(i)(ii)(B)(C)(ii), (5)(A)(ii)(B), (6)(C)(F)(G)]
A.C.A. § 6-18-1301 et seq.

Date Adopted:
Last Revised: 2014

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5.24F1—OBJECTION TO PARTICIPATION IN SURVEYS, ANALYSIS, OR EVALUATIONS

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 participation by the student named below in the following survey, analysis, or evaluation.

I choose not to have my student participate in the following survey, analysis, or evaluation.

Name of specific survey _____

____All surveys

_____
Name of student (Printed)

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

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

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5.24F2—PERMISSION TO PARTICIPATE IN A SURVEY, ANALYSIS, OR EVALUATION

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby grant my permission for the student named below to participate in the following survey, analysis, or evaluation.

Name of survey _____

_____
Name of student (Printed)

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

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

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5.25—MARKETING OF PERSONAL INFORMATION

The Centerpoint School District shall not collect, disclose, or use personal information for the purpose of marketing or for selling that information or to otherwise provide that information to others for that purpose.[1]

Personal information is defined, **for the purposes of this policy only**, as individually identifiable information including

1. a student or parent's first and last name,
2. a home or other physical address (including street name and the name of the city or town),
3. telephone number, and
4. social security identification number.

The district may collect, disclose, or use personal information that is collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions such as the following:

a. College or other postsecondary education recruitment, or military recruitment;
b. Book clubs, magazines, and programs providing access to low cost literary products;
c. Curriculum and instructional materials used by elementary schools and secondary schools;
d. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
e. The sale by students of products or services to raise funds for school related or education related activities; and
f. Student recognition programs.

Notes: This policy is to be developed in conjunction with parents.
Parents must be "directly" notified of this policy, at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in the policy.

[1] While the law does allow a school or district to collect and disclose "personal information" for marketing purposes under certain circumstances, the requirements for doing so are such that ASBA recommends you simply not go there. If you're extremely determined to do so, look at 20 USC § 1232h (c) [NCLB Act of 2001, Part F, Section 1061 (c) (6)(E)(F)(i)(ii) to help you make your final decision.

Legal Reference: 20 USC § 1232h (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(E), (2)(A)(C)(i), (4)(A), (5)(A)(i)(B), (6)(C)(E)]

Date Adopted:
Last Revised:

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5.26—ALTERNATIVE LEARNING ENVIRONMENTS

The District shall provide an eligible alternative learning environment (ALE) for each eligible ALE school student enrolled in a District. 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.[1]

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 or legal guardian (if they choose to participate);
    - The District shall document its efforts to contact the student's parent or guardian to schedule a meeting or a phone call for a placement meeting at the parent or guardian's convenience, 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 of the following characteristics a through l:

a) Disruptive behavior;
b) Dropping out from school;
c) Personal or family problems or situations;
d) 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:

e) Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
f) Abuse: physical, mental, or sexual;
g) Frequent relocation of residency;
h) Homelessness;
i) Inadequate emotional support;
j) Mental/physical health problems;
k) Pregnancy; or
l) 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 or legal guardian (if they choose to participate), and the student, outlining the responsibility of the ALE, parent or legal guardian, and the student to provide assurance that the plan for each student is successful.

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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 Arkansas Department of Education (ADE) 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 ADE Rules.

Note: [1] The Rules are silent on appeals, but we believe the policy should have language in this regard. You may choose to leave the language as is or change it to have the decision able to be appealed to the Superintendent or the superintendant's designee. Even if you allow for an appeal, board involvement in student assignment issues is outside of the scope of their authority.

Legal References: A.C.A. § 6-20-2305(b)(2)
A.C.A. § 6-48-101 et seq.
A.C.A. § 6-18-508, 509
ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds – 3.01, 3.05, 4.00, and 8.0

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5.26.1—ALE PROGRAM EVALUATION

The ALE program shall be evaluated at least annually to determine its overall effectiveness. The evaluation shall specifically address how the use of ALE funds is in alignment with the district's ACSIP in addressing identified achievement gaps and student performance deficiencies.

Legal Reference: A.C.A. § 6-15-426(f)

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5.27—ENGLISH LANGUAGE LEARNERS

The district shall utilize the special needs funding it receives for identified English Language Learners on activities, and materials listed in the ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds.

The expenditures of ELL supplemental funding shall be evaluated at least annually to determine their overall effectiveness. The evaluation shall specifically address how the use of ELL funds is in alignment with the district's ACSIP in addressing identified achievement gaps and student performance deficiencies.

Legal References: A.C.A. § 6-20-2305(b)(3)
A.C.A. § 6-15-426(f)
ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds – 3.09, 3.04, 5.00, 8.00

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5.28—NATIONAL SCHOOL LUNCH ACT FUNDING EXPENDITURES

Funding received from the state based on the number of students eligible for free and reduced-priced meals under the National Student Lunch Act shall be expended in accordance with guidelines outlined in the ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds.

The district shall at least annually evaluate programs supported by NSLA funds to determine the effectiveness of the programs and to ensure they are providing intervention/prevention services designed to increase student achievement which are in alignment with the district's ACSIP.

Legal References: A.C.A. § 6-20-2305(b)(4)
A.C.A. § 6-15-426(f)
ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds 3.12, 3.17, 3.18, 6.00, 3.06, 3.07, 3.10 and 8.00

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5.29—WELLNESS POLICY

The health and physical well-being of our students directly affects their ability to learn. Childhood obesity increases the incidence of adult diseases occurring in children and adolescents such as heart disease, high blood pressure and diabetes. The increased risk carries forward into their adulthood. Research indicates that a healthy diet and regular physical activity can help prevent obesity and the diseases resulting from it. It is understood that the eating habits and exercise patterns of students cannot be magically changed overnight, but at the same time, the Board of Directors believes it is necessary to strive to create a culture in our schools that consistently promotes good nutrition and physical activity.

The problem of obesity and inactivity is a public health issue. The Board of Directors is keenly aware that it has taken years for this problem to reach its present level and will similarly take years to correct. The responsibility for addressing the problem lies not only with the schools and the Arkansas Department of Education (ADE), but with the community and its residents, organizations and agencies. Therefore, the District shall enlist the support of the larger community to find solutions which improve the health and physical activity of our students.

Goals

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the District will adhere to the ADE Rules Governing Nutrition and Physical Activity Standards in and Body Mass Index for Age Assessment Protocols. To promote nutrition, physical activity, and other school based activities that will improve student wellness, the District has established the following goals.[1]

1. Appoint a district school health coordinator (designated district official) who shall be responsible for ensuring that each school fulfills the requirements of this policy;[2]
2. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
3. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
4. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
5. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
6. Not use food or beverages as rewards for academic, classroom, or sports performances;
7. Ensure that drinking water is available without charge to all students;
8. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
9. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
10. Establish no more than nine (9) school wide events which permit exceptions to the food and beverage limitations established by Rule. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar;[3]
11. Abide by the current allowable food and beverage portion standards;
12. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;[4]
13. Restrict access to vended foods, competitive foods, and foods of minimal nutritional value (FMNV) as required by law and Rule;
14. Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce district dependence on profits from the sale of FMNV.

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15. Provide professional development to all district staff on the topics of nutrition and/or physical activity;[5]

16. Utilize the School Health Index available from the Center for Disease Control (CDC) to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students;

Advisory Committee

To enhance the district's efforts to improve the health of our students, a School Nutrition and Physical Activity Advisory Committee (SNPAAC) shall be formed. It shall be structured in a way that ensures age-appropriate recommendations are made which correlate to our district's grade configurations.[6] The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference.[7] The overarching goal of the committee shall be to promote student wellness by monitoring how well the district is doing at implementing this policy. The SNPAAC shall use modules 1, 2, 3, 4, and 8 of the CDC's School Health Index as a basis for assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in each school's ACSIP, provided to each school's principal, and reported to the board. Goals and objectives for nutrition and physical activity shall also be included in the ACSIP.

Members of the District's Board of Directors, school administrators, school nutrition personnel, teacher organizations, parents, students, professional groups (such as nurses), and community members shall be included in the development, implementation, and periodic review of the District's wellness policy to the extent interested persons from each group desire to be included.[8]

The SNPAAC shall provide recommendations to the school district concerning menus and other foods sold in the school cafeteria. Such recommendations shall be based, at least in part, on the information the Committee receives from the District on the requirements and standards of the National School Lunch Program and information and from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.[9]

The District will work with the SNPAAC to:

A. Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
B. Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
C. Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
D. Encourage the development of and participation in family-oriented community-based physical activity programs.

The District shall periodically assess, with input from the SNPACC, the District and individual schools' status regarding implementing this policy. The assessment shall be based, at least in part, on:

- the extent to which District schools are in compliance with this policy;
- the extent to which this policy compares to other model local school wellness policies; and
- a description of the progress made in attaining the goals of this policy.

The assessment results along with the content of the this policy shall be periodically reported to the public, including parents, students, and other members of the community.

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Notes: First and foremost, remember that this policy is to be developed with input from the Wellness Committee (SNPAAC). There are very specific powers, duties, and responsibilities given to the committee.

8.01.2 allows a school to serve or provide to students during the school day a serving outside of the meal period of food and beverages that complies with Federal Smart Snacks requirements as demonstrated by using the Alliance for a Healthier Generation Smart Snacks Calculator, including a copy of the Smart Snacks Calculator product compliance screen and a copy of the nutrition fact label of the product. This is a local control issue and does not have to be included in the policy, but you should be aware that it is an option and is on the ADE Wellness Policy Review Checklist.

The district has the option to adopt local restrictions on food that can be brought from home that exceed state and federal regulations, but it cannot diminish the regulations through local action. If you choose to exceed the regulations, you should state what your requirements are in this policy. This is a different issue than #3 below.

[1] Additional goals can be listed upon the advice of the SNPAAC and the consent of the Board.

[2] You have the option of appointing one person for each school or one person for the whole district. The new terminology is "designated district official" but the responsibilities remain the same; i.e. ensuring compliance with the Wellness Policy.

[3] The school "events" are required to be school-wide and not by individual classrooms. You can amend this sentence to reflect your choice for who is to be responsible for determining the schedule of the events and/or the process for selecting the dates of the events. They are not required to be part of the school calendar, but it seems it would focus the decision making process if it were.

[4] The ADE uses Commissioner's Memos to inform districts of many wellness policy issues concerning nutrition in general, serving portion sizes, drinking water availability, etc. The SNPAAC should be kept abreast of such applicable Memos. You have the choice to exceed the state or federal requirements. If you choose to meet and not exceed those mandated by government, you should delete "or exceed" at the start of the sentence. Currently, the state's requirements are more stringent than the federal requirements, but this could change. By mentioning both governments in the policy, you'll still be covered. If you do choose to exceed existing requirements you will need to specify what they are in this policy.

[5] The Rules require all staff to receive professional development, but, at this time, there is no provision for how much or what it is to consist of.

[6] The Rules Governing Nutrition and Physical Activity allow three options for accomplishing this requirement: 1) Establish a School Nutrition and Physical Activity Advisory Committee at each school

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in addition to the district committee. 2) Establish subcommittees of the district Committee, representing the appropriate age and grade configurations for your district. 3) Include representatives from each appropriate grade level group (elementary, middle, junior and senior high) on the membership of the district committee. Select the option you will use and rewrite the sentence to reflect your choice.

[7] The statutory powers are codified at A.C.A. § 20-17-135(e)(1) and repeated in the Rules starting at 6.01. The powers delegated solely through the Rules can be found starting at 6.06

[8] The 2010 amendment to the Child Nutrition Act requires the groups listed in this paragraph to be **permitted** to participate (rather than "must"). There is no mention in the Act of limitations to the numbers of individuals included in each category for the policy's oversight, but some limitation to the overall size of this review team may be necessary for efficiency purposes.
[9] This paragraph was added to meet the requirements of A.C.A. § 6-20-709 and the ADE advises that WRITTEN documentation that this requirement has been met will be required during the Coordinated Review Effort (CRE), the federal monitoring review of the Child Nutrition Program.

Legal References: Richard B. Russell National School Lunch Act 42 42 U.S.C. § 1751 et seq. as amended by PL 111-296 (Section 204) of 2010. (Section 204 is codified at 42 U.S.C. § 1758(b))
Child Nutrition Act of 1966 42 U.S.C.§ 1771 et seq.; A.C.A. § 6-20-709
A.C.A. §§ 20-7-133, 134, and 135; ADE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index For Age Assessment Protocols Allowable Competitive Foods/Beverages - Maximum Portion Size List for Middle, Junior High, and High School
Nutrition Standards for Arkansas Public Schools) (Comm. Memo Fin-06-106

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SCHOOL, HOME, AND COMMUNITY RELATIONS

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6.1—COMMUNICATION GOALS

The single most significant factor in student achievement is the teacher. The teacher's effectiveness is greatly enhanced when supported by the school community as a whole, the student's home, and the community at large. The Arkansas General Assembly and the Department of Education have demonstrated their understanding of the importance of involving such groups by repeatedly mandating their inclusion in the educational system and process. Communication with staff, parents, grandparents, legal guardians, business, and community members is fundamental to increasing their concern for, and involvement in, raising student achievement.

Communication should be two-way between the District and the public. The communications program shall strive to:

1. Increase mutual understanding, trust, and support between the District and parents, business, and the community as a whole;

2. Keep District staff regularly informed of upcoming District programs and events as well as noteworthy staff and student accomplishments to enable all the staff to help promote positive public relations;

3. Create and disseminate brochures, flyers, and fact sheets that will help parents and community members better understand school policies and procedures and acquaint them with areas where their volunteer services are most needed;

4. Inform legislators of the accomplishments of the District's students and staff, as well as how proposed legislation could affect the district;

5. Maintain good relations with the news media and provide the media with pertinent news releases; and

6. Increase the participation of parents, grandparents, legal guardians, business, and community members in school activities and programs.

The Board will appoint committees, when appropriate, to help the District examine issues facing it. Such committees may include members of the public, students, parents, and school employees, as well as members of the Board. Members may serve until the committee makes its non-binding recommendations to the Board.

Any committee, which includes among its members a member of the School Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.*

The Board shall hold a public meeting, at least annually, to report on the District's progress toward attaining its goals and to review its long-range plan. Those individuals attending shall have an opportunity to ask questions.

Legal References: A.C.A. § 6-18-1003(2)

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A.C.A. § 6-18-1005(a)(1)
A.C.A. § 6-15-1005(c), (f)(1)(2)
A.C.A. § 6-16-603 (a) (3)
*****A.C.A. § 25-19-106
Arkansas State Board of Education: Standards for Accreditation: 7.02.3
Arkansas Department of Education: Gifted and Talented Program Approval Standards: 4.0; 10.03

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6.2—RELATIONS WITH SCHOOL SUPPORT ORGANIZATIONS

The Board recognizes and values the many contributions support organizations make to the District's schools. Parent/teacher organizations and booster clubs work to augment and strengthen the District's educational and extracurricular objectives through the goods and services they provide.

Groups wishing to be recognized as a support organization must have open membership and have their by-laws approved by the school principal, the Superintendent, and the Board. School personnel shall assist approved booster organizations in their efforts to the extent practicable. Meetings of such organizations, cleared through the principal, shall not be subject to school use fees. School staff members are encouraged to attend and participate.

Fund-raising activities are to be approved in advance by the principal or his/her designee. Prior to the donation of equipment and/or supplies to the school, the organization should seek the advice of the principal to help ensure the compatibility of the donation with present school equipment. All equipment donated to the District becomes the property of the District.

Date Adopted:
Last Revised: 9/8/2014

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6.3—PUBLIC GIFTS AND DONATIONS TO THE SCHOOLS

The District and the Board of Education may receive monetary gifts or donations of goods or services which serve to improve or enhance the goals of the District. Any gifts to the District become the property of the District and are subject to the same regulations as any other District owned property.

It is a breach of ethical standards and a violation of Arkansas law for any Board member, administrator, or District employee to, in any manner, receive a gift in return for employment, or to influence the award of any contract or transaction with the District. Prior to accepting any gift or donation in the name of a school or the District, all personnel shall examine the "reasonableness" of the gift against its potential for real or perceived violation of the aforementioned ethical standards.

The Board reserves the right to not accept any gift or donation that would not contribute to the attainment of District goals or that would obligate the District to unacceptable outlays of District resources. The administration shall present for Board consideration and approval any gifts or donations they deem could so obligate the District.

The Board will strive to honor the donor's intent regarding gifts earmarked for a specific purpose. Laws and District's needs change with time and the District reserves the right to adjust the use of any gift to meet current needs of the educational program.

Legal References: A.C.A. § 6-24-110
A.C.A. § 6-24-112

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6.4—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:

1) Be at least twenty-two (22) years of age;
2) Not be a member of the board of directors of the District or the spouse of a member of the board of directors of the District; and
3) Meet the requirements adopted by the Arkansas Activities Association (AAA) to volunteer for any athletics program for grades 7-12.

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" shall mean that a background check was performed, as authorized by A.C.A. §§ 12-12-1601 et seq., and that a 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, as amended, with regard to both the Arkansas and national background checks, and whose name is not found on the Child Abuse Central Registry.

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 ***5 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.

(ASBA Option A) 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.[2]

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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 under which the act or omission leading to conviction or Child Abuse Registry true finding, 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, by a majority vote adopt a resolution providing an exception to this policy's requirement for a time period not to exceed five 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.

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.[3] In addition to volunteers wishing to participate in the registered volunteers program, clear background checks are required for:[4]
> wish to accompany students on overnight school trips. ***(ASBA Option 1)***
> 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. ***(ASBA Option 2)***

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.

6.4L: *The Centerpoint School will only use certified volunteers as recommended by the Arkansas Activities Association (when applicable). They must meet all AAA and ADE requirements and be pre-approved by the administration, and meet all training requirements (6 hours for non-athletic, 12 hours for athletic volunteers).*

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:
a) The total number, location, and duties of all volunteers;
b) The total number of annual hours of service provided by volunteers; and
c) Any reimbursements made to volunteers for expenses, transportation, or other costs incurred in connection with volunteer services.

Volunteers will be made aware that the Arkansas Department of Humans Services considers volunteers for school districts to be mandated reporters of child maltreatment and will receive training on the responsibilities of a mandated reporter.[6]

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Notes: With the exception of volunteers in the registered volunteers program, background checks for public school volunteers are **not** required by law, but a mechanism exists to provide schools with the results of background checks if the school chooses by policy to require background checks for all or some categories of school volunteers. There are two options offered for payment of the background checks and several options offered concerning the trigger for requiring a background check. In each instance choose the one that most closely aligns with the concerns of the Board and district administration. The potential adverse effects on volunteerism of requiring the background checks can be minimized by either (or both) adopting Option 2 for the payment of the background check, or only requiring background checks of those volunteers who will exercise direct, unsupervised access to students or who will be granted supervisory responsibility over students.

[1] There is no statutory provision for the length of time the check is good for. Arkansas teachers are required to get a new background check each time their license is renewed which is five (5) years. Districts are free to choose a shorter or longer period of time.

[2] Choose the option that your district prefers.

[3] Select the option, or combination of options, that is the best fit for your school district. Balance your desire to take steps to protect students against the potentially negative effect requiring unnecessary background checks will have on parental involvement. In addition, consider the financial burden of the cost of the background check, which A.C.A. §§ 12-12-1601 et. seq. says cannot exceed twenty dollars ($20). If the parent pays, it could deter them from participating in their child's education as a school volunteer.

[4] Select a number of hours such as 30, that would work for your district.

[5] Use this option to list specific volunteer programs/services that require individuals to pass a background check.

[6] This paragraph was included because it was brought to our attention that, while volunteers are not specifically listed in A.C.A. § 12-18-402 as a mandated reporter, the policy handbook for the DHS considers volunteers to be included in the "school officials" section of mandated reporters.

Legal References: A.C.A. §§ 6-17-410, 411, 414
A.C.A. § 6-22-101 et seq.

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A.C.A. §§ 12-12-1601 et seq.
A.C.A. § 12-18-402
A.C.A. § 12-18-909(g)(21)
A.C.A. § 21-13-101 et seq.

Date Adopted:
Last Revised: 7/1/2016

6.5—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 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.[1]

Note: [1] Visitors who are disruptive become "trespassers" as defined in A.C.A. § 6-21-606. As such, they lose their right to be on campus.

Cross References: For non-adult visitors see Policy 4.16—STUDENT VISITORS
For Level 3 and Level 4 sex offenders see Policy 6.10—SEX OFFENDERS ON CAMPUS (MEGAN'S LAW)

Legal References: A.C.A. § 6-21-606
A.C.A. § 6-21-607

Date Adopted:
Last Revised: 6/29/2015

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6.6—FUND RAISING

All fund raising 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. Approval will be predicated on the potential for return relative to the time and energy to be invested in the fund raising. Fund raising 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.

Student participation in any fund raising activity shall:

1) 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
2) Not influence or affect the student's grade.

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.

Secondary Schools

Fund raising in the secondary schools may only be done by officially sanctioned student clubs, spirit groups, school PTAs, or parent booster clubs. Student clubs and spirit groups must receive written approval from their sponsor and the school principal before submitting the fund raising proposal to the Superintendent.

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)

Fund raising in the elementary schools may only be done by the school or a school sponsored organization. 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 fund raising programs.

1) Student participation in fund raising programs is voluntary;
2) Students who do not participate will not forfeit any school privileges;
3) Students may not participate in fund raising programs without written parental permission returned to school authorities;
4) An elementary student who sells fund raising merchandise door to door must be accompanied by a parent or an adult; and
5) Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

Legal References: A.C.A. § 6-18-1102
A.C.A. § 6-18-1104

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6.7—COMPLAINTS

It is a goal of the Board and the District to be responsive to the community it serves and to continuously improve the educational program offered in its schools. The Board or the District welcomes constructive criticism when it is offered with the intent of improving the quality of the system's educational program or the delivery of the District's services.

The Board formulates and adopts policies to achieve the District's vision and elects a Superintendent to implement its policies. The administrative functions of the District are delegated to the Superintendent, who is responsible for the effective administration and supervision of the District. Individuals with complaints concerning personnel, curriculum, discipline (including specific discipline policies), coaching, or the day to day management of the schools need to address those complaints according to the following sequence:

1. Teacher, coach, or other staff member against whom the complaint is directed
2. Principal
3. Superintendent

Other than in the few instances where statutorily allowed or required, student discipline and personnel matters may not be discussed in Board meetings. Individuals with complaints regarding such matters need to follow the sequence outlined above.

Unless authorized by the Board as a whole for a specific purpose, no individual Board member has any authority when acting alone. District constituents are reminded that the Board serves as a finder of fact, not unlike a jury, in matters such as student suspensions initiated by the Superintendent, expulsions, and personnel discipline. For this reason, the board may not be involved or informed prior to a board hearing on particular disciplinary matters.

Complaints that are related to district use or administration of federal funds generated through specific programs identified by the Arkansas Department of Education and authorized in the 2002 reauthorization of the Elementary and Secondary Education Act may be taken directly from a patron or by referral from the Arkansas Department of Education (ADE). If taken directly from a patron, the complaint may be submitted by either a signed statement or by a certified, recorded deposition or statement in which the complainant is identified. The complaints shall be addressed in the following manner.

1. The complaint shall be referred to the federal programs director,[2] who shall assemble a team of at least two people to investigate the complaint.

2. Throughout the investigation, sufficient notes and records will be taken and maintained to substantiate the position of the findings of the investigation.

3. The team will interview the complainant and others as necessary to enable the team to make a determination of the validity of the complaint. The team may consult with individuals with knowledge or expertise in the matter which is the subject of the complaint, including legal counsel.

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4. The investigation of complaints referred by the ADE shall be completed within 30 work days of receipt of the complaint, unless a longer time period has been approved by the ADE.[3]

5. The investigation of complaints made directly to the district shall be completed within 40 work days unless there are extenuating circumstances; in such a case, a preliminary report shall be made within 40 work days of receipt of the complaint, which shall include an explanation of the unusual circumstances requiring additional time to complete the investigation.[4]

6. The report of the conclusions of the investigation shall be given to the complainant. It shall contain: a summary of the allegations of the complaint; a summary of the investigative actions taken by the team; a summary of the findings concerning each alleged violation or implied violation; a statement of corrective actions needed to resolve the issues involved in each allegation and finding of complaint.

Notes: [1] The ADE's Complaint Resolution Procedures which are part of Commissioner's Memo LS-07-013, specify which specific federal programs are covered by this policy. While the body of the memo is different, the attachments to Commissioner's Memo LS 09-040 are contextually the same as for Commissioner's Memo LS-07-013. Be sure the necessary staff are aware of the possible triggers for a complaint and of the existence of the documents offered by the ADE to deal with the resolution of the complaints.

[2] You may change this to reflect the title of the person you wish to be responsible for conducting the investigation.

[3] The ADE's Complaint Resolution Procedures establishes the 30 day limit for complaints that are referred to the district by ADE

[4] The 40 day time limit is equivalent to the 30 days allowed for complaints referred by the ADE because the ADE has up to 10 days to make the referral.

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Last Revised: 9/8/2014

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6.8—DISTRIBUTION OF PRINTED MATERIALS

The District shall devise and maintain a system for distributing District communications and other printed materials between the Administration and the schools. Use of the system by employees or employee organizations shall be with prior approval of the Superintendent or his/her designee.

Distribution of printed materials, flyers, photographs, or other visual or auditory materials not originating within District schools to students or staff shall have prior approval of the Superintendent or his/her designee.

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6.9—MEDIA RELATIONS AND NEWS RELEASES

It is important that the District maintain good relations with the media. The Superintendent or his/her designee shall devise and implement a plan for the release of pertinent information to the media regarding educational programs, awards, or other student and staff achievements, and special events. The plan shall not require schools to clear the release of public service announcements through the District Administration prior to their release, but may require schools to obtain the approval of the Superintendent or his/her designee prior to the release of any statistical type data.

The District shall attempt, within reason, to accommodate media requests for interviews and shall endeavor to be fair and impartial in its treatment of media representatives.

The release of information to the media shall be done in a timely manner, either by written releases or by telephone interviews, to keep patrons abreast of newsworthy District achievements and shall strive to be factual and objective with personal opinions duly noted.

The Board encourages students and staff to participate in academic competitions and programs. Awards earned in such endeavors shall be communicated to the media. Award recipients may also be recognized at Board meetings.

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6.10—SEX OFFENDERS ON CAMPUS (MEGAN'S LAW)

The Centerpoint School District shall work with area law enforcement in a manner consistent with applicable state law and Arkansas Department of Education Regulations to communicate the presence of a sexual offender. When necessary, law enforcement may contact building principals and give them information concerning registered sex offenders. The decision regarding which school principals to notify rests solely with law enforcement officials who use a rating system to determine those needing to be notified according to the offender's dangerousness to the community.

Building principals should, in turn, notify any person who in the course of their employment is regularly in a position to observe unauthorized persons on or near the school's property. Those notified could include employees such as aides, bus drivers, coaches, maintenance staff, professional support staff, school level administrative staff, security personnel, teachers' assistants, and teachers.

It is important that school personnel receiving notice understand that they are receiving sex offender notifications in their official capacity and are **not** to disseminate information about an offender to anyone outside the school. If school personnel are asked about notification information by an organization using school facilities, they should be referred to the area law enforcement agency that issued the notice.

Persons **not** to be notified except at the specific discretion of area law enforcement officials include members of parent-teacher organizations, other schools, organizations using school facilities, students, parents or guardians of students, and the press. Personnel may inform the press about procedures which have been put in place and other general topics, but may not reveal the name or any other specifics regarding an offender.

A parent or guardian who is a Level 1 or Level 2 sex offender shall be allowed to enter the school campus to attend parent-teacher conferences or any other activity which is appropriate for a parent or guardian, or community member.

Level 3and Level 4 sex offenders may only enter the school campus in the following instances.

1. The offender is a student attending school in the district;
2. To attend a graduation or baccalaureate ceremony, or a school sponsored event for which an admission fee is charged or tickets are sold or distributed;
3. It is a non-student contact day according to the school calendar or no school-sponsored event is taking place on campus;
4. The offender is a parent or guardian of a student enrolled in the district and goes directly to the school office to have school personnel deliver medicine, food, or personal items for the student;
5. The offender is a parent or guardian of a student and enters the school campus where the student is enrolled to attend a scheduled parent-teacher conference **and** the offender is escorted to and from the conference by a designated school official or employee.

A Level 3 and Level 4 sex offender who is the parent or guardian of a child enrolled in the district and who wishes to enter the school campus in which the student is enrolled for any other purpose than those listed above, must give reasonable notice to the school principal or his/her designee. The principal or designee may allow the sex offender to enter upon the campus provided there is a designated school official or employee to escort and

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supervise the sex offender while they remain on campus. The sex offender shall not enter upon the school campus until such time as a designated school official or employee is available.

Copies of the notification from law enforcement should be kept in a secure place accessible to teachers and staff, but should not be posted on school bulletin boards or made available to students or members of the community at large.

Legal References: A.C.A. § 12-12-913 (g)(3)
Arkansas Department of Education Guidelines for "Megan's Law"
A.C.A. § 5-14-131

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6.11—PARENTAL/COMMUNITY INVOLVEMENT - DISTRICT

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

1. Involve parents and the community in the development of the long range planning of the district;

2. Give the schools in the district the support necessary to enable them to plan and implement effective parental involvement activities;

3. Have a coordinated involvement program where the involvement activities of the district enhance the involvement strategies of other programs such as Head Start, HIPPY, Parents as Partners, Parents as Teachers, ABC, ABC for School Success, area Pre-K programs, and Even Start;

4. Explain to parents and the community the State's content and achievement standards, State and local student assessments and how the district's curriculum is aligned with the assessments and how parents can work with the district to improve their child's academic achievement;

5. Provide parents with the materials and training they need to be better able to help their child achieve. The district may use parent resource centers or other community based organizations to foster parental involvement and provide literacy and technology training to parents.

6. Educate district staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent involvement programs that will promote positive partnerships between the school and parents;

7. Keep parents informed about parental involvement programs, meetings, and other activities they could be involved in. Such communication shall be, to the extent practicable, in a language the parents can understand;

8. Find ways to eliminate barriers that work to keep parents from being involved in their child's education. This may include providing transportation and child care to enable parents to participate, arranging meetings at a variety of times, and being creative with parent/teacher conferences;

9. Find and modify other successful parent and community involvement programs to suit the needs of our district;

10. Train parents to enhance and promote the involvement of other parents;

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

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To ensure the continued improvement of the district's parental/community involvement program, the district will conduct an annual review of its parental involvement policies to examine their affect on promoting higher student achievement. The review shall be done by a committee consisting of parents and other community members, certified and classified staff, and member(s) of the administration.

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

Notes: If any school in your district receives Title I aid, NCLB requires you to have a district policy covering parental involvement for the parents of students served under the program. Because your district is required to "develop jointly with, agree on with, and distribute to parents of participating children a written parent involvement policy," this model policy is designed to be a starting point to be used in the development of your final policy. The NCLB Act requires the basics of the introduction and the last two paragraphs as well as items-#1 – 7 and #11. Items #8 – 10 are proposed in the act, but not mandatory. Act 603 of 2003 along with several subsequent amendments (A.C.A. §§ 6-15-1702, 1703, and 1704) require each district to develop a parental involvement plan (rather than a policy) in collaboration with parents. The law is very detailed, and full of "shalls" going far beyond the requirements of this policy required by NCLB. Be sure to have the law handy when working out the details of your district's parental involvement plan.

The US DOE has correctly opined that this policy (and policy 6.12) are of no use unless accompanied by an implementation plan. Consequently, the ADE's ACSIP office requires districts to have such a plan.

Act 1423 of 2013 requires each school to place a parent-friendly summary of the parent involvement plan as a supplement to the student handbook. The parent has to sign a receipt acknowledging receipt of the summary and return the signed form to the school where the student is enrolled.

Legal References: 20 U.S.C. § 6318 (a)(2),(A),(B),(D),(E) (NCLB Act of 2001, Section 1118)
20 U.S.C. § 6318 (e)(1),(2),(3),(4),(5),(6),(8),(9),(10),(11),(13),(14) (NCLB Act of 2001, Section 1118)

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6.12—PARENTAL/COMMUNITY INVOLVEMENT - SCHOOL

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

1. Involve parents and the community in the development and improvement of Title I programs for the school;

2. Have a coordinated involvement program where the involvement activities of the school enhance the involvement strategies of other programs such as Head Start, HIPPY, Parents as Partners, Parents as Teachers, ABC, ABC for School Success, area Pre-K programs, and Even Start;

3. Explain to parents and the community the State's content and achievement standards, State and local student assessments and how the school's curriculum is aligned with the assessments and how parents can work with the school to improve their child's academic achievement;

4. Provide parents with the materials and training they need to be better able to help their child achieve. The school may use parent resource centers or other community based organizations to foster parental involvement and provide literacy and technology training to parents.

5. Educate school staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent involvement programs that will promote positive partnerships between the school and parents;

6. Keep parents informed about parental involvement programs, meetings, and other activities they could be involved in. Such communication shall be, to the extent practicable, in a language the parents can understand;

7. Find ways to eliminate barriers that work to keep parents from being involved in their child's education. This may include providing transportation and child care to enable parents to participate, arranging meetings at a variety of times, and being creative with parent/teacher conferences;

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

9. Train parents to enhance and promote the involvement of other parents;

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

To help promote an understanding of each party's role in improving student learning, Centerpoint School shall develop a compact that outlines the responsibilities of parents, students, and the school staff in raising

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student academic achievement and in building the partnerships that will enable students to meet the State's academic standards.

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

Centerpoint School shall, at least annually, involve parents in reviewing the school's Title I program and parental involvement policy in order to help ensure their continued improvement.

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

Notes: If your school receives Title I assistance, NCLB requires you to have a school policy covering parental involvement for the parents of students served under the program. Because your school is required to "develop jointly with, agree on with, and distribute to parents of participating children a written parent involvement policy," this model policy is designed to be a starting point to be used in the development of your final policy. The NCLB Act requires the basics of the introduction and the last four paragraphs as well as items-#1 – 6 and #10. Items #7 – 9 are proposed in the act, but not mandatory. Act 603 of 2003 along with several subsequent amendments (A.C.A. §§ 6-15-1702, 1703, and 1704) require each district to develop a parental involvement plan (rather than a policy) in collaboration with parents. The law is very detailed, and full of "shalls" going far beyond the requirements of this policy required by NCLB. Be sure to have the law handy when working out the details of your district's parental involvement plan.

The "compact" is also required to be developed jointly with parents of the children served under Title I.

The US DOE has correctly opined that this policy (and policy 6.11) are of no use unless accompanied by an implementation plan. Consequently, the ADE's ACSIP office requires schools to have such a plan.

Act 1423 of 2013 requires each school to place a parent-friendly summary of the parent involvement plan as a supplement to the student handbook. The parent has to sign a receipt acknowledging receipt of the summary and return the signed form to the school where the student is enrolled.

Legal References: 20 U.S.C. § 6318 (b)(1) (NCLB Act of 2001, Section 1118)
20 U.S.C. § 6318 (c)(1),(2),(3),(4) (NCLB Act of 2001, Section 1118)
20 U.S.C. § 6318 (d) (NCLB Act of 2001, Section 1118)
20 U.S.C. § 6318 (e)(1),(2),(3),(4),(5),(6),(8),(9),(10),(11),(13),(14) (NCLB Act of 2001, Section 1118)

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BUSINESS and FINANCIAL MANAGEMENT

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7.1—FISCAL YEAR

The District's fiscal year shall begin July 1 and end on the following June 30.

Legal Reference: A.C.A. § 6-20-410

Date Adopted:
Last Revised:

7.2—ANNUAL OPERATING BUDGET

The Superintendent shall be responsible for the preparation of the annual operating budget for the District. The Superintendent shall present the budget to the Board for its review, modification, and approval.

The budget shall be prepared in the electronic format as prescribed by the State Board of Education and filed with the Arkansas Department of Education no later than September 30 of each year.

The approved budget shall provide for expenditures that are within anticipated revenues and reserves. The District Treasurer shall present monthly reconciliation reports and a statement on the general financial condition of the District monthly to the Board.

Any changes made to the budget shall be in accordance with District policy and state law.

Legal References: A.C.A. § 6-17-914
A.C.A. § 6-13-701(e)(3)
A.C.A. § 6-20-2202

Date Adopted:
Last Revised: 9/8/2014

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7.3—MILLAGE RATE

The Board shall publish one time in some newspaper published in the county in which the district lies[1], at least sixty (60) days in advance of the school election at which the annual ad valorem property tax for the district is decided by the electors, the District's proposed budget, together with a millage rate sufficient to provide the funds necessary for the District's operation.

Note: [1] If your district lies in more than one county, the requirement is to publish the budget in a newspaper in the county in which the district is administered.

Legal References: A.C.A. § 6-13-622
Arkansas Constitution: Article 14 Section 3 (c) as amended by Amendment 74

Date Adopted:
Last Revised:

7.4—GRANTS AND SPECIAL FUNDING

The Superintendent or his/her designee may apply for grants or special funding for the District. Any grants or special funding that require matching District resources shall receive Board approval prior to the filing of the grant's or special resource's application.

Date Adopted:
Last Revised:

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7.5—PURCHASES AND PROCUREMENT

Purchases shall be made in accordance with State laws and procurement procedures governing school purchases that are deemed to be in the best interest of the District and are the result of fair and open competition between qualified bidders and suppliers. No bids shall be taken for professional services.

DEFINITIONS

"Commodities" are all supplies, goods, material, equipment, computers, software, machinery, facilities, personal property, and services, other than personal and professional services, purchased on behalf of the District.

"micro-purchases" are purchases with a value of less than three thousand five hundred dollars ($3,500) when purchased with Federal funds.

"Professional services" are legal, financial advisory, architectural, engineering, construction management, and land surveying professional consultant services.[1]

"Specifications" means a technical description or other description of the physical and/or functional characteristics of a commodity.

Commodities

The superintendent shall develop procedures for the procurement of micro-purchases that provide for the distribution of purchases between eligible vendors to the extent possible.

Purchases of commodities with a purchase price of more than $10,000 require prior Board[3] approval; however, if an emergency exists, the Superintendent may waive this requirement.

The district ***(purchaser)*** shall:

1. notify in writing all actual or prospective bidders, offerors, or contractors who make a written request to the district for notification of opportunities to bid.
2. The notification shall be made in sufficient time to allow actual or prospective bidders, offerors, or contractors to submit a bid or other appropriate response.[4]
3. The board shall accept bids submitted electronically by email or fax for any and all district purchases, unless specified to be submitted by other means or methods, and except those bids which have been specified to have a designated date upon which the bids shall be opened.
4. The superintendent shall be responsible for ensuring submitted bids, whether written, faxed, or emailed, are retained in accordance with policy 7.15—RECORD RETENTION AND DESTRUCTION.

The district will not solicit bids or otherwise contract for a sum greater than twenty-five thousand dollars ($25,000) with vendors that are on the "excluded parties list" if the contract is to be paid from federal grant funds.[5] ***(Check with Accounts Payable Dept.- Amy Watson)***

All purchases for a Federal program with an estimated purchase price between three thousand five hundred dollars ($3,500) and ten thousand dollars ($10,000) and all purchases of commodities with an estimated purchase price that equals or exceeds ten thousand dollars ($10,000) shall be procured by soliciting bids.

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Specifications shall be devised for all commodities to be bid that are specific enough to ensure uniformity of the bid and yet not so restrictive that it would prevent competitive bidding. The bid specifications shall not include the name or identity of any specific vendor. The Board reserves the right to reject all bids and to purchase the commodity by negotiating a contract. In such an instance, each responsible bidder who submitted a bid shall be notified and given a reasonable opportunity to negotiate.[6]

Bids shall be awarded after careful examination of the details of the bid to determine the best overall value to the District. In instances where the low bid was not accepted a statement of the reasons shall be attached to the bid. Bidders submitting written bids shall be notified in writing of the bid award.

The following commodities may be purchased without soliciting bids provided that the purchasing official[7] determines in writing that it is not practicable to use other than the required or designated commodity or service, and a copy of the written determination is attached to the purchase order:

1. Commodities in instances of an unforeseen and unavoidable emergency;
2. Commodities available only from the federal government;
3. Utility services;
4. Used equipment and machinery;[8] and
5. Commodities available only from a single source.[9]

Prospective bidders, offerors, or contractors may appeal to the district's superintendent if they believe the district failed to follow district bidding and purchasing policy or state law.

Any award of a contract shall be subject to revocation for ten (10) working days from: The initial awarding of the contract; or

- If an appeal is received, resolution of the appeal.

The intent is to provide prospective bidders, offerors, or contractors the opportunity to appeal the bid award if they believe the facts warrant an appeal. Any appeal shall be **in writing by certified mail** and received by the district office, "attention to the superintendent" within seven (7) calendar days following the initial and revocable award of the contract.

If the district receives an appeal of a bid award, they shall notify, in writing, those prospective bidders, offerors, or contractors who have made a written request to the district for notification of opportunities to bid that an appeal has been submitted. The notification shall state:

- that the contract award has been halted pending resolution of the appeal and could be revoked;
- the reasons for the appeal;
- that the recipient of the letter may respond to the protested issues identified in the appeal;
- the date the decision on the appeal will be made and notification sent;
- that if the appeal is upheld, the bidding process will start all over again;
- that if the bidding is re-opened, changes will be made to the request for bids as necessary to satisfy the reasons for upholding the appeal.[10]

The sole authority to resolve any appeal made relating to this policy shall rest with the superintendent. The superintendent's decision shall be final and conclusive. In the event the district upholds an appeal, the sole responsibility of the district to the aggrieved bidder(s) shall be the re-opening of the bidding process.

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The District reserves the right to extend or renew a contract that was previously awarded under the process governed by this policy and law, provided the extension or renewal meet the following criteria.:

1. The equipment and services provided under the extended or renewed contract meets or exceeds the specifications of the original bid.
2. The extended or renewed contract agreement complies with the state of Arkansas's documentation requirements.
3. The cost of the extended or renewed contract is the same or less than the original contract.
4. The extension or renewal is approved by the local school board.

Professional Services

The District does not use a bidding process when procuring professional services. Instead, when the District needs to procure professional services, the District shall:

1. Select three (3) qualified firms;
2. Determine the most qualified firm by considering, at a minimum, the:
   - Specialized experience and technical competence of the firm with respect to the type of professional services required;
   - Capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
   - Past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules and deadlines; and
   - Firm's proximity to and familiarity with the area in which the project is located;
3. Negotiate a contract for the project with the most qualified firm.

When negotiating a contract, the District and the selected firm shall jointly prepare a detailed, written description of the scope of the proposed services. If the District is unable to negotiate a satisfactory contract with the firm selected, negotiations with that firm shall be terminated and the District shall negotiate a contract with the next most qualified firm. In the event the District is unable to negotiate a contract with any of the original selected firms, the District shall reevaluate the necessary professional services, including the scope and reasonable fee requirements, and return to step one.

The District encourages firms who provide professional services to submit annual statements of qualifications and performance data to the District. The District shall request any additional information as needed for a particular public project.

Notes: [1] The definition of "professional service" contains the entire list of professional services in A.C.A. § 19-11-801 that are automatically removed from the bidding process. The board has the option to add additional professional services to this list with a two-thirds (2/3) vote for each service type to be added. Services that can be added to the list are services that require a firm or individual to hold a valid license specific to perform the type of service in question.

[2] Insert an amount less than $10,000 if your board determines a lesser amount is appropriate.

[3] Your district may elect to employ a "designated agent of the district," if so, substitute it for "Board."

[4] ASBA strongly recommends that each district keep a record of all requests to be a "bidder."

[5] Names of vendors on the excluded parties list can be found at http://www.epls.gov.

[6] Any commodities purchased by the district through the TAPS program satisfies the bidding requirements.

[7] This is the school board if specified in this policy (see #[3] above) as the body to approve the purchase of commodities.

[8] Used school buses, over two years old as defined in A.C.A. § 6-21-306(a), are exempt from bidding requirements.

[9] A "sole source justification document" should be attached to the purchase order and maintained in the audit file for all commodities purchased as such. ADE stipulates the following seven (7) criteria that the justification must meet:

- Why the service or product is needed;
- The methods used to determine that a lack of responsible/responsive competition exists for the service or product;
- How it was determined that the provider possesses exclusive capabilities;
- Why the service or product is unique;
- Whether or not there are patent or property rights which make the required service or product unavailable from other sources;
- What the district would do if the provider/service product were no longer available;
- Any program considerations which make the use of a "sole source" critical to the successful completion of the district's task.

[10] A.C.A. § 6-21-304 specifically states the parameters required within the appeal process. Your district could choose to alter the paragraph and how it intends to deal with the appeal and its resolution. An example would be to award a financial settlement to the appellant if the appeal is upheld. Another example would be to state, by policy, the length of time for the resolution of the appeal process.

Legal References: A.C.A. § 6-21-301, 303, 304, 305, 306
A.C.A. § 6-24-101 et seq.
A.C.A. § 19-11-801 et seq.
2 C.F.R. § 200.67
2 C.F.R. § 200.319
2 C.F.R. § 200.320
2 C.F.R. § 200.324
48 C.F.R. § 2.101

Date Adopted:
Last Revised: 7/1/2016

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7.5F—COMMODITIES BIDDER AFFIDAVIT

Centerpoint School District

Pike County, Arkansas

I, _____, hereby state:

(1) I am the duly authorized agent of _____, the bidder submitting the competitive bid which is attached to this statement. I certify the facts as detailed below pertaining to the non-existence of collusion among and between bidders and state officials, as well as to the facts pertaining to the giving or offering of things of value to government personnel in return for special consideration in the awarding of any contract pursuant to the bid to which this statement is attached.

(2) I am fully aware of the facts and circumstances surrounding the making of the bid to which this statement is attached and have been personally and directly involved in the proceedings leading to the submission of the bid.

(3) Neither the bidder nor anyone subject to the bidder's direction or control has been a party:
(A) To any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding;

(B) To any collusion with any state official or employee as to quantity, quality, or price in the prospective contract, or as to any other terms of the prospective contract; or

(C) In any discussions between bidders and any state official concerning exchange of money or other thing of value for special consideration in the awarding of a contract.

(4) I hereby guarantee that the specifications outlined in the bid shall be followed as specified and that deviations from the specifications shall occur only as part of a formal change process approved by the Board of Directors of the school district.

_____

Signature

Subscribed and sworn to before me this _____ day of _____, 20__.

_____

Notary Public

Form Adopted: 9/8/2014

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7.5F2— FOOD SERVICE COMMODITIES BIDDER AFFIDAVIT

Centerpoint School District Pike County, Arkansas

I, _____, hereby state:

(1) I am the duly authorized agent of _____, the bidder submitting the competitive bid which is attached to this statement. I certify the facts as detailed below pertaining to the non-existence of collusion among and between bidders and state officials, as well as to the facts pertaining to the giving or offering of things of value to government personnel in return for special consideration in the awarding of any contract pursuant to the bid to which this statement is attached.

(2) I am fully aware of the facts and circumstances surrounding the making of the bid to which this statement is attached and have been personally and directly involved in the proceedings leading to the submission of the bid.

(3) Neither the bidder nor anyone subject to the bidder's direction or control has been a party:

(A) To any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding;

(B) To any collusion with any state official or employee as to quantity, quality, or price in the prospective contract, or as to any other terms of the prospective contract; or

(C) In any discussions between bidders and any state official concerning exchange of money or other thing of value for special consideration in the awarding of a contract.

(4) I hereby guarantee that the specifications outlined in the bid shall be followed as specified and that deviations from the specifications shall occur only as part of a formal change process approved by the Board of Directors of the school district.

(5) I hereby certify that the bid, unless specifically exempted by the USDA, is for agricultural commodities that have been produced in the U.S. or if the bid contains food products that at least 51% of food in the product was produced in the U.S. I understand that the district shall not accept any product that does not meet this requirement and is not liable for any loss I may incur as a result of such refusal to accept.

_____
Signature

Subscribed and sworn to before me this _____ day of _____, 20__.

_____
Notary Public

Form Adopted: 9/8/2014

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7.6—ACTIVITY ACCOUNT

The District shall maintain an account of activity funds. The funds for the account are those revenues derived from the sale of tickets to athletic contests or other school sponsored activities; the sale of food other than that sold in the cafeteria; the sale of soft drinks, school supplies, and books; and fees charged by clubs and organizations.

Activity funds are considered "school funds" and as such may only be spent for school related purposes.[1]

The Superintendent shall be the custodian of all activity funds and shall be responsible and accountable for the funds. The Superintendent may appoint a co-custodian for each school in the District who shall also be responsible for the activity funds he/she maintains.

Note: [1] "School related purposes" has been narrowly interpreted by the courts under Article 14 of the Arkansas Constitution to require the expenditures to be for a legitimate public purpose closely related to the provision of K-12 education.

Legal Reference: A.C.A. § 6-13-701(g)

Date Adopted:
Last Revised: 9/8/2014

7.7—CASH IN CLASSROOMS

No cash or checks are to be left in any classroom overnight. Staff, other than the District bookkeeper, who collect funds in the course of their employment should deposit the funds daily with the bookkeeper. Bookkeepers should deposit daily, unless otherwise directed by the superintendent or business manager.[1]

Notes: Policies 3.47 and 8.39 both require daily deposits with the superintendent or designee determining if the fund collection requires receipts and/or other record keeping requirements. That language is not repeated in this policy, but the reasons for daily deposits are the same as for those policies. Specifically, the goal is to protect both the district and the staff from possible overnight theft which is only covered by insurance if there are receipts to prove the existence of the funds and even then, there is a deductible (often $1000). It could often be the case that the receipts and the funds would be in the same envelope and be stolen at the same time. Bottom line is that the daily timeline is to protect both the district and the staff.

[1] Select the job title of the person to whom the deposits are to be made, it does not have to be the bookkeeper.

Date Adopted:
Last Revised: 9/8/2014

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7.8—PERSONAL PROPERTY

To avoid confusion and the potential for misunderstandings, District staff who bring personal property to school to use in the performance of their jobs should label the items with their names. Any such items should be removed from the school at the close of school each year. The District assumes no responsibility for damage to, or the loss of, personal property brought to District facilities by District staff.

Date Adopted:
Last Revised:

7.9—PROPERTY INSURANCE

The Superintendent shall be responsible, with approval of the Board, for maintaining adequate insurance coverage for all District properties. At a minimum, the District will purchase insurance coverage sufficient to meet the requirements by the Arkansas Commission for Public School Academic Facilities and Transportation.

Legal References: A.C.A. § 6-21-114(d)
Arkansas Commission for Public School Academic Facilities and Transportation Rules Governing Property Insurance Requirements

Date Adopted:
Last Revised: 9/8/2014

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7.10—PUBLIC USE OF SCHOOL BUILDINGS

It is the policy of the Board that District school buildings[1] may be used by citizens of the District to conduct lawful meetings for social, civic, or recreational purposes provided such meetings do not interfere with the regular school work and proper protection is afforded the district against the potential costs of such use. The Superintendent shall be responsible, with Board approval, for establishing procedures governing such use of school buildings. The governing procedures shall be viewpoint neutral. Building principals shall be consulted to determine if there exists any conflict with planned school activities prior to other groups being allowed to use school facilities. ***School events and activities will supersede any non-school event/activity regardless of which activity was scheduled first.***

The District shall establish a ***use fee*** schedule for any ***for-profit*** non-school related group or individual requesting to use school facilities the District intends to make available for public use.[2] The fee schedule may be individualized for each school facility and shall be based on a formula[3] that allows the District to reclaim the actual costs incurred by the District from the use of the facility.

The District shall also require all ***for-profit*** non-school related group or individual using a district facility to provide proof of having purchased sufficient active and current general liability insurance to cover the damage to, or the cost to entirely replace the structure(s) and furnishing(s), if necessary due to the loss of, or damage to, District property.[4]

Arrangements for facility use will be made by contacting the principal's office of the facility being requested and by completing/submitting the Facility Use Agreement. All applicable fees shall be paid in advance to Centerpoint Public Schools.

In all cases, the renting group will assume all liability for injury or damage to individuals or property and to indemnify and hold harmless the school district and its employees from any loss or damage. The renting group will observe all fire and safety regulations. In addition, the use of tobacco and alcoholic beverages on school district grounds is strictly prohibited.

Further, the renting group will agree that no immoral or illegal activity will take place on/in the premises. No meeting will be held in a school building for the purpose of advancing any doctrine or theory subversive to the Constitution or laws of the State of Arkansas or the United States or for any other purpose that may be detrimental or destructive to the buildings, fixtures, furniture, or property.

The Board of Education reserves the right to refuse approval or to cancel any and all agreements issued for the use of school district property when it is deemed that such action is necessary for the best interests of the district. Board of Education policies and regulations, which govern school use of facilities, will also govern community use of school district facilities. Fees may be waived by the superintendent for any organization or activity that, in the opinion of the Board, has a positive impact on the students and/or the greater school community (i.e. Relay for Life, etc…).

Use Fee- $50 minimum per event (For Profit Users/Events)
The $50 fee covers the first two hours. An additional $10 per hour will be charged for events beyond 2 hours. *This fee is charged to private individual, and for-profit events and activities. The fee is required to cover utilities, consumables, wear-and-tear on facilities, etc…*

Custodial Fee/Deposit- $20.00 minimum (All Users)
The custodial rate of $20.00 per hour, per custodian for prep and clean up.
1 hour / 1 custodian minimum required = $20.00

This fee must be paid as a deposit by all groups utilizing a campus facility. For groups that indicate they will set up prior to, and clean up the facility following the event, the deposit will be returned upon satisfactory inspection of the area by school personnel. For organizations that have regular, recurring meetings a single deposit may be paid at the start of the year and kept as a deposit so long as the facilities left in satisfactory condition after each use.
The minimum fee may increase depending on the size and nature of the event (example, banquets involve disposing of food trash, cleaning up spills, etc…, so the rate is increased).

Keys
If a key is required for the event, a key will be loaned to the individual who has reserved the facility. Note: If the key is lost and the district is required to re-key the facility, the individual who reserved the facility will be charged the costs of rekeying the facilities locks including locksmith costs, hardware, etc…

Additional Fees
Any additional costs incurred due to the event/activity shall be the responsibility of the group/individual renting the facility.

School facilities that do not appear on the District's fee schedule shall not be available to the public.

Outside organizations who use outdoor spaces shall be responsible for providing any necessary portable toilets. Bathrooms in school buildings will only be available to organizations using outdoor spaces if the organization agrees to pay for the use of the necessary, segregatable and securable portion of the building in addition to the outside space. If the portion of the building containing restrooms cannot be segregated and/or made secure, both the outdoor and indoor space must be rented and insured against loss or accident.

Organizations using school facilities assume full and complete responsibility for the conduct of all persons, regardless of age, associated with their use of the facility while they are in or about the facility. Smoking or the use of tobacco or products containing tobacco in any form or the use of drugs or intoxicants is prohibited. Firearms[5] of any kind are not allowed on school property unless the person carrying the firearm is permitted to do so by law as defined in A.C.A. § 5-73-120 or the individual has a valid conceal carry license and leaves the concealed handgun in the individual's locked vehicle.[6]

Available facilities include:

Centerpoint Primary School (Glenwood)	***Centerpoint Intermediate School*** (Amity)	***Centerpoint High School*** (Rosboro)
Library	*Old Amity gym*	*Cafeteria*
CES Cafeteria	*CIS Cafeteria*	*Parking lot*
PE gym,	*Playground*	*Football field*
Playground and playing field in front of campus		*Gym*
		Practice gym
		Baseball/Softball fields (Amity)

Notes: [1] Districts have the option to add "outdoor spaces" to the policy to be available for the use of the public in addition to school buildings. If you choose to include outdoor spaces as options for organizations to use, we recommend adding the following language to the end of the policy:

Outside organizations who use outdoor spaces shall be responsible for providing any necessary portable toilets. Bathrooms in school buildings will only be available to organizations using outdoor spaces if the organization agrees to pay for the use of the necessary, segregatable and securable portion of the building in addition to the outside space. If the portion of the building containing restrooms cannot be segregated and/or made secure, both the outdoor and indoor space must be rented and insured against loss or accident.

[12] ASBA is well aware that many, if not most, Arkansas districts permit outside groups to use district facilities. This is an example of where the public (and often School Boards and Superintendents) are insufficiently aware of the Constitutional constraints on school districts. There are multiple issues involved in any discussion on this topic.

First, there is the issue of a "limited open forum." If your district allows non-school related groups to use a district facility, it cannot deny any group access based solely on the views or beliefs of the organization. (There can, however, be other reasons for denial such as the potential for violence.)

Second, there is Article 14, Section 2 of the Arkansas Constitution which states, "No money or property belonging to the public school fund, or to this State, for the benefit of schools or universities, shall ever be used for any other purpose than for the respective purposes to which it belongs." This has been very narrowly interpreted by Court decisions such that expenditures which do not tangibly benefit students run afoul of the Constitution.

Third, there is the cost, or the potential cost, to the district of outside group use of district facilities. On the surface, the costs would include such things as heating, cooling, and general wear and tear. But there is also the always present possibility that something major could occur such as a fire that could destroy an entire building. While local groups will generally agree with a facility use fee, such a fee will NOT cover the deductable for replacing a building or the loss of use of the building or the disruption to the district's academic program. While most community members will support community use of district facilities, should a major calamity occur, it is not a far stretch to envision a disgruntled patron using the opportunity to sue the district for illegal exaction for violating the Arkansas Constitution. So, while the district would certainly be out the insurance deductable necessary to replace the building, it might well also be out the lawyer fees to defend itself against the suit.

Fourth, while districts have tort immunity, many Joint Use agreements either require or recommend the district fully indemnify and hold harmless the other parties to the agreement. The indemnification language could potentially threaten a school district’s statutory immunity from actions for damages and torts under Arkansas law. Moreover the indemnification language would potentially obligate school districts to a financially open-ended indemnification of the other parties to the joint use agreement. The monetary implications of such indemnifications could be material, even catastrophic, for school districts.

Finally, there are Arkansas statutes (A.C.A. § 6-21-101for example) that, in our opinion, conflict with the restrictions placed on districts by Article 14 of the Arkansas Constitution. While statutes are presumed sound until determined otherwise by a court, ASBA is sufficiently concerned about the defensibility of the statutes that it is not willing to write a Joint Use Agreement model policy. ASBA staff spent many hours working with the ADE Coordinated School Health trying to find a way to

support the Joint Use program. The longer we worked on it, the more complicated the issues became until we finally came to believe the program flies in the face of Article 14 and we had to discontinue our association with the program. At a minimum, we urge any district considering a Joint Use Agreement to seek legal council before signing any agreement.

The changes to this policy are the result of ASBA's considerable time spent working on the Joint Use issue. ASBA's position is not philosophical, we strongly support the concept of Joint Use, but believe the Constitution will have to be amended before districts can participate without fearing potential major adverse consequences.

[3] The formula should include, at a minimum:

- Labor for preparing, opening, closing, and cleaning the school facility, at the rate of one and three quarters (1.75) times the highest paid hourly rate of the appropriate non-exempt staff position set in the District's salary schedule;
    - Discuss with your custodial supervisor the amount of time and staff that would be required for each facility.
    - If a particular facility may require a district employee to be physically present during the use by the public, such as a food service worker to safely operate the cafeteria's equipment, include that cost in the fee based on the same calculation method as for the custodial employees.
    - The one and three quarters (1.75) multiplier is intended to include possible overtime as well as retirement and benefits that are required to be paid by the district.
- An amount to cover consumable supplies, such as janitorial supplies, toilet paper, paper towels, etc.; and
- A base rate to cover wear and tear, utilities, and other fixed expenses of the district.

[4] districts should independently verify that the certificate of insurance coverage is valid and in force for the event and time period in question.

[25] Your district could include weapons besides firearms in this sentence if you choose to do so. Consult A.C.A. § 5-73-120 for a list of possible weapons.

[6] A.C.A. § 5-73-119(e)(12) allows for a concealed carry license holder to have a concealed handgun in a locked vehicle on the school parking lot.

Legal References: A.C.A. § 6-21-101
A.C.A. § 5-73-119
A.C.A. § 5-73-120
Arkansas Constitution Article 14, § 2

Date Adopted:
Last Revised:

Last Revised: 09/08/2014

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7.10F—CENTERPOINT PUBLIC SCHOOLS FACILITIES USE FORM

Facility requested (include campus name): _____

Date / Time of event: _____

Name of organization: _____

Name of person responsible for the event: _____

Phone number(s): _____ Email: _____

Title and description of the event: _____

_____

The *Custodial Deposit for this event will be: _____
($20.00 per hour/per custodian. Amount varies by event. Refer to policy 7.10 for details)

I have read, understand, and will abide by district policy 7.10 regarding use of this facilities, and agree to abide by all policies and restrictions therein. I understand I am responsible for the properties in accordance with this policy. I will return all keys provided by the next business day following the event.

_____ _____
Responsible Person's Signature Date

For District Use Only (see policy 7.10 for details)

☐ Proof of Liability Insurance Provided ☐ Insurance Requirement ***Waived***

☐ Use Fee ***Paid*** ($50 first 2 hours, $10 each hour after) ☐ Use Fee ***Waived***

☐ *Custodial Deposit of $_____ ***Paid***

After approval by the Facility Administrator, this form will be sent to the Superintendent for final approval. Applicable fees and proof of insurance must be presented to the superintendent prior to the event.

Approved by:

_____ _____
Facility Administrator Date Superintendent Date

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7.11—USE OF SCHOOL FUNDS FOR NON-SCHOOL RELATED PURPOSES

School funds shall not be used for political, charitable, or humanitarian purposes.

No employee of the District shall use school time, school property, school personnel, or school equipment for the purpose of furthering the interests of any political party, the campaign of any political candidate or the advocacy of any political issue or ballot issue whether partisan or non-partisan. School employees may participate as part of a community organization that is renting a school facility for a political purpose so long as the event is not during school time or the employee takes personal or vacation leave, with prior approval of his/her supervisor, for the time the employee is attending the event.
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Any school employee found guilty or who pleads guilty, or nolo contendere to the use of District funds to support any ballot measure shall be immediately suspended, and recommended for termination by the superintendent.

The Board of Directors is not prohibited from expressing an opinion on a ballot measure through the passage of resolution or proclamation. School employees are allowed to verbally express their views on a ballot measure other than in an attempt to persuade a student to the employee's point of view.

District employees and members of the Board of Directors may incur incidental expenditure of District funds for travel costs when speaking at an event in which a ballot measure is discussed if the subject matter of the speaking engagement is within the scope of the person's official duties and responsibilities.

District funds may be used to disseminate public information at a public speaking engagement. The incidental use of District resources may be used to prepare an analysis of the public information if such information is within the scope of the person's official duties and responsibilities.

Legal References: Arkansas Constitution Article 14 § 2
A.C.A. § 7-1-103
A.C.A. § 7-1-111
A.C.A. § 21-8-402

Date Adopted:
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7.12—EXPENSE REIMBURSEMENT

The requirements of this policy shall govern reimbursement for expenses related to travel and/or attendance at conferences and professional development activities incurred by district employees and/or members of the Board of Directors on behalf of the district. Employees are only eligible for reimbursement for travel expenses for travel which has been approved in advance. Original receipts must accompany all requests for reimbursement to the extent that such receipts are customarily available. For a receipt to be valid it should contain the name of the issuing company, the date, and the amount. No cash advances shall be made for travel. Mileage, lodging, and meal expenses will not be reimbursed when incurred for the personal convenience of the employee and not required by the reason for the travel.[1] Reimbursement for travel shall be for the lesser of the cost between travel by air or by car with some consideration allowed for length of time of the method of travel.

To the extent practicable, employees shall have the district pay initial conference and professional development registration fees and associated necessary materials. In the occasional circumstances where this is not practical, the district shall reimburse the employee for such fees if they were authorized in advance and are supported with proper receipts.

The district will not reimburse expenses of any non-school board member or non-employee who accompanies the school board member or employee during his/her school related travel.

Reimbursable Expenses

Mileage that is driven for a district sanctioned purpose in an employee's personal vehicle shall be reimbursed provided appropriate documentation is submitted establishing the date and time, place, and purpose of the travel. Mileage shall be reimbursed at the current rate authorized by the state of Arkansas (as designated by the central office. You may go to http://www.dfa.arkansas.gov/travel/Pages/default.aspx to verify current rate) and shall be based on the shortest, most reasonable, route available.

7.12L *Unless otherwise authorized by the superintendent, faculty and staff who are traveling for approved school business must request to use a school vehicle for the travel a minimum of 1 business day prior to the trip. If notified by the transportation director that a school vehicle is not available, then the staff member may submit a request for reimbursement for mileage for travel in a personal vehicle. If multiple staff members are required to travel to the same destination/time frame, they will be assigned a single school vehicle.*

When a school vehicle is not available, staff members are encouraged to car pool in a single private vehicle. Mileage will divided by the number of passengers riding in private vehicles for which mileage reimbursement requests are submitted (unless the number of attendees makes multiple vehicles necessary) and paid to the owner/operator of the private vehicle. For example, if 4 people attend a training with 1 person driving alone and a second driving with 2 passengers, the second driver (who car pooled) will receive ¾ current mileage reimbursement while the first driver (who drove alone) will receive ¼ mileage reimbursement.

In cases where it benefits both the district and employee for personal vehicle use, then it may be so authorized by the staff member's supervisor (i.e.- If a conference or duty is near the staff member's home), in which case mileage will only be paid for "extra" miles above those normally driven to/from the school and home.

Meals may be reimbursed according to the dictates of this policy. Reimbursement shall be prorated based on the percent of a day the employee is away on travel. For example, if an employee returns from *an overnight stay* in the afternoon, he/she is only eligible for reimbursement for breakfast and lunch expenditures.

7.12L *When not provided as part of the conference or other approved reason for travel, meal expenses shall be reimbursed for activities which last at least 3 hours and necessitate returning to the work site*

later than the customary meal time. Meal(s) may also be reimbursed if the location of and approved reason for the travel necessitates the employee return home later than 10pm. Meals shall be reimbursed for the actual expense incurred up to a daily limit of $50.00 ($20 total for lunch and breakfast, $30 for dinner) *to the extent that they are not lavish and are reasonable based on circumstances. Requests for reimbursement should be made within 30 days of the date of the incurred cost. Non-administrative staff members who must travel within the district are only eligible for reimbursement for extra miles (miles above those required to get to/from their initial job location each day) traveled during the school day as part of the requirements of the position. This excludes travel directly to/from work, and/or when the secondary location is "on the way home" for the employee. For staff members who are reimbursed for inter-district travel, mileage must be submitted monthly.*

Tips paid by a school employee for meals associated with travel as defined in this policy are reimbursable for up to 15% of the cost of the meal provided the employee submits a receipt for the meal as part of an "accountable plan" for reimbursement. *To be eligible for reimbursement, proof of payment of the tip amount must be included on the receipt.* Tips are not allowed if an employee is reimbursed using a "per diem" plan.

Meal expenses incurred by the superintendent or other administrators as necessary, in the performance of their duties when meeting with state officials or consultants may be reimbursed on a prorated, per person basis in line with the mandates of this policy. Such expenses shall only be reimbursed when the expenditure is likely to result in a tangible benefit to the district.

Travel necessitating overnight lodging shall be reimbursed to the extent that it is not lavish and is reasonable based on circumstances of the expenditure. Proper documentation establishing the date and time, place, and purpose of the travel must be submitted along with a receipt for the overnight accommodations. To the extent practicable, employees shall receive assistance from administrators or their designee in arranging travel plans to help keep expenses to a minimum.

7.12L *Non-administrative staff members who must travel within the district are only eligible for reimbursement for extra miles (miles above those required to get to/from their initial job location each day) traveled during the school day as part of the requirements of the position. This excludes travel directly to/from work, and/or when the secondary location is "on the way home" for the employee. For staff members who are reimbursed for inter-district travel, mileage must be submitted monthly. Administrative personnel who receive an advanced multiplier are not eligible for inter-district travel reimbursement.*

All requests for reimbursement should be made within 30 days of the date of the incurred cost.

7.12L *Receipt Requirements for Reimbursement for meals and other purchased items*

- *The purchase of items/meals must be approved and in accordance with district policies*
- *Turn in all receipts attached to the signed Reimbursement form upon return to campus.*
- *Each, individual employee should get a separate receipt for his/her meal, supplies, etc....*
- *The receipt must show what you ordered (Ex.: "Hamburger plate"… Can't just have a dollar amount- i.e. credit card receipt).*
- *Receipt cannot include any meals/items other than those of school personnel on school business.*
- *Reimbursement Form should match receipts exactly.*
- *Having multiple staff members' meals/items on the same ticket is discouraged, but if this occurs, each item on the receipt must include the initials of the individual ordered the item(s).*

Expenses not covered

The district shall not reimburse the following items/categories of expenses.

- Alcoholic beverages;

- Entertainment expenses – including sports or sporting events; pay per view or game expenses at motels;
- Replacement due to loss or theft;
- Discretionary expenses for items such as clothing or gifts;
- Medical expenses incurred while on route to or from or at the destination of the reason for the travel; and
- Optional or supplementary insurance obtained by the employee for the period covered during the travel.

Credit Cards

Only those employees specifically issued credit cards to be used in the performance of their jobs to purchase goods, services, or supplies on behalf of the district shall be allowed to use such cards. Employees who incur reimbursable expenses as defined in this policy are expected to pay for them initially by any means they choose and then submit their request for reimbursement. The district assumes no responsibility for the payment of any personal credit card charges incurred by a district employee.

Airport Associated Expenses

Receipts for airport associated expenses are required for reimbursement. All airline flights shall be by coach/economy class. Upon arrival at their destination, employees are expected to take the less expensive option between a taxi and an airport shuttle service to his/her hotel or meeting site. When circumstances dictate that a rental car is necessary and/or the most economical approach to the travel requirements, the least expensive car that will accomplish the job should be rented. The district shall not reimburse for any kind of rental car supplemental insurance.

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7.13—MANAGEMENT AND DISPOSAL OF DISTRICT PROPERTY

Definitions
For the purposes of this policy, the following definitions apply:
"Commodities" are all supplies, goods, material, computers, software, machinery and other equipment purchased on behalf of the district having a useful life of more than one year and an acquisition cost of $1,000 or more per unit.

"Surplus commodities" are those commodities that are no longer needed, obsolete, irreparable, or worn out.

"Real property" is land and whatever is erected or affixed to land, such as structures or buildings.

"Surplus real property" is real property that is not presently needed or foreseen to be needed by the District, and that has been authorized for sale as surplus real property by vote of the School Board.

"Trash" are those items that would otherwise belong to another category of goods or property defined in this policy, but which, due to the property's age or an act of God, have less value than it would cost to repair the item. Examples could include, but are not limited to, fire damage, vehicle accidents, extreme age and/or decline in value of the item.

The District's purchases of commodities shall be in accordance with Policy 7.5—PURCHASES AND PROCUREMENT and, to the extent applicable, the procurement requirements of any granting source of funding used to purchase the commodity. The Superintendent shall develop procedures governing the use, management, and dispersal of commodities. At a minimum, the procedures will cover the following topics.:

- labeling all commodities[1];
- establishing adequate controls to account for their location, custody, and security;
- annually auditing the inventory of commodities and updating a listing of such commodities to reconcile the audit with the district's inventory records. The audit will be documented and account for any transfer and/or disposal of a commodity.
- Disposing of surplus commodities and surplus real property, whether purchased in whole or in part with federal grant funds or with local funds.

Disposal of Surplus Commodities

The Board of Directors recognizes that commodities sometimes become of no use to the District and thus meet this policy's definition of surplus commodities.

The Superintendent or designee(s) will determine the objective fair market value of surplus commodities. The District will strive to dispose of surplus commodities at or near their fair market value.[2]

The Superintendent may declare surplus any commodity with a fair market value of less than $1000. Surplus commodities with a fair market value of less than $1000 will be periodically sold by the most efficient, cost effective means that is likely to result in sales at or near fair market value.

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The Superintendent may submit a list of surplus commodities deemed to have a fair market value of $1,000 or greater to the Board of Directors for authorization to sell such surplus commodities. Once the Board of Directors has authorized the sale of such surplus commodities, the Superintendent or designee(s) may sell that surplus commodity as the need arises. Items with a fair market value of $1,000 or greater will be sold by the most efficient, cost effective means that is likely to result in sales at or near fair market value. If the Superintendent chooses to dispose of the surplus items by bid, the Superintendent or designee may set a minimum or reserve price on any item, and may reject all bids. The Superintendent or designee is authorized to accept the high bid provided the high bid is at or near the fair market value without further Board action unless the high bid comes under the jurisdiction of Arkansas ethics legislation in which case the provisions of A.C.A. §§ 6-24-101–107 would apply.

If attempts at public sales fail to produce any interested buyers or bidders, such remaining unsold commodities may then, at the discretion of the Superintendent, be disposed of as scrap or junk or be donated to appropriate charitable or education related entities. Computer or technology equipment will be cleansed of data prior to disposal.

Disposal of Surplus Real Property

The Board of Directors recognizes that real property it owns sometimes becomes no longer of use to the District and thus meets this policy's definition of surplus real property.

The Superintendent may submit a request to the Board of Directors for authorization to sell surplus real property. Once the Board of Directors has authorized the sale of such surplus real property, the Superintendent or designated individual(s) may sell that surplus real property as the need arises. The Superintendent or designee(s) shall be responsible for getting a determination of the objective fair market value of surplus real property[3]. The district will strive to dispose of surplus items at or near their fair market value. The real property may be listed for sale with a real estate broker, and the Superintendent or designated individual may contract on behalf of the district to pay the usual and customary sales commission for such transactions, upon sale of the property.

Except when the District receives and accepts an offer to lease or purchase surplus real property from a purchaser for an amount that exceeds the fair market value through a bid process, an open-enrollment public charter school that draws its students from the District shall have a right of first refusal to purchase or lease for fair market value any of the District's surplus real property.

If the Superintendent chooses to dispose of the surplus items by bid, the Superintendent or designee(s) may set a minimum or reserve price on any item, and may reject all bids. The Superintendent or designee is authorized to accept the high bid provided the high bid is at or near the fair market value without further Board action unless the high bid comes under the jurisdiction of Arkansas ethics legislation in which case the provisions of A.C.A. §§ 6-24-101–107 would apply.

If attempts at public sales fail to produce any interested buyers or bidders, such remaining unsold real property may then, if agreed to by the Superintendent and Board of Directors, be donated to appropriate education related entities, not-for-profit organizations, ~~or~~ the county~~/~~, city, or incorporated town in accordance with the provisions of state law.[4]

Items obtained with federal funds shall be handled in accordance with applicable federal regulations, if any.

The disposal of school property must be for the benefit of the school district and consistent with good business principles.

Trash, as defined in this policy, may be disposed of in the most cost efficient or effective method available to the district.

Disposal of Surplus Real Property After Consolidation

Real property of a consolidated school district that is no longer being used for educational purposes and has not been sold, preserved, leased, or donated two (2) years after the effective date of consolidation shall be made available for use by a publicly supported institution of higher education, a technical institute, a community college, a not-for-profit organization, a county, ~~or~~ a city, or incorporated town by the Board of Directors for the following purposes:

- Having the real property preserved, improved, upgraded, rehabilitated, or enlarged by the donee;
- Holding of classes by statutorily authorized education related entities; or
- Providing community programs and beneficial educational services, social enrichment programs, or after-school programs.

Notes: [1] Due to federal monitoring and disposal requirements, we suggest differentiating the labeling of items purchased with federal funds from non-federal fund items.

[2] The fair market value (FMV) of items must be established prior to their disposal. The determination of the surplus commodity's value will determine whether the superintendent has to submit it to the board. You need to document how you reached FMV; Digital photos can be very useful, particularly if you decide FMV seems low.

The disposal of items purchased with federal grant funds is governed by the following requirements, which are located at 34 CFR 80.32(e):

Disposition. When original or replacement equipment acquired under a grant or subgrant is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, disposition of the equipment will be made as follows:

(1) Items of equipment with a current per-unit fair market value of less than $5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.

(2) Items of equipment with a current per unit fair market value in excess of $5,000 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

[3] The fair market value (FMV) of items must be established prior to their disposal. In the case of real property, this should be established by means of a survey and real estate appraisal by a licensed surveyor and appraiser performed within the preceding six months.
The disposal of real property purchased with federal grant funds is governed by the requirements

contained in 34 CFR 80.31 which states in part:
(c) Disposition. When real property is no longer needed for the originally authorized purpose, the grantee or subgrantee will request disposition instructions from the awarding agency. The instructions will provide for one of the following alternatives:

(1) Retention of title. Retain title after compensating the awarding agency. The amount paid to the awarding agency will be computed by applying the awarding agency's percentage of participation in the cost of the original purchase to the fair market value of the property. However, in those situations where a grantee or subgrantee is disposing of real property acquired with grant funds and acquiring replacement real property under the same program, the net proceeds from the disposition may be used as an offset to the cost of the replacement property.

(2) Sale of property. Sell the property and compensate the awarding agency. The amount due to the awarding agency will be calculated by applying the awarding agency's percentage of participation in the cost of the original purchase to the proceeds of the sale after deduction of any actual and reasonable selling and fixing-up expenses. If the grant is still active, the net proceeds from sale may be offset against the original cost of the property. When a grantee or subgrantee is directed to sell property, sales procedures shall be followed that provide for competition to the extent practicable and result in the highest possible return.

(3) Transfer of title. Transfer title to the awarding agency or to a third-party designated/approved by the awarding agency. The grantee or subgrantee shall be paid an amount calculated by applying the grantee or subgrantee's percentage of participation in the purchase of the real property to the current fair market value of the property.

[4] A.C.A. § 6-13-111 and A.C.A. § 6-21-108 are the statutes that cover donating District property. Please keep in mind that selling below Fair Market Value has the same legal connotation as donating. A.C.A. § 6-13-111(c)(d) establish a system for selling district owned real property that fails to draw a buyer at a previously established Fair Market Price. We suggest consulting the statute for assistance in such a situation. A.C.A. § 6-21-108 sets forth additional requirements for consolidated school districts that is included as a separate section at the end of this policy.

Legal References:
A.C.A. § 6-13-111
A.C.A. § 6-13-620
A.C.A. § 6-21-108
A.C.A. § 6-21-110
A.C.A. § 6-23-501
A.C.A. § 6-24-101–107
34 CFR § 80.3 – 80.52
34 CFR § 80.31
34 CFR § 80.32(d)(e)

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7.14—USE OF DISTRICT CELL PHONES AND COMPUTERS

Board members, staff, and students shall not be given cell phones or computers for any purpose other than their specific use associated with school business. School employees who use a school issued cell phones and/or computers for non-school purposes, except as permitted by District policy, shall be subject to discipline, up to and including termination. School employees may be issued District cell phones if their position requires the employee be available at all times for work related emergencies or the employee be available to speak with others on school related business when the employee is away from the office. Employees issued cell phones for such purposes may use the phone for personal use on an "as needed" basis.[1]

Students who use school-issued cell phones and/or computers for non-school purposes, except as permitted by the District's Internet/computer use policy, shall be subject to discipline, up to and including suspension or expulsion.

All employees are forbidden from using school-issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including termination.[2]

Notes: [1] The IRS has changed its position regarding the use of district issued cell phones for personal use for those employees who have a genuine **need** for a cell phone due to their job's duties. Cell phones **cannot** be issued as a fringe benefit, but only as a "legitimate" need related to their job's responsibilities. There is no longer a need to keep track of personal calls and claim their value as income. The district has the option of supplying the phone directly to the employee or of reimbursing the employee for the cost of his/her personal phone that is used for both District and personal purposes. Any such reimbursement can only be for the specific employee and not any other individuals associated with that employee's cell phone plan. There has been no change to the use of school computers for personal purposes. Use of school issued cell phones and/or computers by board members or employees who do not meet the policy's definition of eligibility for non-school purposes is considered income by the Internal Revenue Service. "Income" in this sense means the fair market value that the individual would have had to pay for the use of the cell phone or computer on the open market. Any board member, or employees who do not meet the policy's definition of eligibility, who uses school-issued cell phones and/or computers for non-school purposes should be issued the appropriate IRS form (1099) stating the amount of income they have been paid by the district.

Please be aware that telephone records for both personal and school business calls of any school employee's district-provided cell phone can be requested and must be disclosed by the school district under the Arkansas Freedom of Information Act.

[2] This sentence is included because insurance companies have ruled that injuries occurring while driving and talking on school issued cell phones are subject to workers comp awards.

Cross References: 3.34—CERTIFIED PERSONNEL CELL PHONE USE

4.47— POSSESSION AND USE OF CELL PHONES, BEEPERS, ETC.
8.25— CLASSIFIED PERSONNEL CELL PHONE USE

Legal References: IRC § 132(d)
IRC § 274(d)
IRC § 280F(d)(4)
IRS Publication 15 B

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7.15—RECORD RETENTION AND DESTRUCTION

It is necessary to maintain district records in a manner that provides for efficient document storage and retrieval and is conducive to eliminating unnecessary record retention. Due to the variety of records that may need to be retained and accessed, the superintendent shall ensure that all staff receive appropriate training to understand this policy. Staff shall also understand the possible ramifications to the district and/or themselves for failure to properly maintain records and follow the requirements contained in this policy.

Definitions
"Directly or directly interested" (hereinafter "directly") means receiving compensation or other benefits personally or to an individual's household from the person, business, or entity contracting with the District.

"Indirectly or indirectly interested" (hereinafter "indirectly") means that a family member, business, or other entity in which the individual or a family member has a financial interest will receive compensation or benefits.

"Record" is defined for the purposes of this policy, as an item or items, whether electronic or material, that are created by, at the request of, or received by and purposefully retained by a board member, administrator, or employee in the ordinary course of District business. Examples include, but are not limited to:

- Any kind of correspondence;
- Calendars;
- Computer files and documents (which may include drafts);
- Telephone logs;
- Expense records;
- Audio or video recordings that are created for the purpose of monitoring the security of District property or the safety of District students;
- Documentation related to transactions or contracts for:[1]
    - Services with Board members, administrators, employees, or members of their families covered under the statutorily defined ethical restrictions associated with a contract for services provided for the District involving a Board member, administrator, or employee who "directly or indirectly" benefits from the contract;
    - An exemption granted by the Arkansas Department of Education (ADE) from the statutorily defined ethical restrictions associated with a contract for employment or for services provided for the District that involves a District administrator, board member, or employee.

The superintendent shall be responsible for establishing a schedule for the routine destruction of district records that accommodates the needs of the district. The schedule shall specify the length of retention for any records not specifically delineated by this policy and be distributed to staff on a need-to-know basis according to their respective employment duties and responsibilities. The schedule should accommodate the need for records to be stored as a blend of printed, bound and electronically recorded (e.g., audio tape, video tape, micro-fiche, computer disk) material. The superintendent or designee shall ensure the effective and efficient securing, cataloging, storing, and appropriate scheduled destruction of all records.

The following records categories shall be retained for the time specified.

a. Board of Education Minutes – forever
b. Personnel files – forever

c. Student files – until the student receives a high school diploma or its equivalent, or is beyond the age of compulsory school attendance[2]
d. Student records of attendance/graduation – forever[3]
e. Financial Records – five (5) years[4]
f. Documentation, including letters of approval, related to transactions or contracts for services covered by this policy and Arkansas statutes for Board members or members of their families or for waivers granted to District employees - thirteen years[5]
g. Documentation relating to payments or reimbursements made by a vendor on behalf of a board member, administrator, or employee for travel, lodging, food, registration, entertainment, or other expenses[6] – Three (3) years
h. Employment applications, including applicant lists, applicant interview evaluations, documentation in response to requests for reasons for a failure to be interviewed and/or hired, and hiring determinations - five (5) years[67]
i. Expenditures made with federal grant monies[8] – governed by the terms of each grant
j. Video Surveillance Recordings – the timeline established in Policy 4.48—VIDEO SURVEILLANCE
k. Emails – whatever the district's policy is on this subject[9]
l. Documents filed with the IRS, including those required in Policy 7.23-Health Care Coverage and the Affordable Care Act – four (4) years

The superintendent or designee shall be responsible for determining when there is a need to interrupt the routine destruction of records.[10] When the superintendent or designee makes the decision to cease the routine disposal of records, staff affected by the decision shall be promptly informed of the decision and of the nature of records that are to be retained. Such records shall be retained until the superintendent or designee has authorized their destruction. Employee training on the district's records retention schedule shall specifically include information on the records that may need to be retained due to pending disciplinary or legal actions which otherwise are subject to routine disposal. If an employee has doubt about the need to retain any record otherwise scheduled for destruction, he/she shall consult with the superintendent or designee prior to destroying such records.[1011]

The records' storage system devised by the superintendent and designee(s) shall be organized in a manner that enables the efficient retrieval of data and documents. The district shall have adequate backup of critical data which is stored electronically [12] The system shall be communicated to employees in a manner that enables them to understand and follow the system's requirements.

In retaining and destroying records, no employee shall:

- Destroy, alter, mutilate, conceal, cover up, falsify, or make a false entry in any record that may be connected to a disciplinary matter or lawsuit or to a matter within the jurisdiction of a federal or state agency, in violation of federal or state law or regulations.
- Alter, destroy or conceal a document, or attempt to do so, with the intent to impair the document's availability for use in a disciplinary matter, lawsuit or an official proceeding or otherwise obstruct, influence or impede any lawsuit or official proceeding, in violation of federal or state law or regulations.
- Retaliate or discriminate against an employee who refuses to violate this policy or to coerce or threaten an employee to violate this policy.

Failure to follow the requirements set forth in this policy may result in disciplinary action against the employee(s), up to and including termination. The district's board of directors prohibits and will not tolerate any form of reprisal, retaliation or discrimination against any employee who, in good faith, has attempted to comply with this policy.

Notes: [1] While A.C.A. § 6-24-105(b)(1)(A)(i) permits a district to employ a Board member's family member for up to $5,000, and (c)(2)(A)(i) permits a district to enter into a non-employment contract with a board member's family member for up to a $10,000 limit during the total tenure of the Board member without the District having to receive waivers for such employment, the need to retain documentation for all compensation exists if for no other reason than to establish when that the limit may be reached.

[2] These are the records required to be maintained during a student's attendance at your district and must be aligned with Policy 4.38—PERMANENT RECORDS.

[3] This is limited to the dates a student attended school in your district and if the student earned a diploma. This is information students and adults need from time to time to prove they lived somewhere or to enroll in a college, for security clearances, or for background checks.

[4] This is a suggested length of time. The minimum time your district must keep financial records (specifically original receipts of district expenditures) is until the records have been audited. In setting up your retention schedule, you might consider the warrantee and/or depreciation schedule of the items purchased and keep all financial records until, at a minimum, the warranty has expired or the item has been fully depreciated. As with all other retention schedules, relevant data must be retained if there is pending litigation or the likelihood of litigation until the matter is resolved.

[5] A.C.A. § 6-24-115 makes it a criminal act to violate the statutes governing Board member and District employees' ethical behavior. A.C.A. § 5-1-109(c)(2) allows for a public servant to be charged for felonious conduct for up to ten years after the officer leaves office or the violation should have been discovered (whichever comes first), but this can be extended by an additional three years if the individual is out of state for a continuous period under A.C.A. § 5-1-109(g). While employees are not public servants, we chose the simpler position of having the same retention requirements for both Board members and employees.

[6] ADE's rules only require all documentation to be retained for an individual if the **total** amount of the payments or reimbursements from vendors the individual receives during the fiscal year amount to three hundred dollars ($300) or more. We recommend retaining the documentation on **all** individuals regardless of whether the dollar amount was reached.

[7] The requirements contained with A.C.A. § 21-3-302 and 303 necessitate the addition of this record retention category. The five (5) year retention length is not required by statute but is recommended. Any civil suit that would require the documents included in the employment application would be barred after five (5) years by A.C.A. § 16-56-115. Retention for the five years would assure you had the necessary records if a suit was filed during that time.

[8] We suggest making this determination on a case-by-case basis using the latest of: the terms required by the grant, any related litigation is concluded, the records have been audited, or the 5 year statute of limitations for contracts.

[9] **Routine** deletion of records, email or other records, is not a problem **so long as** prompt action is taken to stop the deletion relating to matters that common sense and/or previous experience indicates could result in legal and/or disciplinary action. In districts that have routine deletion settings for electronic devices, the person responsible for halting the routine destruction of district records will need to inform the district's Network Administrator (or equivalent) when events trigger the need to retain information that would otherwise be routinely deleted.

[10] Due to the potential adverse repercussions for the failure to cease the destruction of such records, the person responsible for making a "cessation" decision should be close to the source of the cause precipitating the cessation. When an incident occurs that common sense and/or previous experience indicate could result in legal and/or disciplinary action, the routine destruction of district records relating to the incident must be suspended until such time as the legal or disciplinary action, or the likelihood of such action, has concluded. The Federal Rules of Civil Procedure (FCRP) as amended in December of 2006 specifically require litigants to be able to produce pertinent electronically stored information (ESI). FCRP's Rule 37(f) specifically acknowledges the need for routine deletion of records. The issue becomes one of a "good faith" effort to stop record destruction when necessary. The committee's (responsible for developing the rules) notes on this matter state, *"When a party is under a duty to preserve information because of pending or reasonably anticipated litigation, intervention in the routine operation of an information system is one aspect of what is often called a 'litigation hold.' Among the factors that bear on a party's good faith in the routine operation of an information system are the steps the party took to comply with a court order in the case or party agreement requiring preservation of specific electronically stored information."* Records which cannot be produced in a timely manner and/or have been destroyed when common sense and/or previous experience indicated legal and/or disciplinary action could result can cause the district unnecessary and expensive trouble. Besides the inevitable bad public relations of having destroyed records that, the press will be sure to point out, obviously should have been retained, there can also be significant financial costs and/or penalties for the process of attempting to retrieve the records. ASBA would like to stress that deleting electronic records doesn't really get rid of them until they have been overwritten several times by new entries. The process of getting to the supposedly deleted ESI can be a costly one.

[11] If there is any doubt concerning the need to retain, prudence would dictate retention.

[12] While there is a need and/or a place for different formats of document storage/retention (paper, audio tape, video tape, micro-fiche, computer disk), the space required for records storage quickly tilts the equation in favor of electronic methods to the maximum extent possible. The vast majority of documents can be transferred electronically (if created electronically) or scanned into a digital format (if created on paper) and stored on external hard drives, firewalls, servers, tape drives, CDs or DVDs. While this method/process is not free, it can be relatively inexpensive and quite possibly save the district money in the long run when stored records are needed. Consult with your district's technology person to devise the system that will best meet your district's needs, but here are a few points to

consider. 1) When scanning, store the documents as PDFs which uses little memory space. If you do the scanning in an Optical Character Recognition (OCR) format, the final documents can be stored in a data base and searched which can save you many hours and much frustration when you need to retrieve something (which is, after all, the reason for the storage). 2) Make multiple copies of the stored documents on separate external storage devices and store the duplicate devices at separate locations to ensure the survival of at least one copy if there is a fire or natural disaster that destroys one of the storage sites. This should be included as part of the district's Disaster Recovery Plan. 3) It is important to remember that technology gets old and obsolete. This necessitates that you establish a schedule or a trigger for the updating of the stored data/documents that are to be retained for more than 10 years. For example, 5" floppies are nearly extinct. If you had stored any such floppies, it would be necessary to convert them to a more modern storage device. In short, you need to include file format update/upgrades as part of your district's technology plans.

Cross References: Policy 3.19—LICENSED PERSONNEL EMPLOYMENT
Policy 8.13—CLASSIFIED EMPLOYMENT

Legal References: A.C.A. § 5-1-109(c)(2), (g)
A.C.A. § 6-13-619
A.C.A. § 6-17-104
A.C.A. § 6-17-2301
A.C.A. § 6-18-901
A.C.A. § 6-24-102(8)(15)
A.C.A. § 6-24-105(d)
A.C.A. § 6-24-106(c)(6)
A.C.A. § 6-24-107(c)
A.C.A. § 6-24-115
A.C.A. § 21-3-302, 303
ADE Rules Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members, and Other Parties
26 C.F.R. § 31.6001-1
34 C.F.R. § 99.2
Federal Rules of Civil Procedure Numbers 16, 26, 33, 34, 37, and 45

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7.16—INFORMATION TECHNOLOGY SECURITY

The superintendent shall be responsible for ensuring the district has the necessary components in place to meet the district's needs and the state's requirements for information technology (IT) security. To aid the superintendent in creating, monitoring, and updating the District's IT Security system, the superintendent shall appoint an information security officer (ISO). The ISO shall be responsible for:

a) Overseeing the District-wide IT security system;
b) Development of District IT policies and procedures;
c) Development and leading of employee training on the IT Security requirements;
d) Ensuring compliance with the adherence to the Arkansas Department of Education (ADE) IT Security standards.

The ISO shall work with other IT staff, the superintendent, and district management appointed by the superintendent to develop a District IT Security system necessary to meet the requirements of this policy and ADE's standards. The IT security system shall contain the necessary components designed to accomplish the following:

1. The District IT security system shall contain mechanisms, policies, procedures, and technologies necessary to prevent disclosure, modification, or denial of sensitive information.

For the purposes of the IT Security system, "sensitive data" is any and all student and employee data that is either personally identifiable information (PII) or any non PII information that, if assembled together, would allow a reasonable person to identify an individual. Sensitive data includes, but is not limited to:

- Student personally identifiable information, except as allowed by the Family Educational Rights and Privacy Act (FERPA);[1] and
- Employee personally identifiable information, except as required by Ark. Code Ann. § 6-11-129.

All District employees having access to sensitive information shall receive annual IT security training, which shall emphasize the employee's personal responsibility for protecting student and employee information.

2. Physical access to computer facilities, data rooms, systems, networks and data will be limited to those authorized personnel who require access to perform assigned duties.

User workstations shall not be left unattended when logged into sensitive systems or data that includes student or employee information. Workstation settings shall be set for automatic log off and require a password for the system to restore from screensavers.

All equipment that contains sensitive information shall be secured to deter theft. No sensitive data shall be retained on laptops and/or remote devices (home computer, thumbdrives, cellphones, CDs, etc.) unless it is encrypted in accordance with the Arkansas State Security Office's Best Practices.

Server rooms and telecommunication rooms/closets shall be protected by appropriate access control. The rooms shall be segregated from general school or District office areas to restrict access. Server room access control shall be enforced using lock and key to allow unescorted access only to IT or management staff who require the access to perform their job functions.

3. Network perimeter controls will be implemented to regulate traffic moving between trusted internal (District) resources and external, untrusted (internet) entities. All network transmission of sensitive data shall enforce encryption where technologically feasible.

The District shall maintain a network configuration management program that includes at a minimum:

a) A network diagram identifying all connections, addresses, and purpose of each connection including management approval of all high risk internet facing ports such as mail (SMTP/25), file transport protocol (FTP/20-21), etc.
b) All public facing (internet) servers and workstations segmented on a demilitarized zone (DMZ) that keeps them separate from the internal District network. Segmentation shall be through state provided firewalls, and district owned layer 3 switches.

All wireless access shall require authentication. The DISTRICT wireless networks will deploy network authentication and encryption in compliance with the Arkansas State Security Office's Best Practices. Scans for rogue wireless devices will be conducted at a minimum monthly. Any Rogue wireless device shall be disabled.

Remote access with connectivity to the District internal network shall be achieved using encryption. Appropriate WARNING BANNERS shall be implemented for all access points to the District internal network.

4. System and application access will be granted based upon the least amount of access to data and programs required by the user in accordance with a business need-to-have requirement.

The District shall enforce strong password management for:

- Employees and contractors as specified in Arkansas State Security Office Password Management Standard.
- Students as specified in Arkansas State Security Office K-12 Student Password Management Best Practice.

User access shall be limited to only those specific access requirements necessary for an employee to perform his/her job functions. Where possible, segregation of duties shall be utilized to control authorization access.

User access shall be granted and terminated upon timely receipt of a documented access request/termination . All access requests shall require approval by the ISO or designee. Ongoing access shall be reviewed for all users at a minimum annually.

Audit and log files shall be generated and maintained for at least ninety (90) days for all critical security-relevant events, including but not limited to:

- Invalid logon attempts;
- Changes to the security policy/procedures; and
- Failed attempts to access objects by unauthorized users.

IT administrator privileges for operating system(s), database(s), and applications shall be limited to the minimum number of staff required to perform these sensitive duties.

5. Application development and maintenance for in-house developed student or financial applications will adhere to industry processes for segregating programs and deploying software only after appropriate testing and management approvals.

Any custom-built student or financial applications or supporting applications that interface, integrate with, or provide queries and reporting to/from student or financial systems shall be developed using a system development life cycle approach that incorporates at a minimum:

a) Planning, requirements, and design;
b) User acceptance testing (UAT);
c) Code reviews; and
d) Controlled migration to production.

Any changes to core or supporting applications that provide student or financial processing or reporting shall be implemented in a controlled manner that includes at a minimum:

- Documentation of any change, including changes to both infrastructure and application;
- Management approval of all changes; and
- Controlled migration to production, including testing as appropriate.

6. Monitoring and responding to IT related incidents will be designed to provide early notification of events and rapid response and recovery from internal or external network or system attacks.

The District shall develop and maintain an incident response plan to be used in the event of system compromise that shall include:

a) Emergency contacts;[4]
b) Incident containment procedures; and
c) Incident response and escalation procedures.

7. To ensure continuous critical IT services, the District ISO will develop a business continuity/disaster recovery plan appropriate for the size and complexity of the District IT operations.

The district-wide business continuity plan shall include at a minimum:

- Procedures for performing routine backups at least weekly and the storage of backup media at a secured location other than the server room or adjacent facilities. Backup media shall be stored off-site a reasonably safe distance from the primary server room and retained in a fire resistant receptacle.
- A secondary backup processing location, such as another School or District building, shall be identified.
- A documented calling tree with emergency actions to include:
  - Recovery of backup data;
  - Restoration of processing at the secondary location; and
  - Generation of student and employee listings to ensure an accurate head count.

8. Server and workstation protection software will be deployed to identify and eradicate malicious software attacks such as viruses, spyware, and malware.

Spyware and virus protection software shall be installed, distributed, and maintained on all production platforms, including:

a) File/print servers;
b) Workstations;
c) Email servers;
d) Web servers; and
e) Application and database servers.

Malicious software protection shall include:

- Weekly update downloads;
- Weekly scanning;
- The malicious software protection to be in active state (realtime) on all operating servers/workstations.

All security-relevant software patches shall be applied within thirty (30) days and critical patches shall be applied as soon as possible.[5]

Notes: [1] More information on FERPA may be found in Policy 4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION.

More information, including a copy of ADE's IT Security Policy, may be found at https://adedata.arkansas.gov/security.

[2] Insert the method used to restrict access. The types of methods suggested are keys, electronic card readers, or a similar method.

[3] Insert your method for segmentation of the network. The recommended methods are firewall, router, virtual local area network (VLAN), or a similar network access control device that does not allow internet traffic to access any internal system without first passing through a DMZ or network device rule set.

[4] The list of recommended emergency contacts contains:

a) Vendors;
b) DIS;
c) ADE/APSCN;
d) Law enforcement; and
e) District employees.

[5] ADE recommends that districts consider implementing enterprise servers for required updates to conserve network resources.

Legal Reference: Commissioner's Memo RT-15-010

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7.16B—WIRELESS SECURITY POLICY

Centerpoint 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, Centerpoint 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. 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 Centerpoint School District Computer Network.
- 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 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.
- 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).

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7.18—DISPOSAL OF NON-NEGOTIATED CHECKS OR UNCLAIMED PROPERTY

State law specifies how the district is to dispose of retained funds in the form of issued but non-negotiated checks that have been not been presented for payment within one calendar year. The district shall dispose of these retained funds in accordance with the law and remit the amount of all non-negotiated checks to the Unclaimed Property Division of the Arkansas Auditor's Office.

The district shall make a good faith effort to return physical items that have been left on district property to their rightful owners. When contact information is known for the owner of an item of a non-perishable nature left at the district, the district shall use the information to attempt to contact the owner to inform him/her of the location of the item. Owners of such items shall be given at least three weeks[1] to pick up the item he/she left at the district. If the owner fails to pick up the item within the time allotted, the district may dispose of the item in a manner of its choosing.

The district is under no obligation to retain an abandoned, perishable item left on district property.

Notes: The first paragraph of this policy is short, but it has great importance especially if your district has not been submitting reports as the law requires. Checks are considered to be non-negotiated when they have not been paid by the bank from the school district's checking account and shown as cleared on the school district's bank statement. Funds are considered "unclaimed" after a check has been issued and mailed, but is not presented for payment at the bank or appear on the bank statement in the 12 month period after it has been issued. Districts are required to file annual reports by October 31.

The state auditor's website http://www.auditor.ar.gov/index.html has a section that does a good job of explaining the requirements.

[1] You may choose the time period that works for your district. Enforcing the time limit may depend on the item that has been left behind and possible circumstances surrounding how the item was left at the district.

Legal References:
A.C.A. § 18-28-201
A.C.A. § 18-28-202(11), (c), (d)
A.C.A. § 18-28-204
A.C.A. § 18-28-206
A.C.A. § 18-28-207
A.C.A. § 18-28-208(a)
A.C.A. § 18-28-210(b)(c)
A.C.A. § 18-28-217
A.C.A. § 18-28-221(a)
A.C.A. § 18-28-224

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7.19—SERVICE ANIMALS IN DISTRICT FACILITIES

In accordance with the provisions of the Americans with Disabilities Act and Arkansas statutes, service dogs and trained miniature horses[1] (hereinafter referred to as *service animals*) are permitted for use by individuals with disabilities on district property and in district facilities provided the individuals and their animals meet the requirements and responsibilities covered in this policy.

When an individual with a disability seeks to bring a service animal into a district facility, the district is entitled to ask the individual if the animal is required because of a disability and what work or task the animal has been trained to perform.[2] The district is not entitled to ask for documentation that the animal has been properly trained, but the individual bringing the animal into a district facility will be held accountable for the animal's behavior.

Any service animal brought into a district facility by an individual with a disability must have been trained to do work or perform tasks for the individual. The work or tasks performed by the service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do **not** constitute work or tasks for the purposes of this policy; no animal brought solely for any of these reasons shall be permitted on school grounds.[3]

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control by means of voice control, signals, or other effective means.
A service animal shall be groomed to prevent shedding and dander and shall be kept clean of fleas and ticks.

District staff may ask an individual with a disability to remove a service animal from the premises if:
(1) The animal is out of control and the animal's handler does not take effective action to control it;
(2) The animal is not housebroken; or
(3) Making reasonable accommodations for the service animal's presence would fundamentally alter the nature of the service, program, or activity.

If the district excludes a service animal due to the reasons listed above, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

The District and its staff are not responsible for the care or supervision of a service animal brought onto district property or into district facilities by an individual with a disability. Students with service animals are

expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise the service animal, the parent is responsible for providing care and supervision of the animal. Prior to working in the school, any person responsible for providing care and supervision of the animal must go through the same process for background checks as required of all employees of the school system.

The District shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets.[4]

Notes: The Department of Justice has published an FAQ on service animals. A copy may be found on the Policy Resources Page at http://arsba.org/policy-resources.

[1] A service dog may be any breed even if the breed is restricted by a local ordinance. A miniature horse is not one specific breed, but may be one of several breeds, with distinct characteristics that produce animals suited to service animal work. The animals generally range in height from 24 inches to 34 inches measured to the withers, or shoulders, and generally weigh between 70 and 100 pounds. There is a bit more flexibility for Districts in determining if a facility can accommodate a horse than for a dog. Miniature horses are less flexible than dogs and therefore may not fit into smaller spaces as well as a dog. In specific instances when the horse's size poses a legitimate safety hazard, the horse could be prohibited from that specific event or facility. Keep in mind, however, that if a facility could reasonably accommodate a 24" dog, it could likely accommodate a 24" horse.

[2] Districts are **not** allowed to ask about the nature or extent of a person's disability.

[3] This paragraph is optional. The school is not required to allow an individual to bring an animal that is only for crime deterrence, emotional support, or comfort onto school grounds but may do so if it wishes.

[4] The District can only charge an individual with a disability for damage caused by his or her service animal if it charges other individuals for damages they cause.

Legal References:
28 CFR § 35.104
28 CFR § 35.136
28 C.F.R. § 36.302
A.C.A. § 20-14-304
A.C.A. § 20-14-308

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7.20—ELECTRONIC FUND TRANSFERS

District funds shall only be disbursed by the district treasurer upon the receipt of checks or warrants signed by the District Board of Directors' Disbursing Officer and the Superintendent or through the electronic transfer of funds. Any electronic transfer of funds must be initiated by the District and authorized in writing by both the Disbursing Officer of the school district Board of Directors and the Superintendent.

For the purposes of this policy, "initiated by the District" means the District controls both the timing and the amount of the funds transfer.

The district treasurer shall maintain evidence of authority for the disbursement in the form of invoices, payrolls that conform with written contracts on file in his/her office, or other appropriate documentation indicating an authority to disburse District funds.

"Other appropriate documentation" includes one-time, signed authorization for recurring transactions. The Board of Directors Disbursing Officer must pre-authorize the electronic transfer of funds for non-recurring transactions which can be accomplished by a signed authorization or an email authorizing such a disbursement of funds. [1]

Cross Reference: 1.16 —DUTIES OF BOARD DISBURSING OFFICER

Notes: [1] Commissioner's Memo Com-12-036 suggests the use of email as a way to obtain pre-authorization for non-recurring transactions. You may add to or change this language to reflect district practice provided adequate internal control is maintained for such transactions.

The Commissioner's Memo strongly discourages use of district debit cards. While we did not include any language to that effect in this policy, we agree with both the ADE and Legislative Audit that districts would be wise to avoid their use. The occasional use of District credit cards is unavoidable, but Legislative Audit urges stringent internal controls to help ensure such use is not abused.

Legal References: A.C.A. § 6-13-701(e)
Commissioner's Memo Com-12-036

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7.21—NAMING SCHOOL FACILITIES

Except as otherwise permitted in this policy or Arkansas law, the District shall not name any building, structure, or facility, paid for in whole or in part with District funds, for an individual living at the time of its completion who, in the ten (10) years preceding its construction, was elected, or held, a federal, state, county, or municipal office and received a salary for his/her service.

Exceptions to the preceding paragraph may be made when a building, structure, or facility is constructed through the use of at least 50% private funds or, the name refers to:

1. an individual(s) living at the time of its completion and who has historical significance;
2. an individual who is or has been a prisoner of war; or
3. a living individual who is at least 75 years of age and is retired.

Note: This policy was triggered by Act 1225 of 2013. Prior to the act there were no statutory naming restrictions applicable to school districts. The key language in the new restrictions is the person must be either elected **or** held office **and** received a salary for the office. This would **exempt**, for example, school employees and also school board members, but would **include** the Commissioner of Education, the governor, or a federally appointed judge.

Legal Reference: A.C.A. § 25-1-121

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7.22—PRIVATE SPONSORSHIP OF EXTRACURRICULAR EVENTS

The Superintendant, or designee, may negotiate for the private sponsorship of an event to take place during the time allotted for a half-time break of any of the District's interscholastic activities. The amount of time for a half-time break shall not be extended for the event.

The school district shall not discriminate against potential sponsors based on political affiliation, religion, or perceived message. The superintendant, or designee, may decline sponsorship for any of the following reasons:

- The sponsored event would conflict with school or school group presentations;
- The proposed event would be logistically impracticable due to the estimated time, required materials for the event, or for other reasons associated with the implementation of the event;
- The proposed event would make continuation of the interscholastic activity impracticable due to residual mess/trash resulting from the activity; or
- The proposed event would present an unacceptable safety risk to students or viewing audience.

The superintendant's, or designee's, decision to accept or decline the proposed sponsored event shall be final.

Any potential sponsor shall be required to demonstrate proof of an in force, minimum face value one million dollar ($1,000,000) general liability insurance policy that would cover the event. The sponsor must also agree to indemnify the school against any damages to school property, school employees, students, or bystanders that arise as a result of the sponsored event as well as from any law suits that are filed in response to such damages.

There shall be no live or recorded speech, music, or other media provided by the sponsor used during the sponsored event.[1] A member of the school's administration shall announce the name of the sponsor of the event and shall be present to assist in conducting the event. The school administrator shall be a neutral participant and shall only make content neutral statements during the event. To meet this standard, the administrator shall not promote or act in a manner that creates the appearance, or that could give the impression, that the District sponsors, endorses or otherwise agrees with the product, person/group, or event being promoted by the sponsor. No school employee may act as the representative of a sponsor or wear attire/apparel that is provided by the sponsor or that could be interpreted as promoting the sponsor's interests. Employees or representatives of/affiliated with the sponsor may be present at the event and stand with the member of school administration who is announcing and conducting the event; such employees/representatives of the sponsor may wear clothing identifying them as sponsors of the event.

The superintendant, or designee, shall have the authority to regulate the time, place, and manner of the distribution of promotional materials by the event sponsor. "Promotional materials" includes, but is not limited to, pamphlets, pens/pencils, sports equipment (whether miniature or full sized), or clothing. The event sponsor shall provide the superintendant, or designee, with a complete list of the types of promotional materials the event sponsor intends to distribute at the event so that the superintendant, or designee, may make an informed decision on the time, place, and manner of distribution that would result in the least amount of disturbance with the interscholastic activity.

The superintendant, or designee, should take the following into account when determining the best time, place, and manner of distribution of promotional materials:

- Whether the promotional materials could be a distraction to participants in the interscholastic activity due to the promotional material emitting light or noise;
- Whether the promotional materials have a high possibility of being able to be used against participants of the interscholastic activity to attempt to alter the outcome of the activity;
- The possibility that the promotional materials would be left by recipients to become litter; and
- The possibility that the promotional materials would divert the attention of the audience from the interscholastic activity.

The superintendant, or designee, shall limit the distribution of promotional materials to audience members when they are entering the school building/arena, during the sponsored half-time event, and/or when they are leaving the school building/arena. The superintendant's, or designee's, restrictions on the time, place, and manner of promotional materials shall be final.[2]

Any funds received through private sponsorship shall be placed in the District's Activity Account. The superintendant, or designee, should follow the policy for receiving public gifts or donations when negotiating the sponsorship amount, as set forth in policy 6.3—Public Gifts and Donations to the Schools.

Notes: [1] The purpose of the media restriction is to protect the District from First Amendment lawsuits. First, the restriction prevents the District from being sued based on any misperception that the District endorses any perceived message resulting from the provided media. Second, having such a restriction provides the District protection from suits that the District has been limiting, or not limiting, the content of any message. Third, the restriction prevents the creation of an open forum as it does not allow for any input from the community.

[2] While no law requires time, place, or manner restrictions on the distribution of materials, restrictions that are reasonable are constitutional. The examples in the paragraph are not intended to be exhaustive, but can be used to help you in choosing how best to limit possible interference with the extracurricular event.

Cross Reference: Policy 6.3 —Public Gifts and Donations to the Schools

Legal Reference: ADE Rules Governing Athletic Revenues and Expenditures for Public School Districts

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Last Revised:

7.22F—EVENT SPONSOR AGREEMENT

The _____ School District (hereafter "District") and _____ (hereafter "Sponsor") agree that Sponsor shall be permitted to sponsor an event to take place during the half-time break of the interscholastic activity that is scheduled on _____.

Sponsor promises to pay to District the amount of _____ for the privilege of being announced as the sponsor of the above event.

Sponsor agrees to abide by District's time, place, and manner restrictions on the distribution of all promotional materials related to the above sponsored event.

Sponsor has provided District proof of an in force, minimum face value one million dollar ($1,000,000) general liability insurance policy that will cover the above event.

I, _____, acting as a lawful an authorized representative of Sponsor, certify that I have the authority to enter into this agreement, and authorize payment to District. I understand that the half-time event will not be scheduled until this agreement is fully executed and full payment under this agreement has been received by District.

Indemnification Agreement

Sponsor promises to indemnify, hold harmless, and defend District, its agents and employees from any lawsuits, causes of action, claims, liabilities, and damages of any kind or nature, including, but not limited to: attorney's fees and costs arising from this contract, whether such attorney's fees and costs are attributable in whole or in part to any act, omission, or negligence of District, it's agents or employees, and including, but not limited to, any and all lawsuits, causes of action, claims, liabilities and damages, as provided above which District, its agents or employees may sustain by reason of any failure by Sponsor to indemnify as provided herein, or any failure by Sponsor to otherwise perform its obligations pursuant to this Contract, or by reason of the injury to or death of any person or persons or the damage to, loss of use of or destruction of any property resulting from this agreement.

I, _____, acting as a lawful an authorized representative of Sponsor, certify that I have read, understood, and accept the above indemnification agreement.

_____ _____
Sponsor Representative's Signature Date

I, _____, acting as a lawful and authorized representative of District certify that Sponsor has tendered the promised amount and has met all the requirements to be a sponsor as set forth in District Policy 7.22—PRIVATE SPONSORSHIP OF EXTRACURRICULAR EVENTS.

_____ _____
District Representative's Signature Date

7.23—HEALTH CARE COVERAGE AND THE AFFORDABLE CARE ACT

Definitions

"Dependant", for purposes of this policy, means an employee's child(ren) and/or spouse who are enrolled by the employee in health care coverage through the District's health care plans.

"Full-time employee", for purposes of this policy, means an employee in a position[1] requiring on average thirty (30) hours of actual performance per week during the annual school year.

"Responsible individual" means a primary insured employee who, as a parent or spouse, enrolls one or more individual(s) in health care coverage through the District's health care plans.

"Variable hour employee", for the purposes of this policy, means an individual who has no base minimum number of hours of performance required per week.

Health Insurance Enrollment

All full time District employees are eligible to enroll themselves; their spouse, so long as the spouse is not otherwise eligible for insurance through his/her employer's sponsored plan;[2] and their child(ren) in one of the insurance plans through the Public School Employee Life and Health Insurance Program (PSELHIP). Variable hour employees are not eligible to enroll in a PSELHIP plan. If a variable hour employee's measurement period finds that the employee averaged thirty (30) or more hours per week, then the employee is treated as a full time employee rather than a variable hour employee and is eligible for health insurance.[3] New full time employees have sixty (60) days following the start date of the employee's contract to elect to enroll in a PSELHIP plan; all new employees shall be informed in writing of the start date of the employee's contract and that the employee has sixty (60) days from that date to elect PSELHIP coverage.[4] Coverage for new employees who choose to enroll in a PSELHIP plan shall take effect on the first of the month following the date on the enrollment application. Coverage shall be in effect until the end of the calendar year. Employees who experience a Qualifying Status Change Event[5] have sixty (60) days from the date of the Qualifying Status Change Event to file an application to change coverage information. All employees who continue to be eligible may elect to continue coverage and make changes to their PSELHIP plan for the following plan year during the yearly open enrollment period.

The District shall ensure all employees are provided education annually on the advantages and disadvantages of a consumer-driven health plan option and effective strategies of using a Health Savings Account (HSA).[6]

District Contribution to Premiums

At a minimum, the District shall distribute the statutorily required contribution rate to all employees[7] who are enrolled in one of the PSELHIP plans, which shall include any mandatory increases to the contribution rate due to increases to the salary schedule.[7] In accordance with the State Health Insurance Portability Rules (SHIP), the District shall continue to pay the premium contribution for an employee who transfers to another Arkansas school district that also participates in the SHIP through August 31 of the calendar year the employee leaves the district so long as the employee:[8]

1) Completes his/her contract with the District;
2) Provides the District with notice that the employee is transferring to another district by no later than June 15[9];

3) Provides the District with proof of employment at another Arkansas district; and
4) Has the employee portion of the premium removed from his/her end-of-year checks or pays the District business office the employee portion of the premium by the 15th[10] of both July and August.

Measurement Method of Employee Hours[3]

Option 1: The District uses the look-back method for determining if an employee qualifies as a full-time employee.[3]

W-2

For all full-time employees who are enrolled in a PSELHIP plan, the District shall indicate in box twelve (12) of the employee's Form W-2 the cost of the employee's health care coverage by using code "DD".[811]

IRS Returns

The District will electronically file with the IRS by March 31 of each year the forms[12] required by the IRS on the health insurance coverage of each full-time employee for the previous calendar year, whether or not the full-time employee participates in a health insurance plan through the PSELHIP.

Statement of Return

The District shall send to each full-time employee a Statement of Return (Statement) regarding the IRS Return[913] filed on the employee. The Statement shall contain: The District's name, address, and Employer Identification Number (EIN) as well as a copy of the IRS Return filed on the employee. The District shall send a copy of the Statement to the employee on or before January 31 of the calendar year following the calendar year the information in the Statement covers. The District shall send only one Statement to the household of an employee who meets the definition of a responsible individual that will include all requisite information for both the responsible individual and the responsible individual's dependant'(s). The Statement will be mailed to the employee's address on record.

Record Retention

The District shall maintain copies of the Statements sent to employees in accordance with the requirements for documents transmitted to the IRS in Policy 7.15—RECORD RETENTION AND DESTRUCTION.

Notes: This Policy is not intended to provide information on the specifics of the differences between the available PSELHIP plans; such information may be requested from the Employee Benefits Division (EBD).

[1] Although Arkansas's statutory language is "a position", the Fair Labor Standards Act and the Affordable Care Act both state that the determination of total number of hours is based on the specific employee rather than the number of contracts/positions an employee has with the same employer. We

believe that the Federal laws allow you to have an employee under separate contracts so long as you combine the number of hours from each contract to reach a total number of hours for that employee.

Example: An employee has two contracts with your district, one for a bus driver and one for a custodian. The bus driver contract is for twenty (20) hours each week and the custodian contract is for fifteen (15) hours each week. The employee is treated as providing thirty-five (35) hours for your district and would be eligible.

2 EBD permits an employee to insure his/her spouse through the PSELHIP when the employee's spouse is a state employee or a public school employee.

3 The Missouri School Boards Association has an excellent document containing more information on variable hour employees, selecting a measurement method, and setting up procedures for calculating hours. The document can be found at http://arsba.org/policy-resources.

4 The start date of the employment contract is important because it triggers the start of the sixty (60) days the employee has to elect coverage. Our understanding is that EBD will use the date the employee is entered into APSCN to determine the start and end dates of the sixty (60) day period. The date an employee should be entered into APSCN as having been hired is the first date the employee's contract covers; for example:

1) The start date for an employee whose contract is from July 1 to June 30 would be July 1 even if the employee is not required to report for duty until a later date.
2) The employee has a 190 day contract with a first day of duty of Aug.7th and runs through May 29th. The start date is August 7th.

5 Qualifying Status Change Events include: change in number of dependents due to birth, adoption, death, or loss of eligibility due to age; change in marital status due to marriage, death, divorce, legal separation, or annulment; change in employment status; and loss or gain of group coverage. EBD requires supporting documentation of the qualifying status change event be attached to the application for a change in coverage.

6 A consumer-driven health plan option is a health insurance plan that qualifies as a high deductable health plan. Currently, the PSELHIP plans that qualify as consumer-driven health plans are the Classic

and Basic Plans. Districts may satisfy the training requirement by allowing a representative from the EBD's list of approved venders to speak with the district's employees.

[7] The amount for the minimum contribution rate is set forth in A.C.A. § 6-17-1117(a)(1)~~(2)~~. Districts may be required to pay above the minimum contribution amount if the district gives a raise to the base minimum teacher salary by the same percentage as the increase to the salary; the exceptions to this are:

- The increase to the base salary schedule was to bring the district into compliance with the statutory minimum teacher salary schedule;
- Seventy-five percent (75%) or more of the district's eligible employees participate in health insurance through the PSELHIP; or
- The district's contribution is one hundred twenty-five percent (125%) or more above the minimum contribution amount.

When a district employee has elected the employee and spouse plan or the family plan and the employee's spouse also works for the district, the employee who is the primary insured individual is the only individual considered to have "elected to participate"; thus, the district is only responsible to pay a contribution rate for one employee rather than for both the employee and spouse.

[8] This is optional language from the SHIP Rules, which has the intent to provide some uniformity across the state on how to handle the summer contract gap period and provide increased certainty for personnel. If your district elected not to participate in the program, replace this language with "The District does not participate in the State Health Insurance Portability program" and renumber the remaining footnotes. Participation in the program provides that personnel who are transferring from one participating Arkansas district to another participating Arkansas district have two Options:

a) Legally, each school district is a separate employer; as a result, employees who transfer from another district have the option to be treated as a new employee for health insurance. As a new employee, the employee has the option to select a different level of insurance (Move from the Basic Plan to the Premium Plan or vice versa), add or drop dependents, and be eligible to receive the wellness discount. However, the employee will have all deductibles reset. Transferred employees who wish to be treated as a new employee are required to timely inform the district he/she is transferring from that the employee desires a break in coverage and to not have payments made on health insurance for July and August; these employees will be required to submit a new election form to EBD in order to have their health insurance reinstated.

b) The transferred employee may elect to continue existing coverage through the new district. An employee who chooses this option may not change plan types, add or drop dependents, and will only receive the wellness discount if the employee had qualified for the discount prior to transferring to the new district. Employees who wish to be treated as a transferring employee instead of a new employee will need to have both the former district and new district submit a Notice of Public School Employee Transfer Form to EBD. For an employee to be eligible for this option, both the employee's former district and the new district must participate in the SHIP program.

A copy of the SHIP Rules may be found at http://arsba.org/policy-resources.

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[9] The date notice has to be provided cannot be set before the employee's last day of work. It is recommended that districts set this date in relation to the date health insurance premiums are withheld from employee's checks.

[10] The 15th is only a recommended date. The date must be set to allow a reasonable amount of time for collection from the employee but still allow the district to make a timely payment for health insurance premiums to EBD.

[11] This information has no impact on the employee's taxes as the employee portion of the health coverage premium is still excluded from earned income. The inclusion on the Form W-2 is for informational purposes only.

[12] The two forms districts will be required to complete are Form 1094C and Form 1095C. Form 1095C, like a W2, is specific to each full time employee. Form 1094C, like a W3, is a transmittal form that covers all the 1095C submitted to the IRS as well as some additional information.

[13] The IRS Return that will be sent to each full-time employee is a copy of the Form 1095C the district submits to the IRS on the employee.

Cross Reference: 7.15—RECORD RETENTION AND DESTRUCTION

Legal References: A.C.A. § 6-17-1117
A.C.A. § 21-5-401 et seq.
26 C.F.R. § 54.4980h-0 et seq.
26 C.F.R. § 31.6001-1
26 C.F.R. § 301.6056-1

Date Adopted:
Last Revised: 6/29/2015

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7.23F—LICENSED PERSONNEL ELECTRONIC RECEIPT OF STATEMENTS CONSENT FORM

To receive an electronic copy of the statement concerning the tax information for your health insurance coverage, please complete the following information:

Name: _____

E-mail address: _____

Phone Number: _____

Mailing Address:
_____

City: _____ State: _____ Zip Code: _____

(The phone number and mailing address shall only be used for the purpose of acquiring a replacement e-mail address to send a copy of the Statement of Return (Statement) in the event the District receives an "unable to deliver" notification when the District sends an electronic copy of the Statement to the provided e-mail address.)

Disclosures

An individual who consents to receive an electronic copy of the Statement shall be deemed to be aware of, and agree to, the following disclosures:

1. I shall receive a paper copy of the Statement unless I consent to receive an electronic copy;
2. My consent to receive an electronic copy of the Statement shall be effective for all future Statements unless I withdraw my consent[1] or it is terminated in accordance with this agreement;
3. The District shall terminate the sending of electronic Statements upon the occurrence of any of the following:
   - Thirty (30) days[2] after the District receives a written request to withdraw consent;
   - There is a change in hardware or software that has a material impact on my ability to receive the electronic version of the Statement;
   - February 1 of the year following any of the following:
     - Termination of my employment;
     - My retirement from employment;
     - My death;
4. I may request a paper copy of the Statement even though I have consented to receive an electronic copy of the Statement. The request for a paper copy must be in writing, either electronically or on paper, and shall be delivered to the _____.[3] A request to receive a paper copy shall not constitute a withdrawal of consent to receive an electronic copy of the Statement unless I affirmatively state that the request constitutes a withdrawal.[4]
5. I shall receive from the District through either mail or e-mail a confirmation of my withdrawal of consent and the date the withdrawal shall become effective;

6. A withdrawal of consent shall not apply to an electronic copy of the Statement that is sent prior to the effective date of the withdrawal;
7. I am responsible for making sure that the District has my current contact information. I may update any changes to my contact information by sending an amended copy of the Electronic Receipt of Statements Consent Form to the _____;[3]
8. The District shall contact me with any changes in the District's contact information;
9. The District shall furnish electronic copies of the Statement in the Portable Document Format (PDF);[5]
10. Arkansas or Federal law could require the printing of a copy of the Statement to attach to a Federal, State, or local tax return;
11. The e-mail containing the electronic copy of the Statement shall have the subject line of "Important Tax Return Document Available" in all capital letters.

I certify that I have read the disclosures and that I wish to affirmatively consent to receive my copy of the Statement in an electronic format.

Signature: _____ Date: _____

Notes: [1] While you can have the consent be effective for only one Statement rather than for all future Statements, this language tracks the language in Policy 7.23 and is recommended because mailing paper copies of the Statement of Record could prove costly to districts. Since sending electronic copies is much cheaper and faster than paper copies, we have chosen to make the default position in both this Form and the associated policy be to extend to all future statements to lessen the costs to Districts. If you choose to have the consent be effective for only one Statement rather than for all future Statements, change the language to read "I understand that my consent shall only be effective until February 1 of the following year." If you change the language in this Form be sure to change the language in Policy 7.23 to match.

[2] The ACA allows you to change the implementation date of the withdrawal of consent from the policy's suggested 30 days to range from the day the withdrawal is received to sixty (60) days after it is received.

[3] Fill in this blank with the name, phone number, mailing address, and e-mail address of the district office in charge of handling the Statements; this information is required to be in the consent form signed by the employee.

[4] Alternatively, this sentence may be changed to allow that any request for a paper copy of the statement shall constitute a withdrawal of consent to receive an electronic copy; such a change would obligate the district to supply future copies to the employee on paper and is not recommended due to the increased costs to districts.

[5] The ACA does not require statements be provided as a PDF; however, the law does require that there is uniformity between all documents sent electronically to the employee. This means that the Electronic Receipt of Statement Consent Form, the statement, and any other documents related to the statement that are sent electronically by the District to the employee must be in the same format. Since documents provided by the IRS are traditionally PDFs, that is the suggested format.

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7.24—ADVERTISING ON SCHOOL BUSES

Under the authority granted by A.C.A. § 6-19-129 and the Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Advertising on School Buses:[1]

(ASBA Option 1) The District has chosen **NOT** to permit the selling of advertising space on District owned school buses and shall **NOT** use the space provided by law for any purpose.[2]

Notes: [1] Select the option that works best for your district. When considering the option you wish to adopt, consider that permitting advertising on school buses may create a safety issue and may open the district up to First Amendment lawsuits. We strongly recommend you have your district attorney review both your policy and procedures before implementing them.

[2] If you select this option, remove the remainder of the policy.

[3] An item to consider in the procedures is the addition of language that limits buses that may have an advertisement to buses that have a specific use or to those that seat a certain number of students.

[4] If you select Option 2, retain these paragraphs but delete the other portions of the policy. In addition, replace the word "advertisement" in these paragraphs with "Items created by the District's Information Office". However, if your superintendent serves as your district's information officer, replace all uses of "District Information Office" with "superintendent".

[5] You may replace this language with specific font size or color requirements. If you choose to set specific size requirements, consider how large the phrase needs to be for it to be seen from a reasonable distance away while not overly interfering with the advertisement. The use of ten feet (10') is only a suggested distance.

Cross References: 6.9—MEDIA RELATIONS AND NEWS RELEASES
7.5—PURCHASES AND PROCUREMENT

Legal References: A.C.A. § 6-19-129
A.C.A. § 7-1-111
Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Advertising on School Buses

Date Adopted: April, 2016
Last Revised: 7/1/2016

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SECTION 8
CLASSIFIED PERSONNEL

8.1—CLASSIFIED PERSONNEL SALARY SCHEDULE

Arkansas law requires the Centerpoint School District to include its classified employee's salary schedule in its written personnel policies to include the following five categories of classified personnel: 1) Maintenance and Operations; 2) Transportation; 3) Food Service; 4) Secretarial and Clerical; and 5) Aids and Paraprofessionals. The District is required to post the salary schedule on its Website by September 15 of each year and should place an obvious hyperlink, button, or menu item on the Website's homepage that links directly to the current year classified policies and salary schedule. For the purposes of this policy, an employee must work two thirds (2/3) of the number of their regularly assigned annual work days to qualify for a step increase.

*The superintendent has the authority, when recommending an applicant and his/her placement on the District's salary schedule to the Board for its approval, to consider the applicant's previous work experience with similar duties, responsibilities, and skill sets to those job duties and responsibilities the applicant would assume for the District.

8.1L Previous Work Experience

For the purpose of employment of new classified staff members, the district will recognize up to 3 years of job relevant experience as determined by the superintendent- including "non-school" experience- toward the salary schedule beginning in the 2015-16 school year; adding the allowance of up to an additional year experience for newly employed staff members each year, up to the maximum number of steps on the classified salary schedule. [For example: the district will recognize up to 4 years of relevant experience as determined by the superintendent, toward the salary schedule beginning in the 2016-17 school year, 5 years in the 17-18 school year, etc... up to the maximum steps.]

Newly hired employees who have served as substitutes in a public school for a position may only count that as a year's experience if they served a minimum of 160 days in a single school year, in the specified position.

The allowable steps will not apply to classified staff who are already employed by the district and who are already at or above year 3 on the schedule as of the 2015-16 school year.

The allowable steps from a non-school experience will not apply toward teacher retirement.
The allowable steps from a non-school experience will not apply toward seniority in the district's Reduction In Force (RIF) policy.

Date Adopted:
Last Revised: 6/29/2015

CLASSIFIED PERSONNEL SALARY SCHEDULE
2016-17

YEARS OF EXP.	FOOD SERVICE SUB	FOODSERVICE WORKER	FOODSERVICE MANAGER	TEACHER AIDE + $1,000. w/ Assoc. Degree or 60 coll. hrs.	TEACHER AIDE + $1,000. w/ Assoc. Degree or 60 coll. hrs.	CUSTODIAN	CUSTODIAN	PRINCIPAL SECRETARY + $1,000. w/ Assoc. Degree or 60 coll. hrs.	FOOD SERVICE SUPERVISOR	TECH. COORD.
		185 Days	185 Days	185 Days	178 Days	200 Days	240 Days	200 Days	220 Days	240 Days
0	Current min. wage	$8.50 per hr. $12,580.00	$9.40 per hr. $13,912.00	$10.135135 per hr. $15,000.00	$10.136938 per hr. $14,435.00	$8.50 per hr. $13,600.00	$8.50 per hr. $16,320.00	$12.828947 per hr. $19,500.00	$14.204545 per hr. $25,000.00	$19.68125 per hr. $37,788.00
1		$12,780.00	$14,112.00	$15,200.00	$14,635.00	$13,822.00	$16,586.00	$19,722.00	$25,244.00	$38,054.00
2		$12,980.00	$14,312.00	$15,400.00	$14,835.00	$14,044.00	$16,852.00	$19,944.00	$25,488.00	$38,320.00
3		$13,180.00	$14,512.00	$15,600.00	$15,035.00	$14,266.00	$17,118.00	$20,166.00	$25,732.00	$38,586.00
4		$13,380.00	$14,712.00	$15,800.00	$15,235.00	$14,488.00	$17,384.00	$20,388.00	$25,976.00	$38,852.00
5		$!3,580.00	$14,912.00	$16,000.00	$15,435.00	$14,710.00	$17,650.00	$20,610.00	$26,220.00	$39,118.00
6		$13,780.00	$15,112.00	$16,200.00	$15,635.00	$14,932.00	$17,916.00	$20,832.00	$26,464.00	$39,384.00
7		$13,980.00	$15,312.00	$16,400.00	$15,835.00	$15,154.00	$18,182.00	$21,054.00	$26,708.00	$39,650.00
8		$14,180.00	$15,512.00	$16,600.00	$16,035.00	$15,376.00	$18,448.00	$21,276.00	$26,952.00	$39,916.00
9		$14,380.00	$15,712.00	$16,800.00	$16,235.00	$15,598.00	$18,714.00	$21,498.00	$27,196.00	$40,182.00
10		$14,580.00	$15,912.00	$17,000.00	$16,435.00	$15,820.00	$18,980.00	$21,720.00	$27,440.00	$40,448.00
11		$14,780.00	$16,112.00	$17,200.00	$16,635.00	$16,042.00	$19,246.00	$21,942.00	$27,684.00	$40,714.00
12		$14,980.00	$16,312.00	$17,400.00	$16,835.00	$16,264.00	$19,512.00	$22,164.00	$27,928.00	$40,980.00
13		$15,180.00	$16,512.00	$17,600.00	$17,035.00	$16,486.00	$19,778.00	$22,386.00	$28,172.00	$41,246.00
14		$15,380.00	$16,712.00	$17,800.00	$17,235.00	$16,708.00	$20,044.00	$22,608.00	$28,416.00	$41,512.00
15		$15,580.00	$16,912.00	$18,000.00	$17,435.00	$16,930.00	$20,310.00	$22,830.00	$28,660.00	$41,778.00
16		$15,680.00	$17,012.00	$18,100.00	$17,535.00	$17,041.00	$20,443.00	$22,941.00	$28,782.00	$41,911.00
17		$15,780.00	$17,112.00	$18,200.00	$17,635.00	$17,152.00	$20,576.00	$23,052.00	$28,904.00	$42,044.00
18		$15,880.00	$17,212.00	$18,300.00	$17,735.00	$17,263.00	$20,709.00	$23,163.00	$29,026.00	$42,177.00
19		$15,980.00	$17,312.00	$18,400.00	$17,835.00	$17,374.00	$20,842.00	$23,274.00	$29,148.00	$42,310.00
20		$16,080.00	$17,412.00	$18,500.00	$17,935.00	$17,485.00	$20,975.00	$23,385.00	$29,270.00	$42,443.00

INCREMENTS

178/185 DAY CONTRACT	$200.00 PER YEAR FOR 15 YEARS	$100.00 FOR 16TH – 20TH YEARS
200 DAY CONTRACT	$200.00 X 1.11 = $222.00 PER YEAR FOR 15 YEARS	$111.00 FOR 16TH – 20TH YEARS
220 DAY CONTRACT	$200.00 X 1.22 = $244.00 PER YEAR FOR 15 YEARS	$122.00 FOR 16TH – 20TH YEARS
240 DAY CONTRACT	$200.00 X 1.33 - $266.00 PER YEAR FOR 15 YEARS	$133.00 FOR 16TH – 20TH YEARS

YRS OF EXP.	ASST. TECH COORDINATOR + $1,000.00 w/ Assoc. Degree or 60 coll. hrs.	HIGH SCHOOL CUSTODIAN MNTENANC EVENING SECURITY	GROUNDS & CUSTODIAN	BUILDING, GROUNDS, & Maintenance	LEAD BUILDING GROUNDS & Maintenance	MECHANIC / Bus Maintenance Supervisor	DIRECTOR BUILDING, GROUNDS, Maintenance, Transportation	TEMP. SUMMER BUILDING & GROUNDS	PART TIME MAINT. CUSTODIAN	BUS ROUTE DRIVERS
	240 Days	240 Day	240 Days	240 Days	240 Days	240 Days	240 Days			178 Days
0	$12.45 per hr. $23,904.00	$9.00 per hr. $17,280.00	$9.70 per hr. $18,624.00	$10.95 per hr. $21,024.00	$12.45 per hr. $23,904.00	$15.625 per hr. $30,000.00	$22.916667 per hr. $44,000.00	Current minimum wage	Current min. wage	$18.00 per hour
1	$24,170.00	$17,546.00	$18,890.00	$21,290.00	$24,170.00	$30,266.00	$44,266,.00			
2	$24,436.00	$17,812.00	$19,156.00	$21,556.00	$24,436.00	$30,532.00	$44,532.00			
3	$24,702.00	$18,078.00	$19,422.00	$21,822.00	$24,702.00	$30,798.00	$44,798.00			
4	$24,968.00	$18,344.00	$19,688.00	$22,088.00	$24,968.00	$31,064.00	$45.064.00			
5	$25,234.00	$18,610.00	$19,954.00	$22,354.00	$25,234.00	$31,330.00	$45,330.00			
6	$25,500.00	$18,876.00	$20,220.00	$22,620.00	$25,500.00	$31,596.00	$45,596.00			
7	$25,766.00	$19,142.00	$20,486.00	$22,886.00	$25,766.00	$31,862.00	$45,862.00			
8	$26,032.00	$19,408.00	$20,752.00	$23,152.00	$26,032.00	$32,128.00	$46,128.00			
9	$26,298.00	$19,674.00	$21,018.00	$23,418.00	$26,298.00	$32,394.00	$46,394.00			
10	$26,564.00	$19,940.00	$21,284.00	$23,684.00	$26,564.00	$32,660.00	$46,660.00			
11	$26,830.00	$20,206.00	$21,550.00	$23,950.00	$26,830.00	$32,926.00	$46,926.00			
12	$27,096.00	$20,472.00	$21,816.00	$24,216.00	$27,096.00	$33,192.00	$47,192.00			
13	$27,362.00	$20,738.00	$22,082.00	$24,482.00	$27,362.00	$33,458.00	$47,458.00			
14	$27,628.00	$21,004.00	$22,348.00	$24,748.00	$27,628.00	$33,724.00	$47,724.00			
15	$27,894.00	$21,270.00	$22,614.00	$25,014.00	$27,894.00	$33,990.00	$47.990.00			
16	$28,027.00	$21,403.00	$22,747.00	$25,147.00	$28,027.00	$34,123.00	$48,123.00			
17	$28,160.00	$21,536.00	$22,880.00	$25,280.00	$28,160.00	$34,256.00	$48,256.00			
18	$28,293.00	$21,669.00	$23,013.00	$25,413.00	$28,293.00	$34,389.00	$48,389.00			
19	$28,426.00	$21,802.00	$23,146.00	$25,546.00	$28,426.00	$34,522.00	$48,522.00			
20	$28,559.00	$21,935.00	$23,279.00	$25,679.00	$28,559.00	$34,655.00	$48,655.00			

The district will contribute $1,853.76 per full time employee per year for health insurance and pay for a $15,000.00 life insurance policy for full time employees. For the purposes of this policy, an employee must work 160 days of their regularly assigned annual work days to qualify for a step increase.

Revised: 5/2/16

Cross References: Policy 1.9—POLICY FORMULATION; 7.23-Health Care Coverage and the Affordable Care Act

Legal References: A.C.A. § 6-17-2301; A.C.A. § 6-17-2203; A.C.A. § 21-5-405; ADE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites

8.2 - CLASSIFIED PERSONNEL EVALUATIONS

Classified personnel may be periodically evaluated.

Any forms, procedures or other methods of evaluation, including criteria, are to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

Legal Reference: A.C.A. § 6-17-2301
Date Adopted:
Last Revised:

8.3 - EVALUATION OF CLASSIFIED PERSONNEL BY RELATIVES

No person shall be employed in, or assigned to, a position which would require that he be evaluated by any relative, by blood or marriage, including spouse, parent, child, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, or first cousin.

Date Adopted:
Last Revised:

8.4 - CLASSIFIED EMPLOYEES DRUG TESTING

Scope of Policy

Each person hired for a position that allows or requires the employee operate a school bus shall meet the following requirements:

1. The employee shall possess a current commercial vehicle drivers license for driving a school bus;
2. Have undergone a physical examination, which shall include a drug test, by a licensed physician or advanced practice nurse within the past two years; and
3. A current valid certificate of school bus driver in service training.

Each person's initial employment for a job entailing a safety sensitive function is conditioned upon the district receiving a negative drug test result for that employee. The offer of employment is also conditioned upon the employee's signing and authorization for the request for information by the district from the Commercial Driver alcohol and Drug Testing Database.

Methods of Testing

The collection, testing methods and standards shall be determined by the agency or other medical organizations chosen by the School Board to conduct the collection and testing of samples. The drug and alcohol testing is to be conducted by a laboratory certified pursuant to the most recent guidelines issued by the United States Department of Health and Human Services for such facilities. ("Mandatory Guidelines for Federal Workplace Drug Testing Programs").

Definitions

"Safety sensitive function" includes:

a) All time spent inspecting, servicing, and/or preparing the vehicle;
b) All time spent driving the vehicle;
c) All time spent loading or unloading the vehicle or supervising the loading or unloading of the vehicle; and
d) All time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

"School Bus" is a motorized vehicle that meets the following requirements:

1. Is designed to carry more than ten (10) passengers;
2. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
3. Is operated for the transportation of students from home to school, from school to home, or to and from school events.

Requirements

Employees shall be drug and alcohol free from the time the employee is required to be ready to work until the employee is relieved from the responsibility for performing work and/or any time they are performing a safety-sensitive function. In addition to the testing required as an initial condition of employment, employees shall submit to subsequent drug tests as required by law and/or regulation. Subsequent testing includes, and/or is triggered by, but is not limited to:

1. Random tests;
2. Testing in conjunction with an accident;
3. Receiving a citation for a moving traffic violation; and
4. Reasonable suspicion.

Prohibitions

A. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater;
B. No driver shall use alcohol while performing safety-sensitive functions;
C. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol;
D. No driver required to take a post-accident alcohol test under #2 above shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first;
E. No driver shall refuse to submit to an alcohol or drug test in conjunction with #1,2, and/or 4 above;
F. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when used pursuant to the instructions of a licensed medical practitioner, who, with knowledge of the driver's job responsibilities, has advised the driver that the substance will not adversely affect the driver's ability to safely operate his/her vehicle. It is the employee's responsibility to inform his/her supervisor of the employee's use of such medication;
G. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

Violation of any of these prohibitions may lead to disciplinary action being taken against the employee, which could include termination or non-renewal.

Testing for Cause

Drivers involved in an accident in which there is a loss of another person's life shall be tested for alcohol and controlled substances as soon as practicable following the accident. Drivers shall also be tested for alcohol within eight (8) hours and for controlled substances within thirty two (32) hours following an accident for which they receive a citation for a moving traffic violation if the accident involved: 1) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or 2) one or more motor vehicles incurs disabling damage as a result of the accident requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.[a]

Refusal to Submit

Refusal to submit to an alcohol or controlled substance test means that the driver

- Failed to appear for any test within a reasonable period of time as determined by the employer consistent with applicable department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a urine specimen for any required drug test
- Failed to provide a sufficient amount of urine without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

School bus drivers should be aware that refusal to submit to a drug test when the test is requested based on a reasonable suspicion can constitute grounds for criminal prosecution.

Consequences for Violations

Drivers who engage in any conduct prohibited by this policy, who refuse to take a required drug or alcohol test, refuse to sign the request for information required by law, or who exceed the acceptable limits for the respective tests shall no longer be allowed to perform safety-sensitive functions. Actions regarding their continued employment shall be taken in relation to their inability to perform these functions and could include termination or non-renewal of their contract of employment.[2a]

Drivers who exhibit signs of violating the prohibitions of this policy relating to alcohol or controlled substances shall not be allowed to perform or continue to perform safety-sensitive functions if they exhibit those signs during, just preceding, or just after the period of the work day that the driver is required to be in compliance with the provisions of this policy. This action shall be based on specific, contemporaneous, articulatable observations concerning the behavior, speech, or body odors of the driver. The Superintendent or his/her designee shall require the drive to submit to "reasonable suspicion" tests for alcohol and controlled substances. The direction to submit to such tests must be made just before, just after, or during the time the driver is performing safety-sensitive functions. If circumstances prohibit the testing of the driver the Superintendent or his/her designee shall remove the drive from reporting for, or remaining on, duty for a minimum of 24 hours from the time the observation was made triggering the driver's removal from duty.

If the result for an alcohol test administered to a driver is equal to or greater than 0.02, but less than 0.04, the driver shall be prohibited from performing safety-sensitive functions for a period not less than 24 hours from the time the test was administered. Unless the loss of duty time triggers other employment consequence policies, no further other action against the driver is authorized by this policy for test results showing an alcohol concentration of less than 0.04.

Legal Reference:	A.C.A. § 6-19-108 A.C.A. § 6-19-119 A.C.A. § 27-23-201 et seq. 49 C.F.R. § 382-101-605 49 C.F.R. § part 40 49 C.F.R. § 390.5 Ark. Division of Academic Facilities and Transportation Rules governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers
Date Adopted:	
Last Revised:	05/29 /2014

8.5—CLASSIFIED EMPLOYEES SICK LEAVE *(ASBA Option B)*

Definitions

1. "Employee" is an employee of the District working 20 or more hours per week who is not required to have a teaching license as a condition of his employment.

2. "Sick Leave" is absence from work due to illness, whether by the employee or a member of the employee's immediate family, or due to a death in the family. The principal shall determine whether sick leave will be approved on the basis of a death outside the immediate family of the employee.

3. "Excessive Sick Leave" is absence from work , whether paid or unpaid, that exceeds twelve (12) days in a contract year for an employee and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American's With Disabilities Act; or due to a compensable Workers' Compensation claim.

4. "Grossly Excessive Sick Leave" is absence from work, whether paid or unpaid, that exceeds 10% of the employee's contract length and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American's With Disabilities Act; or due to a compensable Workers' Compensation claim.

5. "Current Sick Leave" means those days of sick leave for the current contract year, which leave is granted at the rate of one day of sick leave per month worked, or major part thereof.[1]

6. "Accumulated Sick Leave" is the total of unused sick leave, up to a maximum of ninety (90) days accrued from previous contracts, but not used. Accumulated sick leave also includes the sick leave transferred from an employee's previous public school employment.[2]

7. "Immediate family" means an employee's spouse, child, parent, or any other relative provided the other relative lives in the same household as the employee.

Sick Leave

The principal has the discretion to approve sick leave for an employee to attend the funeral of a person who is not related to the employee, under circumstances deemed appropriate by the principal.

Employees who are adopting or seeking to adopt a minor child or minor children may use up to fifteen (15) sick leave days in any school year for absences relating to the adoption, including time needed for travel, time needed for home visits, time needed for document translation, submission or preparation, time spent with legal or adoption agency representatives, time spent in court, and bonding time. See also, 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE, which also applies. Except for bonding time, documentation shall be provided by the employee upon request.[3]
Pay for sick leave shall be at the employee's daily rate of pay, which is that employee's hourly rate of pay times the number of hours normally worked per day. Absences for illness in excess of the employee's accumulated and current sick leave shall result in a deduction from the employee's pay at the daily rate as defined above.

At the discretion of the principal (or Superintendent), and, if FMLA is applicable, subject to the certification or recertification provisions contained in policy 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE the District may require a written statement from the employee's physician documenting the employee's illness. Failure to provide such documentation of illness may result in sick leave not being paid, or in discipline up to and including termination.

If the employees absences are excessive or grossly excessive as defined by this policy, disciplinary action may be taken against the employee, which could include termination or nonrenewal of the contract of employment. The superintendent shall have the authority when making his/her determination to consider the totality of circumstances surrounding the absences and their impact on district operations or student services.

Sick Leave and Family Medical Leave Act (FMLA) Leave

When an employee takes sick leave, the District shall determine if the employee is eligible for FMLA leave and if the leave qualifies for FMLA leave. The District may request additional information from the employee to help make the applicability[3~~4~~] determination. If the employee is eligible for FMLA leave and if the leave qualifies under the FMLA, the District will notify the employee in writing, of the decision within five (5) workdays. If the circumstances for the leave as defined in policy 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE don't change, the District is only required to notify the employee once of the determination regarding the applicability of sick leave and/or FMLA leave within any applicable twelve (12) month period. To the extent the employee has accumulated sick leave, any sick leave taken that qualifies for FMLA leave shall be paid leave and charged against the employee's accrued leave including, once an employee exhausts his/her accumulated sick leave, vacation or personal leave. See 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE.

Sick Leave and Outside Employment

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 8.36, if an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

Notes: This policy is similar to Policy 3.8B. If you change this policy, review 3.8B at the same time to ensure applicable consistency between the two.

[1] For classified employees your district has the choice of crediting sick leave days up front as is done for licensed employees, or of crediting sick leave at the rate of one day per month worked. Choose your method and delete the portion of this sentence that doesn't reflect your choice.

[22] A.C.A. § 6-17-1206(b)(2) requires that leave transferred from prior public school employment be used first. In addition, 1206(b)(3) requires that the leave, if any remains, be included in the total count of accumulated sick leave if the district pays out unused sick leave upon retirement. While the statute only applies to licensed employees, we have included the language here for consistency.

[3] This paragraph is optional. Leave for adoption is protected by FMLA, but FMLA leave is unpaid unless otherwise provided for in policy. By including this paragraph, you would allow the employee to receive sick leave pay for the days missed during the adoption process. If you choose to include it, select the number of days of sick leave an employee may use annually for the adoption/bonding process (15 is not a required number of days).

[4] As used in this policy, "applicable" is a very important word. Some leave taken under FMLA also applies to sick leave and therefore, the employee will get paid for the leave to the extent the employee has accumulated sick leave. Other leave taken under FMLA is not applicable to sick leave and therefore the FMLA leave is unpaid unless vacation or personal leave is available. For instance, "applicable leave" in terms of time taken under FMLA due to the birth of a child will vary depending on the language in your district's policy on sick leave. For instance, if sick leave may be taken "for reason of personal illness or illness in the immediate family" (based on the statutory definition in A.C.A. § 6-17-1302, and an employee gives birth to a child, she may take sick leave for the amount of time that her personal physician deems it necessary for her to physically recover from childbirth. Once the medically necessary time has passed, sick leave is no longer appropriate and cannot be used. While under the FMLA, the employee could take additional time off work, she would need to take unpaid FMLA leave for this purpose, unless she had personal days or vacation days available. However, if your district has a much more liberal definition of sick leave in district policy, the results could be entirely different and all birth related leave might be applicable. Another example would be the potential for overlap between pregnancy complications that arise to the level of a "serious health condition." For instance, pregnancy complications that rose to the level of a "serious health condition" would qualify for both, while missing work for a dentist's appointment would qualify for sick leave, but would not qualify for FMLA leave. Consult policy 8.23— CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE when making the determination of what sick leave qualifies under both policies. It may also be helpful to consult 29 CFR 825.113, 114, and 115, which are available by calling the ASBA office.

Cross References:	8.12—CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE 8.36—CLASSIFIED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION
Legal References:	A.C.A. § 6-17-1301 et seq. 29 USC §§ 2601 et seq. 29 CFR 825.100 et seq.

Date Adopted:
Last Revised: 7/1/2016

8.6L – CLASSIFIED PERSONNEL SICK LEAVE DONATION (Not ASBA policy)

Classified employees or licensed employees may donate accumulated sick leave days to other classified employees in the case of a catastrophic situation, with the approval of the District's sick leave donation committee (defined as the members of the current licensed personnel policy committee). With the approval of the committee, classified and licensed employees may donate accumulated sick leave days to a classified employee in the case of a pregnancy when she has exhausted all of her sick leave and other paid time off.

A catastrophic situation is an illness, injury, or tragedy that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee's family, which incapacity requires the employee to take time off from work for a period of time to care for that family member, and taking extended time off work creates a financial hardship for the employee because he/she has exhausted all of his/her sick leave and other paid time off.

This does not include accidents for which the employee is receiving Workers' Compensation. Absences from work for elective surgery may not be covered by donated sick day(s).

An employee who meets the eligibility requirements to receive sick leave donation days also may meet FMLA eligibility requirements. Thus, any time taken with donated sick leave may reduce your twelve (12) week FMLA entitlement for the calendar year in which it occurs.

Applying for Donations

1. The employee submits a request to the Superintendent and provides evidence of the catastrophic situation. The employee's next of kin or designee may make this request on behalf of an employee that is unable to make such a request on his/her own behalf. The request shall include a summary statement of the employee's or family member's situation.
2. The Superintendent will present the request to the District's sick leave donation committee for review to determine whether:
    a. the situation meets the definition of catastrophic as defined in this policy;
    b. the employee has exhausted all available paid leave benefits;
    c. the situation will necessitate the employee's extended absence from work; and
    d. the extended absence from work will create a financial hardship.
3. Once the committee makes the determination, the Superintendent will notify the employee of the decision, and will notify the certified staff that they may donate sick leave days to the employee if they wish by signing the appropriate form.
4. Individual employees are not to solicit sick leave donations from other employees.

Donated days are only given one at a time on an as needed basis to the person they were donated for. Unused donated days will go back to the donor at the end of each school contract.

While Centerpoint School District payroll is scheduled to go out on the 20th of each month, payroll is calculated from the 5th of each month. Because of this, days requested or missed after the 5th will be recorded on the next month's payroll.

Legal Reference: A.C.A. § 6-17-1208
Date Adopted:
Last Revised: 05/28/13

8.7 - CLASSIFIED EMPLOYEES PERSONAL/PROFESSIONAL LEAVE

For the District to function efficiently and have the necessary personnel present to effect a high achieving learning environment, employee absences need to be kept to a minimum. The District acknowledges that there are times during the school year when employees have personal business that needs to be addressed during the school day. Each full-time employee (exception: bus drivers) shall receive two (2) days of personal leave per contract year. The leave may *only* be taken in increments *of 1, 2, 3 hours, ½ day, or a full day.*

Contracted bus drivers will receive one (1) day (equal to 2 trips) of personal leave per contract year. The leave may be taken in increments of no less than 1 trip.

Unused personal leave may be rolled over and carried into the next year, allowing employees to accumulate a maximum of three (3) personal days for a given year. Any unused personal leave days over the maximum of three will roll into and be added to the employee's sick leave total. Personal leave days may not be donated to other employees.

Employees shall take personal leave or leave without pay for those absences which are not due to attendance at school functions which are related to their job duties and do not qualify for other types of leave(for sick leave see Policy 8.5, for professional leave see below).

School functions, for the purposes of this policy, means:

1. Athletic or academic events related to a public school district; and
2. Meetings and conferences related to education.

The determination of what activities meet the definition of a school function shall be made by the employee's immediate supervisor or designee. In no instance shall paid leave in excess of allotted vacation days and/or personal days be granted to an employee who is absent from work while receiving remuneration from another source as compensation for the reason for their absence.

Any employee desiring to take personal leave may do so by making a written request to his/her supervisor at least twenty-four (24) hours prior to the time of the requested leave. The twenty-four hour requirement may be waived by the supervisor when the supervisor deems it appropriate.

Employees who fail to report to work when their request for a personal day has been denied or who have exhausted their allotted personal days, shall lose their daily rate of pay for the day(s) missed (leave without pay). While there are instances where personal circumstances necessitate an employee's absence beyond the allotted days of sick and/or personal leave, any employee who requires leave without pay must receive advance permission (except in medical emergencies and/or as permitted by policy 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE) from their immediate supervisor. Failure to report to work without having received permission to be absent is grounds for discipline, up to and including termination.

Personal leave does not accumulate from one contract year to the next.[3]

Personal leave may not be taken the day before or the day after a holiday.[4]

Professional Leave

"Professional Leave" is leave granted for the purpose of enabling an employee to participate in professional activities (e.g., workshops or serving on professional committees) which can serve to improve the school District's instructional program or enhances the employee's ability to perform his duties. Professional leave will also be granted when a school District's employee is subpoenaed for a matter arising out of the employee's employment with the school District. Any employee seeking professional leave must make a written request to his immediate supervisor, setting forth the information necessary for the supervisor to make an informed decision. The supervisor's decision is subject to review and overruling by the superintendent. Budgeting concerns and the potential benefit for the District's students will be taken into consideration in reviewing a request for professional leave.

Applications for professional leave should be made as soon as possible following the employee's discerning a need for such leave, but, in any case, no less than two (2) weeks before the requested leave is to begin, if possible.

If the employee does not receive or does not accept remuneration for his/her participation in the professional leave activity and a substitute is needed for the employee, the District shall pay the full cost of the substitute. If the employee receives and accepts remuneration for his/her participation in the professional leave activity, the employee shall forfeit his/her daily rate of pay from the District for the time the employee misses. The cost of a substitute, if one is needed, shall be paid by the employee/District[5].

Notes: While you are not required to provide employees with personal days, you are required to have a policy that requires employees who are absent from the district to take either personal days or leave without pay.

Please note that the provisions of A.C.A. § 21-4-216, which gives state employees eight (8) hours of paid leave to attend their children's school educational activities, do **NOT** apply to public school employees.

[1] If your district gives personal days, insert the number of days given.

[2] Choose the number of hours or portion of a work day that is the minimum that may be taken at any one time.

[3] This sentence is optional.

[4] This sentence is optional.

[5] Choose whether the employee or the district will pay the cost of the substitute employee.

Legal Reference: A.C.A. § 6-17-211

Date Adopted:
Last Revised:7/1/2016

8.8 - CLASSIFIED PERSONNEL RESPONSIBLIITIES IN DEALING WITH SEX OFFENDERS ON CAMPUS

Individuals who have been convicted of certain sex crimes must register with law enforcement as sex offenders. Arkansas law places restrictions on sex offenders with a Level 1 sex offender having the least restrictions (lowest likelihood of committing another sex crime), and Level 4 sex offenders having the most restrictions (highest likelihood of committing another sex crime).

While Levels 1 and 2 place no restrictions prohibiting the individual's presence on a school campus, Levels 3 and 4 have specific prohibitions. These are specified in Policy 6.10 – SEX OFFENDERS ON CAMPUS (MEGAN"S LAW) and it is the responsibility of District staff to know and understand the policy and, to the extent requested aid school administrators in enforcing the restrictions placed on campus access to Level 3 and Level 4 sex offenders.

It is the intention of the Board of Directors that District staff not stigmatize students whose parents or guardians are sex offenders while taking necessary steps to safeguard the school community and comply with state law. Each school's administration should establish procedures so attention is not drawn to the accommodations necessary for registered sex offender parents or guardians.

Legal Reference: A.C.A. § 12-12-913(g)(2)
Ark. Dept. of Ed. Guidelines for "Megan's Law
A.C.A. § 5-14-132

Date Adopted:
Last Revised:

8.9 - PUBLIC OFFICE – CLASSIFIED PERSONNEL

An employee of the District who is elected to the Arkansas General Assembly or any elective or appointive public office (not legally constitutionally inconsistent with employment by a public school district) shall not be discharged or demoted as a result of such service.

No paid leave will be granted for the employee's participation in such public office. The employee may receive pay for personal leave or vacation (if applicable), if approved in advance by the Superintendent, during his absence.

Prior to taking leave, and as soon as possible after the need for such leave is discerned by the employee, he must make written request for leave to the Superintendent, setting out, to the degree possible, the dates such leave is needed.

An employee who fraudulently requests sick leave for the purpose of taking leave to serve in public office may be subject to nonrenewal or termination of his employment contract.

Note: This policy is similar to Policy 3.13. If you change this policy, review 3.13 at the same time to ensure applicable consistency between the two.
Legal Reference: A.C.A. § 6-17-115
Date Adopted:
Last Revised: 7/1/2016

8.10 - JURY DUTY – CLASSIFIED PERSONNEL

Employees are not subject to discharge, loss of sick leave, loss of vacation time or any other penalty due to absence from work for jury duty, upon giving reasonable notice to the District through the employee's immediate supervisor.

The employee must present the original (not a copy) of the summons to jury duty to his supervisor in order to confirm the reason for the requested absence.

Employees shall receive their regular pay from the district while serving jury duty.

Legal Reference: A.C.A. § 16-31-106

Date Adopted:
Last Revised: 06/13/11

8.11 - OVERTIME, COMPENSATORY TIME, AND COMPLYING WITH FLSA

The Centerpoint School District shall comply with those portions of the Fair Labor Standards Act (FLSA) that relate to the operation of public schools. The FLSA requires that covered employees receive compensation for each hour worked at greater than or equal to the applicable minimum wage for workweeks of less than or equal to forty (40) hours.[A] It also requires that employees be compensated for workweeks of greater than forty (40) hours at one and a half (1 ½) times their regular hourly rate of pay, either monetarily[B] or through compensatory time off[C].

Definitions

"Covered Employees" (also defined as non-exempt employees) are those employees who are not exempt, generally termed classified, and include bus drivers, clerical workers, maintenance personnel, custodians, transportation workers, receptionists, paraprofessionals, food service workers, secretaries, and bookkeepers.

"Exempt Employees" are those employees who are not covered under the FLSA because the employee's:[1,]

A. Primary job duties are considered to be exempt eligible due to being administrative or professional in nature. Examples include teachers, counselors, registered nurses, and supervisors; and
B. Salary meets or exceeds a minimum weekly/annual amount.

Any employee who is unsure of their coverage status should consult with the District's Administration.

"Overtime" is hours worked in excess of forty (40) per workweek. Compensation given for hours **not** worked such as for holidays or sick days do **not** count in determining hours worked per workweek.[E]

"Regular Rate of Pay" includes all forms of remuneration for employment[2] and shall be expressed as an hourly rate.[F] For those employees previously paid on a salary basis, the salary shall be converted to an hourly equivalent. Employees shall be paid for each and every hour worked.

"Straight time pay" is the amount of hourly compensation an employee receives for each hour worked during that week.

"Workweek" is the seven day consecutive period of time from 12:00AM on Sunday to midnight on the following Saturday.[3] Each workweek is independent of every other workweek for the purpose of determining the number of hours worked and the remuneration entitled to by the employee for that week.[G]

Employment Relationships

The District does not have an employment relationship in the following instances:

1. Between the District and student teachers;
2. Between the District and its students; and
3. Between the District and individuals who as a public service volunteer or donate their time to the District without expectation or promise of compensation.

The District does not have a joint employment relationship in the following instances:

a) Between the District and off-duty policemen or deputies who are hired on a part-time basis for security purposes or crowd control. The District is separate from and acts independently of other governmental entities.

b) Between the District and any agency contracted with to provide transportation services, security services, substitute teachers or other temporary employees, or other services.

Hours Worked

Employees shall be compensated for all the time they are required to be on duty[H] and shall be paid for all hours worked each workweek. Employees shall accurately record the hours they work each week.[I] The District shall determine the manner to be used by employees to accurately record the hours they work. Each employee shall record the exact time they commence and cease work including meal breaks. Employees arriving early may socialize with fellow workers who are off the clock, but shall not commence working without first recording their starting time.[J]

Employees shall sign in/clock in where they start work and sign out/clock out at the site where they cease working. Employees who do not start and end their workday at the same site shall carry a time card or sheet with them to accurately record their times. They shall turn in their time sheets or cards to their immediate supervisor no later than the following Monday morning after reviewing them to be sure that they accurately reflect their hours worked for that week.[4]

Each employee is to personally record his or her own times. Any employee who signs in or out (or who punches a time clock) for another employee or who asks another employee to do so for him or her will be dismissed.

Employees whose normal workweek is less than 40 hours and who work more than their normal number of hours in a given workweek may, at the District's option, be given compensatory time for the hours they worked in excess of their normal workweek in lieu of their regular rate pay. Compensatory time given in this manner shall be subject to the same conditions regarding accumulation and use as compensatory time given in lieu of overtime pay.

Breaks and Meals

Each employee working more than 20 hours per week shall be provided two, paid, 15 minute duty free breaks per workday. [K]

Meal periods which are less than 30 minutes in length or in which the employee is not relieved of duty are compensable.[L] Employees with a bona fide meal period shall be completely relieved of their duty to allow them to eat their meal which they may do away from their work site, in the school cafeteria, or in a break area.

The employee shall not engage in any work for the District during meal breaks except in rare and infrequent emergencies.

Covered employees who work thirty-five (35) hours a week and receive a duty free meal period shall not be eligible to receive the two (2) paid breaks for working more than twenty (20) hours. [k]

Overtime

Covered employees shall be compensated at not less than one and a half (1.5) times his or her regular rate of pay for all hours worked over forty (40) in a workweek.[M] Overtime compensation shall be computed on the basis of the hours worked in each week and may not be waived by either the employee or the District. Overtime compensation shall be paid on the next regular payday for the period in which the overtime was earned.[N]

The rate of overtime pay for employees who work two (2) or more jobs for the District at different rates of pay shall be determined by creating a weighted average of the different rates (a.k.a. blended rate).[O] The weighted average will be calculated by multiplying the number of hours worked during that week for each position by the position's rate of pay, combining the resulting amounts for each position

(straight time pay), and dividing the straight time pay by the total number of hours the employee worked in that week. The weighted average will then be multiplied by one half (0.5), which will then be multiplied by the number of hours the employee worked that week over forty (40).[6]

Provided the employee and the District have a written agreement or understanding before the work is performed,[P] compensatory time off may be awarded in lieu of overtime pay for hours worked over forty (40) in a workweek and shall be awarded on a one-and-one-half (1 1/2) time basis for each hour of overtime worked.[Q] The District reserves the right to determine if it will award compensatory time in lieu of monetary pay for the overtime worked. The maximum number of compensatory hours an employee may accumulate at a time is twenty (20).[7] The employee must be able to take the compensatory time off within a reasonable period of time that is not unduly disruptive to the District.

An employee whose employment is terminated with the District, whether by the District or the employee, shall receive monetary compensation for unused compensatory time. Of the following methods, the one that yields the greatest money for the employee shall be used.

1. The average regular rate received by the employee during the last 3 years of employment. Or
2. The final regular rate received by the employee.[R]

Overtime Authorization

There will be instances where the district's needs necessitate an employee work overtime. It is the Board's desire to keep overtime worked to a minimum. To facilitate this, employees shall receive authorization from their supervisor in advance of working overtime except in the rare instance when it is unforeseen and unavoidable.

All overtime worked will be paid in accordance with the provisions of the FLSA, but unless the overtime was pre-approved or fit into the exceptions noted previously, disciplinary action must be taken for failure to follow District policy. In extreme and repeated cases, disciplinary action could include the termination of the employee.

Leave Requests

All covered employees shall submit a leave request form prior to taking the leave if possible. If, due to unforeseen or emergency circumstances, advance request was not possible the leave form shall be turned in the day the employee returns to work. Unless specifically granted by the Board for special circumstances, the reason necessitating the leave must fall within District policy.

Payment for leave could be delayed or not occur if an employee fails to turn in the required leave form. Leave may be taken ***in 1, 2, 3 hour increments or ½ day or a full day.***[8]

Record Keeping[S] and Postings[T]

The District shall keep and maintain records as required by the FLSA for the period of time[U] required by the act.[9]

The District shall display minimum wage posters where employees can readily observe them.[10]

Cooperation with Enforcement Officials[V]

All records relating to the FLSA shall be available for inspection by, and District employees shall cooperate fully with, officials from the DOL and/or its authorized representatives in the performance of their jobs relating to:

a) Investigating and gathering data regarding the wages, hours, and other conditions and practices of employment;
b) Entering, inspecting, and/or transcribing the premises and its records;
c) Questioning employees and investigating such facts as the inspectors deem necessary to determine whether any person has violated any provision of the FLSA.

[9] 29 CFR § 516.2 –516.9 and 29 CFR § 553.50 list the records that are required to be kept.

[10] The district must display minimum wage posters in "conspicuous places" (each work site). They can be downloaded from the DOL by going to http://www.dol.gov/whd/regs/compliance/posters/flsa.htm

Legal References:
[A]: 29 USC § 206(a), ACA § 6-17-2203
[B]: 29 USC § 207(a)(1), 29 CFR § 778.100
[C]: 29 USC § 207(o), 29 CFR § 553.50
[D]: 29 USC § 213(a), 29 CFR §§ 541 et seq.
[E]: 29 CFR § 778.218(a)
[F]: 29 USC § 207(e), 29 CFR § 778.108
[G]: 29 CFR § 778.105
[H]: 29 CFR §§ 785.9, 785.16
[I]: 29 CFR § 516.2(7)
[J]: 29 CFR §§ 785.1 et seq.
[K]: A.C.A. § 6-17-2205 and 2207
[L]: 29 CFR §§ 785.19
[M]: 29 USC § 207(a), 29 CFR § 778.100, 29 USC § 207(o), 29 CFR §§ 553.20 – 553.32
[N]: 29 CFR § 778.106
[O]: 29 USC § 207(g)(2), 29 CFR § 778.115
[P]: 29 USC § 207(o)(2)(A), 29 CFR § 553.23
[Q]: 29 CFR § 553.20
[R]: 29 USC § 207(o)(4), 29 CFR § 553.27
[S]: 29 USC § 211(c), 29 CFR §§ 516.2, 516.3, 553.50
[T]: 29 CFR § 516.4
[U]: 29 CFR §§ 516.5, 516.6
[V]: 29 USC § 211(a)(b)

Date Adopted:
Last Revised:7/1/2016

8.12 - CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT

An employee of the District may not be employed in any other capacity during regular working hours. An employee may not accept employment outside of his district employment which will interfere, or otherwise be incompatible with the District employment, including normal duties outside the regular work day; nor shall an employee accept other employment which is inappropriate for an employee of a public school.

The Superintendent, or his designee(s), shall be responsible for determining whether outside employment is incompatible, conflicting, or inappropriate.

When a classified employee is additionally employed by the District by a contract for a second classified position or to perform supplementary duties for a stipend or multiplier, the duties, expectations, and obligations of the primary position employment contract shall prevail over all other employment duties unless the needs of the district dictate otherwise. If there is a conflict between the expectations of the primary position and any other contracted position, the employee shall notify the employee's building principal as far in advance as is practicable. The Building principal shall verify the existence of the conflict by contacting the supervisor of the secondary contracted position. The building principal shall determine the needs of the district on a case-by-case basis and rule accordingly. The principal's decision is final with no appeal to the Superintendent or the School Board. Frequent conflicts or scheduling problems could lead to the non-renewal or termination of the conflicting contract of employment or the contract to perform the supplementary duties.

For employees who work two or more jobs for the District, the superintendent or designee shall specify which is the employee's primary job. If circumstances change, the determination can be changed to reflect the current needs of the District. Furthermore, if on any given day, one of the employee's jobs requires more hours worked than is customary, the District reserves the right to lessen the number of hours the employee may work in his/her other job such that the employee does not exceed forty (40) hours worked in that week.

Sick Leave and Outside Employment

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 8.26, if an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

Legal Reference: A.C.A. § 6-24-106, 107, 111
Date Adopted:
Last Revised: 05/29/2014

8.13 - CLASSIFIED PERSONNEL EMPLOYMENT

All prospective employees must fill out an application form provided by the District, in addition to any resume provided; all of the information provided is to be placed in the personnel file of those employed.

If the employee provides false or misleading information, or if he/she withholds information to the same effect, it may be grounds for dismissal. In particular, it will be considered a material misrepresentation and grounds for termination of contract of employment if an employee's application information is discovered to be other than as was represented by the employee, either in writing on application materials or in the form of representations made to the school district.

It is grounds for termination of contract of employment if an employee fails a criminal background check or receives a true report on the Child Maltreatment Central Registry check.[1]

An employee who receives notification of a failure to pass a criminal background check or a true result on the Child Maltreatment Central Registry check shall have thirty (30) days following the notification to submit to the superintendant, or designee, a written request for a hearing before the Board to request a waiver. The written request should include any documentation, such as police reports, or other materials that are related to the event giving rise to the failed background check or true result on the Child Maltreatment Registry as well as information supporting your request for the waiver. Employees requesting a board hearing to request a waiver should be aware that this hearing is subject to the Arkansas Freedom of Information Act and it must be fully open to the public as a result.

An individual with a currently suspended license or whose license has been revoked by the State Board of Education is not eligible to be employed by the District; this prohibition includes employment as a substitute teacher, whether directly employed by the District or providing substitute teaching services under contract with an outside entity.

The District is an equal opportunity employer and shall not discriminate on the grounds of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, age, disability, or genetic information.[2]

Inquiries on non-discrimination may be directed to Dan Breshears [3], who may be reached at 870-356-2912[4].

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

In accordance with Arkansas law[5], the District provides a veteran preference to applicants who qualify for one of the following categories:

1. a veteran without a service-connected disability;
2. a veteran with a service-connected disability; and
3. a deceased veteran's spouse who is unmarried throughout the hiring process.

For purposes of this policy, "veteran" is defined as:

a. A person honorably discharged from a tour of active duty, other than active duty for training only, with the armed forces of the United States; or
b. Any person who has served honorably in the National Guard or reserve forces of the United States for a period of at least six (6) years, whether or not the person has retired or been discharged.

In order for an applicant to receive the veterans preference, the applicant must be a citizen and resident of Arkansas, be substantially equally qualified as other applicants and do all of the following:
1. Indicate on the employment application the category the applicant qualifies for;
2. Attach the following documentation, **as applicable**, to the employment application:
   - Form DD-214 indicating honorable discharge;
   - A letter dated within the last six months from the applicant's command indicating years of service in the National Guard or Reserve Forces as well as the applicant's current status;
   - Marriage license;
   - Death certificate;
   - Disability letter from the Veteran's Administration (in the case of an applicant with a service-related disability).

Failure of the applicant to comply with the above requirements shall result in the applicant not receiving the veteran preference; in addition, meeting the qualifications of a veteran or spousal category does not guarantee either an interview or being hired.

Notes: This policy is similar to Policy 3.19. If you change this policy, review 3.19 at the same time to ensure applicable consistency between the two.

[1] An expunged, sealed, or pardoned conviction shall not disqualify a person from employment if the conviction is ten (10) or more years old and does not involve the physical or sexual injury, mistreatment, or abuse of another.

~~[1]~~[2] A copy of the non discrimination statement should be included in all district publications unless the publication is intended only for students and parents. Publications intended only for students and parents should include the nondiscrimination clause in Policy 4.11—EQUAL EDUCATIONAL OPPORTUNITY.

~~[2]~~[3] Insert the position(s) designated to be contacted on discrimination inquiries. If you have different positions designated to answer questions on disability discrimination (504 coordinator) and sex discrimination (Title IX coordinator), then you will need to include the position responsible for each area. Do not include the name(s) of the person(s) to be contacted in the policy; changing the name of the person (due to a staffing change) would necessitate amending the policy, which would require it to go through the entire adoption process.

~~[3]~~[4] Insert the address and phone number to be used to contact the designated position. If you have more than one position designated as set forth in footnote 2, you will need to include a contact number and address for each position. The contact number and address may be the school/district address and phone number.

[45] Act 444 of 2013, as codified at A.C.A. § 21-3-301 et seq., added public schools to the list of employers required to provide a preference to applicants who qualify for a veteran or a deceased veteran's spouse category when selecting interview candidates, during the interview process, in selecting a new employee.

A.C.A. § 21-3-302 covers the requirements for giving a veteran preference during the application, interview, and hiring processes. The statute does not require districts to use a particular scoring method to demonstrate giving a preference and districts can continue using the system they have previously been using. However, A.C.A. § 21-3-302 and A.C.A. § 21-3-303 require districts be able to demonstrate that any qualifying applicant was given a preference during the entire application, interview, and hiring, processes.

If a veteran who is not hired requests, the district must provide the veteran with his/her base score, adjusted score, and the successful candidate's score. While there is no statutorily required method, ASBA suggests districts use a numerical scoring rubric for the entire hiring process. The use of such a rubric makes it easy to demonstrate a preference was given as you can point to where qualifying applicants received additional points. Districts that don't use a numerical scoring method are required, upon a veteran's request, to provide all documentation allowed to be released under FOIA to the veteran to demonstrate how the preference was used to develop the list of qualified candidates to be interviewed and to select the person actually hired.

Legal References: A.C.A. § 6-17-414
A.C.A. § 21-3-302
A.C.A. § 21-3-303
A.C.A. § 25-19-101 et seq.
28 C.F.R. § 35.106
29 C.F.R. part 1635
34 C.F.R. § 100.6
34 C.F.R. § 104.8
34 C.F.R. § 106.9
34 C.F.R. § 108.9
34 C.F.R. § 110.25

Date Adopted:
Last Revised: 7/1/2016

8.14 - CLASSIFIED PERSONNEL TRAVEL AND REIMBURSEMENT OF TRAVEL EXPENSES

Employees shall be reimbursed for personal and/or travel expenses incurred while performing duties or attending workshops or other employment-related functions, provided that prior written approval for the activity for which the employee seeks reimbursement has been received from the Superintendent, principal (or other immediate supervision with the authority to make school approvals), or the appropriate designee of the Superintendent and that the employee's attendance/travel was at the request of the district.

It is the responsibility of the employee to determine the appropriate supervisor from which he must obtain approval.

Reimbursement claims must be made on forms provided by the District and must be supported by appropriate, original receipts. Copies of receipts or other documentation are not acceptable, except in extraordinary circumstances.

Use of School Vehicle by Staff

The school vehicle may be used for school-related purposes, away from the school campus, with special permission from the Superintendent's Office. The school vehicles will be on a first-come, first-served basis. However, a person may be "bumped" by a staff member going a greater distance. In that case, the staff member being denied leave will receive mileage reimbursement at the district's current rate per mile.

If more than one person is going to the same meeting, arrangements should be made to carpool. The school will only reimburse for one trip vehicle unless otherwise preapproved in advance by the administration.

All out-of-state travel and related expenses by staff must be pre-approved by the superintendent. When traveling distances where warranted, airfare or mileage reimbursement may be requested with the amount granted the being the lesser amount of the two.

Date Adopted:
Last Revised: 06/13/11

8.15 - CLASSIFIED PERSONNEL TOBACCO USE

Smoking or the use of tobacco, or products containing tobacco in any form, in or on any property owned or leased by the district, including buses or other school vehicles, is prohibited.

Violation of this policy by employees shall be grounds for disciplinary action up to, and including, dismissal.

Legal Reference: A.C.A. § 6-21-609

Date Adopted:
Last Revised: 06/13/11

8.16 - DRESS OF CLASSIFIED EMPLOYEES

Employees shall ensure that their dress and appearance are professional and appropriate to their positions.

Date Adopted:
Last Revised:

8.17 - CLASSIFIED PERSONNEL POLITICAL ACTIVITY

Employees are free to engage in political activity outside of work hours and to the extent that it does not affect the performance of their duties or adversely affect important working relationships.

It is specifically forbidden for employees to engage in political activities on the school grounds or during work hours. The following activities are forbidden on school property:

1. Using students for preparation or dissemination of campaign materials;

2. Distributing political materials;

3. Distributing or otherwise seeking signatures on petitions or any kind;

4. Posting political materials; and

5. Discussing political matters with students, in or out of the classroom, in other than circumstances appropriate to the employee's responsibilities to the students and where a legitimate pedagogical reason exists.

Date Adopted:
Last Revised:

8.18 - CLASSIFIED PERSONNEL DEBTS

For the purposes of this policy, "garnishment" of a district employee is when the employee has lost a lawsuit to a judgment creditor who brought suit against a school district employee for an unpaid debt, has been awarded money damages as a result, and these damages are recoverable by filing a garnishment action against the employee's wages. For the purposes of this policy, the word "garnishment" excludes such things as child support, student loan or IRS liens or deductions levied against an employee's wages.

All employees are expected to meet their financial obligations. If an employee writes "hot" checks or has his income garnished by a judgment creditor, dismissal may result.

An employee will not be dismissed for having been the subject of one (1) garnishment. However, a second or third garnishment may result in dismissal.

At the discretion of the Superintendent, he or his designee may meet with an employee who has received a second garnishment for the purpose of warning the employee that a third garnishment will result in a recommendation of dismissal to the School Board.

At the discretion of the Superintendent, a second garnishment may be used as a basis for a recommended dismissal. The Superintendent may take into consideration other factors in deciding whether to recommend dismissal based on a second garnishment. Those factors may include, but are not limited to, the amount of the debt, the time between the first and the second garnishment, and other financial problems which come to the attention of the District.

Date Adopted:
Last Revised: 05/28/13

8.19 - CLASSIFIED PERSONNEL GRIEVANCES

The purpose of this policy is to provide an orderly process for employees to resolve, at the lowest possible level, their concerns related to the personnel policies or salary payments of this district.

Definitions

Grievance: a claim or concern related to the interpretation, application, or claimed violation of the personnel policies, including salary schedules, federal or state laws and regulations, or terms or conditions of employment, raised by an individual employee of this school district. Other matters for which the means of resolution are provided or foreclosed by statute or administrative procedures shall not be considered grievances. Specifically, no grievance may be entertained against a supervisor for directing, instructing, reprimanding, or "writing up: an employee under his/her supervision. A group of employees who have the same grievance may file a group grievance.

Group Grievance: A grievance may be filed as a group grievance if it meets the following criteria:) meeting the criteria does not ensure that the subject of the grievance is, in fact, grievable)

1. More than one individual has interest in the matter; and
2. The group has a well-defined common interest in the facts and/or circumstances of the grievance; and
3. The group has designated an employee spokesperson to meet with administration and/or the board; and
4. All individuals within the group are requesting the same relief.

Employee: any person employed under a written contract by this school district.

Immediate Supervisor: the person immediately superior to an employee who directs and supervises the work of that employee.

Working day: Any weekday other than a holiday whether or not the employee under the provisions of their contract is scheduled to work or whether they are currently under contract.

Process

Level One: An employee who believes that he/she has a grievance shall inform that employee's immediate supervisor that the employee has a potential grievance and discuss the matter with the supervisor within five working days of the occurrence of the grievance. The supervisor shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. (The five-day requirement does not apply to grievances concerning back pay.) If the grievance is not advanced to Level Two within five days following the conference, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

If the grievance cannot be resolved by the immediate supervisor, the employee can advance the grievance to Level Two. To do this, the employee must complete the top half of the Level Two Grievance Form within five working days of the discussion with the immediate supervisor, citing the manner in which the specific personnel policy was violated that has given rise to the grievance, and submit the Grievance Form to his/her immediate supervisor. The supervisor will have ten working days to respond to the grievance using the bottom half of the Level Two Grievance Form which he/she will submit to the building principal or, in the event that the employee's immediate supervisor is the building principal, the superintendent.

Level Two: (when appeal is to the building principal): Upon receipt of a Level Two Grievance Form, the building principal will have ten working days to schedule a conference with the employee filing the grievance. The principal shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. After the conference, the principal will have ten working days in which to deliver a written response to the grievance to the employee. If the grievance is not advanced to Level Three, within five working days the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

Level Two (when appeal is to the superintendent): Upon receipt of a Level Two Grievance Form, the superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

Level Three: If the proper recipient of the Level Two Grievance was the building principal, and the employee remains unsatisfied with the written response to the grievance, the employee may advance the grievance to the superintendent by submitting a copy of the Level Two Grievance Form and the principal's reply to the superintendent within five working days of his/her receipt of the principal's reply. The superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee's immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

Appeal to the Board of Directors: An employee who remains unsatisfied by the written response of the superintendent may appeal the superintendent's decision to the Board of Education within five working days of his/her receipt of the Superintendent's written response by submitting a written request for a board hearing to the superintendent. If the grievance is not appealed to the Board of Directors within five working days of his/he receipt of the superintendent's response, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

The school board will address the grievance at the next regular meeting of the school board, unless the employee agrees in writing to an alternate date for the hearing. After reviewing the Level Two Grievance Form and the superintendent's reply, the board will decide if the grievance, on its face, is grievable under district policy. If the grievance is presented as a "group grievance," the Board shall first determine if the composition of the group meets the definition of a "group grievance." If the Board determines that it is a group grievance, the Board shall then determine whether the matter raised is grievance. If the Board rules the composition of the group does not meet the definition of a group grievance, or the grievance, whether group or individual, is not grievable, the matter shall be considered closed. (Individuals within the disallowed group may choose to subsequently re-file their grievance as an individual grievance beginning with Level One of the process.) If the Board rules the grievance to be grievable, they shall immediately commence a hearing on the grievance. All Parties have the right to representation by a person of their own choosing who is not a member of the employee's immediate family at the appeal hearing before the Board of Directors. The employee shall have no less than 90 minutes to present his/her grievance, unless a shorter period is agreed to by the employee, and both parties shall have the opportunity to present and question witnesses. The hearing shall be open to the public unless the employee requests a private hearing. If the hearing is open, the parent or guardian of any student under the age of eighteen years who gives testimony may elect to have the student's

testimony given in closed session. At the conclusion of the hearing, if the hearing was closed, the Board of Directors may excuse all parties except board members and deliberate, by themselves, on the hearing. At the conclusion of an open hearing, board deliberations shall also be in open session unless the board is deliberating the employment, appointment, promotion, demotion, disciplining, or resignation of the employee. A decision on the grievance shall be announced no later than the next regular board meeting.

Records
Records related to grievances will be filed separately and will not be kept in, or made part of, the personnel file of any employee

Reprisals
No reprisals of any kind will be taken or tolerated against any employee because he/she has filed or advanced a grievance under this policy.

Legal Reference: ACA § 6-17-208, 210

Date Adopted:
Last Revised:

8.19F - LEVEL TWO GRIEVANCE FORM – CLASSIFIED

Name: _____

Date submitted to supervisor: _____

Non-certified Personnel Policy grievance is based upon:

_____

Grievance (be specific): _____

_____

_____

_____

_____

_____

_____

What would resolve your grievance? _____

_____

_____

_____

_____

_____

Supervisor's Response

Date submitted to recipient: _____

_____

_____

_____

_____

_____

_____

8.20 - CLASSIFIED PERSONNEL SEXUAL HARASSMENT

The Centerpoint School District is committed to having an academic and work environment in which all students and employees are treated with respect and dignity. Student achievement and amicable working relationships are best attained in an atmosphere of equal education and employment opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

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

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

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

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

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

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

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

Employees who believe they have been subjected to sexual harassment are encouraged to file a complaint by contacting their immediate supervisor, administrator, or Title IX coordinator who will assist them in the complaint process. Under no circumstances shall an employee be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment. To the extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation.

Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form.

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

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

Legal References:	Title IX of the Education Amendments of 1972, 20 USC 1681, et seq. Title VII of the civil Rights Act of 1964, 42 USC 2000-e, et seq. ACA § 6-15-1005 (b) (1)

Date Adopted:
Last Revised: 06/13/11

8.21 - CLASSIFIED PERSONNEL SUPERVISION OF STUDENTS

All District personnel are expected to conscientiously execute their responsibilities to promote the health, safety, and welfare of the District's students under their care. The Superintendent shall direct all principals to establish regulations ensuring adequate supervision of students throughout the school day and at extracurricular activities.

Date Adopted:
Last Revised:

8.22 - CLASSIFIED PERSONNEL COMPUTER USE POLICY

The Centerpoint School District provides computers and/or computer Internet access for many employees, to assist employees in performing work related tasks. Employees are advised that they enjoy **no expectation of privacy** in any aspect of their computer use, including email, and that under Arkansas law, both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act. Consequently, no employee or student-related reprimands or other disciplinary communications should be made through email.

Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. The designated District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during work or instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.

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

Date Adopted:
Last Revised:

8.22F - CLASSIFIED PERSONNEL INTERNET USE AGREEMENT

Name (Please Print) _____

School: _____ Date: _____

The Centerpoint School District agrees to allow the employee identified above ("Employee") to use the district's technology to access the Internet under the following terms and conditions:

1. Conditional Privilege: The Employee's use of the district's access to the Internet is a privilege conditioned on the Employee's abiding by this agreement.

2. Acceptable Use: The Employee agrees that in using the District's Internet access he/she will obey all federal and state laws and regulations. Internet access is provided as an aid to employees to enable them to better perform their job responsibilities. Under no circumstances shall an Employee's use of the District's Internet access interfere with, or detract from, the performance of his/her job-related duties.

3. Penalties for Improper Use: If the Employee violates this agreement and misuses the Internet, the Employee shall be subject to disciplinary action up to and including termination.

4. "Misuse of the District's access to the Internet" includes, but is not limited to, the following:
    a. using the Internet for any activities deemed lewd, obscene, vulgar, or pornographic as defined by prevailing community standards;
    b. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
    c. posting anonymous messages on the system;
    d. using encryption software;
    e. wasteful use of limited resources provided by the school including paper;
    f. causing congestion of the network through lengthy downloads of files;
    g. vandalizing data of another user;
    h. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
    i. gaining or attempting to gain unauthorized access to resources or files;
    j. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
    k. using the network for financial or commercial gain without district permission;
    l. theft or vandalism of data, equipment, or intellectual property;
    m. invading the privacy of individuals;

n. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
o. introducing a virus to, or otherwise improperly tampering with, the system;
p. degrading or disrupting equipment or system performance;
q. creating a web page or associating a web page with the school or school district without proper authorization;
r. attempting to gain access or gaining access to student records, grades, or files of students not under their jurisdiction;
s. providing access to the District's Internet Access to unauthorized individuals; or
t. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption to the orderly operation of the district or any of its schools;
u. making unauthorized copies of computer software;
v. personal use of computers during instructional time

5. Liability for Debts: Staff shall be liable for any and all costs (debts) incurred through their use of the District's computers or the Internet including penalties for copyright violations.

6. No Expectation of Privacy: The Employee signing below agrees that in using the Internet through the District's access, he/she waives any right to privacy the Employee may have for such use. The employee agrees that the district may monitor the Employee's use of the District's Internet Access and may also examine all system activities the Employee participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system.

7. Signature: The Employee, who has signed below, has read this agreement and agrees to be bound by its terms and conditions.

Employee's Signature: _____ Date: _____

8.23 - CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE

The Family and Medical Leave Act (FMLA) offers job protection for leave that might otherwise be considered excessive absences. Employees need to carefully comply with this policy to ensure they do not lose FMLA protection due to inaction or failure to provide the District with needed information. The FMLA provides up to twelve (12) work weeks (or, in some cases twenty-six (26) weeks) of job-protected leave to eligible employees with absences that qualify under the FMLA. While an employee can request FMLA leave and has a duty to inform the District, as provided in this policy, of foreseeable absences that may qualify for FMLA leave, it is the District's ultimate responsibility to identify qualifying absences as FMLA or non-FMLA. FMLA leave is unpaid, except to the extent that paid leave applies to any given absence as governed by the FMLA and this policy.

SECTION ONE – FMLA LEAVE GENERALLY

Definitions~~:~~

"Eligible Employee" is an employee who has:

1. Been employed by the District for at least twelve (12) months, which are not required to be consecutive; and
2. Performed at least 1250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave.[1]

"FMLA" is the Family and Medical Leave Act

"Health Care Provider" means:

a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices;
b. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X–ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;

c. Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;
d. Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement; or
e. Any other person determined by the U.S. Secretary of Labor to be capable of providing health care services.

"Instructional Employee" is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting and includes athletic coaches, driving instructors, preschool teachers, and special education assistants such as signers for the hearing impaired. The term does not include, and the special rules related to the taking of leave near the end of a semester do not apply to~~,~~: teacher assistants or aides who do not have as their principal job actual teaching or instructing, administrators, counselors, librarians, psychologists, and curriculum specialists.

"Intermittent leave" is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time.

"Next of Kin", used in respect to an individual, means the nearest blood relative of that individual.

"Parent" is the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or a daughter. This term does not include parents "in-law."

"Serious Health Condition" is an injury, illness, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility or continuing treatment by a health care provider.

"Son or daughter", for numbers 1, 2, or 3 below, is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.[2]

"Year" the twelve (12) month period of eligibility shall begin on July first of each school-year.[3]

Policy

The provisions of this policy are intended to be in line with the provisions of the FMLA. If any conflict(s) exist, the Family and Medical Leave Act of 1993, as amended, shall govern.

Leave Eligibility

The District will grant up to twelve (12) weeks of leave in a year in accordance with the FMLA, as amended, to its eligible employees for one or more of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;
2. Because of the placement of a son or daughter with the employee for adoption or foster care;
3. To care for the spouse, son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.; and
5. Because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. (See Section Two)
6. To care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury. (See Section Two)

The entitlement to leave for reasons 1 and 2 listed above shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

A legally married couple who are both eligible employees employed by the District may not take more than a combined total of twelve (12) weeks of FMLA leave for reasons 1, 2, or to care for a parent under number 3.

Provisions Applicable to both Sections One and Two

District Notice to Employees

The District shall post, in conspicuous places in each school within the District where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor.[4]

Designation Notice to Employee

When an employee requests FMLA leave or the District determines that an employee's absence may be covered under the FMLA, the District shall provide written notice within five (5) business days (absent extenuating circumstances) to the employee of the District's determination of his/her eligibility for FMLA leave.[5] If the employee is eligible, the District may request additional information from the employee and/or certification from a health care provider to help make the applicability[6] determination. After receiving sufficient information as requested, the District shall provide a written notice within five (5) business days (absent extenuating circumstances) to the employee of whether the leave qualifies as FMLA leave and will be so designated.[7]

If the circumstances for the leave don't change, the District is only required to notify the employee once of the determination regarding the designation of FMLA leave within any applicable twelve (12) month period.

Employees who receive notification that the leave request does not qualify under the FMLA are expected to return to work; further absences that are not otherwise excused could lead to discipline for excessive absences, or termination for job abandonment.

Concurrent Leave Under the FMLA

All FMLA leave is unpaid unless substituted by applicable accrued leave. The District requires employees to substitute any applicable accrued leave (in the order of sick, personal, or vacation leave as may be applicable) for any period of FMLA leave.[6]

An employee who does not have enough accrued leave to cover the number of days of FMLA leave taken shall not have his/her number of contract days altered because some of the FMLA leave taken was unpaid.

Working at another Job while Taking FMLA for Personal or Family Serious Medical Condition

No employee on FMLA leave for their own serious medical condition may perform work at another, non-district job while on FMLA leave. Except as provided in policy 8.36, employees who do perform work at another, non-district job while on FMLA leave for their own serious medical condition will be subject to discipline, which could include termination or nonrenewal of their contract of employment.

No employee on FMLA leave for the serious medical condition of a family member may perform work at another, non-district job while on FMLA leave. Employees who do perform work at another, non-district job while on FMLA leave for the serious medical condition of a family member will be subject to discipline, which could include termination or nonrenewal of their contract of employment.

Health Insurance Coverage

The District shall maintain coverage under any group health plan for the duration of FMLA leave the employee takes at the level and under the conditions coverage would have been provided if the employee had continued in active employment with the District. Additionally, if the District makes a change to its health insurance benefits or plans that apply to other employees, the employee on FMLA leave must be afforded the opportunity to access additional benefits and/or the same responsibility for changes to premiums. Any changes made to a group health plan that apply to other District employees, must also apply to the employee on FMLA leave. The District will notify the employee on FMLA leave of any opportunities to change plans or benefits. The employee remains responsible for any portion of premium payments customarily paid by the employee. When on unpaid FMLA leave, it is the employee's responsibility to submit his/her portion of the cost of the group health plan coverage to the district's business office on or before it would be made by payroll deduction.[8]

The District has the right to pay an employee's unpaid insurance premiums during the employee's unpaid FMLA leave to maintain the employee's coverage during his/her leave. The District may recover the employee's share of any premium payments missed by the employee for any FMLA leave period that the District maintains health coverage for the employee by paying his/her share. Such recovery shall be made by offsetting the employee's debt through payroll deductions or by other means against any monies owed the employee by the District.

An employee who chooses to not continue group health plan coverage while on FMLA leave~~,~~ is entitled to be reinstated on the same terms as prior to taking the leave, including family or dependent coverages, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc.[9]

If an employee gives unequivocal notice of an intent not to return to work, or if the employment relationship would have terminated if the employee had not taken FMLA leave, the District's obligation to maintain health benefits ceases.

If the employee fails to return from leave after the period of leave the employee was entitled has expired, the District may recover the premiums it paid to maintain health care coverage unless:

a. The employee fails to return to work due to the continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under reasons 3 or 4 listed above; and/or
b. Other circumstances exist beyond the employee's control.

Circumstances under "a" listed above shall be certified by a licensed, practicing health care provider verifying the employee's inability to return to work.

Reporting Requirements During Leave

Unless circumstances exist beyond the employee's control, the employee shall inform the district every two (2) weeks[10] during FMLA leave of his/her current status and intent to return to work.

Return to Previous Position

An employee returning from FMLA leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An equivalent position must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, and authority.

The employee's right to return to work and/or to the same or an equivalent position does not supersede any actions taken by the District, such as conducting a RIF, that the employee would have been subject to had the employee not been on FMLA leave at the time of the District's actions.

Provisions Applicable to Section One
Employee Notice to District
Foreseeable Leave

When the need for leave is foreseeable for reasons 1 through 4 listed above, the employee shall provide the District with at least thirty (30) days' notice, before the date the leave is to begin, of the employee's intention to take leave for the specified reason. An eligible employee who has no reasonable excuse for his/her failure to provide the District with timely advance notice of the need for FMLA leave may have his/her FMLA coverage of such leave delayed until thirty (30) days after the date the employee provides notice.

If there is a lack of knowledge of approximately when the leave will be required to begin, a change in circumstances, or an emergency, notice must be given as soon as practicable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

When the need for leave is for reasons 3 or 4 listed above, the eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the District subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

If the need for FMLA leave is foreseeable less than thirty (30) days in advance, the employee shall notify the District as soon as practicable. If the employee fails to notify as soon as practicable, the District may delay granting FMLA leave for the number of days equal to the difference between the number of days in advance that the employee should have provided notice and when the employee actually gave notice.

Unforeseeable Leave

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case.

Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required, unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Medical Certification

Second and Third Opinions: In any case where the District has reason to doubt the validity of the initial certification provided, the District may require, at its expense, the employee to obtain the opinion of a second health care provider designated or approved by the employer. If the second opinion differs from the first, the District may require, at its expense, the employee to obtain a third opinion from a health care provider agreed upon by both the District and the employee. The opinion of the third health care provider shall be considered final and be binding upon both the District and the employee.

Recertification: The District may request, either orally or in writing, the employee obtain a recertification in connection with the employee’s absence, at the employee’s expense, no more often than every thirty (30) days unless one or more of the following circumstances apply:

- The original certification is for a period greater than thirty (30) days. In this situation, the District may require a recertification after the time of the original certification expires, but in any case, the District may require a recertification every six (6) months.
- The employee requests an extension of leave;
- Circumstances described by the previous certification have changed significantly; and/or
- The district receives information that casts doubt upon the continuing validity of the certification.

The employee must provide the recertification within fifteen (15) calendar days after the District's request.

No second or third opinion on a recertification may be required.

The District may deny FMLA leave if an eligible employee fails to provide a requested certification.

Substitution of Paid Leave

When an employee's leave has been designated as FMLA leave for reasons 1 (as applicable), 2, 3, or 4 above, the District requires employees to substitute accrued sick, vacation, or personal leave for the period of FMLA leave.[11]

To the extent the employee has accrued paid vacation or personal leave, any leave taken that qualifies for FMLA leave for reasons 1 or 2 above shall be paid leave and charged against the employee's accrued leave.

Workers Compensation: FMLA leave may run concurrently with a workers' compensation absence when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will be charged for any paid leave accrued by the employee at the rate necessary to bring the total amount of combined income up to 100% of usual contracted daily rate of pay. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a "light duty job," but is unable to return to the employee's same or equivalent job, the employee may decline the District's offer of a "light duty job." As a result, the employee may lose his/her workers' compensation payments, but for the duration of the employee's FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

Return to Work[12]

If the District's written designation determination that the eligible employee's leave qualified as FMLA leave under reason 4 above stated that the employee would have to provide a "fitness-for-duty" certification from a health care provider for the employee to resume work, the employee must provide such certification prior to returning to work. The employee's failure to do so voids the District's obligation to reinstate the employee under the FMLA and the employee shall be terminated.

If the District's written designation determination that the eligible employee's leave qualified as FMLA leave under reason 4 above stated that the employee would have to provide a "fitness-for-duty" certification from a health care provider for the employee to resume work **and** the designation determination listed the employee's essential job functions, the employee must provide certification that the employee is able to perform those functions prior to returning to work. The employee's failure to do so or his/her inability to perform his/her job's essential functions voids the District's obligation to reinstate the employee under the FMLA and the employee shall be terminated.

Failure to Return to Work:

In the event that an employee is unable or fails to return to work within FMLA's leave timelines, the superintendent will make a determination at that time regarding the documented need for a severance of the employee's contract due to the inability of the employee to fulfill the responsibilities and requirements of his/her contract.

Intermittent or Reduced Schedule Leave

To the extent practicable, employees requesting intermittent or reduced schedule leave shall provide the District with not less than thirty (30) days' notice, before the date the leave is to begin, of the employee's intention to take leave.

Eligible employees may only take intermittent or reduced schedule leave for reasons 1 and 2 listed above if the District agrees to permit such leave upon the request of the employee. If the District agrees to permit an employee to take intermittent or reduced schedule leave for such reasons, the agreement shall be consistent with this policy's requirements governing intermittent or reduced schedule leave. The employee may be transferred temporarily during the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and that better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties.

Eligible employees may take intermittent or reduced schedule FMLA leave due to reasons 3 or 4 listed above when the medical need is best accommodated by such a schedule. The eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider.

When granting leave on an intermittent or reduced schedule for reasons 3 or 4 above that is foreseeable based on planned medical treatment, the District may temporarily transfer eligible employees for the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and that better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began. The employee will not be required to take more FMLA leave than necessary to address the circumstances requiring the need for the leave.

Special Provisions relating to Instructional Employees as Defined in This Policy

The FMLA definition of "instructional employees" covers a small number of classified employees. Any classified employee covered under the FMLA definition of an "instructional employee" and whose FMLA leave falls under the FMLA's special leave provisions relating to "instructional employees" shall be governed by the applicable portions of policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

SECTION TWO - FMLA LEAVE CONNECTED TO MILITARY SERVICE

Leave Eligibility

The FMLA provision of military associated leave is in two categories. Each one has some of its own definitions and stipulations. Therefore, they are dealt with separately in this Section of the policy. Definitions different than those in Section One are included under the respective reason for leave. Definitions that are the same as in Section One are NOT repeated in this Section.

Qualifying Exigency

An eligible employee may take FMLA leave for any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. Examples include issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other activities as defined by federal regulations.[13]

Definitions:

"Covered active duty" means:

- in the case of a member of a **regular** component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country; and
- in the case of a member of a **reserve** component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country under a call to order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

"Son or daughter on active duty or call to active duty status" means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active duty status, and who is of any age.

Certification[14]

The District may require the eligible employee to obtain certification to help the district determine if the requested leave qualifies for FMLA leave for the purposes of a qualifying exigency. The District may deny FMLA leave if an eligible employee fails to provide the requested certification.

Employee Notice to District

Foreseeable Leave:

When the necessity for leave for any qualifying exigency is foreseeable, whether because the spouse, son, daughter, or parent of the employee is on covered active duty, or because of notification of an impending call or order to covered active duty, the employee shall provide such notice to the District as is reasonable and practicable regardless of how far in advance the leave is foreseeable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

Unforeseeable Leave:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Substitution of Paid Leave

When an employee's leave has been designated as FMLA leave for any qualifying exigency, the District requires employees to substitute accrued vacation, or personal leave for the period of FMLA leave.

Intermittent or Reduced Schedule Leave

Eligible employees may take intermittent or reduced schedule leave for any qualifying exigency. The employee shall provide the district with as much notice as is practicable.

Special Provisions relating to Instructional Employees as Defined in This Policy

The FMLA definition of "instructional employees" covers a small number of classified employees. Any classified employee covered under the FMLA definition of an "instructional employee" and who's FMLA leave falls under the FMLA's special leave provisions relating to "instructional employees" shall be governed by the applicable portions of policy 3.32— LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

Serious Illness

An eligible employee is eligible for leave to care for a spouse, child, parent or next of kin who is a covered service member with a serious illness or injury under the following conditions and definitions.

Definitions

"Covered Service Member" is:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

"Outpatient Status", used in respect to a covered service member, means the status of a member of the Armed Forces assigned to:

a. A military medical treatment facility as an outpatient; or
b. A unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

"Parent of a covered servicemember" is a covered servicemember's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents "in law."

"Serious Injury or Illness" :

A. ~~(A) i~~In the case of a member of the Armed Forces, including the National Guard or Reserves, it means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
B. ~~(B) i~~In the case of a veteran who was a member of the Armed Forces, including a member of the National Guard of Reserves, at any time during a period as a covered service member defined in this policy, it means a qualifying (as defined by the U.S. Secretary of Labor) injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

"Son or daughter of a covered servicemember" means a covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.[2]

"Year", for leave to care for the serious injury or illness of a covered service member, the twelve (12) month period begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends twelve (12) months after that date.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of twenty-six (26) weeks of leave during one twelve (12) – month period to care for the service member who has a serious injury or illness as defined in this policy. An eligible employee who cares for such a covered service member continues to be limited for reasons 1 through 4 in Section One and for any qualifying exigency to a total of twelve (12) weeks of leave during a year as defined in this policy. For example, an eligible employee who cares for such a covered service member for sixteen (16) weeks during a twelve (12) month period could only take a total of ten (10) weeks for reasons 1 through 4 in Section One and for any qualifying exigency. An eligible employee may not take more than twelve (12) weeks of FMLA leave for reasons 1 through 4 in Section One and for any qualifying exigency regardless of how little leave the eligible employee may take to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury.

If a legally married couple are both eligible employees employed by the District, the legally married couple are entitled to a combined total of twenty-six (26) weeks of leave during one twelve (12) month period to care for their spouse, son, daughter, parent, or next of kin who is a covered service member with a serious injury or illness, as defined in this policy. The leave taken by a legally married couple who care for such a covered service member continues to be limited to a total of twelve (12) weeks of FMLA leave for reasons 1 through 4 in Section One and for any qualifying exigency during a year, as defined in this policy, regardless of whether or not the legally married couple uses less than a combined total of fourteen (14) weeks to care for a covered service member with a serious injury or illness; moreover, the legally married couple's twelve (12) weeks are combined when taken for reasons 1, 2, or to care for a parent under reason 3 in Section One.
. For example, a legally married couple who are both eligible employees and who care for such a covered service member for sixteen (16) weeks during a twelve (12) month period could:

1. Each take up to ten (10) weeks for reason 4 in section 1 or a qualifying exigency;
2. Take a combined total of ten (10) weeks for reasons 1, 2, or to care for a parent under reason 3 in Section One; or
3. Take a combination of numbers 1 and 2 that totals ten (10) weeks of leave.

Medical Certification[15]

The District may require the eligible employee to obtain certification of the covered service member's serious health condition to help the District determine if the requested leave qualifies for FMLA leave. The District may deny FMLA leave if an eligible employee fails to provide the requested certification.

Employee Notice to District

Foreseeable Leave

When the need for leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury is clearly foreseeable at least thirty (30) days in advance, the employee shall provide the District with not less than thirty (30) days' notice before the date the employee intends for the leave to begin for the specified reason. An eligible employee who has no reasonable excuse for his/her failure to provide the District with timely advance notice of the need for FMLA leave may have his/her FMLA coverage of such leave delayed until thirty (30) days after the date the employee provides notice.

If the need for FMLA leave is foreseeable less than thirty (30) days in advance, the employee shall notify the District as soon as practicable. If the employee fails to notify as soon as practicable, the District may delay granting FMLA leave for an amount of time equal to the difference between the length of time that the employee should have provided notice and when the employee actually gave notice.

When the need for leave is to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury, the employee shall make a reasonable effort to

schedule the treatment so as not to disrupt unduly the operations of the district subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

Unforeseeable Leave

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required, unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Substitution of Paid Leave

When an employee's leave has been designated as FMLA leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury, the District requires employees to substitute accrued sick, vacation, or personal leave for the period of FMLA leave.

Intermittent or Reduced Schedule Leave

To the extent practicable, employees requesting intermittent or reduced schedule leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury shall provide the District with at least thirty (30) days' notice, before the date the leave is to begin, of the employee's intention to take leave.

Eligible employees may take intermittent or reduced schedule FMLA leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury when the medical need is best accommodated by such a schedule. The eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider.

When granting leave on an intermittent or reduced schedule to care for a spouse, child, parent or next of kin who is a covered service member with a serious illness or injury that is foreseeable based on planned medical treatment, the District may temporarily transfer eligible employees for the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and ~~which~~ that better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began.

Special Provisions relating to Instructional Employees (as defined in this policy)

The FMLA definition of "instructional employees" covers a small number of classified employees. Any classified employee covered under the FMLA definition of an "instructional employee" and whose FMLA leave falls under the FMLA's special leave provisions relating to "instructional employees" shall be governed by the applicable portions of policy 3.32— LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

Notes: This policy is similar to Policy 3.32. If you change this policy, review 3.32 at the same time to ensure applicable consistency between the two.

Determining whether an absence qualifies as FMLA leave is a **DISTRICT** responsibility and not the employee's. While much of the statutes' language refers to an employee's request for FMLA leave, the employee has **NO** mandatory responsibility for initiating the exchange of information that might relate his/her absence to that of the FMLA. The District has the right and the duty to ask for enough information concerning an employee's absence to make a determination. The employee has the responsibility and duty to respond to questions asked in an effort for the District to make the initial determination. Any issue of medical certification to be provided by the employee is secondary to that of informal questioning to determine whether the absence does in fact, fall under the FMLA umbrella. The District must fulfill its responsibility for the posting of employee FMLA notice requirements to make those requirements enforceable. This is done through posting the notices available at the link in footnote #4 **AND** by the employee's receipt of this policy in the employee handbook.

[1] It is possible for a full time employee to be eligible for FMLA leave one year and not the next. For example, if an employee on a 190 day contract takes the full twelve (12) weeks of FMLA leave in year one, that would mean the employee only worked 130 days. Assuming the employee is credited for eight (8) hours per workday, the employee would have only worked 1040 hours during that time (130 x 8=1040), which would make the employee ineligible for FMLA leave for the year following the year that the employee took the leave.

[2] The Wage and Hour Division of the Department of Labor has issued a Guidance to help interpret the scope of the definition of "son or daughter" as it applies to an employee standing "in loco parentis" to a child. The following quote from the Guidance is offered to give an idea of the complexity of the definition. (The Guidance, in full, is available by calling the ASBA office or at the link in footnote #4.)

Congress intended the definition of "son or daughter" to reflect "the reality that many children in the United States today do not live in traditional 'nuclear' families with their biological father and mother. Increasingly, those who find themselves in need of workplace accommodation of their child care responsibilities are not the biological parent of the children they care for, but their adoptive, step, or foster parents, their guardians, or sometimes simply their grandparents or other relatives or adults." Congress stated that the definition was intended to be "construed to ensure that an employee who actually has day-to-day responsibility for caring for a child is entitled to leave even if the employee does not have a biological or legal relationship to that child."

[3] Districts can choose one of four (4) possible "twelve (12) – month periods." Each one has possible advantages and disadvantages. Choose the one that will work best for your district. The four (4) options are:

1) the calendar year;

2) Any fixed twelve (12) – month leave year such as a fiscal year or a year starting on an employee's "anniversary" date;
3) The twelve (12) – month period measured forward from the date any employee's first FMLA leave for reasons 1 through 5 begins;
4) A rolling twelve (12) – month period measured backward from the date an employee uses any FMLA leave for reasons 1 through 5.

4 A Department of Labor poster along with several additional forms that are necessary to fulfill FMLA's requirements are available at http://www.dol.gov/whd/fmla/index.htm. Please note that the DOL forms lack the required disclaimer required by the Genetic Information Nondiscrimination Act (GINA). We suggest that you include the following language taken from the final rule implementing the GINA:

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

5 We suggest you use the Department of Labor's *Notice of Eligibility and Rights and Responsibilities* form (otherwise known as WH-381) to help you fulfill the requirements of this section. It's available at the link in footnote #4 or by calling the ASBA office. When making the determination, we suggest initially erring on the side of granting it. Retroactively designating leave as FMLA has more potential liability for the district if the employee can demonstrate the initial failure to grant the leave under FMLA caused him/her harm or injury. If due to receipt of the medical certification, it turns out that the leave does not qualify, you will need to readjust the available FMLA leave accordingly.

6 As used in this policy, "applicable" is a very important word. Some leave taken under FMLA also applies to sick leave and therefore, the employee will get paid for the leave to the extent the employee has sick leave accrued. Other leave taken under FMLA is not applicable to sick leave and therefore the FMLA leave is unpaid. For instance, "applicable leave" in terms of time taken under FMLA due to the birth of a child will vary depending on the language in your District's policy on sick leave. For instance, if sick leave may be taken "for reason of personal illness or illness in the immediate family" (based on the statutory definition in A.C.A. § 6-17-1202, and an employee gives birth to a child, she may take sick leave for the amount of time that her personal physician deems it necessary for her to physically recover from childbirth. Once the medically necessary time has passed, sick leave is no longer appropriate and cannot be used. While under the FMLA, the employee could take additional time off work, she would need to take unpaid FMLA leave for this purpose, unless she had personal days or vacation days available.

However, if your district has a much more liberal definition of sick leave in District policy, the results could be entirely different. Another example would be the potential for overlap between pregnancy complications that arise to the level of a "serious health condition." For instance, pregnancy complications that rose to the level of a "serious health condition" would qualify for both, while missing work for a dentist's appointment would qualify for sick leave, but would not qualify for FMLA leave. Consult policy 8.5—CLASSIFIED EMPLOYEES SICK LEAVE when making the determination of what sick leave qualifies under both policies.

7 There are several issues that must be addressed in the written notice. The *Designation Notice* (WH-382) available from the Wage and Hour Division of the US Department of Labor is a good way to both give your employee written notice and help ensure you have included the necessary information in the notice. The *Designation Notice* is available at the link contained in footnote #4 or by calling the ASBA office.

8 The District cannot cancel an employee's insurance for the employee's failure to pay his/her share of the premium until the payment is thirty (30) or more days late. The District must give prior, written notice to the employee at least fifteen (15) days prior to the cancelation of the policy stating that the policy will be terminated on a given date if payment is not received by that date, which must be at least fifteen (15) days from the date of the letter.

9 Due to the district's liability for meeting the requirement of this paragraph and similar obligations for life insurance premiums or other benefits, the District needs to consider picking up the costs of such premiums during an employee's **unpaid** FMLA leave **if** the employee fails to pay his/her share of the costs. If the District elects to maintain such benefits during the leave, at the conclusion of leave the District is entitled to recover only the costs incurred for paying the employee's share of any premiums whether or not the employee returns to work. To help you decide if you should choose to pay premium costs in such a situation, the following excerpt from 29 CFR 825.212(c):

If coverage lapses because an employee has not made required premium payments, upon the employee's return from FMLA leave the employer must still restore the employee to coverage/benefits equivalent to those the employee would have had if leave had not been taken and the premium payment(s) had not been missed, including family or dependent coverage. See § 825.215(d)(1) through (5). In such case, an employee may not be required to meet any qualification requirements imposed by the plan, including any new preexisting condition waiting period, to wait for an open season, or to pass a medical examination to obtain reinstatement of coverage. If an employer terminates an employee's insurance in accordance with this section and fails to restore the employee's health insurance as required by this section upon the employee's return, the employer may be liable for benefits lost by reason of the violation, for other actual monetary losses sustained as a direct result of the violation, and for appropriate equitable relief tailored to the harm suffered.

10 You may choose the time interval of the required duty to report, but it must be reasonable.

[11] ASBA model policy 8.5—CLASSIFIED EMPLOYEES SICK LEAVE includes language entitling employees with up to fifteen (15) days of sick leave in a school-year for issue relating to the adoption of a child. If you have not adopted this provision, delete #2 from this sentence. Include reason #1 if you have a liberal sick leave policy that would permit leave to be taken for bonding with a new born son or daughter.

[12] The Department of Labor's *Designation Notice* has entries that address this section's requirements. It's very helpful. For this section, you will need both the *Designation Notice* (WH-382) and the appropriate *Medical Certification form* (WH-380-E or WH-380-F); the *Designation Notice* to fulfill your notice requirements and the medical certification form to enable you to determine if the employee's leave is actually covered under the FMLA. They are ~~both~~ available at the link in footnote #4 or by calling the ASBA office.

[13] The types and amounts of leave available for a particular type of qualifying exigency are covered in 29 C.F.R. § 825.126. Call the ASBA office for a copy.

[14] You can use WH-384, *Certification of Qualifying Exigency for Military Family Leave* to obtain the certification. It's available at the link in footnote #4 or by calling the ASBA office.

[15] You can use WH-385, *Covered Service Member Serious Injury* form to obtain the certification. It's available at the link in footnote #4 or by calling the ASBA office.

Cross References: 8.5—CLASSIFIED EMPLOYEES SICK LEAVE
8.12—CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT
8.36—CLASSIFIED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION

Legal References: 29 USC §§ 2601 et seq.
29 CFR part 825

Date Adopted:
Last Revised: 7/1/2016

8.24 - SCHOOL BUS DRIVER'S USE OF MOBILE COMMUNICATION DEVICES

1. "School Bus" is a motorized vehicle that meets the following requirements:
2. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
3. Is operated for the transportation of students from home to school, from school to home, or to and from school events.

Any driver of a school bus shall not operate the school bus while using a device to browse the internet, make or receive phone calls or compose or read emails or text messages. If the school bus is safely off the road with the parking brake engaged, exceptions are allowed to call for assistance due to a mechanical problem with the bus, or to communicate with any of the following during an emergency emergency:

An emergency system response operator or 911 public safety communications dispatcher;
A hospital or emergency room;
A physician's office or health clinic;
An ambulance or fire department rescue service;
A fire department, fire protection district, or volunteer fire department; or
A police department.

In addition to statutorily permitted fines, violations of this policy shall be grounds for disciplinary action up to and including termination.

Legal References: A.C.A. § 6 –19 -120

Date Adopted:
Last Revised: 05/29/2014

8.25 - CLASSIFIED PERSONNEL CELL PHONE USE

Use of cell phones or other electronic communication devices by employees during their designated work time is strictly forbidden unless specifically approved in advance by the superintendent, building principal, or their designees.

All employees are forbidden from using school issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including termination.

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

Cross References: 4.47— POSSESSION AND USE OF CELL PHONES~~,~~ AND OTHER ELECTRONIC DEVICES
7.14—USE OF DISTRICT CELL PHONES AND COMPUTERS

Legal References: IRS Publication 15 B
A.C.A. § 27-51-1602
A.C.A. § 27-51-1609

Date Adopted:
Last Revised: 06/29/2015

8.26 - CLASSIFIED PERSONNEL RESPONSIBILITIES GOVERNING BULLYING

School employees who have witnessed, or are reliably informed that, a student has been a victim of bullying as defined in this policy, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the principal. The principal or his/her designee shall be responsible for investigation the incident(s) to determine if disciplinary action is warranted.

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

District staff are required to help enforce implementation of the district's anti-bullying policy and shall receive the training necessary to comply with this policy. The district's definition of bullying is included below. Students who bully another person are to be held accountable for their actions whether they occur on school equipment or property; off school property at a school-sponsored or school-approved function, activity, or event; or going to or from school or a school activity. 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.

A school principal or his or her designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

District employees are held to a high standard of professionalism, especially when it comes to employee-student interactions. Actions by a District employee towards a student that would constitute bullying if the act had been performed by a student shall result in disciplinary action, up to and including termination. This policy governs bullying directed towards students and is not applicable to adult on adult interactions. Therefore, this policy does not apply to interactions between employees. Employees may report workplace conflicts to their supervisor.[1]

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

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

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

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

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

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

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

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

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

1. Sarcastic comments "compliments" about another student’s personal appearance or actual or perceived attributes,
2. Pointed questions intended to embarrass or humiliate,
3. Mocking, taunting or belittling,

4. Non-verbal threats and/or intimidation such as “fronting” or “chesting” a person,
5. Demeaning humor relating to a student’s race, gender, ethnicity or actual or perceived attributes,
6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
7. Blocking access to school property or facilities,
8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings,
10. Threats of harm to student(s), possessions, or others,
11. Sexual harassment, as governed by policy 8.20, is also a form of bullying, and/or
12. Teasing or name-calling based on the belief or perception that an individual is not conforming to expected gender roles (Example: “Slut”) or conduct or is homosexual, regardless of whether the student self-identifies as homosexual (Examples: “You are so gay.” “Fag” “Queer”).

Notes: A school employee who has reported violations under the school district's policy shall be immune from any tort liability which may arise from the failure to remedy the reported incident.

Act 907 of 2011 requires all personnel to receive training related to compliance with the district’s antibullying policies.

This policy is similar to Policy 3.38. If you change this policy, review 3.38 at the same time to ensure applicable consistency between the two.

1 This paragraph is optional. We have included it because we have received multiple phone calls where district employees were attempting to use the policy against fellow employees.

Legal Reference: A.C.A. § 6-18-514

Date Adopted:
Last Revised: 7/1/2016

8.27 - CLASSIFIED PERSONNEL LEAVE – INJURY FROM ASSAULT

Any staff member who, while in the course of their employment, is injured by an assault or other violent act; while intervening in a student fight; while restraining a student; or while protecting a student from harm, shall be granted a leave of absence for up to one (1) year from the date of the injury, with full pay.

A leave of absence granted under this policy shall not be charged to the staff member's sick leave.

In order to obtain leave under this policy, the staff member must present documentation of the injury from a physician, with an estimate for time of recovery sufficient to enable the staff member to return to work, and written statements from witnesses (or other documentation as appropriate to a given incident) to prove that the incident occurred in the course of the staff member's employment.

Legal Reference: A.C.A. § 6-17-1308

Date Adopted:

Last Revised:

8.28— DRUG FREE WORKPLACE - CLASSIFIED PERSONNEL

The conduct of district staff plays a vital role in the social and behavioral development of our students. It is equally important that the staff have a safe, healthful, and professional environment in which to work. To help promote both interests, the district shall have a drug free workplace. It is, therefore, the district's policy that district employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, alcohol, as well as inappropriate or illegal use of prescription drugs. Such actions are prohibited both while at work or in the performance of official duties while off district property; violations of this policy will subject the employee to discipline, up to and including termination.

To help promote a drug free workplace, the district shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the district's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. *CPC Pinnacle Point Hospital – (800) 880-3322, Family Service Agency (Drug Treatment Center) – (501) 372-4242, Wilbur D. Mills Addiction Treatment Center (White County) – (501) 268-7777, and Center for Youth and Families – (501) 666-9436.*

Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance, whether or not engaged in any school or school-related activity, and the behavior of the employee, if under the influence, is such that it is inappropriate for a school employee in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination. This policy also applies to those employees who are under the influence of alcohol while on campus or at school-sponsored functions, including athletic events.

An employee living on campus or on school owned property is permitted to possess alcohol in his/her residence. The employee is bound by the restrictions stated in this policy while at work or performing his/her official duties.

Possession, use or distribution of drug paraphernalia by any employee, whether or not engaged in school or school-related activities, may subject the employee to discipline, up to and including termination. Possession in one's vehicle or in an area subject to the employee's control will be considered to be possession as though the substance were on the employee's person.

It shall not be necessary for an employee to test at a level demonstrating intoxication by any substance in order to be subject to the terms of this policy. Any physical manifestation of being under the influence of a substance may subject an employee to the terms of this policy. Those physical manifestations include, but are not limited to: unsteadiness; slurred speech; dilated or constricted pupils; incoherent and/or irrational speech; or the presence of an odor associated with a prohibited substance on one's breath or clothing.

Should an employee desire to provide the District with the results of a blood, breath or urine analysis, such results will be taken into account by the District only if the sample is provided

within a time range that could provide meaningful results and only by a testing agency chosen or approved by the District. The District shall not request that the employee be tested, and the expense for such voluntary testing shall be borne by the employee.

Any incident at work resulting in injury to the employee requiring medical attention shall require the employee to submit to a drug test, which shall be paid at the District's worker's compensation carrier's expense.

Failure for the employee to submit to the drug test or a confirmed positive drug test indicating the use of illegal substances or the misuse of prescription medications shall be grounds for the denial of worker's compensation benefits in accordance with policy 8.36—CLASSIFIED PERSONNEL WORKPLACE INJURIES AND WORKERS' COMPENSATION.[2]

Any employee who is charged with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his/her immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive, excluding holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately.

If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.

Any employee so charged is subject to discipline, up to and including termination. However, the failure of an employee to notify his/her supervisor or the Superintendent of having been so charged shall result in that employee being recommended for termination by the Superintendent.

Any employee convicted of any criminal drug statute violation for an offense that occurred while at work or in the performance of official duties while off district property shall report the conviction within 5 calendar days to the superintendent. Within 10 days of receiving such notification, whether from the employee or any other source, the district shall notify federal granting agencies from which it receives funds of the conviction. Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

Any employee convicted of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances, or of drug paraphernalia, shall be recommended for termination.

Any employee who must take prescription medication at the direction of the employee's physician, and who is impaired by the prescription medication such that he/she cannot properly perform his/her duties shall not report for duty. Any employee who reports for duty and is so impaired, as determined by his/her supervisor, will be sent home. The employee shall be given sick leave, if owed any. The District or employee will provide transportation for the employee, and the employee may not leave campus while operating any vehicle. It is the responsibility of the employee to contact his/her physician in order to adjust the medication, if possible, so that the employee may return to his/her job unimpaired. Should the employee attempt to return to work while impaired by prescription medications, for which the employee has a prescription,

he/she will, again, be sent home and given sick leave, if owed any. Should the employee attempt to return to work while impaired by prescription medication a third time the employee may be subject to discipline, up to and including a recommendation of termination.

Any employee who possesses, uses, distributes or is under the influence of a prescription medication obtained by a means other than his/her own current prescription shall be treated as though he was in possession, possession with intent to deliver, or under the influence, etc. of an illegal substance. An illegal drug or other substance is one which is (a) not legally obtainable; or (b) one which is legally obtainable, but which has been obtained illegally. The District may require an employee to provide proof from his/her physician and/or pharmacist that the employee is lawfully able to receive such medication. Failure to provide such proof, to the satisfaction of the Superintendent, may result in discipline, up to and including a recommendation of termination.

A report to the appropriate licensing agency shall be filed within seven (7) days of:

1) A final disciplinary action taken against an employee resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances; or
2) The voluntary resignation of an employee who is facing a pending disciplinary action resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances.

The report filed with the licensing authority shall include, but not be limited to:

- The name, address, and telephone number of the person who is the subject of the report; and
- A description of the facts giving rise to the issuance of the report.

When the employee is not a healthcare professional, law enforcement will be contacted regarding any final disciplinary action taken against an employee for the diversion of controlled substances to one (1) or more third parties.

Notes: This policy is similar to Policy 3.31. If you change this policy, review 3.31 at the same time to ensure consistency between the two.

[1] This is where you should insert the drug counseling services, rehabilitation, and employee assistance abuse programs available within your district. For example, "Such services are available from the following sources…"

This policy addresses the requirement for Safe and Drug Free Schools which is required for your district to be eligible to receive **any** federal grants. It is required that all employees receive a copy of the policy and be advised of the contents and requirements of the policy. In addition to publishing a policy statement, the statutes require employers to establish a drug-free awareness program to educate employees about the dangers of drug abuse as well as about the specifics of their policy. The statute does not specify a particular format for the awareness program, although it does state that the education effort must be ongoing and not just a one-time event. For assistance in constructing a drug awareness program the Department of Labor has the following web site: http://www.dol.gov/asp/programs/drugs/workingpartners/materials/materials.asp.

[2] Requiring employees who need medical treatment for injuries at work to be drug tested is optional but is recommended. A.C.A. § 11-9-102 states that an injury resulting while the employee is under the influence of alcohol or illegal drugs is not a compensable injury. Requiring all employees to be drug tested for work injuries resulting in medical treatment will allow the district to abide the prohibition against paying worker's comp for a drug related injury.

Legal References: 41 U.S.C. § 8101, 8103, and 8104
A.C.A. § 11-9-102
A.C.A. § 17-80-117

Date Adopted:
Last Revised: 7/1/2016

8.29 - CLASSIFIED PERSONNEL VIDEO SURVEILLANCE AND OTHER 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, data compilation devices, and technology capable of tracking the physical location of district equipment, students, and/or personnel.

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

Signs shall be posted on district property and in or on district vehicles to notify students, staff, and visitors that video cameras may be in use. Violations of school personnel policies or laws caught by the cameras and other technologies authorized in this policy may result in disciplinary action.

The district shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording.

Videos, automatic identification, or data compilations containing evidence of a violation of district personnel policies 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 staff handbook; any release or viewing of such records shall be in accordance with current law.

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

Video recordings and automatic identification or data compilation may become a part of a staff member’s personnel record.

Date Adopted:
Last Revised: 06/13/11

8.30 - CLASSIFIED PERSONNEL REDUCTION IF FORCE

SECTION ONE

The School Board acknowledges its authority to conduct a reduction in force (RIF) when a decrease in enrollment or other reason(s) make such a reduction necessary or desirable. A RIF will be conducted when the need for a reduction in the work force exceeds the normal rate of attrition for that portion of the staff that is in excess of the needs of the district as determined by the superintendent.

In effecting a reduction in force, the primary goals of the school district shall be: what is in the best interests of the students; to maintain accreditation in compliance with the Standards of Accreditation for Arkansas Public Schools and/or the North Central Association; and the needs of the district. A reduction in force will be implemented when the superintendent determines it is advisable to do so and shall be effected through non-renewal, termination, or both. Any reduction in force will be conducted by evaluating the needs and long-and short-term goals of the school district in relation to the staffing of the district.

If a reduction in force becomes necessary, the RIF shall be conducted separately for each occupational category of classified personnel identified within the district on the basis of each employee's years of service. The employee within each occupational category with the least years of experience will be non-renewed first. The employee with the most years of employment in the district as compared to other employees in the same category shall be non-renewed last. In the event that employees within a given occupational category have the same length of service to the district the one with the earlier hire date, based on date of board action, will prevail.

When the District is conducting a RIF, all potentially affected classified employees shall receive a listing of the personnel within their category with corresponding totals of years of service. Upon receipt of the list, each employee has ten (10) working days within which to appeal his or her total years of service to the superintendent whose decision shall be final. Except for changes made pursuant to the appeals process, no changes will be made to the list that would affect an employee's total after the list is released.

Total years of service to the district shall include non-continuous years of service; in other words, an employee who left the district and returned later will have the total years of service counted, from all periods of employment. Working fewer than 160 days in a school year shall not constitute a year. Length of service in a licensed position shall not count for the purpose of length of service for a ~~non-~~ classified position. There is no right or implied right for any employee to "bump" or displace any other employee. This specifically does not allow a licensed employee who might wish to assume a classified position to displace a classified employee.

Recall

There shall be no right of recall for any classified employee.

SECTION TWO

The employees of any school district which annexes to, or consolidates with, the Centerpoint District will be subject to dismissal or retention at the discretion of the school board, on the recommendation of the superintendent, solely on the basis of need for such employees on the part of the Centerpoint District, if any, at the time of the annexation or consolidation, or within ninety (90) days after the effective date of the annexation or consolidation. The need for any employee of the annexed or consolidated school district shall be determined solely by the superintendent and school board of the Centerpoint District.

Such employees will not be considered as having any seniority within the Centerpoint District and may not claim an entitlement under a reduction in force to any position held by a Centerpoint District employee prior to, or at the time of, or prior to the expiration of ninety (90) days after the consolidation or annexation, if the notification provision below is undertaken by the superintendent.

The superintendent shall mail or have hand-delivered the notification to such employee of his intention to recommend non-renewal or termination pursuant to a reduction in force within ninety (90) days of the effective date of the annexation or consolidation in order to effect the provisions of this section of the Centerpoint District's reduction-in-force policy. Any such employees who are non-renewed or terminated pursuant to Section Two are not subject to recall. Any such employees shall be paid at the rate for each person on the appropriate level on the salary schedule of the annexed or consolidated district during those ninety (90) days and/or through the completion of the reduction-in-force process.

This subsection of the reduction-in-force policy shall not be interpreted to provide that the superintendent must wait ninety (90) days from the effective date of the annexation or consolidation in order to issue notification of his intention to recommend dismissal through reduction-in-force, but merely that the superintendent has that period of time in which to issue notification so as to be able to invoke the provisions of this section

The intention of this section is to ensure that those Centerpoint District employees who are employed prior to the annexation or consolidation shall not be displaced by employees of the annexed or consolidated district by application of the reduction-in-force policy.

Legal Reference: A.C.A. § 6-17-2407

Date Adopted:
Last Revised: 05/28/2013

8.31 - CLASSIFIED PERSONNEL TERMINATION AND NONRENEWAL

Any classified employee may be discharged for inefficiency, repeated absence from work, conduct unbecoming an employee, insubordination, neglect of duty, or other reasons believed to be in the interest of the district. Dismissal will be recommended by the superintendent to the Board of Education for approval. Should it be deemed necessary in the best interest of the district, the superintendent of schools may discharge an employee immediately.

For procedures relating to the termination and non-renewal of classified employees, please refer to the Public School Employee Fair Hearing Act A.C.A.§ 6-17-1701 through 1705. The Act specifically is not made a part of this policy by this reference.

A copy of the code is available in the office of the principal of each school building.

Legal Reference: A.C.A. § 6-17-2301

Date Adopted:
Last Revised: 06/13/11

8.32 - CLASSIFIED PERSONNEL ASSIGNMENTS

The superintendent shall be responsible for assigning and reassigning classified personnel.

Legal Reference: A.C.A. § 6-17-2301

Date Adopted:
Last Revised:

8.33 - CLASSIFIED PERSONNEL SCHOOL CALENDAR

The superintendent shall present to the PPC a school calendar which the board has adopted as a proposal. The Superintendent, in developing the calendar, shall accept and consider recommendations from any staff member or group wishing to make calendar proposals. The PPC shall have the time prescribed by law and/or policy in which to make any suggested changes before the board may vote to adopt the calendar.

The District shall not establish a school calendar that interferes with any ACTAAP scheduled testing that might jeopardize or limit the valid testing and comparison of student learning gains.

Legal References:	A.C.A. § 6-17-2301 Arkansas Comprehensive Testing, Assessment, and Accountability Plan Rules
Date Adopted:	06/13/2011
Last Revised:	06/29/2015

CENTERPOINT SCHOOL DISTRICT 2016-2017 CALENDAR

June 1-Aug 5	TBD	18 hours PD toward PGP (by admin approval)	(3 days)
August 3	Wednesday	Bus Driver Training	
August 8	Monday	New Staff Training / Teacher Work Day 1	(1 day)
August 9	Tuesday	District PD Day	(1 day)
August 10	Wednesday	District PD Day	(1 day)
August 11	Thursday	District PD Day (8am-2pm)	(1 day)
August 11	Thursday	Open House (5:00-6:30pm)	
August 15	Monday	Kindergarten Screening	
August 15	Monday	First Day of School	
August 22	Monday	First Day of Kindergarten classes	
September 5	Monday	Labor Day (No School)	
October 11	Tuesday	End 1st Quarter	41 days
October 17	Monday	Teacher Work Day 2 (No Students)	(1 day)
October 18	Tuesday	Parent-Teacher Conference 6-12 (3:30pm-7:00pm)	
October 20	Thursday	Parent-Teacher Conference K-5 (3:30pm-7:00pm)	
Nov. 21-25	Monday-Friday	Thanksgiving Holiday	(5 days)
December 16	Friday	End 2nd. Quarter	42 days
Dec. 19-Jan. 2	Monday-Monday	Christmas Holiday	(11 days)
January 3	Tuesday	Return to School	
February 9	Thursday	Parent-Teacher Conference (2:30pm-6:30pm)	(early dismissal)
February 10	Friday	Teacher Work Day 3 (No Students)	(1 day)
February 20	Monday	Inclement Weather day 1 (if not, no school)	(1 day)
March 10	Friday	End 3rd. Quarter	47 days
March 20-24	Monday-Friday	Spring Break	5 days
April 14	Friday	Inclement Weather day 2 if needed (if not, no school)	(1 day)
May 19	Friday	Inclement Weather day 3 (if not, no school)	(1 day)
May 26	Friday	End Fourth Quarter/End 2nd Semester	48 days
May 26	Friday	Last Day of School	178 days
May 29	Monday	Memorial Day Holiday	
May 30	Tuesday	* Inclement Weather day 4 if needed (if not, no students)	(1 day)
May 31	Wednesday	Inclement Weather day 5 if needed (if not, no school)	(1 day)
June 1	Thursday	* Teacher Work Day 4 (will be on 5/30 if no snow day)	(1 day)

Instructional Days	178
Summer PD (by Admin. Approval)	3
Required Professional Development Before School Begins	3
Teacher Work Days	4
Parent Teacher Conferences	2
Teacher Contracted Days	190
Inclement Weather Make-up Days	5 (Required)

PD Days: 36 hours (6 days) of professional development are required of districts and their licensed personnel.

**** District Days*** are the remaining 4 contractual days (of the 10 beyond student days) to be used at the discretion of district admin. In extraordinary circumstances, the superintendent may dismiss a scheduled school day, to be made up on an Inclement Weather day or added to the end of the calendar

8.34 - CLASSIFIED PERSONNEL WHO ARE MANDITORY REPORTERS DUTY TO REPORT CHILD ABUSE, MALTREATMENT OR NEGLECT

It is the statutory duty of classified school district employees **who are mandatory reporters** and who have reasonable cause to suspect child abuse or maltreatment to directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. Failure to report suspected child abuse, maltreatment or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Notification of local or state law enforcement does not satisfy the duty to report; only notification by means of the child Abuse Hotline discharges this duty.

The duty to report suspected child abuse or maltreatment is a direct and personal duty for statutory mandatory reporters, and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment or neglect has occurred, or to rule out such a belief.. Employees and volunteers who call the Child Abuse Hotline in good faith are immune from civil liability and criminal prosecution.

By law, no school district or school district employee may prohibit or restrict an employee or volunteer **who is a mandatory reporter** from directly reporting suspected child abuse or maltreatment, or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline.

Legal References: A.C.A. § 12-18-107
A.C.A. § 12-18-201 et seq.
A.C.A. § 12-18-402

Date Adopted:
Last Revised: 05/28/2013

8.35 - OBTAINING and RELEASING STUDENT'S FREE AND REDUCED PRICE MEAL ELIGIBILITY INFORMATION

Obtaining Eligibility Information

A fundamental underpinning of the National School Lunch and School Breakfast Programs (Programs) is that in their implementation, there will be no physical segregation of, discrimination against, or overt identification of children who are eligible for the Program's benefits. While the requirements of the Programs are defined in much greater detail in federal statutes and pertinent Code of Federal Regulations, this policy is designed to help employees understand prohibitions on how the student information is obtained and/or released through the Programs. Employees with the greatest responsibility for implementing and monitoring the Programs should obtain the training necessary to become fully aware of the nuances of their responsibilities.

The District is required to inform households with children enrolled in District schools of the availability of the Programs and of how the household may apply for Program benefits. However, the District and anyone employed by the district is **strictly forbidden** from **requiring** any household or student within a household from submitting an application to participate in the program. There are NO exceptions to this prohibition and it would apply, for example, to the offer of incentives for completed forms, or disincentives or negative consequences for failing to submit or complete an application. Put simply, federal law requires that the names of the children shall not be published, posted or announced in any manner.

In addition to potential federal criminal penalties that may be filed against a staff member who violates this prohibition, the employee shall be subject to discipline up to and including termination.

Releasing Eligibility Information

As part of the district's participation in the National School Lunch Program and the School Breakfast Program, the district collects eligibility data from its students. The data's confidentiality is very important and is governed by federal law. The district has made the determination to release student eligibility status or information as permitted by law. Federal law governs how eligibility data may be released and to whom. The district will take the following steps to ensure its confidentiality:

Some data may be released to government agencies or programs authorized by law to receive such data without parental consent, while other data may only be released after obtaining parental consent. In both instances, allowable information shall only be released on a need to know basis to individuals authorized to receive the data. The recipients shall sign an agreement with the district specifying the names or titles of the persons who may have access to the eligibility information. The agreement shall further specify the specific purpose(s) for which the data will be used and how the recipient(s) shall protect the data from further, unauthorized disclosures.

The superintendent shall designate the staff member(s) responsible for making eligibility determinations. Release of eligibility information to other district staff shall be limited to as few individuals as possible who shall have a specific need to know such information to perform their job responsibilities. Principals, counselors, teachers, and administrators shall not have routine access to eligibility information or status.

Each staff person with access to individual eligibility information shall be notified of their personal liability for its unauthorized disclosure and shall receive appropriate training on the laws governing the restrictions of such information.

Legal References: Commissioner's Memos IA-05-018, FIN 09-041, IA 99-011, and FIN 13-018
ADE Eligibility Manual for School Meals Revised July 2012
7 CFR 210.1 – 210.31
7 CFR 220.1 – 220.22
7 CFR 245.5, 245.6, 245.8
42 USC 1758(b)(6)

Date Adopted: 06/13/2011
Last Revised: 05/28/2013

8.36 - CLASSIFIED PERSONNEL WORKPLACE INJURIES and WORKERS' COMPENSATION

The district provides Workers' Compensation Insurance, as required by law. Employees who sustain **any** injury at work must immediately notify their immediate supervisor, or in the absence of their immediate supervisor notify the ***building principal or the superintendent***. An injured employee must fill out a Form N and the employee's supervisor will determine whether to report the claim or to file the paperwork if the injury requires neither medical treatment or lost work time. While many injuries will require no medical treatment or time lost at work, should the need for treatment arise later, it is important that there be a record that the injury occurred. All employees have a duty to provide information and make statements as requested for the purposes of the claim assessment and investigation.

For injuries requiring medical attention, the district will exercise its right to designate the initial treating physician and an injured employee will be directed to seek medical attention, if necessary, from a specific physician or clinic. In addition, employees whose injuries require medical attention shall submit to a drug test, which shall be paid at the District's worker's compensation carrier's expense. Failure for the employee to submit to the drug test or a confirmed positive drug test indicating the use of illegal substances or the misuse of prescription medications shall be grounds for the denial of worker's compensation benefits.[2]

A Workers' Compensation absence may run concurrently with FMLA leave (policy 8.23) when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will be charged for any paid leave accrued by the employee at the rate necessary to bring the total amount of combined income up to 100% of usual contracted daily rate of pay. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a "light duty job," but is unable to return to the employee's same or equivalent job, the employee may decline the District's offer of a "light duty job." As a result, the employee may lose his/her workers' compensation payments, but for the duration of the employee's FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

Employees who are absent from work in the school district due to a Workers' Compensation claim may not work at a non-district job until they have returned to full duties at their same or equivalent district job; those who violate this prohibition may be subject to discipline up to and including termination. This prohibition does NOT apply to an employee who~~se~~ has been cleared by his/her doctor to return to "light duty" but the District has no such position available for the employee and the employee's second job qualifies as "light duty".

To the extent an employee has accrued sick leave and a WC claim has been filed, an employee:

- Will be charged for a day's sick leave for the all days missed until such time as the WC claim has been approved or denied;
- Whose WC claim is accepted by the WC insurance carrier as compensable and who is absent for eight or more days shall be charged sick leave at the rate necessary, when combined with WC benefits, to bring the total amount of combined income up to 100% of the employee's usual contracted daily rate of pay;
- Whose WC claim is accepted by the WC insurance carrier as compensable and is absent for 14 or more days will be credited back that portion of sick leave for the first seven (7) days of

absence that is not necessary to have brought the total amount of combined income up to 100% of the employee's usual contracted gross pay.

Notes: This policy is similar to policy 3.44. If you change this policy, review 3.44 at the same time to ensure applicable consistency between the two.

[1] Insert the **position** of the person to be notified.

[2] Requiring employees who need medical treatment for injuries at work to be drug tested is optional but is recommended. A.C.A. § 11-9-102 states that an injury resulting while the employee is under the influence of alcohol or illegal drugs is not a compensable injury. Requiring all employees to be drug tested for work injuries resulting in medical treatment will allow the district to abide the prohibition against paying worker's comp for a drug related injury.

Cross References: 8.5—CLASSIFIED EMPLOYEES SICK LEAVE
8.12—CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT
8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE

Legal References: Ark. Workers Compensation Commission RULE 099.33 - MANAGED CARE
A.C.A. § 11-9-102
A.C.A. § 11-9-508(d)(5)(A)
A.C.A. § 11-9-514(a)(3)(A)(i)

Date Adopted:
Last Revised:7/1/2016

8.37 - CLASSIFIED PERSONNEL SOCIAL NETWORKING AND ETHICS

District staff are encouraged to use educational technology, the Internet, and professional/education social networks to help raise student achievement and to improve communication with parents and students. However, technology and social networking websites also offer staff many ways they can present themselves unprofessionally and/or interact with students inappropriately.

It is the duty of each staff member to appropriately manage all interactions with students, regardless of whether contact or interaction with a student occurs face-to-face or by means of technology, to ensure that the appropriate staff/student relationship is maintained. This includes instances when students initiate contact or behave inappropriately themselves.

Public school employees are, and always have been, held to a high standard of behavior. Staff members are reminded that whether specific sorts of contacts are permitted or not specifically forbidden by policy, they will be held to a high standard of conduct in all their interactions with students. Failure to create, enforce and maintain appropriate professional and interpersonal boundaries with students could adversely affect the District's relationship with the community and jeopardize the employee's employment with the district.

Staff are reminded that the same relationship, exchange, interaction, information, or behavior that would be unacceptable in a non-technological medium, is unacceptable when done through the use of technology. In fact, due to the vastly increased potential audience digital dissemination presents, extra caution must be exercised by staff to ensure they don't cross the line of acceptability. A good rule of thumb for staff to use is, "if you wouldn't say it face-to-face in a group, don't say it online."

Whether permitted or not specifically forbidden by policy, or when expressed in an adult-to-adult, face-to-face context, what in other mediums of expression could remain private opinions, when expressed by staff on a social networking website, have the potential to be disseminated far beyond the speaker's desire or intention.

This could undermine the public's perception of the individual's fitness to interact with students, thus undermining the employee's effectiveness. In this way, the expression and publication of such opinions, could potentially lead to disciplinary action being taken against the staff member, up to and including termination or nonrenewal of the contract of employment.

Accessing social networking websites for personal use during school hours is prohibited, except during breaks or preparation periods. Staff members are discouraged from accessing social networking websites on personal equipment during their breaks and/or preparation periods because, while this is not prohibited, it may give the public appearance that such access is occurring during instructional time. Staff shall not access social networking websites using district equipment at any time, including during breaks or preparation periods, except in an emergency situation or with the express prior permission of administration. All school district employees who participate in social networking websites shall not post any school district data, documents, photographs, logos, or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

Date Adopted: 06/13/11
Last Revised:

8.38 - CERTIFIED PERSONNEL VACATIONS

240 day contracted employees are credited with 10 days of vacation at the beginning of each fiscal year. This is based on the assumption that a full contract year will be worked. If an employee fails to finish the contract year due to resignation or termination, the employee's final check will be reduced at the rate of .833 days per month, or major portion of a month, for any days used but not earned.

All vacation time must be approved, in advance to the extent practicable, by the superintendent or designee who shall consider the staffing needs of the district in making his/her determination. If vacation is requested, but not approved, and the employee is absent from work in spite of the vacation denial, disciplinary action will be taken against the employee, which may include termination or nonrenewal.

No employee shall be entitled to more than 20 days of vacation as of the first day of each fiscal year. The permissible carry forward includes the 10 days credited upon the start of the fiscal year. Employees having accrued vacation totaling more than 20 days as of the date this policy is implemented shall not be eligible to increase the number of days carried forward during their employment with the district. For employees retiring with three or more years of service to the Centerpoint district, the district will pay for up to twenty (20) earned but unused vacation at the employee's current daily rate of pay.

Date Adopted:
Last Revised: 05/28/2013

8.39 - DEPOSITING COLLECTED FUNDS

From time to time, staff members may collect funds in the course of their employment. It is the responsibility of any staff member to turn over such funds they have collected at least daily to the appropriate administrative office for safekeeping and/or deposit. The Superintendent or his/her designee shall be responsible for determining the need for receipts for funds collected and other record keeping requirements and of notifying staff of the requirements.

Staff members that use any funds collected in the course of their employment for personal purposes, or who deposit such funds in a personal account, may be subject to discipline up to and including termination.

Date adopted: 06/13/11
Last Revised:

8.40 - CLASSIFIED PERSONNEL WEAPONS ON CAMPUS

Firearms[1]

Except as permitted by this policy, no employee of this school district, including those who may possess a "concealed carry permit," shall possess a firearm on any District school campus or in or upon any school bus or at a District designated bus stop.

Employees who meet one or more of the following conditions are permitted to bring a firearm onto school property:

- He/she is participating in a school-approved educational course or program involving the use of firearms such as ROTC programs, hunting safety or military education, or before or after-school hunting or rifle clubs;
- The firearms are securely stored and located in an employee's on-campus personal residence and/or immediately adjacent parking area;[2]
- He/she is a registered, commissioned security guard acting in the course and scope of his/her duties;
- He/she has a valid conceal carry license and leaves his/her handgun in his/her locked vehicle in the district parking lot.

Possession of a firearm by a school district employee who does not fall under any of the above categories anywhere on school property, including parking areas and in or upon a school bus, will result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Other Weapons[3]

ASBA Option 2

An employee may possess a pocket knife which for the purpose of this policy is defined as a knife that can be folded into a case and has a blade or blades of less than three (3) inches or less each. An employee may carry, for the purpose of self-defense, a small container of *tear gas, pepper spray,*[4] or mace which for the purpose of this policy is defined as having a capacity of 150cc or less. Employees are expected to safeguard such items in such a way as to ensure they are not possessed by students. Such items are not to be used against students, parents or other school district employees. Possession of weapons, knives or self-defense items that do not comply with the limits contained herein, the failure of an employee to safeguard such items, or the use of such items against students, parents or other school district employees may result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Employees who are participating in a Civil War reenactment may bring a Civil War era weapon onto campus with prior permission of the building principal. If the weapon is a firearm, the firearm must be unloaded.[5]

Notes: This policy is similar to Policy 3.48. If you change this policy, review Policy 3.48 at the same time to ensure consistency between the two.

[1] The possession of handguns and firearms is a very hot topic. In Arkansas, the laws governing their possession on school grounds are both complicated and less than clear. The two statutes most directly affecting schools are A.C.A. § 5-73-119 (herein after 119) and A.C.A. § 5-73-306 (herein after 306).

119 governs firearms (including handguns) while 306 deals strictly with concealed handguns (those guns having a barrel length of 12" or less).

119 prohibits firearms on "developed school property" while 306 prohibits concealed handgun permit holders from carrying their handguns into school buildings or events but permits the concealed carry licensee to leave a handgun in his/her locked vehicle at a publicly owned parking lot.

119 permits those who are on a "journey beyond the county in which a person lives" to carry handguns and firearms on school property. Technically, this would allow those employees who commute from outside the county in which they teach to bring their firearms to school. While we accept that concealed carry licensees may leave their handgun in their locked vehicle in the parking lot, we see this as complicated to enforce and generally problematic. Also, as we interpret the statute, parents visiting the school for an athletic or other event can bring their handgun, though it must be left in their locked vehicle, with them. We cannot control that through policy.

2 If your district has housing for any employee and that employee chooses to have any firearms in the house, they should be kept in a very secure place. It would be wise to keep them in a locked gun safe so that no one other than the employee has access to them.

3 Select the option that works best for your district. In making your decision, note that in Option #2, you can choose to include only the first or the second sentence or you can keep both sentences. If you keep the first sentence, the length of the blade allowed is limited by A.C.A. § 5-73-120(b)(4) to less than three inches (3"). Also, A.C.A. § 5-73-120(a) prohibits individuals from carrying a weapon "with a purpose to employ the…weapon against a person." Presumably, an employee could possess a small pocket knife with no intent to use it against another person. Inherent in making the decision on either sentence in Option #2 is the possibility of a student taking the knife or the tear gas and misusing it.

4 You can replace "tear gas" with "pepper spray" or leave "tear gas" in the policy and add "pepper spray."

5 While the policy language only specifically covers employees, A.C.A. § 6-5-502 permits any person who is a Civil War reenactor to bring a Civil War era weapon onto campus with the prior permission of the principal.

Legal References: A.C.A. § 5-73-119
A.C.A. § 5-73-120
A.C.A. § 5-73-124(a)(2)
A.C.A. § 5-73-301
A.C.A. § 5-73-306
A.C.A. § 6-5-502

Date Adopted:
Last Revised:7/1/2016

8.41—WRITTEN CODE OF CONDUCT FOR EMPLOYEES INVOLVED IN PROCUREMENT WITH FEDERAL FUNDS

For purposes of this policy, "Family member" includes:

- An individual's spouse;
- Children of the individual or children of the individual's spouse;
- The spouse of a child of the individual or the spouse of a child of the individual's spouse;
- Parents of the individual or parents of the individual's spouse;
- Brothers and sisters of the individual or brothers and sisters of the individual's spouse;
- Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual's spouse; or
- Anyone acting or serving as an agent of the individual or as an agent of the individual's spouse.

No District employee, administrator, official, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds, including the District Child Nutrition Program funds if a conflict of interest exists, whether the conflict is real or apparent. Conflicts of interest arise when one or more of the following has a financial or other interest in the entity selected for the contract:

1. The employee, administrator, official, or agent;
2. Any family member of the District employee, administrator, official, or agent;
3. The employee, administrator, official, or agent's partner; or
4. An organization that currently employs or is about to employ one of the above.

Employees, administrators, officials, or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements including, but not limited to:

a) Entertainment;
b) Hotel rooms;
c) Transportation;
d) Gifts;
e) Meals; or
f) ***Items, other than those of nominal value (e.g. calendar or coffee mug).***[1]

Violations of the Code of Conduct shall result in discipline, up to and including termination. The District reserves the right to pursue legal action for violations.

All District personnel involved in purchases with Federal funds, including child nutrition personnel, shall receive training on the Code of Conduct. Training should include guidance about how to respond when a gratuity, favor, or item with monetary value is offered.[2]

Notes: This policy is similar to Policy 8.41. If you change this policy, review 8.41 at the same time to ensure applicable consistency between the two.

[1] Districts may set standards covering instances where the financial interest is not substantial or the gift is an unsolicited item of nominal value. If you do wish to set standards for these situations, delete this sentence and add a statement permitting such acceptance and the circumstances where it is acceptable.

[2] The training provided should cover instances where there is doubt concerning the appropriateness of accepting gifts, favors, etc. the employee should be instructed to consider the following questions:

- How would the public perceive this action of receiving the gift, favor, etc.?
- Will acceptance of the gift, favor, etc. possibly influence a future purchasing decision?

The training should cover the Rules Governing Ethical Guidelines And Prohibitions For Educational Administrators, Employees, Board Members And Other Parties including the contract disclosure forms checklists from Commissioner's Memo FIN 09-036.

Legal References: A.C.A. § 6-24-101 et seq.
Arkansas Department of Education Rules Governing the Ethical Guidelines And Prohibitions For Educational Administrators, Employees, Board Members And Other Parties
Commissioner's Memo FIN 09-036
Commissioner's Memo FIN-10-048
Commissioner's Memo FIN 15-074
2 C.F.R. § 200.318
7 C.F.R. § 3016.36
7 C.F.R. § 3019.42

Date Adopted: 5/11/2015
Last Revised: 7/1/2016

8.42—CLASSIFIED PERSONNEL BUS DRIVER END of ROUTE REVIEW

Each bus driver shall walk inside the bus from the front to the back to make sure that all students have gotten off the bus after each trip. If a child is discovered through the bus walk, the driver will immediately notify the central office and make arrangements for transporting the child appropriately. If children are left on the bus after the bus walk through has been completed and the driver has left the bus for that trip, the driver shall be subject to discipline up to and including termination.

Date Adopted: 05/29/2014
Last Revised: