BERGMAN
HIGH SCHOOL

Student Handbook



2025-2026

Amy Curtis, Principal
870-741-1414

BERGMAN HIGH SCHOOL

Home of the Panthers



SCHOOL COLORS

Royal Blue & Gold

FIGHT SONG

Fight on, mighty Bergman Panthers
We're behind you all the way.
On to vict'ry,- fight, fight, Panthers,
Win a vic-to-ry this day.!

B H S we'll praise forever.
Striving never to be beat!
We are out to win for Bergman.
And we always will defeat!

BERGMAN SCHOOL DISTRICT

25/26 ACADEMIC CALENDAR

ALTERNATIVE (HOURS)



AUGUST

S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

SEPTEMBER

S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

OCTOBER

S	M	T	W	TH	F	S
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5	6	7	8	9	10	11
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19	20	21	22	23	24	25
26	27	28	29	30	31	

NOVEMBER

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24	25	26	27	28	29

DECEMBER

S	M	T	W	TH	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JANUARY

S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY

S	M	T	W	TH	F	S
1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH

S	M	T	W	TH	F	S
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22	23	24	25	26	27	28
29	30	31				

APRIL

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19	20	21	22	23	24	25
26	27	28	29	30		

MAY

S	M	T	W	TH	F	S
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3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

JUNE

S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

IMPORTANT DATES (No School)

Sep 1: Labor Day
Oct 17-20: Fall Break
Nov 24-28: Thanksgiving
Dec 22 - Jan 5: Christmas Break
Jan 5: Teacher PD
February 13: Teacher PD/Flex
Mar 23-27: Spring Break
April 3: Good Friday
May 25: Memorial Day

PARENT TEACHER CONFERENCE

October 14 - 3:30-5:00
October 16 - 2:30-7:00
February 10 - 3:30-5:00
February 12 - 2:30-7:00

Graduation - May 9

Last Day of School - May 22

EARLY RELEASE DATES & TIMES

October 16 @ 2:20 p
December 18 @ 2:20p
December 19 @ 1:30p
February 12 @ 2:20p

Quarter 1: 43 Days ___ Hours
Quarter 2: 43 Days ___ Hours
Quarter 3: 43 Days ___ Hours
Quarter 4: 49 Days ___ Hours

- Flex In-service
- Required In-service
- Quarter Starts
- Quarter Ends
- Breaks
- Parent/Teacher Conference
- Graduation
- Make Up Snow Days Banked Time

Table of Contents

Section 1 – General Information

Check Out Procedure 6
Contact with Students While At School 6
Distribution of Literature 7
Equal Educational Opportunity 7
Extracurricular Activities – Secondary Schools 7
    Academic Requirements – Junior High and High School 8
Extracurricular Activity Eligibility for Homeschooled Students 9
General Regulations 11
Home Schooling 12
Academic Course Attendance by Private School and Homeschool Students 13
Interviewing Students of the Bergman School District While On Campus 13
Library 14
Lockers 14
Non-School Publications 14
Outstanding Debts 14
Parent Involvement 14
Parent Rights and Responsibilities –Bergman District Custodial and Non-Custodial 14
Placement of Former Home School/Non-Accredited School/Foreign Exchange Students 15
Pledge of Allegiance and Moment of Silence 15
National Anthem 16
Privacy of Students' Records/Directory Information 16
Procedure for Being Placed on the Board Agenda 18
Student Handbook 18
Student of the Month 18
Student Name, Title or Pronoun 18
Student Organizations/Equal Access 18
Student Publications and the Distribution of Literature 21
Student Publications on School Web Pages 22
Student Religious Expression 22
Student Use of Multiple Occupancy Room 23
Student Visitors 23
Use of School Property/Buildings 23
Video Surveillance and Other Student Monitoring 24
Volunteer Policy 24
Withdrawal From School 24

Section 2 - Attendance

Absences 25
    Excused Absences 25
    Unexcused Absences 25
Closed Campus 27
Compulsory Attendance Requirements 27
Entrance Requirements 27
Residence Requirements 31
School Choice 31
Student Transfers 35
Tardies 36

Section 3 – Academics

Arkansas Direct Admissions Program 37
Advanced Placement, International Baccalaureate, and Honors Courses 37
Alternative Learning Environment 37
Class Ranking and Honor Graduates 38
Concurrent Credit 39
Correspondence Courses 39
Digital Learning 40
Digital Learning Courses 40
Exemptions from Semester Tests 42
Grading 42
Graduation Requirements 43
Make-up Work 43
Nine Weeks Tests 43
North Arkansas College Technical Center (NACTC) 44
Permanent Records 44
Repeating Courses for Credit 45
Special Education 45
Graduation Requirements for Class of 2026 46
Graduation Requirements for Class of 2027 47
Student Use of Artificial Intelligence (AI) 49
State Mandated Testing 50
Student Acceleration 50
Student Promotion and Retention 50
Challenge to Instructional/Supplemental Materials 53
Request for Reconsideration of Instructional or Supplemental Materials 53

Section 4 – Student Behavior

Student Behavior & Code of Ethics 54
Prohibited Conduct 54
Disruption of School 55
Bullying 56
Antisemitism Prohibited 58
Communicating a Death Threat 59
Communicating a False Alarm 59
Threats of Acts of Violence 60
Student Assault or Battery 60
Weapons and Dangerous Instruments 60
Knife 60
Laser Pointers 61
Tobacco and Tobacco Products 61
Possession and Use of Cell Phones and Other Electronic Devices 61
Drugs and Alcohol 62
Using Profane Language Toward a School Employee 64
Student Dress and Grooming 66
Internet Safety and Electronic Device Use Policy 67
Student Internet Use Agreement (Chromebook Repair Prices) 70
Student Behavioral Intervention and Restraint 71
Gangs and Gang Activity 75
Student Vehicles 76
Conduct To and From School 76
Search, Seizure, and Interrogations 77
Student Discipline 78
Suspension from School 81
In-School Suspension (ISS) 82

Out-of-School Suspension (OSS) 82
Social Probation 83
Corporal Punishment 83
Expulsion 83

Section 5 – Student Services

Communicable Diseases and Parasites 84
Emergency Drills 86
Food Service Prepayment 86
Food Sharing and its Removal From Food Service Area 87
Homeless Students 87
Immunizations 88
Investigations of Child Sexual Abuse or Child Physical Abuse at the Public School 90
Physical Examinations or Screenings 90
School Meal Modifications 91
Student Illness/Accident 91
Student Medications 91
Student Sex Discrimination and Sex-Based Harassment 95
Students Who Are Foster Children 99

Section 6 – Digital Learning

Attendance 101
Discipline 101
Grading 101

Bergman High School Learning Compact 101

Section 1 – General Information

4.59—CHECK-OUT PROCEDURE

1. Any student checking out of school must present a note to the office before leaving campus (in emergency cases a phone call from a parent or guardian will be accepted).
2. If a student checks out of school, he/she must leave the campus immediately and may not return to campus unless he/she checks back into school.
3. To check back into school the student must come by the office so a record can be made indicating the time missed from classes.
4. Students submitting a fraudulent note receive two penalties:
    a. No other notes will be accepted for the remainder of the year;
    b. That student will be considered off-campus truant.

4.15—CONTACT WITH STUDENTS WHILE AT SCHOOL

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

CONTACT BY NON-CUSTODIAL PARENTS
If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or the principal's designee establishing the parent's custody of the student. It shall be the responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents. Non-custodial parents who file with the principal a date-stamped copy of current court orders granting unsupervised visitation may eat lunch, volunteer in their child's classroom, or otherwise have contact with their child during school hours and the prior approval of the school's principal. Such contact is subject to the limitations outlined in Policy 4.16, Policy 6.5, and any other policies that may apply.

Arkansas law provides that, in order to avoid continuing child custody controversies from involving school personnel and to avoid disruptions to the educational atmosphere in the District's schools, the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school's property on normal school days during normal hours of school operation. The custodial or non-custodial parent may send to/drop off the student at school to be sent to/picked up by the other parent on predetermined days in accordance with any court order provided by the custodial parent or by a signed agreement between both the custodial and non-custodial parents that was witnessed by the student's building principal.[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 Division of Arkansas State Police may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Except as provided below, other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen (18) years of age), or in response to a subpoena or arrest warrant.

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

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

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

4.14F3 – DISTRIBUTION OF LITERATURE

All distribution of literature on school grounds must be approved through the administration. This is to protect the learning atmosphere necessary in an educational setting.

4.11—EQUAL EDUCATIONAL OPPORTUNITY/DISCRIMINATION POLICY

No student in the Bergman School District shall be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District on the basis of color, religion, national origin, sex, age, or disability. The District has a limited open forum granting equal access to the Boy Scouts of America and other youth groups.

Inquiries on non-discrimination may be directed to Sarah Alexander, who may be reached at salexander@bergman.k12.ar.us.

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, telephone number, or email address provided above. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.

For further information on notice of non-discrimination or to file a complaint, visit https://www2.ed.gov/about/offices/list/ocr/complaintintro.html; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

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 Division of Elementary and Secondary Education (DESE). Any of the courses for which concurrent high school credit is earned may be from an institution of higher education recognized by DESE. If a student passes an academic course offered on a block schedule, the course can be counted twice toward meeting the requirement for students to pass four (4) academic courses per semester as required by this policy.

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

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

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

"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 the student's classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one (1) 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 Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

A student who enrolls in the district and meets the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS shall be eligible to try out for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

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

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

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

ACADEMIC REQUIREMENTS: Junior High
A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the first semester. The second semester eighth-grade student meets the scholarship requirements for junior high if the student has successfully passed four (4) academic courses the previous semester.

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

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

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

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

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

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

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

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

Intrascholastic Activities

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

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

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

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

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

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

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

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

Home-schooled students whose parents or guardians are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone[2] as permitted by this policy.

Home-schooled students whose parent or legal guardian are not residents of the school district will be permitted to pursue participation in an interscholastic activity in the District if:

- The superintendent of the student's resident district and the superintendent of the District both agree in writing to allow the student to participate in interscholastic activities at the District; or
- The student's resident school does not offer the interscholastic activity and the superintendent of the non-resident district agrees to allow the student to enroll in the interscholastic activity.

Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in interscholastic activities without discrimination. The District shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the home-schooled student is unable to meet because of the student's enrollment in a home school.

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

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. 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 non-academic course in the District's school where the student is intending to participate in an interscholastic activity that coincides with the interscholastic activity in which the homeschooled student participates and shall be required to be at school only when participation in the interscholastic activity requires other students who participate in the interscholastic activity to be at school.

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

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

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

- standards of behavior and codes of conduct;
- attend the practices for the interscholastic activity to the same extent as is required of traditional students;
- 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 home schooled student may begin participating in an interscholastic activity immediately upon being approved to participate by the District if:

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

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

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

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

4.56.3—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR PRIVATE SCHOOL STUDENTS

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

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

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

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

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

Although not guaranteed participation in an interscholastic activity, private students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in interscholastic activities without discrimination. The District shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the private school student is unable to meet because of his or her enrollment in a private school.

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

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

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

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

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

A private school student who has met the tryout criteria and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:

- Standards of behavior and codes of conduct;
- Attend the practices for the interscholastic activity to the same extent as is required of traditional students;
- Required drug testing;
- 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.

4.18F - GENERAL REGULATIONS

1. Students may not stay in the halls before school or at lunchtime. They may stay in the cafeteria, library, or outside. If they need to use the restroom they may stop by the office to let someone know they are in the building.
2. Students are urged not to arrive at school before 8:00 in the morning, especially on bad weather days.
3. Respect for classmates and teachers and their property is expected of each student in Bergman School.
4. All school functions will be supervised by members of the teaching staff and will be governed by the same general regulations applicable to regular classes.
5. No food or drink is permitted in the classroom without teacher permission; the vending machines (soft drinks & candy) are accessible 30 minutes after lunch with teacher permission ONLY. They are not to be used before that time.
6. It is unlawful for a student to possess a hand-held laser pointer.

4.6—HOMESCHOOLING

Enrollment in Home School
Parents or legal guardians desiring to provide a home school for their children shall give written notice to the Superintendent of their intent to homeschool. The notice shall be given:

1. At the beginning of each school year, but no later than August 15;
2. Five (5) school days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to, excessive absences) and at the beginning of each school year thereafter; or
3. Within thirty (30) calendar days of the parent or legal guardian establishing residency within the district during the school year.

Written notice of the parent or legal guardian's intent to homeschool shall be delivered to the Superintendent through any of the following methods:

- Electronically, including without limitation by:
    - Use of the DESE online system, email, or facsimile, by mail or in person.

The notice shall include:

a. The name, sex, date of birth, grade level, and the name and address of the school last attended, if any;
b. The mailing address and telephone number of the home school;
c. The name of the parent or legal guardian providing the home school;
d. Indicate if the home-schooled student intends to participate in extracurricular activities during the school year;
e. A statement of whether the home-schooled student plans to seek a high school equivalency diploma during the current school year;
f. A statement that the parent or legal guardian agrees that the parent or legal guardian is responsible for the education of their children during the time the parents or legal guardians choose to homeschool; and
g. A signature of the parent or legal guardian.

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

A student who has been temporarily issued items, resources, supplies, materials, or other property belonging to the District is eligible for enrollment in a home school during the school year after:

- The items, resources, supplies, materials, or other property belonging to the District have been returned to the District;
- The items, resources, supplies, materials, or other property belonging to the District have been paid for; or
- The semester has ended.

The superintendent or the board of directors may waive the required five (5) school day waiting period for a student's enrollment in home school during a semester if the superintendent or the board of directors is satisfied with the return of temporarily issued items, resources, supplies, materials, or other District property.

Enrollment or Re-Enrollment in Public School
A homeschooled student who wishes to enroll or re-enroll in a District school shall submit:

- A transcript listing all courses taken and semester grades from the home school;
- Score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and
- A portfolio of indicators of the home-schooled student's academic progress, including without limitation:
    - Curricula used in the home school;
    - Tests taken and lessons completed by the home-schooled student; and
    - Other indicators of the home-schooled student's academic progress.

If a homeschooled student is unable to provide a nationally recognized norm-referenced score, the District may either assess the student using a nationally recognized norm-referenced assessment or waive the requirement for a nationally recognized norm-referenced assessment score.

A home-schooled student who enrolls or re-enrolls in the District will be placed at a grade level and academic course level equivalent to or higher than the home-schooled student's grade level and academic course level in the home school:

1. As indicated by the documentation submitted by the home-schooled student;
2. By mutual agreement between the public school and the homeschooled student's parent or legal guardian; or
3. If the home-schooled student fails to provide the documentation required by this policy, with the exception of the nationally recognized norm-referenced assessment score, the District may have sole authority to determine the homeschooled student's grade placement and course credits. The District will determine the homeschooled student's grade placement and course credits, in the same manner, the District uses when determining grade placement and course credits for students enrolling or re-enrolling in the District who attended another public or private school.

The District shall afford a home-schooled student who enrolls or re-enrolls in a public school the same rights and privileges enjoyed by the District's other students. The District shall not deny a homeschooled student who enrolls or re-enrolls in the District any of the following on the basis of the student having attended a home school:

a. Award of course credits earned in the home school;
b. Placement in the proper grade level and promotion to the next grade level;
c. Participation in any academic or extracurricular activity;
d. Membership in school-sponsored clubs, associations, or organizations;
e. A diploma or graduation, so long as the student has enrolled or re-enrolled in the District to attend classes for at least the nine (9) months immediately prior to graduation; or
f. Scholarships.

4.59—ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOL STUDENTS

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

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

A private school or home schooled student who desires to attend one or more of the available academic courses shall submit a written request to attend the academic course(s) to the superintendent, or designee, no later than:[21]

A. August 1 for Fall semester courses; or
B. December 1 for Spring semester courses.

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

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

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

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

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

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

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

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

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

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

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

4.15F - INTERVIEWING STUDENTS OF THE BERGMAN SCHOOL DISTRICT WHILE ON CAMPUS

The following procedure will be used whenever a law enforcement official/social worker desires to talk to a student of the Bergman School District while on campus:

1. If the officer has a warrant to interrogate/search and/or arrest a student, Bergman officials will allow that officer to interrogate/search or arrest the student without prior parent/guardian approval;

2. If a social worker has a court order from Juvenile Court to question a student, Bergman Officials will allow that social worker to question that student without prior parent/guardian approval;
3. In the event that we have either item one or item two happen, a Bergman School Official may make an effort to immediately contact the student's parents/guardians and inform them of the officer's/social worker's actions;
4. If the officer does not have a warrant to interrogate/search and/or arrest a student, Bergman officials will NOT allow that officer to interrogate/search or arrest the student unless prior approval is obtained from the student's parents/guardians;
5. If a social worker does not have a court order to question a student, Bergman officials will NOT allow that social worker to question the student unless prior approval is obtained from the student's parents/guardians;
6. School officials may authorize an officer, juvenile official, and/or social worker to talk to a student without parent/guardian permission if the school is the reporting agent. The school principal, school counselor, or other certified personnel will be present during any officer, juvenile official, or social worker interview conducted on campus with a Bergman student.

5.14F—LIBRARY

1. A school is judged by the contents of its library. We are striving to build our library up to a point that it will be a credit to this school and community. In order for this to be done, it is the responsibility of each of us to take care of the books and facilities. The rules pertaining to the library are posted, and each student should become familiar with them.
2. Library Rules:
    a. Students should check out books for themselves only and return them in the place provided.
    b. Students are to be quiet in the library to facilitate an atmosphere that will promote research and reading.
    c. For overdue books, a fine of $.05 per day will be charged until the books are checked in.
    d. Students who lose a library book must pay the price as assessed by the librarian.
    e. Grades will not be issued to students until overdue books are returned and the cost of lost books or overdue fines have been paid.

LOCKERS

- If students chose to use a lock, a copy of the key or combination must be held in the office.
- School-sponsored locker door decoration is allowed at Principal discretion.
- Students are not allowed to decorate the outside of lockers.
- Students are allowed to decorate the inside of their locker with painter's tape or magnets. All other tape is prohibited.

4.14F2—NON-SCHOOL PUBLICATIONS

School authorities shall review non-school publications prior to their distribution and will bar from distribution those materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Material may also be barred from distribution if there is evidence that reasonably supports a forecast that disruption will likely result from the distribution.

4.51—OUTSTANDING DEBTS

1. A student has thirty (30) calendar days from the date that money is due to settle a debt. If the debt is not paid at that time, the student will not be allowed to participate in any extra-curricular activities until the debt is paid. When the debt is paid, the student may regain eligibility to participate in extracurricular activities.
2. If the student's debt has not been paid at the time of graduation, the student will not be allowed to participate in the graduation ceremony or any graduation activities.

4.60—PARENT INVOLVEMENT

The Bergman School District believes the educational process of each child is optimized when all parties work together—the students, the teachers and staff and the parents. Therefore, our school strives to maintain a parent involvement plan which will ensure the best for each student. Scheduled training is used to ensure our faculty is made aware of various methods of communication and interaction to enhance the plan. Our parent involvement plan includes parent input through use of surveys, volunteer information sheets, regular parent contact, and print/media communication. Any parent with concerns, questions or suggestions is encouraged to contact the school. A copy of the school's parental involvement plan can be found on our district website at www.bergman.k12.ar.us.

4.15F3—PARENT RIGHTS & RESPONSIBILITIES - BERGMAN DISTRICT CUSTODIAL & NONCUSTODIAL

In accordance with the Family Educational Right to Privacy Act (Buckley Amendment), the Board of Education makes no distinction between the custodial & noncustodial parent with regard to access to school records unless evidence has been provided through a court order, state statute, or legally binding document that specifically revokes these rights.

"Parent" means a parent of a student and includes a natural parent, legal guardian, or an individual acting as a parent in the absence of a parent or guardian. For the school's purposes, the parent who enrolls the student in school and with whom the student resides is considered the custodial parent. If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or his/her designee establishing the parent's custody of the student. It shall be the

responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents.

Parents have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies unless, for reasons such as great distance, it is impossible for parents to review the records. Schools may charge a fee for copies.

Both parents can see the student at school unless prohibited by court order. Only the custodial parent has the right to remove the student from school property or grant permission for the student to be removed from school property by others.

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

4.6F—PLACEMENT OF FORMER HOME SCHOOL/NON-ACCREDITED SCHOOL/FOREIGN EXCHANGE STUDENTS

1. General Requirements for Grades 9-12
   a. The parent shall provide current standardized achievement test results or the local school shall administer an achievement test currently used by the district.
   b. The parent shall provide the school with a list of textbooks used by the student and a list of the courses taught.
   c. If the student was required by state law to take the Minimum Performance Test, a copy of the results must be made available to the school.
2. Specific Requirements for Grades 9-12
   a. The local school shall administer a battery of examinations, either standardized or district developed examinations when deemed necessary for placement or determination of credits.
   b. A placement conference shall be held for any student who scores 8 months or more below grade level on any of basic areas (language arts, reading, and mathematics) or on the required achievement test. Conference participants shall include an administrator, a counselor, the parent(s) and other personnel deemed necessary. Based on data presented during the conference, 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. Each student enrolled in a home school who is at least seven (7) years old on May 1 must be tested each year by the Arkansas Department of Education. A copy of the standardized test scores must be given to the school at the time of registration.
   d. 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 grade placement is assigned. The school counselor will administer the district-approved test and it will be scored at the district level.
   e. Parents must present a written list of subjects taught and materials used to the counselor or principal at the time of registration.
   f. The maximum credits that will be accepted for each year in attendance in home school will be 4 credits per year. These will be awarded provided that the student has current test results demonstrating that they are performing at grade level. Typically the four credits awarded are in the four core areas of math, English, science and social studies.
   g. Students who receive home instruction will not have letter grades entered on their permanent record-When they enroll courses will be listed and credit will be recorded by marking "cr" in the space provided for a grade.
   h. Rank in class and grade point average will be determined only by credits earned while attending an accredited high school.
   i. A student must attend accredited public or private schools for a minimum of 6 semesters to be considered for honor graduate status and to be ranked in the class. Summer school may not be substituted for a regular semester.
   j. A student must meet all graduation and attendance requirements for the Bergman School District to receive a diploma.
   k. A copy of the Bergman policy and guidelines on home schooling will be given to parents/legal guardians when they apply to the Bergman School District for homeschooling.

NOTE: STUDENTS AND THEIR PARENTS INTERESTED IN HOMESCHOOLING 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 the credits from home schooling experience.

4.46—PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance shall be recited:

1. During the first class period of each school day;
2. At the commencement of each school-sanctioned after-school assembly; and
3. At the commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the Pledge may be recited at only one (1) of the school-sanctioned sporting events.

Students choosing to participate in the recitation of the Pledge shall do so by facing the flag with their right hands over their hearts, or in an appropriate salute if in uniform, while reciting the Pledge. Students choosing not to participate shall either stand or sit quietly while the other students recite the Pledge.

Students shall not be compelled to recite the Pledge, but students who choose not to recite the Pledge shall not disrupt those students choosing to recite the Pledge. Students choosing not to recite the Pledge who do not disrupt those students who choose to recite the Pledge shall not be subject to any comments, retaliation, or disciplinary action.

Following the recitation of the Pledge, there shall be an observance of one (1) minute of silence. During the one (1) minute of silence, each student may reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Students who do not disrupt the one (1) minute of silence shall not be subject to any comments, retaliation, or disciplinary action.

4.44—NATIONAL ANTHEM

Each school in the District shall broadcast The Star-Spangled Banner at:

- The commencement of each school-sanctioned sporting event; however, if two (2) or more school-sanctioned sporting events occur on the same day at the same school, then the broadcast of The Star-Spangled Banner may be performed at only one (1) of the events; and
- At least one (1) time each week during school hours.

The broadcast of The Star-Spangled Banner shall be selected from any recording that adheres to the Division of Elementary and Secondary Education (DESE) Rules, or, when appropriate, performed from original sheet music that adheres to DESE rules by:

- A school-sanctioned band program;
- A school-sanctioned chorale program, vocal group, or vocalist; or
- The attendees of a school-sanctioned event led by a vocalist selected by the principal of the school hosting the school-sanctioned event.

Students shall not be compelled to participate in the performance of The Star-Spangled Banner, but students who choose not to participate in the performance of The Star-Spangled Banner shall not disrupt those students choosing to participate in the performance of The Star-Spangled Banner. Students choosing not to participate in the performance of The Star-Spangled Banner who do not disrupt the participation of performance of The Star-Spangled Banner shall not be subject to any comments, retaliation, or disciplinary action.

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 Bergman 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/her 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/her 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 roll (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user.

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 (DOE) at:
Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202

PROCEDURE FOR BEING PLACED ON THE BOARD AGENDA

Anyone requesting to be placed on the agenda for the monthly meeting of the Bergman School District Board of Directors shall submit, in writing, a request to the Superintendent.

- Said requests shall be submitted no later than 1 week prior to the meeting
- The request will state the purpose or reason for wanting to be on the agenda
- The Superintendent will review the request and the purpose and will notify the requesting party whether he/she will be placed on the agenda
- In the case of an emergency, a committee of the Superintendent, Principal involved and the President of the School Board will determine if a late request will be honored.

The School Board meets in regular session the 3rd Thursday of each month.

4.42—STUDENT HANDBOOK

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

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

Principals and counselors shall also review Policies 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS and the current DESE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, the Principal and/or Counselor shall notify the Superintendent and Curriculum Coordinator immediately, so that corrections may be made and notice of the requirements given to students and parents.

The DESE Standards Assurance unit has said there has been a problem with some committees making changes out of alignment with board policy which can make them out of alignment with statutory and/or DESE Rules which creates a probationary cite in a Standards review. They suggest districts should make sure Handbook Committees' changes align with the student board policy changes. We have not changed the policy regarding the resolution of a conflict between a policy and the handbook because that is accepted legal prioritization.

STUDENT OF THE MONTH CRITERIA

In order for a student to achieve Student of the Month status, they must adhere to the following guidelines:

No absences during the month being awarded.
No disrespect to teachers, school personnel, or students.
No tardies.
No D's or F's at the present time.
No missing assignments.
No name on the board or other disciplinary action.

4.62—STUDENT NAME, TITLE, OR PRONOUN

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

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

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

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

4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS

While extracurricular and non-instructional activities have appropriate value in the school program, the district will discourage and control interruptions of instructional time and related absences. For participation in extracurricular activities, a student shall:

1. Exhibit acceptable behavior.
2. Meet physical requirements for the activity and provide proof of insurance when necessary.
3. Maintain a 2.0 grade point average at the end of the semester for eligibility the following semester according to AAA guidelines.

EXTRA-CURRICULAR POLICIES

Bergman High School will abide by the provisions of the AAA regarding extracurricular activities. In addition to the AAA requirements, clubs and organizations may have their own requirements as listed in this manual under Clubs and Organizations. Students may not leave an after school activity and return (i.e. ballgames, dances, etc.).

ACCIDENT INSURANCE

For a small premium, accident protection is provided to all participating students and teachers when attending classes during the hours and on the days when school is in session when participating in school sponsored and supervised activities at any time (in school coverage). For an additional premium it is possible to get 24-hour coverage. The school does not provide the insurance, but makes it available if desired by a student's family.

ATHLETES ON VARSITY TEAMS MUST HAVE INSURANCE

GENERAL ORGANIZATION GUIDELINES

Holding Office: No student may hold office in various clubs, organizations, classes, etc. unless the student has:

1. A "C" average and no failing grades in any subject for the previous semester.
2. Satisfactory citizenship.

ART CLUB

The Art club is a campus organization open to students currently enrolled in or who have completed art classes at Bergman.

FAMILY CAREER AND COMMUNITY LEADERS OF AMERICA (FCCLA)

This organization is open to any student who is enrolled in a Family and Consumer Science class or has taken one. Its purpose is to promote leadership and a better appreciation of home and community life. The club upholds the highest ideals and realizes the fact that future homes are in the hands of our youth today. The Family and Consumer Science teacher is the sponsor of the club. The FCCLA will hold monthly meetings.

Bergman FCCLA Senior Honor Cords will be worn with cap and gown during graduation. Honor cords will be red and white and will be ordered and paid for by the FCCLA organization. It will be the responsibility of the FCCLA advisor to monitor the accomplishments of each student and to award the cords at the vocational assembly each year prior to graduation. Guidelines are as follows:

1. Active participant in leadership roles through two (2) years (one of these must include the senior year). Leadership roles can be local, district, or state officer, or chairperson of a committee in charge of a star event, fundraiser, or local, district, or state project.
2. Attend at least one district or state meeting (9-12).
3. Complete five (5) Power of One Modules (9-12).
4. Member of Bergman Chapter of Family, Career, and Community Leaders of America for four years, or if a transfer student, have proof of membership for four years and proof of completion of the above guidelines. Proof of membership and completion guidelines must be a letter from the FCCLA advisor on school letterhead from the school the student previously attended.

FUTURE BUSINESS LEADERS OF AMERICA (FBLA)

The Chapter is organized to serve youth and young adults enrolled in business programs. The Chapter is designed as an extension of the instructional program and thus an integral part of the business curriculum. To be a member one must have taken a business course or be currently enrolled in one. Grade requirements follow the Arkansas Activities Association guidelines. Therefore, a 2.0 GPA is required at the end of each semester in order to participate in activities or competitive events. To be president of the FBLA you must be currently enrolled in a business course and have been a member of FBLA in the past.

Guidelines for wearing FBLA blue and gold cords:

1. Active participation in leadership roles throughout 2 years (one of these must include senior year). Leadership roles can be local, district, or state officer, or chairperson of a committee in charge of an event, fundraiser or local, district or state project.
2. Participate in at least two district competitions, one of which must be during the senior year.
3. Member of Bergman Chapter of Future Business Leaders of America for four years. A transfer student must have proof of membership in the form of a letter from the FBLA advisor on school letterhead from the school the student previously attended.

Honor cords will be blue and gold. They will be ordered and paid for by the FBLA organization. It will be the responsibility of the FBLA Advisor(s) to monitor the accomplishments of each student and to award the cords at the Vocational Assembly each year prior to graduation.

FUTURE FARMERS OF AMERICA (FFA)

The Bergman Chapter of the FFA is very active and holds several regional and state honors. Membership is open to all students enrolled in Vocational Agriculture. The Chapter elects a Sweetheart each year. The Agriculture teacher is the sponsor and the organization holds monthly meetings.

NATIONAL HONOR SOCIETY (NHS)

The local club is sponsored through the National Honor Society organization and follows the general guidelines recommended by NHS. Admissions are based on academic achievement, character, community service, and a completed admissions essay. Members must maintain a 3.5 GPA, have no grade of F, and have a combination of two AP or concurrent credit college classes before they graduate. Applicants must at least be a junior. Membership is also based on academic honesty. Members can be dismissed after two instances of academic dishonesty. The club meets monthly and the sponsor is appointed by the administration.

SPANISH CLUB

Spanish Club is designed to provide cultural experiences that are unavailable in the classroom. The club is open to any student who is currently enrolled in a Spanish class or has completed the Spanish program offered by Bergman High School.

STUDENT COUNCIL

The function of the Student Council is to help regulate the activities of the student body and to carry out projects beneficial to school government. It works in direct association with the school administration. The President of the Student Council is the President of the senior class. The Vice-President is elected from the junior class. The Student Council members will elect the secretary, from the sophomore class. Representatives from each class will be elected by the respective classes. All Student Council members must have a grade point of 3.0 and conduct will be a definite factor in qualifying for Student Council.

NON-CURRICULUM RELATED SECONDARY SCHOOL STUDENT ORGANIZATIONS

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.
6. Non-school persons may not direct, conduct, control, or regularly attend activities of student groups.

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

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

EDUCATIONAL TRIPS

1. The Board encourages class and/or group field trips. All such trips must be related to a class assignment or course of study. Proper plans and arrangements should be made well in advance of the trip. All trips taken by clubs or student organizations will involve their furnishing fuel.
2. The principal must approve all chaperones. A minimum of two (2) chaperones is recommended for all overnight and/or trips of 100 miles or more from school. Teachers should be used as chaperones whenever possible.
3. Teachers who agree to chaperone will be granted professional leave.

CARE OF FUNDS

The superintendent of schools and the District Treasurer are bonded for the handling of all funds that come from the state and local taxes. In addition, the funds that come under the different organizations such as the Senior Class, Junior Class, FFA, FCCLA, FBLA, etc., must be deposited with the school secretary and accounted for in the regular school Activity Fund. Separate accounts will be kept for each organization and checks written when needed by the various organizations. All funds handled through the Bergman School Activity fund will be submitted for audit.

4.14—STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE

Student Media

All student media that are supported financially by the school or by use of school facilities, or are produced in conjunction with a class shall be considered school-sponsored media. School-sponsored media does not provide a forum for public expression. Student media, as well as the content of student expression in school-sponsored activities, shall be subject to the editorial review of the District's administration, whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations:

1. Advertising may be accepted for media that does not condone or promote products that are inappropriate for the age and maturity of the audience or that endorses such things as tobacco, alcohol, or drugs.
2. Media may be regulated to prohibit communications determined by the appropriate teacher, student media advisor, and/or administrator to be ungrammatical; poorly written; inadequately researched; biased or prejudiced; vulgar or profane; or unsuitable for immature audiences.
3. Media may be regulated to prohibit the dissemination of material that may reasonably be perceived to advocate drug or alcohol use,; irresponsible sex; conduct that is otherwise inconsistent with the shared values of a civilized social order,; or to associate the school with any position other than neutrality on matters of political controversy.
4. Prohibited media includes those that:
    A. Are obscene as to minors;
    B. Are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, and made with knowledge of their falsity or a reckless disregard of the truth;
    C. Constitute an unwarranted invasion of privacy as defined by state law;
    D. Suggest or urge the commission of unlawful acts on the school premises;
    E. Suggest or urge the violation of lawful school regulations;
    F. Attacks ethnic, religious, or racial groups.; or
    G. Harass, threaten, or intimidate a student.

Student Media on School Web Pages

Student media displayed on school web pages shall follow the same guidelines as listed above and shall also:

1. Not contain any non-educational advertisements.
2. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using 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[1] 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 5 days.

The Superintendent, along with the student media advisors, shall develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and timelines for the review of materials.

4.14F—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;
2. Not contain any personally identifying information, as defined by "Directory Information" in Policy 4.13 (Privacy of Student Records), without the written permission of the parent of the student or the student if over eighteen (18);
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

4.63—STUDENT RELIGIOUS EXPRESSION

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

Student Assignments

Student assignments include, but are not limited to:

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

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

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

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 Standards material than if the material is required by the Standards.1

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

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

Student Presenters

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

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

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

If the forum is a scheduled event with designated student speakers, the building principal shall have an opportunity to review pre-written remarks prior to the student's presentation at the scheduled forum. The principal may require the student to amend the student's remarks to the extent necessary to address any portions that are determined to be inappropriate. A student's refusal to amend the remarks that were determined to be inappropriate may be prohibited from participation in the forum. A student who

diverts from the approved pre-written remarks during a speech in such a manner that is determined to be inappropriate by the building principal or another present District staff member may be asked to return to the approved remarks. If a student refuses to return to the approved remarks or continues to divert from the approved remarks in a manner that is determined to be inappropriate may be escorted from the forum and disciplined in accordance with the District's Student Code of Conduct.

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

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

4.61—STUDENT USE OF MULTIPLE OCCUPANCY ROOM

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

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

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

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

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

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

4.16—STUDENT VISITORS

Student visitors in the classroom can be disruptive to the educational process. Student visitation is strongly discouraged. Any visitors to the classroom shall be allowed only with the permission of the school principal. All visitors must register in the office and be granted a visitor's pass/badge. Former students who live a distance of 60 miles or more may visit during lunch time.

4.50—USE OF SCHOOL PROPERTY/BUILDINGS

A fee will be charged to any outside organization not directly associated with the educational program or student activities. These fees are in addition to cleanup and payment costs to repair or replace any damage to the facilities.
CAFETERIA——$50.00 GYM——$50.00 AUDITORIUM——$25.00

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 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 __ 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.

VOLUNTEER POLICY

A list of those wishing to volunteer their services to the high school will be compiled for use by school personnel.

WITHDRAWAL FROM SCHOOL

1. All students withdrawing from school must report to the office.
2. All students withdrawing from school must check with the librarian, school secretary, cafeteria, and classroom teachers to see that all books have been returned and all fines and fees paid.
3. Grades will not be forwarded until all debt(s) are paid.

Section 2: ATTENDANCE

4.7—ABSENCES

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

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

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

Excused Absences

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons:

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.
2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, 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 waiver or whose immunizations are not up to date;
12. Absences due to conditions related to pregnancy or parenting, including without limitation:
    - Labor, delivery, and recovery;
    - Prenatal and postnatal medical appointments and other medically necessary, pregnancy-related absences;
    - The illness or medical appointment of a child belonging to a parent who is enrolled at a District school;
    - A legal appointment related to pregnancy or parenting, including without limitation:
        - Adoption;
        - Custody; and
        - Visitation;
    - A reasonable amount of time to accommodate a lactating student's need to express breast milk or to breastfeed the student's child on the District's campus; and
    - At least ten (10) school days of absences for both a parenting mother and a parenting father after the birth of a child.
13. Absences for a student who is the child of a fallen service member or fallen first responder:
    - Due to a mental health concern; or
    - To attend an event from a sponsoring organization that provides support to families of fallen service members or first responders or provides support for traumatic loss, grief, or resiliency.
14. Upon the written consent of a student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student, the District shall grant an excused absence for the following purposes:
    - Social or public policy advocacy; or
    - Attempts to influence legislation or other governmental policy-making at the local, state, or federal level.

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

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

In order for the absence to be considered excused, the student must:

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

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

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

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

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

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

Unexcused Absences

Absences that are not defined above; do not have an accompanying note from the parent, legal guardian, person having lawful control of the student, person standing in loco parentis, the student's treating physician, or a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program; or have an accompanying note that is not presented or uploaded within the timeline required by this policy shall be considered as unexcused absences. Students with (*insert number*) 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 5 unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student exceeds 10 unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law.

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

consequences for failing to fulfill the agreement's requirements. The agreement shall be signed by the student; the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis; and the school or district administrator or designee.

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

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

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

4.10—CLOSED CAMPUS

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

4.3—COMPULSORY ATTENDANCE REQUIREMENTS

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

1. The child is enrolled in private or parochial school.
2. The child is being home-schooled and the conditions of policy (4.6—HOME SCHOOLING) have been met.
3. The child will not be age six (6) on or before August 1 of that particular school year and the parent, legal guardian, person having lawful control of the child, or person standing in loco parentis of the child elects not to have the child attend kindergarten. A kindergarten waiver form prescribed by regulation of the Division of Elementary and Secondary Education must be signed and on file with the District administrative office.
4. The child has received a high school diploma, G.E.D., 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).

4.2—ENTRANCE REQUIREMENTS

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

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

A student may enter kindergarten if the student:

- Meets one of the requirements for school attendance of 1 through 4 above; and
- Falls under one of the following:
    - Will attain the age of five (5) on or before August 1 of the year in which the student is seeking initial enrollment; or
    - Has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60) days and:
        - Will become five (5) years old during the year in which the student is enrolled in kindergarten; and
        - Submits a written request for enrollment to the District; or
        - Was enrolled in a state-accredited or state-approved kindergarten program in another state or in a kindergarten program equivalent in another country and:
        - Becomes a resident of this state as a direct result of active military orders or a court-ordered change of custody;
        - Will become five (5) years of age during the year in which the student is enrolled in kindergarten; and
- Submits a written request for enrollment to the District.

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

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

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

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

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

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

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

Uniformed Services Member's Children

For the purposes of this policy:

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

"Active duty"[4] means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. chapters 1209 and 1211 or 42 U.S.C. § 204.

"Deployment" means a period of time extending from six (6) months before a member of the uniformed services' departure from their home station on military orders through six (6) months after return to the Uniformed Services member's home station.

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

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

"Eligible child" means the children of:

- Active duty members of the uniformed services;
- Members of the active and activated reserve components of the uniformed services;
- Veterans of the uniformed services who are injured in the line of duty and medically separated or retired;
- Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty;
- Dual status military technicians; and
- Traditional members of the National Guard and reserve components of the armed forces who are relocating to the state for employment or to serve as a member of an Arkansas-based reserve component unit.

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

"Transition" means the:

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

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

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

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

An eligible child as defined in this policy shall:

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

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

- Provisionally enroll, provide placement for, and enter academic course requests on behalf of the incoming student based on the student's education record provided by the student's family or the sending district;
- Provide the uniformed services family with information regarding:
  a. Career-ready pathways and other academic or education programs offered;

b. Required academic courses for each curriculum and elective course options;
c. School and community-sponsored extracurricular activities, including without limitation individual and team sports, clubs, junior reserve officer training corps opportunities, and Purple Star School program ambassadors; and
d. Contact information for the designated military family education coordinator and the Purple Star School program military family education facilitator, if applicable; and
e. Other relevant information regarding the District.

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

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

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

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

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

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

International Exchange Students

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

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

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

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

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

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

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

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

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

4.1—RESIDENCE REQUIREMENTS

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

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

"Reside" means to be physically present and to maintain a permanent place of abode for an average of no fewer than four (4) calendar days and nights per week for a primary purpose other than school attendance.
"Resident" means a student whose parents, legal guardians, persons having, lawful control of the student or persons standing in loco parentis reside in the school district.
"Residential address" means the physical location where the student's parents, legal guardians, persons having, lawful control of the student, or persons standing in loco parentis reside. A student may use the residential address of a parent, legal guardian, person having, lawful control of the student or person standing in loco parentis only if the student resides at the same residential address and if the guardianship or other legal authority is not granted solely for educational needs or school attendance purposes.

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

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

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District's schools separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis, the student is required to reside in the District for a primary purpose other than that of school attendance. However, a student previously enrolled in the district 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 co-op to which the district belongs may enroll in the district even though the employee and his/her child or ward reside outside the district.

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

4.5—SCHOOL CHOICE

Exemption
The District is under an enforceable desegregation court order/court-approved desegregation plan that explicitly limits the transfer of students between school districts and has submitted the appropriate documentation to the Division of Elementary and Secondary Education (DESE). As a result of the desegregation order/desegregation plan, the District is exempt from the provisions of the Public School Choice Act of 2015 (Standard School Choice) and the Arkansas Opportunity Public School Choice Act (Opportunity School Choice). The District shall notify the superintendents of each of its geographically contiguous school districts of its exemption. The exemption prohibits the District from accepting any school choice applications from students wishing to transfer into or out of the District through standard School Choice or Opportunity School Choice.

Definitions
"Lack of capacity" means, based on the maximum student to teacher ratio allowed under federal law; state law; the Rules Governing the Standards for Accreditation for Arkansas Public Schools and School Districts; state rules; or other applicable federal regulations, that ninety-five percent (95%) or more of the seats at the grade level in which the student would be assigned at the nonresident school are filled on the date the school choice application is made.
"Sibling" means each of two (2) or more children having a parent in common by blood, adoption, marriage, or foster care.

Standard School Choice
Transfers into or Within the District
Capacity Determination and Public Pronouncement
The Board of Directors will annually adopt a resolution containing the capacity standards for the District. The resolution will contain the acceptance determination criteria identified by academic program, class, grade level, and individual school. The school is not

obligated to add any teachers, other staff, or classrooms to accommodate choice applications. The District may only deny a Standard School Choice application if the District or school has a lack of capacity.
The District shall advertise in appropriate broadcast media and either print media or on the internet to inform students and parents in the District and adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline; the requirements and procedures for participation in the program; and include contact information for the primary point of contact at the District for school choice questions. Such pronouncements shall be made no later than January 1.

Application Process
The student's parent shall submit a school choice application on a form approved by DESE to:
This District and the student's resident district for students transferring into the District; or

- Only this District for students transferring to another school within the District.

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

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

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

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

1. The day the District provides notification to the student of the student's acceptance; or
2. The day the State Board grants an appeal of the student's application.

The written notice of acceptance shall inform the student that the student has ten (10) school days from when the notice is received to either:

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

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

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

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

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

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

The decision to accept or reject an application shall not be based on the student's previous academic achievement; athletic or other extracurricular ability; English proficiency level; or previous disciplinary proceedings other than a current expulsion.[8]

An application may be provisionally rejected if it is for an opening that was included in the District's capacity resolution, but was provisionally filled by an earlier applicant. A provisionally rejected applicant could be provisionally approved and would have to meet the acceptance requirements to be eligible to enroll in the District or another district school if:

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

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

Rejection of applications shall be in writing and shall state the reason(s) for the rejection. Unless the student's application was rejected due to the application not being timely received by the student's resident district only for transfers within the District or both the resident and nonresident districts for transfers into the District or another district, a student whose application was rejected may request a hearing before the State Board of Education to reconsider the application. The request for a hearing must be submitted in writing to the State Board within ten (10) days of receiving the rejection letter from the District.

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

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

- The number of transfer applications received;
- The number of applications accepted;
- The number of applications rejected; and
- The reason(s) for each rejection.

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

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

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

- Either:
    - The student's resident district has been classified by the state board as in need of Level 5 — intensive support; or
    - The student's assigned school has a rating of "F"; and
- Except for students who are transferring under Uniformed Service Member Dependents School Choice, the student's parent, guardian, or the student if the student is over eighteen (18) years of age has submitted an application of the student's request to transfer by no earlier than January 1 and no later than June 1 of the school year before the school year the student intends to transfer to the District for students transferring within the District or both the sending and receiving school districts for students that are transferring into the District.

Except for students who are transferring under Uniformed Service Members Dependent School Choice or seeking to transfer within the District, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, and the student's resident district whether the Opportunity School Choice application has been accepted or rejected by no

later than July 1 of the school year the student is seeking to enroll. If the student is seeking a transfer within the District, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over eighteen (18) years of age, whether the Opportunity School Choice application has been accepted or rejected within fifteen (15) days from receipt of the student's application. The notification shall be sent via First-Class Mail to the address on the application.

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

If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection. Unless the student's application was rejected due to the application not being timely received by the District for students transferring within the District or both the resident and nonresident districts for students that are transferring into the District, a parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District's decision to deny the application to the State Board of Education. The appeal must be in writing to the State Board of Education via hand delivery or certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District.

Except for students who are transferring under Uniformed Service Member Dependent School Choice, a student's transfer under Opportunity School choice is effective at the beginning of the next school year and the student's enrollment is irrevocable for the duration of the school year and is renewable until the student completes high school or is beyond the legal age of enrollment. This provision for continuing eligibility under Opportunity School 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, or within, the District
If a District school receives a rating of "F" or the District has been classified by the State Board as in need of Level 5 Intensive Support, the District shall timely notify parents, guardians, or students, if over eighteen (18) years of age, as soon as practicable after the school or district designation is made of all options available under Opportunity School Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to submit an application to enroll the student in:

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

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

Uniformed Service Member Dependent School Choice
"Uniformed service member" means an active or reserve component member of the:

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

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

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

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

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

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

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

The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis of the student shall be notified in writing whether the student's application has been accepted or rejected within fifteen (15) days of the receipt of the application by:

A. The District superintendent for students transferring within the District; or
B. The superintendent of the nonresident district for student's transferring to a nonresident district.

A student's transfer under the Uniformed Services Member Dependent School Choice is effective immediately upon the written notification of an acceptance.

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

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

Unsafe School Choice Program

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

4.4—STUDENT TRANSFERS

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

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

Each transfer application shall be considered individually and receive a separate vote by the Board. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a student who submits a transfer application shall be given at least five (5) minutes to present the student's case for a transfer to the Board.

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

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

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

Any student transferring from a school accredited by the Division of Elementary and Secondary Education (DESE) 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 a school that is not accredited by the DESE to a District school shall be evaluated by District staff to determine the student's appropriate grade placement. A student transferring from home school will be placed in accordance with Policy 4.6—HOME SCHOOLING.

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

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

4.9—TARDIES

Students are expected to be in class on time. Student will be disciplined according to the following after the fourth tardy in one semester:

- 4th tardy Lunch Detention
- 5th tardy Lunch Detention
- 6th tardy In School Detention
- 7th tardy In School Detention
- 8th tardy Half day of ISS
- 9th tardy Full day of ISS
- 10th tardy Principal Discretion

Section 3 – Academics

4.66—ARKANSAS DIRECT ADMISSIONS PROGRAM

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

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

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

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

5.21—ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE, AND HONORS COURSES

Students in grades 9-12 who take advanced placement (AP) courses, International Baccalaureate (IB) 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 IB 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.

"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.

5.26—ALTERNATIVE LEARNING ENVIRONMENT

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 ALE 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 effort 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.

An eligible ALE student shall exhibit two (2) or more of the characteristics identified below. Students will not be placed in the ALE based on academic problems alone.

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

- Disruptive behavior
- Drop out from school
- Personal or family problems or situations
- Recurring absenteeism

For the purposes of the ALE, personal or family problems or situations are conditions that negatively affect the student's academic and social progress. These may include, but are not limited to:

- Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
- Abuse: physical, mental, or sexual
- Frequent relocation of residency
- Homelessness
- Inadequate emotional support
- Mental/physical health problems
- Pregnancy; or
- Single parenting

No later than five (5) school days after a student begins alternative education interventions, the ALE 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 ALE 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 ADE rules.

4.45F4—CLASS RANKING and HONOR GRADUATES

Bergman honor graduates must meet the minimum requirements to graduate and also complete the bolded courses.

Bergman Honor Graduate Curriculum

- **4 total Mathematics credits**
  - **Algebra**
  - **Geometry**
  - **Algebra 2**
  - **1 of the following courses:**
    - AP Pre-Calculus
    - Algebra 3
    - College Algebra
- **4 total English Language Arts credits**
  - **English 9**
  - **English 10**
  - **2 of the following courses:**
    - English 11
    - English 12
    - Concurrent credit for Comp 1
    - Concurrent credit for Comp 2
    - AP Literature
    - AP Language
- **3 total History credits**
  - **US History**
  - **2 of the following courses:**
    - World History
    - Civics (½ credit)
    - Economics (½ credit)
    - Concurrent World Civilization
    - Concurrent American National Gov't
    - Concurrent Micro-Economics
- **3 total Science credits**
  - **Physical Science**
  - **Biology**
  - **1 of the following courses:**
    - Chemistry
    - Physics
    - AP Biology
- **1 credit of Foreign Language**
- **Complete a Merit or Distinction pathway**
  - *beginning with the class of 2028.*
- **Complete all additional Arkansas graduation requirements.**

To qualify as an Honor Graduate, students must also meet the following:

- Highly mobile students who move into our district during their senior year will not be ranked in senior class rankings.
- At least 2 semesters (1 school year) of grades 9-12 must be completed at Bergman High School.
- At least 6 semesters from grades 9-12 must be completed in an accredited public or private school.
- Distinguished Highest Honor Graduates shall be those who have a cumulative grade point average (GPA) of 4.0001 and above and have completed the Bergman Honor Graduate Curriculum. All Distinguished Highest Honor Graduates will receive a class rank of 1.
- Highest Honor Graduates shall be those students who have a cumulative grade point average of 4.0000 and have completed the Bergman Honor Graduate Curriculum. All Highest Honor Graduates will receive a class rank of 2.
- Honor Graduates shall be those students who have a cumulative grade point average of 3.5-3.999 and have completed the Bergman Honor Graduate Curriculum. If there are no Distinguished or Highest Honor Graduates, the student with the highest GPA below a 4.000 will be ranked 1.

Parents or guardians of a student or a student 18 years of age or older who choose to not have the student publicly identified as an honor roll or honor graduate student, must submit a written request that the student not be so identified.

Advanced Placement courses will count as 5.0 on our normal 4.0 grading scale as long as the student takes the AP Exam for the class, is enrolled in the AP class all year, and the teacher has received the appropriate AP training for the class.

To determine Distinguished Highest Honor, Highest Honor, and Honor Graduates in preparation for the graduation ceremony, the calculations from 9th grade to the 1st semester of the senior year will be used. Should a student earn a Grade Point Average (GPA) at the end of the senior year considered to be some form of Honor Graduate, it will be documented on the transcript.

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 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 as soon as possible after 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, etc.

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.

6.02 Enrollment and attendance at a post-secondary institution by an eligible student for credit shall be counted by the high school at a ratio of three (3) hours of the required 30-hour week for every credit; e.g., two (2) credits shall be the equivalent of six (6) hours of the required 30-hour week; three (3) credits shall be the equivalent of nine (9) hours of the required 30-hour week; four (4) credits shall be the equivalent of twelve (12) hours of the required 30-hour week; five (5) credits shall be the equivalent of fifteen (15) hours of the required 30-hour week; six (6) credits shall be the equivalent of eighteen (18) hours of the required 30-hour week; seven (7) credits shall be the equivalent of twenty-one (21) hours of the required 30-hour week; eight (8) credits shall be the equivalent of twenty-four (24) hours of the required 30-hour week; nine (9) credits shall be the equivalent of twenty-seven (27) hours of the required 30-hour week; ten (10) credits shall be the equivalent of thirty (30) hours of the required 30-hour week. *(put this in on 11-15-2016 because of an issue with a 2 hour course)*

4.45F2—CORRESPONDENCE COURSES

- Correspondence: no more than two (2) units of work can be done by correspondence and then only those received from a NAC approved school will be allowed toward graduation. Any such course shall be completed prior to receiving a diploma of graduation. All correspondence work must be registered and paid for during the first two weeks of the semester. All 1st semester 2nd units of correspondence work must be completed two (2) weeks before the 1st semester ends. All full unit courses must be completed by May 1st. All 2nd semester *Vi* unit courses must also be completed by May 1.
- Correspondence courses may be used for a maximum of two high school credits with the following restrictions:
    - Correspondence courses may not be used at the present enrollment level for core curriculum courses.
    - Correspondence may be taken at the present enrollment level for elective course offerings.
    - Correspondence courses may be taken by students to make up for failed credit
- A unit of credit for community service work may be earned by students that obtain approval from the principal.

5.11—DIGITAL LEARNING

See Section 6 for full digital learning policies.

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. Handheld 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 standalone 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. 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.

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

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

Students may take digital learning courses. Students must be physically present for each digital learning class he/she takes.

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

Regardless of any other provisions of this policy, the District may restrict a student's access to digital courses when the student's 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.

5.8—DIGITAL LEARNING COURSES

USE OF COPYRIGHTED WORK IN FACE-TO-FACE CLASSROOM

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

USE OF COPYRIGHTED WORKS IN DIGITAL TRANSMISSIONS DEFINITIONS

"Class session" 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.

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:
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
- The password to access the course materials shall be changed immediately following the close of the course.
- 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 believed 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:

1. The amount converted is only the amount allowed by law; and
2. The District has no digital copy of the copyrighted work available; or
3. 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.

4.75B—EXEMPTIONS FROM SEMESTER TESTS

Students who are exempt will not have to come to school for semester test review and semester test days. Exempt students may choose to come back and take any or all tests in order to try and raise their grade(s). However, if taking the test does not result in raising their grade(s) the test score(s) will not count against them. Students may not be exempt on a class-to-class basis.

Semester tests will count as 20% of the students' cumulative 1st & 2nd quarter grades and 3rd & 4th quarter grades.

Exemption Requirements:

1. **Grades**
   a. Students must have a 3.0 GPA or higher.
   b. No D's or F's recorded on any 9-week grade report card.
   c. No more than 7 missed absences for any one class period, excluding school activity absences.
2. **Behavior** – Students who receive In-School-Suspension (ISS) or Out-of-School Suspension (OSS) may not be exempt for that semester.
3. **Students must be enrolled for the entire semester**.

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 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 affect academic improvement. Students' grades shall reflect only the extent to which a student has achieved the expressed educational objectives of the course.

The grade earned by each student in the classroom setting shall be solely based on each student's academic performance.

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 all schools in the district 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%.

4.45F —GRADUATION REQUIREMENTS

A unit of credit shall be defined as the credit given for a course, which meets for the equivalent of a regular school period each day for a full year.

- A minimum of 23 units is required to graduate. A student must maintain a grade point average of 1.0 to graduate. Students that do not have both enough credits to graduate and a grade point average of at least 1.0 may not participate in graduation ceremonies (this does not include special education students).
- A student has to have 5.5, 11, and 16.5 units respectively to be considered a sophomore, a junior, or a senior.
- To graduate a student must satisfy requirements of the local board and state laws.
- Credit for correspondence (see #3 of this list) or for outside instruction may be granted to anyone providing it is approved through the Office of the Superintendent and given by a certified teacher or an accredited institution.
- Courses taken at post-secondary institutions by qualified students may count for mandatory attendance.
- Summer school is an option reserved for remediation.
- Students enrolled in a college course may receive high school credit for the course if approved by the high school principal.
- Any college course taken off campus will count toward GPA and honors if the student furnishes an official transcript to the office. Failure to provide an official transcript will mean the student doesn't want the course to count for high school credit, toward GPA and honors.

4.8—MAKE-UP WORK

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

1. Students will be allowed to make up homework and tests only if the absence is excused.
2. Students will be allowed to make up work missed when they are gone for school activities.
3. If a student is absent from a class for more than five (5) class periods during a semester, a professional note will be required for makeup work to be counted. Otherwise, the student will receive a zero (0) for any missed work (absences from class for school related activities are not counted toward the total).
4. Upon returning from an excused absence, the student is responsible for getting missed assignments from his/her teachers.
    a. All makeup work, including tests, is due in accordance with the attendance policy.
    b. Extension of time may be given if the principal and the teacher feel there is a need.
    c. After an extended absence due to extenuating circumstances, students, parents & principal will meet concerning make-up deadlines.
5. Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.
6. Teachers are responsible for providing the missed assignments when asked by a returning student.
7. Students are required to ask for their assignments on their first day back at school or their first class day after their return.
8. 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.
9. Students shall have one class day to make up their work for each class day they are absent.
10. Make-up work which is not turned in within the make-up schedule for that assignment may receive a zero.
11. Students are responsible for turning in their make-up work without the teacher having to ask for it.
12. 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.
13. As required/permitted by the student's Individual Education Program or 504 Plan.

Work may not be made up for credit for absences in excess of the number of allowable absences in a semester unless the absences are part of a signed agreement as permitted by policy 4.7—ABSENCES.

Work for students serving an out-of-school suspension or expulsion shall be in accordance with the District's programs, measures, or

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

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

5.15F4 - NINE WEEKS TESTS

Nine weeks tests will be given at the discretion of each individual teacher and will not count more than a regular test grade.

5.22F—NORTHARK TECHNICAL CENTER

In order to attend the NorthArk Technical Center (NATC) during their senior year, applicants must not have any "F's" on their transcript for their junior year. If a student is failing core classes at Bergman High School he/she will be pulled from NATC and will be assigned courses and interventions at Bergman High School.

They also must not have more than 10 unexcused absences for their entire junior year. Extenuating circumstances will be at the discretion of the administration. To be successful at NATC attendance is crucial. If attendance at NATC is poor the student may be pulled from NATC and assigned courses at Bergman High School.

4.38—PERMANENT RECORDS

Permanent school records, as required by the Division of Elementary and Secondary Education (ADESE), 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.

A permanent record form will be kept accurately for every pupil in school. The records of pupils completing the elementary school are to follow the pupils through the junior and senior high school. Such records of pupils completing high school and dropping out of school are under the supervision of the principal. The form of the permanent record is as follows:

1. A complete statement of the credits and final grade marks for every subject, by semester, in grades 9-12, the amount of credit earned, the year in which the subject was taken, the method of each withdrawal, name, and date of birth. Grades 9-12 are as reflected in the grading policy of this manual.
2. The permanent records are kept in the administration office.

PARENTS' RIGHTS TO INSPECT RECORDS

1. Access to records: Bergman School shall permit the parents of a student or an eligible student (one who is eighteen or is attending a post-secondary school) who is, or has been, in attendance to inspect and review the education records of that student. The school shall comply with a request within a reasonable period of time, but in no case more than 45 days after the request has been made.
2. The right to inspect and review education records includes:
   a. The right to a response from the school to reasonable requests for explanations and interpretations of the records.
   b. The right to obtain copies of the records at cost where failure of the school to provide the copies would effectively prevent a parent or eligible student from exercising the right to inspect and review the education records at the school.
3. The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate or misleading or violates the privacy or other rights of the student may request that the school which maintains the records amend them. The school shall decide whether to amend the education records of the student in accordance with the request. It shall inform the parent of the student or the eligible student of the refusal, and advise the parent or the eligible student of the right to a hearing. The school shall, on request, provide an opportunity for a hearing in order to challenge the content of a student's education records to ensure that information in the education records of the student is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student.

   The hearing shall be conducted according to procedures, which shall include at least the following elements:
   a. The hearing shall be held within a reasonable period of time after the school has received the request and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.
   b. The hearing may be conducted by any party including an official of the school who does not have a direct interest in the outcome of the hearing.
   c. The parent of the student or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his or her choice at his or her own expense including an attorney.

d. The school shall make its decision in writing within a reasonable period of time after the conclusion of the hearing.
e. The decision of the school shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.
f. If, as a result of the hearing, the school decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
g. If, as a result of the hearing, the school decides that the information is not inaccurate misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place in the education records of the student a statement commenting upon the information in the education records and/or setting forth any reasons for disagreeing with the decision of the school.

4. Cost of records: Each individual shall have one free transcript in addition to those mailed between schools, with the exception of post high schools. After the free transcript each additional one will cost one dollar. Copies made of student records, other than transcripts for personal use by parents or students will be provided at the rate of 25 cents per sheet.

PUPIL'S RECORD REQUEST FORM – available upon request in the high school office.

5. Release of Records
   a. Transfer of records is provided for in the Family Educational Rights and Privacy Act of 1974, as amended June 17, 1976. The new regulations no longer require an acknowledgement for the parents or eligible student that he or she has received notification before records may be released to other educational institutions (99.34)
   b. Release of information outside of school district: A school may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student if the disclosure is:
      (1) To other school officials, including teachers, within the school who have been determined by the school to have legitimate educational interests.
      (2) To officials of another school or school system in which the student seeks or intends to enroll.
      (3) To authorized representatives of:
         (a) The Comptroller General of the United States.
         (b) The Secretary
         (c) The Commissioner, the Director of the National Institute of Education or the Assistant Secretary of Education.
         (d) State Educational Authorities
   c. In connection with financial aid for which a student has applied or which a student has received, provided, that personally identifiable information from the education records of the student may be disclosed only as may be necessary for such purposes as:
      1. To determine the eligibility of the student for financial aid
      2. To determine the amount of the financial aid
      3. To determine the conditions which will be imposed regarding the financial aid
      4. To enforce the terms or conditions of the financial aid
   d. To organizations conducting studies for, or on behalf of, schools for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction: Provided that the studies are conducted in a manner which will not permit the personal identification of students and the parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purposes for which the study was conducted. The term "organizations" includes, but is not limited to Federal, State, and local agencies, and independent organizations.
   e. To accrediting organizations in order to carry out their accrediting functions.
   f. To comply with a judicial order or lawfully issued subpoena. Provided that the school makes a reasonable effort to notify the parent of the student or the eligible student of the other or subpoena in advance of compliance therewith.
   g. A school transferring the education records of a student shall:
      1. Make a reasonable attempt to notify the parent of the student or the eligible student of the transfer of the records at the last known address of the parent or eligible student except:
         (a) When the transfer of the records is initiated by the parent or eligible student at the sending school.
         (b) When the school includes a notice in its policies and procedures that it forwards education records on request to a school in which a student seeks or intends to enroll; the school does not have to provide any further notice of the transfer.
      2. Provide the parent of the student or the eligible student, upon request, with a copy of the education records, which have been transferred.

4.45F2—REPEATING COURSES FOR CREDIT

Bergman High School Students will not be allowed to repeat courses unless they have failed the course and want to receive credit. If a student chooses to or needs to repeat a course both the "F" in the course and the new grade will figure into their Cumulative GPA. Students will be allowed to take physical education each year, however, only one credit of PE will count toward graduation or figure into their cumulative GPA. Instrumental and Vocal Music may be taken each year of high school for credit, but they must be taken in

sequential order regardless of the grade level at which they are taken. Example: A senior taking vocal music for the first time in his or her high school career will be enrolled in Vocal Music 1.

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, as 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 the state and federal statutes governing special education.
Implementation of an Individualized Education Program (IEP) in accordance with the IDEA satisfies the district's obligation to provide a free and appropriate education under Section 504.
The Board directs the superintendent to ensure procedures are in place for the implementation of special education services and that programs are developed to conform to the requirements of state and federal legislation. The superintendent is responsible for appointing a district coordinator for overseeing district fulfillment of its responsibilities regarding students with disabilities. Among the coordinator's responsibilities shall be ensuring district enforcement of the due process rights of students with disabilities and their parents.

4.45—GRADUATION REQUIREMENTS FOR THE CLASS OF 2026

Information regarding Graduation requirements will be sent home with students prior to their enrolling in seventh (7th) grade, or when a seventh (7th) through twelfth (12th) grade student enrolls in the district for the first time. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. All students are required to fulfill the Core curriculum or the Alternate Pathway to Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians as part of the creation of the student's Student Success Plan.

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

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

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

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

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

GRADUATION REQUIREMENTS
The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 1 unit to graduate for a total of 23 units. The additional required units may be taken from any electives offered by the district. Accelerated learning courses or career education courses that are determined by DESE to be eligible for use in the place of a listed course may be substituted for the course as designated by DESE.

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

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

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

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

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

Oral Communications: one-half (½) unit

Mathematics: four (4) units
- Algebra or its equivalent***** - 1 unit
- Geometry or its equivalent***** - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable accelerated learning courses may be substituted where applicable)
- A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry.

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

Science: three (3) units
1. DESE approved biology – 1 credit;
2. DESE approved physical science – 1 credit; and
3. A third unit that is either:
    a. An additional science credit approved by DESE; or
    b. A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units
- Civics one-half (½) unit
- World history, one (1) unit
- American History, one (1) unit
- Other social studies – one-half (½) unit

Physical Education: one-half (½) unit **Note:** While one-half (½) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (½) unit

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

Fine Arts: one-half (½) unit

CAREER FOCUS: - Six (6) units
All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

A student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.

4.45.1 - GRADUATION REQUIREMENTS FOR THE CLASS OF 2027 AND THEREAFTER

Information regarding Graduation requirements will be sent home with students prior to their enrolling in seventh (7th) grade, or when a seventh (7th) through twelfth (12th) grade student enrolls in the district for the first time. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. All students are required to fulfill the Core curriculum or the Alternate Pathway to Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians as part of the creation of the student's Student Success Plan.

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

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

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

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

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

GRADUATION REQUIREMENTS
The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 1 unit to graduate for **a total of 23 units**. The additional required units may be taken from any electives offered by the district. Accelerated learning courses or career education courses that are determined by DESE to be eligible for use in the place of a listed course may be substituted for the course as designated by DESE.

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

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

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

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

Community Service
Except as otherwise provided by this policy or the student's IEP, each student must receive seventy-five (75) clock hours of community service that is certified by the service agency or organization where the student volunteers or the student's parent. The community service must be in programs or activities, either in Arkansas or outside of Arkansas, that meet the requirements established by the State Board and the District Board of Directors and include preparation, action, and reflection components. A student who transfers into the District after ninth (9th) grade must receive at least the following documented clock hours of community service each year:

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

- Twenty (20) hours for students in grade twelve (12).

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

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

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

Oral Communications: one-half (½) unit

Mathematics: four (4) units

- Algebra or its equivalent***** - 1 unit
- Geometry or its equivalent***** - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable accelerated learning courses may be substituted where applicable)
- A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry.

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

Science: three (3) units

A. DESE approved biology – 1 credit;
B. DESE approved physical science – 1 credit; and
C. A third unit that is either:
    a. An additional science credit approved by DESE; or
    b. A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- Civics one-half (½) unit
- World history, one (1) unit
- American History, one (1) unit
- Other social studies – one-half (½) unit

Physical Education: one-half (½) unit

Note: While one-half (½) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (½) unit

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

Fine Arts: one-half (½) unit

CAREER FOCUS: - Six (6) units

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

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

4.64—STUDENT USE OF ARTIFICIAL INTELLIGENCE

Definitions

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

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

The district shall provide teachers and students resources and education on AI literacy and digital citizenship. The District shall establish a committee who shall be responsible for the review and selection of AI tools that shall be available for students to use. All AI tools selected by the committee shall comply with applicable state and federal data privacy laws. Students shall only use AI tools that were approved by the District committee for classroom assignments or projects.
Teachers are responsible for providing instructions on when and how AI tools may be used for classroom assignments. Students may use AI tools as approved by their classroom teacher to enhance learning and develop future-ready skills.
Students should use AI tools ethically and responsibly, aligning with the district's educational objectives, and in a manner that does not harm themselves or others. As part of using AI tools responsibly, students should be cautious about the information they provide to AI tools and consult with a teacher if unsure. At no time shall Students share personal, sensitive, or confidential information with AI tools, especially AI tools requiring data input.

When a student uses AI tools, a student shall:

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

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

The following actions regarding AI tools are strictly prohibited:

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

Students should report any inappropriate content or security concerns encountered while using AI tools to a teacher or administrator. Violations of this policy shall be handled in accordance with the District's disciplinary procedures.

4.45F5— STATE MANDATED TESTING

Arkansas law requires that all public school students shall participate in a statewide program of educational assessments per Ark. Code Ann. §§ 6-15-419, 6-15-433, 6-15-2009. Students who do not score at a level determined by the Arkansas State Board of Education must be remediated. The weaknesses may be addressed in an Academic Improvement Plan (AIP) and if students do not meet the requirements of the AIP the school can withhold credit for the class for which the student did not score proficient.

4.54F2 – STUDENT ACCELERATION

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

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 time span. Either form of acceleration can be triggered by either a parent/guardian, student, or community member's request or by the referral of school personnel. 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. The district/school Gifted and Talented Program Coordinator shall convene the Acceleration Placement Committee and communicate with the individuals necessary for the Acceleration Placement Committee to make an informed decision which shall include the student's parent or guardians.

While the needs of the student should dictate when acceleration decisions are considered, the Board believes the optimal tie 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 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 G/T Coordinator. The District's G/T 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.

4.55—STUDENT PROMOTION AND RETENTION

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

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

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

Promotion or retention of students, or their required retaking of a course shall be primarily based on the following criteria. If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference shall be held before a final decision is made that includes the following individuals:

A. The building principal or designee;
B. The student's teacher(s);
C. School counselor;
D. A 504/special education representative (if applicable); and
E. The student's parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis.

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

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

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

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

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

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

1. Of the content of their child's independent reading plan and progress on the independent reading plan throughout the year; and

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

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

A. Provide at least ninety (90) minutes of evidence-based literacy instruction aligned to the science of reading during each school day;
B. Assign the student to:
    a. If the District has a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years; or
    b. If the District is unable to identify a teacher with a value-added model score in the top quartile statewide in English language arts for the past three (3) years, a teacher:
        i. With a highly-effective rating according to the Teacher Excellence and Support System, when possible; or
        ii. Deemed to be a high-performing teacher as defined by a Master Professional Educator designation.
C. Provide parents, legal guardians, or persons standing in loco parentis to students with a "read-at-home" plan to support student early literacy growth, which shall include evidence-based science of reading strategies and tools that are aligned to a student's individual reading plan for parents, legal guardians, or persons standing in loco parentis to use with their student;
D. Notify parents, legal guardians, or persons standing in loco parentis to a student regarding their student's eligibility for a literacy tutoring grant;
E. Be given priority to receive a literacy tutoring grant; and
F. Be given the option to participate in additional intensive, evidence-based literacy intervention programs aligned to the science of reading.

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

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

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

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

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

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

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

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

amends the student's diploma pathway shall be structured to ensure that the student will meet the high school graduation requirements for the student's chosen diploma pathway and be qualified for admission to a postsecondary educational institution or to enter the workforce. After each review, the student's SSP shall be signed by the student; student's parent, legal guardian, or person standing in loco parentis to the student; and the school counselor.

An SSP shall be created:

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

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

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

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 relevance 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 4.27previously presented to the principal. The Superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevance to the educational program as well as any other pertinent information in support of the use of the material.
Following the conclusion of the meeting, the Superintendent shall have five (5) working days to write a summary of the concerns expressed by the individual and the Superintendent's response to those concerns. The Superintendent shall create a file of his/her response along with a copy of the principal's response and a copy of the contesting individual's *Challenge to Instructional Material* form.
If, after meeting with the Superintendent, the contesting individual is not satisfied with the Superintendent's response regarding the appropriateness of the instructional or supplemental material, he/she may appeal the Superintendent's decision to the Board. The Superintendent shall present the contesting individual's *Challenge to Instructional Material* form to the Board at the next regularly scheduled meeting along with the written responses to the challenge. The Board may elect, if it so chooses, to hear brief verbal presentations from the parties involved in the challenge.
The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be the appropriateness of the material for its intended educational use.

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 _____

Section 4 – Student Behavior

STUDENT BEHAVIOR
The Bergman 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.

STUDENT CODE OF ETHICS

1. To develop a school loyalty and spirit that will be recognized by everyone with whom I come in contact;
2. To be known as one whose honor is trusted and who is capable of accepting responsibility;
3. To be a true sportsman; to be able to lose the game, the contest, or argument but never to lose my smile nor my courage and never to blame others for my shortcomings;
4. To use my opportunities to get an education to the best of my ability so that I may be better fitted to do service for others and myself;
5. To make my aim and goal high, realizing that the person who aims low seldom attains success;
6. Finally, to strive to achieve these high purposes realizing that the fulfillment of them will aid materially in making me a better citizen and Bergman a better high school.

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 and use of a personal electronic device except as authorized by Policy 4.47 or by the student's IEP or 504 Plan;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. 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, sexual orientation, gender identity, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;

21. Sexual harassment;
22. Bullying;
23. Operating a vehicle on school grounds while using a wireless communication device; and
24. Theft of another individual's personal property; and
25. Antisemitism.

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

4.20—DISRUPTION OF SCHOOL

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

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

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

"Violent or abusive behavior" means, without limitation:

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

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

Disorderly activities by any student or group of students that adversely affect the school's orderly educational environment shall not be tolerated at any time on school grounds.
A teacher may, but is not required to, remove a student from class:

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

A student who is removed from class shall:

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

The conference shall be held for the purpose of:

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

The following individuals shall be present at the conference:

A. The principal or the principal's designee;
B. The teacher;
C. The school counselor;
D. A 504/special education representative (if applicable);
E. The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis; and
F. The student, if appropriate.

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

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

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

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

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

4.43—BULLYING

Definitions

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

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

1. Involves an actual or reasonably perceived power imbalance;
2. Is repeated or has a high likelihood of repetition; and
3. Causes or creates actual or reasonably foreseeable:
    a. Physical harm to a public school employee or student or damage to the public school employee's or student's property;
    b. Substantial interference with a student's education or with a public school employee's role in education;
    c. 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
    d. Substantial disruption of the orderly operation of the school or educational environment;

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

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

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

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

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

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

Cyberbullying is prohibited whether or not the cyberbullying originated on school property or with school equipment, if the cyberbullying results in the substantial disruption of the orderly operation of the school or educational environment or is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose.

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

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

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

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

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

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

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

1. As soon as reasonably practicable, but by no later than the end of the school day following the receipt of the credible report of bullying:
    a. Report to a parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student that their student is the victim in a credible report of bullying; and
    b. Prepare a written report of the alleged incident of bullying;
2. Promptly investigate the credible report or complaint of bullying, which shall be completed by no later than the fifth (5^{th}) school day following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student who was the alleged victim in a credible report of bullying whether the investigation found the credible report or complaint of bullying to be true and the availability of counseling and other intervention services.

4. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of the student, or person acting in loco parentis of the student who is alleged to have been the perpetrator of the incident of bullying:
    a. That a credible report or complaint of bullying against their student exists;
    b. Whether the investigation found the credible report or complaint of bullying to be true;
    c. Whether action was taken against their student upon the conclusion of the investigation of the alleged incident of bullying; and
    d. Information regarding the reporting of another alleged incident of bullying, including potential consequences of continued incidents of bullying;
5. Make a written record of the investigation, which shall include:
    a. A detailed description of the alleged incident of bullying, including without limitation a detailed summary of the statements from all material witnesses to the alleged incident of bullying;
    b. Any action taken as a result of the investigation; and
6. Discuss, as appropriate, the availability of counseling and other intervention services with students involved in the incident of bullying.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred. In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus. Parents, legal guardians, person having lawful control of a student, persons standing in loco parentis, students, school volunteers, and employees shall be given copies of the notice annually.

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

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

Copies of this policy shall be available upon request.

4.65—ANTISEMITISM PROHIBITED

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

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

- The targeting of the state of Israel, conceived as a Jewish collectivity;
- Charging Jews with conspiring to harm humanity;
- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion;
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions;
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews;
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust);
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust;
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations;

- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor;
- Applying double standards by requiring of Israel a behavior not expected or demanded of any other democratic nation;
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis;
- Drawing comparisons of contemporary Israeli policy to that of the Nazis; or
- Holding Jews collectively responsible for actions of the state of Israel.

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

Discrimination and harassment based on antisemitism is expressly prohibited.

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

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

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

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

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

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

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

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

4.21F—COMMUNICATING A DEATH THREAT: (Act 1046)

A person who communicates a death threat concerning a school employee or student may be charged with a Class D felony.

4.20F—COMMUNICATING A FALSE ALARM: (Act 567)

1. A person commits the offense of communicating a false alarm if the person purposely imitates or circulates a report of a present, past, or impending bombing, fire, offense, catastrophe, or other emergency knowing that the report is false or baseless.
2. Communicating a false alarm is a Class D felony if:
    a. Physical injury to a person results; or
    b. The false alarm communicates a present or impending bombing and is made to or about a public or private educational institution.
3. Otherwise, communicating a false alarm is a Class A misdemeanor.

4.21F3—THREATS OF ACTS OF VIOLENCE

1. Principals shall report all threats of violence or acts of violence on school property to:
    a. the superintendent
    b. appropriate law enforcement agency
2. Reports should be made when the principal has personal knowledge or has received information leading to a reasonable belief that a person has committed or has threatened to commit an act of violence or crime involving a deadly weapon on school property or under school supervision

4.21—STUDENT ASSAULT OR BATTERY

A student shall not threaten, physically abuse, 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 acceptation, is calculated to:

1. Cause a breach of the peace;
2. Materially and substantially interfere with the operation of the school; or
3. Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation.

Students guilty of such an offense may be subject to legal proceedings in addition to any student disciplinary measures.

4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Definitions

"Firearm" means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

"Possession" means having a weapon on the student's body or in an area under the student's control.

"Weapon" means any:

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

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

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

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

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of one (1) year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.

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

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

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

KNIFE

Students are allowed to carry a folding pocket knife (no fixed blade) with no more than a 3" blade. However, students are not to have pocket knives out unless under the direct supervision of an employee of the school district.

Offenses
1st – Verbal Warning – knife confiscated and parent/guardian contacted
2nd – In-School Suspension – knife confiscated, parent/guardian contacted, student loses privilege to carry a knife
3rd – Out of School Suspension – knife confiscated, parent/guardian contacted

If a student shows harmful intent the knife will be confiscated and the student will receive out of school suspension with the possibility of expulsion.

If a student has a knife other than what has been stated as allowable, the student may receive out of school suspension with the possibility of expulsion.

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.

4.23—TOBACCO AND TOBACCO PRODUCTS

Smoking, possession, 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:

1st offense – In-School-Suspension (ISS) for three (3) days and completion of tobacco cessation program
2nd offense - Out-of-school suspension three (3) days with possible parent conference
3rd offense - Out-of-school suspension five (5) days with mandatory parent conference before the student may return to school.
4th offense - Out-of-school suspension ten (10) days with mandatory parent conference before the student may return to school.
5th offense - Recommendation for expulsion and mandatory parent conference before the student may return to school.

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

4.47— POSSESSION AND USE OF PERSONAL ELECTRONIC DEVICES

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

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

"Personal electronic device" means without limitation a:

A. Cellular telephone;
B. Paging device;
C. Beeper;
D. Mobile telephone that offers advanced computing and internet accessibility;
E. Digital media player;
F. Portable game console;
G. Tablet, notebook, or laptop computer;
H. Digital camera;
I. Digital video or audio recorder;
J. Smart watch; and
K. Device that can connect and transmit data through Bluetooth technology.

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

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

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

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

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

- The personal electronic device is required by the student's individual education plan (IEP), 504 Plan, or Individual Health Plan for health reasons;
- The use of the personal electronic device is during an emergency as defined by this policy;
- The personal electronic device is issued by the District for the student's use during the school day; or
- The use of the personal electronic device is during a special event during the school day.

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

- When and where the special school event will take place;
- Whether or not personal electronic devices shall be allowed at the special school event; and
- Where personal electronic devices may be used at the special school event.

The use of personal electronic devices at school sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending.

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

1. Using personal electronic devices issued by the District during class time in any manner other than specifically permitted by the classroom instructor;
2. Permitting any audible sound to come from the personal electronic device when not being used for reason #1 above;
3. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores;
4. Using the personal electronic device to record audio or video or to take photographs in areas where a general expectation of personal privacy exists, including but not limited to locker rooms and bathrooms;
5. Creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person regardless of whether the image is real or created through the use of artificial intelligence;
6. Using a personal electronic device issued by the District in a manner that violates the Electronic Device and Internet Use Agreement regardless of whether the violation occurred on or off campus;
7. Using a personal electronic device at an event during the school day that was not designated as a special school event or in a manner or location that was not authorized as part of the special school event;
8. Using personal electronic devices issued by the District while driving any vehicle at any time; or
9. Using a personal electronic device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle that is in motion and on school property.

Discipline
A student may have a personal electronic device confiscated if:

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

Confiscated personal electronic devices may be picked up at the school's administration office by the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis. Students have no right of privacy as to the content contained on any personal 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.

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

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

- 1st violation - 1 day detention
- 2nd violation - 1 day of ISS
- 3rd violation - 2 days ISS
- 4th violation - 2 days OSS

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

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 Bergman School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy.
This policy applies to any student who:

- Is on or about school property;
- Is in attendance at school or any school sponsored activity;
- Has left the school campus for any reason and returns to the campus; or
- Is on route to or from school or any school sponsored activity.

Prohibited substances shall include, but are not limited to:

- Alcohol, or any alcoholic beverage;
- Inhalants or any ingestible matter that alter a student's ability to act, think, or respond;
- LSD or any other hallucinogen;
- Marijuana;
- Cocaine, heroin, or any other narcotic drug;
- PCP;
- Amphetamines;
- Steroids;
- "Designer drugs";
- Look-alike drugs; or
- Any controlled substance.

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

Any student selling or providing drugs on campus or at school events will be expelled for one calendar year. Any student who possesses, uses, is under the influence, or is knowingly and intentionally present when the above substances are being used may be suspended or expelled for the following periods of time:

- 1st offense possible suspension and recommendation for expulsion for one semester with mandatory parent conference before the student may return to school. (89 school days)
- 2nd offense possible suspension and recommendation for expulsion for one school year with mandatory parent conference before the student may return to school. (178 school days)

The Bergman School district recommends that the student seek appropriate rehabilitation services.

Other clubs that may be formed and any other extracurricular activity are included. Any student operating or possessing a vehicle on campus is considered a participant of an extracurricular activity. School Year: From the first day of classes in the fall, unless the activity begins prior to the first day of classes, in which event, from the first day of practice through the last day of classes in the spring.

Policy Statement:
Bergman School District ("the district") is conducting a mandatory drug-testing program for students. Its purpose is threefold:

1. to provide for the health and safety of students in all activity programs grades 7-12;
2. to undermine the effects of peer pressure by providing a legitimate reason for students to refuse to use illegal drugs;
3. to encourage students who use drugs to participate in drug treatment programs.

This Student Drug Policy supersedes any previous policies or procedures that may conflict. (SEE Section 4.24)

PROCEDURE FOR STUDENTS—DRUG POLICY

General Student Drug Policy

1. Any student is subject to student disciplinary action when a student is at school "under the influence" of any substance covered under this policy. School administrators can make the determination whether the student is under the influence based on observation of the student's appearance and behavior.
2. Any student driving on campus has no expectation of privacy in a vehicle present on the school campus. All vehicles present on school campuses are subject to random searches or searched upon reasonable suspicion.
3. A student may select to be tested under the procedure of the extracurricular activity policy if he/she contests an administrator's determination of "under the influence."

Extracurricular Drug Policy

1. Consent: Each student wishing to participate in any activity program and the student's custodial parent or guardian shall consent in writing to drug testing pursuant to District's drug testing program. Written consent shall be FORM A (sent out separately at the beginning of the school year). No student shall be allowed to participate in any activity program absent such consent.
2. Student Selection: At the option of the district, all students in activity programs and/or student drivers may be drug tested at the beginning of the school year. In addition, random testing will be conducted during the school year. Selection for random testing will be from a "pool" of all students participating in the extracurricular activity on each individual activity date. The superintendent shall take all responsible steps to assure the integrity, confidentiality and random nature of the selection process including, but not necessarily limited to, assuring that the names of all participating students are in the pool, assuring that the person drawing names has no way of knowingly choosing or failing to choose particular students for the testing, assuring that the identity of students drawn for testing is not known to those involved in the selection process and assuring direct observation of the process by the least intrusive means possible while assuring brevity and privacy.
3. Sample Collection: Samples will be collected upon request on the same day the student is selected for testing or if the student is absent on that day, on the day of the student's return to school. If a student is unable to produce a sample at any particular time, the student will be required to remain at the testing location and drink fluids until they are able to provide a sample.

TESTING AGENCY

The district uses a testing device on campus in the nurse's office. A student's parent or guardian may request that the student be allowed to take an additional test at a physician's office (at the parent's expense) to confirm testing on the same calendar day of testing at school.

PRESCRIPTION MEDICATION

Students who are taking prescription medication may provide a copy of the prescription or a doctor's verification, which will be considered in determining whether a "positive" test has been satisfactorily explained. Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests."

SCOPE OF TESTS

The drug screen tests for one or more illegal drugs. Student samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug intoxication. As a quality control measure, the school reserves the right to send any urine sample that appears unusual in color and/or consistency to a laboratory for testing and confirmation or non-confirmation.

LIMITED ACCESS TO RESULTS

The results of the laboratory test will be reported only to the superintendent or to such a person as the superintendent may designate in the event the superintendent is absent.

PROCEDURE IN THE EVENT OF A POSITIVE RESULT

Whenever a student's test result indicates the presence of illegal drugs ("positive test"), the following will occur: if the sample tests positive, a custodial parent or legal guardian will be notified and a meeting will be scheduled with the Superintendent or his designee, the student, the custodial parent or legal guardian, and the student's principal and head coach or sponsor.

FIRST POSITIVE RESULT

For a positive result, the student will be placed on probation and not be allowed to participate in competitions, presentations, activities, and/or drive on the campus of Bergman Schools for a period of twenty days. The student will be recommended for counseling and if any charge is incurred, it will be the responsibility of the parents. On day twenty-one, the student will be allowed to be retested (at the expense of parent/guardian). If the results are found to be negative, the student will again become eligible for competitions, presentations, and activities relating to Bergman Schools. However, the student must submit to a mandatory drug screen or lab test on a monthly basis at the expense of the parent/guardian, the duration to be determined by the intervention program (maximum six months). A student may be required to practice or participate in off-season activities at the head coach's or sponsor's discretion. He/she cannot compete or dress out for any competition.

SECOND POSITIVE RESULT

For the second positive result in the same year or any two consecutive calendar years, the student will be suspended from participating in activities for the remainder of the school year. If this positive test is in the spring semester, the student will not be able to participate during the following fall semester.

THIRD POSITIVE RESULT

For the third positive result, the student will be suspended from participating in activities for the remainder of his enrollment with the school (may be appealed to the board).

OTHER DISCIPLINARY MEASURES

The District, by accepting this policy, is not precluded from utilizing other disciplinary measures set forth in the Student

Handbook and this policy does not preclude the District from taking disciplinary procedures and resulting action when founded upon reasonable belief and suspicion that a student has participated in drug related activities.

REFUSAL TO SUBMIT TO A DRUG TEST

A student who refuses to submit to a drug test will be suspended. A negative drug test administered by a licensed physician must be presented to the administration upon return to school. The drug test must be not more than three (3) days old.

4.21F2—USING PROFANE LANGUAGE TOWARD A SCHOOL EMPLOYEE: (Act 1565)

1. It is unlawful for any person to use profane, violent, abusive, or insulting language toward any public school employee during the course of his or her duties.
2. A person who violates this section shall be guilty of a misdemeanor and upon conviction be liable for a fine of not less than one hundred dollars ($100) nor more than one thousand five hundred dollars ($1500).

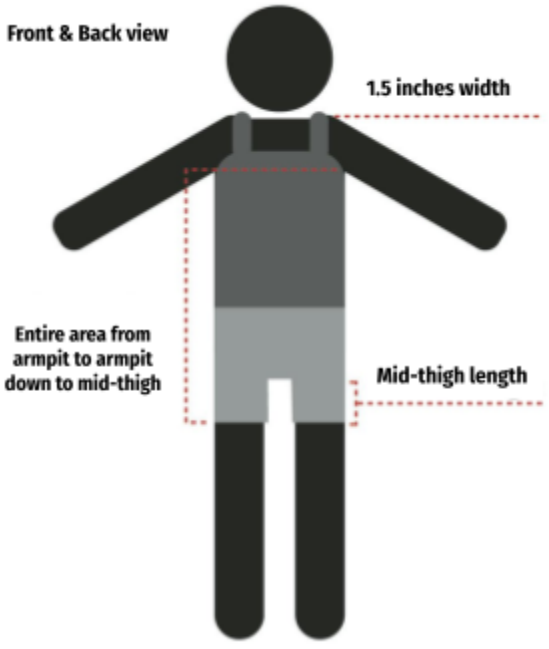
4.25—STUDENT DRESS AND GROOMING

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

DRESS CODE

Our students are expected to dress appropriately for school in a manner that shows respect for themselves and others and does not cause disruption of the learning situation or distractions. These guidelines should contribute to a comfortable learning environment and should not attract a distracting amount of attention.

1. Clothing may be no shorter than mid-thigh. No holes that reveal anything in a prohibited area. No exposed back, midriff, sides, or buttocks. No see-through clothing, pajama pants, or sleeveless undershirts to be worn as primary clothing.
2. No revealing cleavage of a chest of a female or chest of a male.
3. Leggings, tights and yoga pants must have tops long enough to cover the butt and the front.
4. No clothing or accessories with obscene or suggestive writing, i.e., tobacco, alcohol, sexually oriented, drug-related, violence oriented, etc.
5. Tops must have shoulder straps at least 1.5 inches wide. T-shirts may not have cut out or torn sleeves. No bare midriffs, no cleavage, pajama pants and no sleeveless undershirts are to be worn as primary clothing.
6. 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 or male.
7. No caps, hair coverings (i.e. bandanas, hats), or sunglasses (except prescription glasses) may be worn inside the building by either sex.
8. Clothing should not be a safety hazard.
9. Students may not wear, possess, use, display in any manner, distribute, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other item commonly associated with membership in or affiliation with a gang. When there is a question as to whether or not possessions or clothes are gang related, determination would be made by the Bergman School Administration.
10. No face paint, no excessive makeup
11. No animal control devices may be worn (collars, harnesses, bits, etc)
12. No animal tails, animal ears, or costume accessories



As a general rule, any student who wears an article of clothing or manner of hairstyle or makeup determined by teachers and principals to be disruptive of the learning environment or hazardous to the health and safety of the student and/or teacher shall not be allowed. The primary guide in determining what is or is not appropriate is the extent to which such dress or grooming attracts undue attention in the classroom or school.

Students found in violation will be sent to the office to be checked by the administrator or designee. Students will be instructed to change into appropriate clothing. If appropriate clothing is not available, a parent will be notified. Parents can bring clothing, or clothing will be provided.

After 2 dress code violations in one week, a student will serve detention.

Graduation & Prom
Girls must wear a skirt, dress, or dress pants and boys must wear dress pants or black jeans and a tie (can be a bolo, bow, or traditional) to graduation and prom. Shoes must be appropriate to the attire and occasion as well. Failure to adhere to these regulations for these occasions will result in the student's dismissal from the event.

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.

Acceptable Use and Internet Safety Policy
Computers, networks, and other computing resources within the Bergman School District are provided to enhance its mission of teaching, research and public service and to provide access to local, national, and international facilities in achieving these goals. The District is committed to computing and network systems that effectively meet the needs of its users and reserves the right to restrict or terminate access at any time and for any prudent reason. It reserves the right to monitor computer, network, and computing resources in any form it sees fit in order to maintain the integrity of the system. Computer, network and computing resource access is a privilege and not a right. Student use of computers shall only be as directed or assigned by staff or teachers. Students are advised that they enjoy no expectation of privacy in any aspect of their computer use and that monitoring of student computer use is continuous. Students must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district's

technology network security or internet filtering software, alter data without authorization, or disclose passwords to other students.

In an effort to help protect student welfare when they navigate the Internet, the district will work to educate students about appropriate online behavior, including interactions with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

Due to the pervasive use of the computer and technology all students will be using a computer within their academic environment for daily activities and assignments. Therefore, parents and students should carefully read the computer policy and sign the application for campus computer use. Each student will be required to sign and return the application to engage in any use of District computers, networks or computer resources. This application will be turned in to the campus media specialist and kept on file for reference.

GENERAL POLICIES

1. Use of Hardware
    a. Computer hardware is like any other school property and shall be treated as such.
    b. Only authorized individuals will install, service, and /or maintain district-owned computer hardware.
    c. No hardware, including cables or peripherals, may be moved without authorization from the Technology Staff.
    d. It is the responsibility of the faculty member to whom the computer is assigned to turn off and secure the computer and its peripherals at the end of the day. It is the responsibility of the faculty, students, staff and associates to keep the computer clean and away from food or other harmful substances or objects.
    e. It is the responsibility of the faculty or staff member to whom the computer is assigned to report malfunctions of the hardware to the campus media specialist using the District work order procedures.
2. Use of Computer Software
    a. Only software that is legally owned and /or authorized by the District may be installed on District Computers.
    b. The unlawful copying of any copyrighted software and/or its use on District hardware is prohibited.
    c. Modification or erasure of software without authorization is prohibited.
    d. The introduction of any viral agent is prohibited. Any diskette should be scanned for viruses before being used on District computers.
    e. Any individual who introduces a virus into the District system or violates the copyright laws shall be subject to appropriate District discipline policies and to the penalty provisions of the computer/network use policy.
    f. The District Technology Coordinator has the right to remove any software from district owned equipment where the user cannot provide original copies of the software and/or license for the software. The staff member will be held legally responsible for software on their assigned computer outside District supported titles.
3. No unauthorized disk may be inserted into any computer without expressed permission and direct supervision of authorized personnel.
4. No student will be given unrestricted, unsupervised access to any computer or part of the system owned by the District.
5. No student will be given the password to systems or applications, which require password access.
6. No recreational gaming or chatting will be permitted on District computers. Email will be allowed only upon the discretion of the supervising staff using District GroupWise accounts.
    a. No personal home pages are allowed to be published through the District Web Server because of storage availability.

SPECIFIC POLICIES

Office Computers

Only authorized personnel may operate these computers. Sensitive data should be password protected. Data on these machines should be saved to user folders on the network server and should be backed up on a regular basis. Data backups should be kept in a fire proof setting.

Classroom and Lab Computers

Computers located in the classroom or lab serve two purposes; to assist the teacher with classroom management and to enhance the curriculum. Applications and data related to classroom management should be restricted to appropriate staff only. Student use of these machines is restricted to curriculum use only—not to play games or surf the net for pleasure. Students will be allowed to use the computer for specific purposes only after receiving permission from the classroom teacher. Usage of computers without supervision is forbidden. Any student use of classroom computers for which a supervising staff member has not granted permission is expressly forbidden. Appropriate disciplinary action will be taken as necessary.

Media Center Computers

Computers in the media center exist to enhance library services and to provide access for general student use to accomplish academic objectives. Students may use the computers for specific purposes after receiving permission from the appropriate staff member. Recreational gaming and chatting is not allowed on media center computers.

INTERNET ACCESS

The Bergman School District provides Internet access to students and staff by request. To receive an account a signed application must be submitted to the campus media specialist each school year which will be kept on file for reference. Applications must include the signature of a parent/or guardian if the student is under or 18 years of age. Internet access through the District is a privilege and not a right. As such, the Bergman School District reserves the right to restrict or terminate

access at any time and for any viable reason. The District Technology Staff further has the right to monitor and document any network activity in any form it sees necessary to maintain the integrity of the network and system.

All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged pupils. Every user must take responsibility for his or her use of the computer network and Internet and stay away from these sites. Parental and staff supervision is the best deterrent.

Just as individuals must learn and adhere to proper social codes and behaviors, all net users will be required to learn and observe proper use of the net through access provided by the Bergman School District. These policies will be included in the District Handbooks each year. A signed statement of acceptance from all students and staff will be kept on file for each user. This application must be submitted each new school year.

Internet Behaviors

- Be polite and use appropriate language
- Do not reveal your personal address, phone number or picture
- Do not use the network in such a way that you would disrupt the network by other users (streaming audio, video, and gaming)
- Keep your account password private, and log off the network after each use. Your account is your responsibility.

INTERNET SAFETY

Personal-Be Safe- In using the computer network and Internet, do not reveal personal information such as your home address or telephone number. Do not use your real last name or any other information, which might allow a person to locate you without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting with someone you "meet" on the computer network or Internet without your parent's permission. Regardless of your age, you should never agree to meet a person you have only communicated with on the Internet in a private setting.

Illegal Activities-It is a violation of this Policy to use the District computers or network to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance, is strictly prohibited.

Confidentiality of Student Information-Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian or, if the student is 18 or over, the permission of the student himself/herself. Users should never give out private or confidential information about themselves or others on the Internet particularly credit card numbers and Social Security numbers. Supervising teachers or administrators may authorize the release of directory information, for internal administrative purposes or approved educational projects and activities.

Technology Protection Measures-The Bergman School District will utilize state provided firewalls with a content filter that is updated weekly. Monitoring of Internet usage is logged and mailed to Technology Staff daily. Inappropriate usage will be addressed. Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to prevent visual depictions of material deemed obscene or to child pornography, or to any material deemed harmful to others

PRIVACY

Network and Internet access is provided as a tool for your education. The Bergman School District reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network, email and Internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and will remain the property of the School District and no user shall have any expectation of privacy regarding such materials.

****The following actions are expressly forbidden**:

1. Applying for an account under false pretenses
2. Loading or Downloading unauthorized software or unlicensed software
3. Sharing user ID's or accounts with any individual other than the one for whom it was created
4. Deletion, examination, copying, modification of files and/or data belonging to others without permission
5. Attempts to evade or alter system security or operating system policies
6. Failure to comply with requests from the system administrator to alter certain actions and/or behaviors
7. Vandalism or theft to District network, hardware, or software
8. Use of facilities for commercial purposes
9. Any unauthorized, deliberate action which damages or disrupts the system
10. Forgery (or attempted forgery) of electronic mail messages
11. Attempts to read, delete, copy, or modify the electronic mail or files of another user
12. Sending or attempting to send harassing, obscene and/or other threatening e-mail
13. Sending or attempting to send unsolicited "junk mail" (spamming) to other users
14. Gaining or attempting to gain access to restricted system areas on the local or remote systems
15. Decryption or attempted decryption of user passwords
16. Illegally uploading or downloading copyrighted materials
17. Checking email such as yahoo accounts or hotmail accounts, etc. without permission
18. Instant messaging or chatting of any kind
19. Playing online games in any form (without permission)

20. Audio or Video streaming (without permission)
21. Illegal, inappropriate, or obscene activities, or support of such activities:
22. Illegal activities are defined as violation of local, state or federal laws.
23. Inappropriate use is defined as any violation of the intended use of the network.
24. Obscene activities are defined as violations of generally accepted social standards for use of a publicly owned and operated communications vehicle.

These items above should be considered "zero tolerance" items. The District Technology Coordinator as necessary may include additional items.

CONSEQUENCES

A user who violates this Policy, shall at a minimum, have his or her access to the computer network and Internet terminated, which the School District may refuse to reinstate for the remainder of the student's enrollment in the School District depending on infraction. A user violates this Policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. The School District Administrator can take disciplinary action in addition to these measures.

- Suspension or revocation of Internet Access
- Suspension or revocation of access to all computers at school
- Suspension or expulsion from school
- Legal action and prosecution by authorities
- Monetary responsibility for damages incurred

The building administrator in consultation with the Superintendent and District Technology Coordinator will take disciplinary actions.

WARRANTIES/INDEMNIFICATION

The Bergman School District makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this Policy. It shall not be responsible for any claims, losses, damages or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user or his or her parent or guardian arising out of the user's use of its computer networks or the Internet under this Policy. By signing this Policy, users are taking full responsibility for their use. The user who is 18 or older or, in the case of a user under 18, the parent or guardian are agreeing to indemnify and hold the School, the School District, the Data Acquisition Site that provides the computer and Internet access opportunity to the School District and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims or damages resulting from the user's access to its computer network, email, and the Internet, whether that use is on a School computer or on another computer outside the School District's network.

4.29F—STUDENT INTERNET USE AGREEMENT

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

1. Conditional Privilege: The Student's use of the district's access to the Internet is a privilege conditioned on the Student's abiding to this agreement. No student may use the district's access to the Internet whether through a District or student owned electronic device unless the Student and his/her parent or guardian have read and signed this agreement.
2. Acceptable Use: The Student agrees that he/she will use the District's Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal laws and regulations and any State laws and rules. The Student also agrees to abide by any Internet use rules instituted at the Student's school or class, whether those rules are written or oral.
3. Penalties for Improper Use: If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action. [**Note: A.C.A. § 6-21-107 requires the district to have "...provisions for administration of punishment of students for violations of the policy with stiffer penalties for repeat offenders, and the same shall be incorporated into the district's written student discipline policy." You may choose to tailor your punishments to be appropriate to the school's grade levels.]**
4. "Misuse of the District's access to the Internet" includes, but is not limited to, the following:
    A. Using the Internet for other than educational purposes;
    B. Gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
    C. Using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
    D. Making unauthorized copies of computer software;
    E. Accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
    F. Using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
    G. Posting anonymous messages on the system;
    H. Using encryption software;
    I. Wasteful use of limited resources provided by the school including paper;

J. Causing congestion of the network through lengthy downloads of files;
K. Vandalizing data of another user;
L. Obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
M. Gaining or attempting to gain unauthorized access to resources or files;
N. Identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
O. Invading the privacy of individuals;
P. Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
Q. Using the network for financial or commercial gain without district permission;
R. Theft or vandalism of data, equipment, or intellectual property;
S. Attempting to gain access or gaining access to student records, grades, or files;
T. Introducing a virus to, or otherwise improperly tampering with the system;
U. Degrading or disrupting equipment or system performance;
V. Creating a web page or associating a web page with the school or school district without proper authorization;
W. Providing access to the District's Internet Access to unauthorized individuals;
X. Failing to obey school or classroom Internet use rules;
Y. Taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools.; or
Z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

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

6. **CHROMEBOOK REPAIR PRICES:**

• Replacement: $275	• Keyboard: $80 • Touchpad: $25	• Case: $25 • Screen: $50	• Keyboard & Touchpad: $100 • Power cord: $25

7. **No Expectation of Privacy:** The Student and parent/guardian signing below agree that if the Student uses the Internet through the District's access, that the Student waives any right to privacy the Student may have for such use. The Student and the parent/guardian agree that the district may monitor the Student's use of the District's Internet Access and may also examine all system activities the Student participates in, including but not limited to email, voice, and video transmissions, to ensure proper use of the system. The District may share such transmissions with the Student's parents/guardians.
8. **No Guarantees:** The District will make good faith efforts to protect children from improper or harmful matters which may be on the Internet. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.
9. **Signatures:** We, the persons who have signed below, have read this agreement and agree to be bound by the terms and conditions of this agreement.

4.60- STUDENT BEHAVIORAL INTERVENTION AND RESTRAINT

Definitions
"Aversive behavioral intervention" means a physical or sensory intervention program that is intended to modify behavior through the use of a substance or stimulus that the intervention implementer knows will cause physical trauma, emotional trauma, or both, to a student, even when the substance or stimulus appears to be pleasant or neutral to others.
Examples of aversive behavioral interventions include, but are not limited to:

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

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

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

- Is developed by a problem-solving and intervention team and delineates emotional, social, or behavioral goals for a student and the steps that the school, student, parent of the student, and others will take to positively support the progress of the student towards the student's emotional, social, or behavioral goals;
- Is comprised of practical and specific strategies to increase or reduce a defined behavior or one (1) or more patterns of behavior exhibited by a student; and
- Includes the following at a minimum:
    - A definition or description of the desired target behavior or outcome in specific measurable terms;
    - A plan for preventing and eliminating inappropriate student behavior by changing a condition that is triggering, motivating, underlying, or supporting that behavior as determined through a FBA;
    - A plan for teaching a student to demonstrate appropriate social, emotional, or behavioral self-management, or a new method to address or meet the student's needs;
    - A description of how a specific incentive or consequence will be used as needed to decrease or eliminate inappropriate student behavior and increase appropriate behavior;
    - A plan for managing a crisis situation;
    - A system to collect, analyze, and evaluate data about the student;
    - The school personnel, resources, and training needed before implementation of the BIP; and
    - The timeline for implementing different facets of an intervention, including without limitation when the intervention will be formally reviewed.

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

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

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

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

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

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

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

"Functional Behavior Assessment" (FBA) means a problem analysis step that:

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

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

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

"Physical escort" means a temporary touching or holding of the hand, wrist, arm, shoulder, or back of a student for the purpose of redirecting or inducing the student to move to a safe location.

"Physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arm, leg, or head freely; however, physical restraint does not include a physical escort.

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

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

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

Multi-Tiered Behavioral Interventions
The District shall establish a multi-tiered system of behavioral interventions for each student who exhibits social, emotional, or behavioral difficulty that may escalate, if not addressed, to potentially dangerous behavior.

Behavior Intervention Team
A behavior intervention team (BIT) shall be established for each student who exhibits social, emotional, or behavioral difficulty that may escalate, if not addressed, to potentially dangerous behavior. The BIT shall include members who are academic and behavioral assessment and intervention professionals.

A student's BIT shall:

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

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

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

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

- use the least restrictive technique necessary to end imminent danger or serious physical harm to a student and others;
- Use the safest method available and appropriate to the situation;
- Consider the health and safety of a student, including without limitation whether the student has an existing medical condition that makes the use of physical restraint inadvisable;
- Not restrict the ability of a student to communicate unless the use of a less restrictive technique will not prevent imminent danger of serious physical harm to the student or others;
- Use only the amount of force that is reasonably necessary to protect a student or others from imminent danger of serious physical harm to the student or others;
- Not verbally abuse, ridicule, humiliate, taunt, or engage in any other similar action towards the student; and
- continuously and visually observe and monitor the student while the student is under physical restraint.

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

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

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

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

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

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

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

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

- The student's BIT;
- The student's IEP team; or
- The student's 504 Plan team.

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

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

Reports and Debriefing

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

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

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

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

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

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

The purpose of the debriefing meeting shall be to:

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

At a debriefing meeting, school personnel shall:

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

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

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

4.26—GANGS AND GANG ACTIVITY

Gangs that initiate, advocate, or promote activities that threaten the safety and well-being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of dress (sagging and chains are examples) or grooming that, by virtue of its color, arrangement, trademark, symbol, or any other attribute indicates or implies membership or affiliation with such a group is prohibited because of the disruption to educational activities that result from such activities or dress. It is the school's position that such activities and dress present a clear and present danger to the students and staff at Bergman School.

Gangs and hazing are not acceptable in the Bergman School District. Gangs, as defined in this policy, shall mean individuals who

associate with each other primarily for criminal, disruptive, and/or other activities prohibited by law and or by the School District's rules and regulations including any type of organization or society which fosters undemocratic practices and seeks to perpetuate itself by taking in additional members from the pupils enrolled in Bergman School on the basis of the decision of its membership rather than upon the free choice of any pupil in the school who is qualified by the rules of the school to fill special aims of an organization or society. Gang and gang-related activities are not acceptable in the school setting. The Board of Education is aware that the presence of gangs interferes materially and substantially with the educational process and with the requirement of appropriate discipline in the school. Gangs foster anti-school behaviors, attitudes, and practices that may endanger the health, safety, and welfare of our students. Therefore, students are prohibited from participating in any activity related to gangs while at school, or while attending school-sponsored events.

PROHIBITED ACTIVITIES INCLUDE (BUT ARE NOT LIMITED TO) THE FOLLOWING.

1. Soliciting and/or recruiting others for membership in gangs or unauthorized clubs or activities
2. Participating in and/or inciting physical violence.
3. Extorting or soliciting money and/or services, requesting any person to pay for protection, insurance, or the payment of dues.
4. Coercing, harassing, and/or otherwise intimidating, threatening, or causing harm to any person.
5. Wearing, possessing, using, displaying in any manner, distributing, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other item commonly associated with membership in or affiliation with a gang. When there is a question as to whether or not possessions or clothes are gang related determination would be made by the Bergman School Administration.
6. Using any communication, verbal or nonverbal (gestures, handshakes, etc.) suggesting or showing membership in, or affiliation with a gang.
7. Engaging in any activity defined by the laws of Arkansas to be "hazing" including:
   a. Any willful act on the property of Bergman School or at school activities by one student alone or acting with others which is directed against any other student and done for the purpose of intimidating the student; attacking him/her by threatening him/her with social or other ostracism or by submitting such student to shame or disgrace among his fellow students, and acts calculated to produce such results; or
   b. The playing of abusive tricks on the property of Bergman School or at school activities by one student alone or acting with others, upon another student to frighten or scare him/her; or
   c. Any willful act on the property of Bergman School or at school activities by one student alone or acting with others which is directed against any other student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the student attacked or discourage him/her from remaining in Bergman School rather than submit to such acts; or
   d. Any willful act on the property of Bergman School or at school activities by one student alone or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any student of Bergman School or any other educational institution or assault upon any such student made for the purpose of committing any of the acts or producing any of the results to such students as defined by this paragraph.
   e. Any act or activity which violates any law or any policy of Bergman School when such activity is taken to further the interests of a gang.

BERGMAN SCHOOL WILL SUSPEND OR EXPEL ANY STUDENT THAT:

1. Is or remains a member, promises to join, becomes a member, or solicits other persons to join, promises to join, or pledges to become a member of any prohibited secret society or organization as described in this policy:
2. Wears or displays any insignia for the purposes of identification with any such society or organization while in and attending Bergman School.

4.33—STUDENT VEHICLES

Students who have presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive their vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. 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.

At the end of the school day, students are to stay in their parking spaces until the buses pull out of the parking lot. Cars are to circle around in front of the gymnasium and middle school to exit the parking lot.

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.

4.19—CONDUCT TO AND FROM SCHOOL

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

The preceding paragraph also applies to student conduct while on school buses. Students shall be instructed in safe riding practices. The driver of a school bus shall not operate the school bus until every passenger is seated. In addition to other disciplinary measures provided for violations of the District's Student Code of Conduct, the student's bus transportation privileges may be suspended or terminated for violations of the Student Code of Conduct related to bus behavior.

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

BUS REGULATIONS FOR STUDENTS

The following regulations govern bus transportation of students:

1. Be at the stop at the scheduled time. Stand back about 10 feet from the bus stop and wait until the door is opened before moving close to the bus. Do not play on the highway or roadway.
2. While waiting for the bus, remain in a safe place away from the traffic. If you miss the bus, do not attempt to hitchhike a ride to or from school.
3. While loading or unloading, enter and leave the bus orderly and quickly.
4. While riding the bus, you must obey the driver at all times.
5. Conduct yourself in a manner that will not disturb other riders on the bus.
6. Do not change seats while the bus is in motion.
7. Do not tamper with any of the safety devices, such as door latches, fire extinguishers, etc.
8. Do not put hands, arms, head, or bodies out of windows, or throw any object from the bus.
9. If the highway or roadway must be crossed to enter the bus, wait until the bus has come to a complete stop and the driver has signaled for you to cross in front of the bus.
10. Pupils who must cross the road after leaving the bus in the afternoon must go to a point on the shoulder of the road 10 feet in front of the bus. Cross the highway or roadway only after the driver has signaled you to do so.
11. Do not damage road signs or warning signals placed on the highway by the highway department.
12. If you do not obey these rules or continually cause trouble, you may be denied the privilege of riding the bus,
13. Suspension of bus privileges will be decided by the administration with "due process" procedures.
14. The bus driver has the authority to assign seats or to move any student to any seat on the bus. The drivers have the same authority and responsibility as a teacher.
15. Bad conduct on buses is to be reported by the bus driver to the Principal.
16. A parental note is required for a student to ride a different bus or depart the bus at a different location.
17. No person shall possess a firearm on school property, a school bus, or at a designated bus stop.

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

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis.The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, person having lawful control of the student, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

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

4.17—STUDENT DISCIPLINE

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

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

The District's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to:

- A felony or an act that would be considered a felony if committed by an adult;
- An assault or battery;
- Drug law violations; or
- Sexual misconduct of a serious nature.

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

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

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

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

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

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

It is required by law that the principal or the person in charge report to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the Superintendent, that person shall also inform the Superintendent of the incident. Additionally, the principal shall inform any

school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The Superintendent or designee shall inform the Board of Directors of any such report made to law enforcement.

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

OVERALL CLASSROOM POLICIES

a. Be in your assigned seat when the tardy bell rings, with pens or sharpened pencils, paper, and textbooks ready for use.
b. Keep hands, feet, books, and objects to yourself.
c. No swearing, cruel teasing, rude gestures, or put-downs (verbal or nonverbal).
d. Follow directions of the staff member in charge.
e. Cell phones are not permitted during class time or instructional time.

All disciplinary consequences at Bergman High School can range from a minimum of a verbal warning from a teacher to a maximum of a recommendation for expulsion to the Board of Education.

WARNINGS WILL BE ERASED AT THE END OF EACH WEEK. 4 WARNINGS IN ANY 9-WEEK PERIOD WILL RESULT IN A STUDENT BEING ASSIGNED AFTER SCHOOL DETENTION.

CONSEQUENCES FOR INFRACTION

- 1st Incident - Lunch Detention
- 2nd Incident - Lunch Detention
- 3rd Incident - Lunch Detention
- 4th Incident - In School Detention
- 5th Incident - In School Detention
- 6th Incident - 1 day ISS
- 7th Incident - 3 days ISS
- 8th Incident - Parent Meeting for possible placement in Alternative School

RULES TO BE FOLLOWED WHILE SERVING DETENTION TIME:

1. No phone or electronic devices.
2. No talking.
3. Students are expected to do schoolwork during the entire session. All needed materials should be brought to detention.
4. Students will not be permitted to go to their lockers, or to see another teacher once the detention session has started.
5. The teacher does not talk or counsel students while in detention.
6. Students will not be allowed to leave early.
7. The teacher will dismiss the student when it is time to leave.
8. Students who do not comply, will be dismissed for the day and have his/her detention time doubled.

In certain extenuating circumstances, student behaviors **could** warrant the following automatic consequences.
Automatic lunch detention
Automatic in school detention

PUNISHMENT FOR VIOLATION OF SCHOOL RULES

When school rules are violated, punishment will be determined by considering the number of disciplinary problems the student has been involved in, the seriousness of the offense, and various other factors. The following are examples of the type of corrective actions that may be taken when school rules are violated (these do not appear in the order they may be utilized):

• Conference with parent • Conference with parents & student • Conference with the student • Corporal punishment • Detention • Expulsion	• Parents may be contacted by phone or letter to promote parental support in helping the student to modify behavior • Student referred to the counselor • Suspension (ISS or OSS) • Test for special problems or refer for testing

This list represents examples of methods used to deal with discipline problems. However, this does not limit teachers and administrators in attempting to find other effective methods in dealing with students who violate school rules. Students with discipline and/or academic problems may be referred to the principal for possible placement in the alternative school. A committee composed of the high school principal, classroom teachers and the high school counselor will make the final decision regarding placement of a student in the alternative school. A student who has been placed in an alternative school may be

reviewed by the placement committee to determine if the student is ready to return to the regular classroom.

Social Probation: a student may be placed on social probation for continued discipline problems. When students are on social probation they will not be allowed to attend social functions of the school. Examples would include ballgames, beauty reviews, plays, trips that groups make, FFA judging trips, and so forth. See **4.30F3—SOCIAL PROBATION.**

REMOVAL FROM CLASS

If a teacher removes a student from class twice during any quarter the principal may not return the student to the teacher's class unless a conference is held for the purpose to determine the cause of the problem, and possible solutions with the following individuals present:

1. Principal 2. Teacher 3. Counselor 4. Parents 5. Student (if appropriate)

Failure of parents to attend the conference provided shall not prevent it from being held or prevent any action being taken as a result of that conference.

DISCIPLINE OF HANDICAPPED STUDENTS

The board recognizes that there are times that a handicapped student will need to be disciplined as a result of undesirable and/or unpredictable behavior which hinders his/her personal or educational welfare or the welfare of other persons. The following criteria for determining the discipline of handicapped students shall be used:

1. Handicapped students who engage in misbehavior and disciplinary infractions are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to free appropriate public education.
2. The Individual Education Plan (IEP) team for a handicapped student should consider whether particular discipline procedures should be adopted for that individual student and included in his/her IEP.
3. Where in-school discipline or short-term suspension (10 school days or less) is involved a school may remove a student with disabilities for a disciplinary infraction without it being considered a change of placement, and IDEA's parent-notification provision would not apply. Also, there is no requirement for a prior determination of whether the student's misconduct was a manifestation of the student's disability. Schools may remove any student with disabilities for a disciplinary infraction for up to 10 school days per offense. During a period of short-term exclusion; schools are not required to provide any education services to the student.
4. For a student with disabilities, an exclusion from school for more than 10 consecutive school days (long-term exclusion) constitutes a change in placement and is subject to procedural safeguards. IDEA requires, among other things, that parents be given written notice before a change can be implemented.
5. A series of short-term suspensions in the same school year could constitute a change in placement. Factors such as the length of each suspension, the total amount of time that the student is excluded from school, and the proximity of the suspensions to each other should be considered in determining whether the student has been excluded from school to such an extent that there has been a change in placement. This determination must be made on a case-to-case basis.
6. For a student with disabilities, a suspension or other disciplinary removal for more than 10 consecutive school days may not be considered without the school district first determining whether the student's misconduct was a manifestation of the student's disability or due to an inappropriate placement. This determination must be made by a group of persons knowledgeable about the student (such as his/her IEP committee), and may not be made unilaterally by one individual.
   a. If the student's misconduct WAS NOT a manifestation of his/her disability or an inappropriate placement, the school district may expel or suspend the student from school for more than 10 days, subject to conditions set forth in the procedural safeguards of IDEA.
   b. If the student's misconduct WAS a manifestation of his/her disability or an inappropriate placement, the student may not be expelled or suspended from school for more than 10 days for the misconduct. However, other procedures may be used to address the student's misconduct. A change in placement, if determined appropriate, could be implemented subject to applicable procedural safeguards. The school district would also have the option of suspending the student from school for 10 days or less or seeking a court order any time to remove the student from school or to change the student's placement if it believes that maintaining the student in the current placement is substantially likely to result in injury to the student or to others.
7. If the suspension or other disciplinary removal of the student is for more than 10 school days. Within the first 10 days of suspension the district should convene the student's IEP committee to review: 1. The relationship between the student's disability and the student's misconduct; 2. The relationship between the student's educational placement and the misconduct; and 3. The student's IEP and determine whether implementation of a behavioral management plan and/or a change in the educational placement of the student is appropriate. The district should seek to obtain parental agreement to a change in the student's IEP and/or educational placement. The student's parents must be provided with written prior notice at a reasonable time before the school implements any changes in the student's IEP and corresponding placement, including his/her right to a due process hearing.

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

4.30—SUSPENSION FROM SCHOOL

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

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

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

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

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

A. A physical risk to himself or herself or to others;
B. Causes a serious disruption that cannot be addressed through other means; or
C. Is the act of bringing a firearm on school campus.

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

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

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

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

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

It is the responsibility of a student's parents, legal guardians', person having lawful control of the student, or person standing in loco parentis to provide current contact information to the district, which the school shall use to immediately notify the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:

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

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

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

During the period of their suspension, students serving OSS are not permitted on campus except to attend a student/parent/administrator conference or when necessary as part of the District's engagement or access to education program. See 4.30F3—SOCIAL PROBATION

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.

4.30F—IN-SCHOOL SUSPENSION

In-school suspension (ISS) is another discipline alternative used by the school to enforce board policy. ISS will be held in the designated ISS room on the day or days assigned by the principal. ISS will begin promptly at 8:09 am and will last until the end of the school day, 3:15 pm. Students assigned to ISS are responsible for collecting assignments from their classroom teachers for the day or days the student will be in ISS. They will work on these assignments throughout the day. Students assigned to ISS are expected to be in their seats in the ISS room when the tardy bell rings at 8:03. Lunch will be brought to the students in ISS. Students will be given bathroom breaks at certain times throughout the day. There will be no talking or interaction with other students or adults while in ISS. ISS can be assigned for one day, three days, or five days as dictated by the severity of the rules infraction. Behaviors that would warrant assignment to ISS could include but are not limited to skipping detention, truancy, chronic misbehavior, or any other behavior the principal recognizes as interrupting the learning process. Failure to follow ISS rules will result in either additional assignment to ISS or OSS (out-of-school suspension).

4.30F2 - OUT-OF-SCHOOL SUSPENSION

1. District Policy: The Bergman High School Principal is authorized to suspend a student whenever school rules and/or school policies are violated. The principal will treat each case individually and use the most appropriate method. Any conduct that tends to be disruptive in the educational program will be grounds for suspension.

2. General Guidelines For Imposing Suspensions

a. Unless the official imposing the suspension has personally witnessed the infraction, he/she will conduct such investigation into the matter as deemed necessary, including an interview with the student.
b. Before imposing a suspension, the school official will advise the student orally or in writing of the nature of the misconduct. If the student denies the misconduct, an explanation of the evidence will be provided by school authorities, at which time the student will have an opportunity to present his/her version of the facts.
c. The school official suspending a student will notify the custodial parent or guardian by certified mail of the suspension. This notification will include the reasons for the suspension, its duration, the manner in which the student may be readmitted to school, and review procedures. Such notice will be mailed to the parent or guardian at the address reflected on the records of the school district on the day the suspension is imposed.
d. The school official conducting the informal hearing advising the student of his/her misconduct and providing the student the opportunity to present his/her version of what happened will write a brief written summary of the procedure to be kept in the school files.
e. Any parent or legal guardian of a pupil suspended has the right to appeal to the superintendent of schools.

Suspension will go by the following disciplinary measures with the principal having the right to use personal discretion to accelerate the days as the severity of the offense warrants.

1st offense—Out-of-school suspension three (3) days with possible parent conference
2nd offense—Out-of-school suspension five (5) days with mandatory parent conference before the student may return to school.
3rd offense—Out-of-school suspension ten (10) days with mandatory parent conference before the student may return to school.
4th offense—Recommendation for expulsion and mandatory parent conference before the student may return to school.

3. Types of suspension

The Principal is authorized to suspend students from school for a period of up to five (5) days for disciplinary reasons. Suspension of students by the Principal for periods of up to ten (10) days is authorized if approved by the Superintendent of Schools. While suspended from school the student will not be allowed to participate in or attend any extracurricular activities. Students in Out-of-School Suspension will not be allowed to participate in reward programs for the next 90 school days. Students absent due to out of school suspension will have the opportunity to do any type of assignment, quiz or test for full credit. Assignments are due the day the student returns to school. Quizzes and tests must be completed as soon as possible.

4. Grounds for Suspension

A. Fighting.
B. Damaging or destroying school, staff, or other students' property (student will also pay damage).
C. Violation of driving or parking rules and regulations.
D. Defiant and hostile acts.
E. Insubordination.
F. Act involving moral turpitude.
G. Disrespect for authority.

H. Using, offering for sale or selling beer, alcoholic beverages or other illicit drugs.
I. Theft of school property or property of other students.
J. Repetition of an offense after notice.
K. Habitual and determined neglect of duty.
L. Using profane or obscene language.
M. Gambling.
N. Willfully and intentionally assaulting or threatening to assault or abuse any student, teacher, principal, superintendent, or other employee of a school system.

4.30F3—SOCIAL PROBATION

A student may be placed on social probation for continued discipline problems. When students are on social probation, they will not be allowed to attend social functions of the school. Examples would include ballgames, beauty reviews, plays, trips, FFA judging trips, and so forth.

4.39—CORPORAL PUNISHMENT

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

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

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

4.31—EXPULSION

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

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

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

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

The Superintendent or his/her designee shall give written notice to the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis (mailed to the address reflected on the District's records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider and dispose of the recommendation.

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

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

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

Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property. The parents, legal guardians, persons having lawful control of the student, or persons

standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

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

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

Section 5 – Student Services

4.34—COMMUNICABLE DISEASES AND PARASITES

General Policies
The Bergman School District will work cooperatively with the Arkansas Health Department to enforce and adhere to the Arkansas Public Health Code for the prevention, control, and containment of communicable disease in schools.

1. Students are expected to be in compliance with the immunization requirements as authorized by Act 96 of 1913 (AR status, 1947, Section 82-110) Section XII: General immunizations are required by Acts 224 of 1967 and 633 of 1973. In compliance with the Public Health Code and Rules students not meeting the immunization requirements may be excluded from school attendance unless the Arkansas Board of Health has certified a request for extension for a reasonable length of time. School personnel will cooperate with public health personnel in completing and coordinating all immunization data, exemptions and exclusions.
2. The superintendent or school official designated by the superintendent has the authority to exclude a student from school when reliable evidence or information from a qualified source (e.g. medical professional, parent/guardian, or the infected student) confirms him/her of having a communicable disease or infection that is known to be spread by any casual contact and is considered a health risk to the school population. Such a student shall be excluded unless their physician approves school attendance or the condition is no longer considered contagious. All reportable communicable diseases will be referred to the Boone County Health Department.
3. When reliable evidence or information from a qualified source (e.g. medical professional, parent/guardian, or the infected student) confirms that a student is known to have a communicable disease or infection that is known not to spread by casual contact, (e.g. AIDS/HIV. Hepatitis B and other diseases) the infected student will have the right to remain in the school setting.
1. Evaluating and reporting students who are infected with HIV: the superintendent or secondary/elementary principal who has been notified that a student is infected with HIV shall follow the reporting procedure recommended by the Arkansas State Board of Education. This is to ensure the safety of persons in the school setting and to plan to support the person with the illness.
4. The school shall provide a sanitary environment and adhere to established routines for handling body fluids that are recommended by the Centers for Disease Control. These Infectious Disease Guidelines are found in the Arkansas School Guideline Manual published by the Arkansas Department of Education and the Arkansas Department of Health. The manual is located in the school nurse's office.
5. The school shall administer a program of on-going education about HIV for students and all school employees, including full-time, part-time, and temporary professional and support staff to ensure that all are informed in a consistent manner about:
    a. The nature of HIV infection, including mode of transmission according to current scientific evidence, school district policies and procedures related to employees and students with diseases such as HIV infection.
    b. Resources within the school district and elsewhere for obtaining additional information/assistance.
    c. Procedures to prevent the spread of all communicable-diseases at school.

Confidentiality
The people who shall know the identity of a student who is infected with HIV are those who will, with the infected person and a student's parent/guardian, determine whether the person who is infected with HIV has a secondary infection that constitutes a medically recognized risk of transmission in the school setting. They are:

1. The superintendent or a person designated by the superintendent to be responsible for the decision
2. The personal physician of the infected person
3. A public health official, (the official may not need to know the identify of the infected person, facts of case may be sufficient to make a decision)

All persons shall treat all information as highly confidential. No information shall be divulged, directly or indirectly, to any other individual or groups. All medical information and written documentation of discussions, telephone conversations, proceedings, and meetings shall be kept by the superintendent in a locked file. Access to this file will be granted only to those persons who have written consent of the infected student's parent/guardian. To further protect confidentiality, names will not be used in documents except when this is essential. Any document containing the name, or other information that would reveal the identity of the infected person, will not be shared with any person, even for the purpose of word processing or reproduction. Any staff member who violates confidentiality will be disciplined according to procedures listed in the personnel policy.

Notification of Additional Persons
The decision-makers listed above and the person infected with HTV (and the student's parent/guardian) will determine whether additional persons need to know that an infected person attends or works at a specific school. The additional persons will not know the name of the infected person without the consent of the infected person and a student's parent/guardian.

Testing
Mandatory screening for communicable diseases that are not spread by casual contact shall not be a condition for school entry or attendance or for employment or continued employment.

Infection Control
The Bergman School District shall follow Arkansas School Health Guidelines to prevent the spread of diseases at school. It shall also follow the most current Centers for Disease Control "Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Bloodborne Pathogens in Health-Care Settings."

As prescribed by the Centers for Disease Control, guidelines about techniques for preventing the spread of infectious diseases shall be comprehensive and shall be provided for all staff. The training shall include a demonstration of procedures and an opportunity for hands-on experience to demonstrate proficiency. Gloves, first aid and cleaning supplies shall be kept in the nurse's office, principal's office and teacher rooms of other buildings. The superintendent shall be responsible for the effective implementation of these programs and procedures, which shall be developed in collaboration with local and state health agencies.

Student Medical Emergencies
Medical Emergencies Guidelines for Non-Medical Trained School Personnel Who Have Been Trained in First Aid and CPR: each building will have persons identified as having current certification in Standard First Aid, personal safety, and CPR and will respond to all emergencies as called upon.

1. Yearly, at least six (6) staff from elementary and at least six (6) high school staff will receive training in First Aid and CPR. It is recommended that every employee be rotated through these classes.
2. All persons having lunchroom duty shall have training in the Heimlich maneuver and shall demonstrate to the school nurse appropriate technique before being assigned to such duty.

Medically Trained Personnel

A. All medically trained personnel at school shall familiarize themselves with emergency first aid procedures and any medical standing orders. School administrators shall review procedures annually.
B. The school nurse, or in her absence, a person who has been trained in CPR and First Aid responding to the site of an accident or emergency, shall assume responsibility in coordinating care and initiating the following appropriate actions according to the nature or degree of the problem:
    1. Give immediate first aid
    2. Seek immediate medical referral
    3. Make provision for transport to a medical facility
    4. Alert medical facility of impending arrival and nature of problem
    5. Make certain parent/guardian has been notified
    6. Call student's physician if necessary
    7. Notify school administrator as quickly as possible
    8. All measures shall be done without compromising patient care
    9. All measures taken will be documented

Transportation of Students for Life Threatening and Urgent Emergencies

A. Arrangements shall be made to transfer patients immediately to the nearest emergency medical facility. No time should be wasted making contacts with family or a student's physician. (These contacts shall be made at the earliest opportunity without compromising patient care).
B. If no other transportation is available in cases of life-threatening emergencies, two people may transport the student: the school nurse and another school official (or medically trained person and a school official). A delay in transfer would compromise medical care.

Transportation of Ill or Injured Students:

A. Parents or persons designated by parents are to be called to come and take students to a medical facility or to their home, recommending medical evaluation. An annual update of parent/guardian home, work and emergency phone numbers must be on file. High school numbers are in the nurse's office.

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 aurous), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis B or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally). A student who has been sent home by the school nurse will be subsequently readmitted, at the discretion of the

school nurse, when the student is no longer a transmission risk. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.

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

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

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

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

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

4.37—EMERGENCY DRILLS

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than three (3) times per year. Students who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.

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

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

Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of violence, terrorist attack, natural disaster, other emergency, or the District's emergency communication with law enforcement method. Students shall be included in the drills to the extent practicable.

4.51— FOOD SERVICE PREPAYMENT

Meal Charges
The district does not provide credit for students to charge for meals, a la carte, or other food and beverage items available for purchase in the school food service areas. Meals, a la carte, or other food and beverage items may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the District that may be charged for the items. Parents, or students choosing to do so, may pay in advance for meals, a la carte, or other food and beverage items through any of the following methods:

- Submitting cash or check payment to the office;
- Depositing funds through the District's online service;

Free Breakfast
In accordance with A.C.A. § 6-18-722, a student shall be provided one (1) breakfast at no cost during each school day upon the student's request regardless of whether the student qualifies for a federally funded free or reduced-price meal.

Unpaid Meal Access
In accordance with Arkansas law, the District allows students whose accounts do not have enough funds to purchase a meal to receive an unpaid reimbursable meal at no charge. The District will notify a student's parents:[7]

- When the student's prepaid account balance has dropped to the point that the student will begin receiving unpaid meals;
- Each time the student receives the first unpaid meal after money has been deposited into the student's prepaid account; and

- After the student has received five (5) unpaid meals.

Students who have submitted proper documentation to receive a meal modification in accordance with Policy 4.50—SCHOOL MEAL MODIFICATIONS shall receive the same type of modification for an unpaid meal.

4.58—FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA

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

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

Fruit and vegetables to be shared are to be placed into a designated container on the table.[3] Milk and juice to be shared are to be placed in an ice-filled cooler. Milk and juice may not be taken by another student unless the carton is unopened and was completely covered by ice while in the cooler. A student may not return to the table to place an item for sharing after the student has left the service line.
At all times, the sharing table will be under the supervision of the food service staff. Remaining items should be discarded at the end of the meal period, and no item may remain on the table for longer than four (4) hours.
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.

4.40—HOMELESS STUDENTS

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

Receive appropriate time and training in order to carry out the duties required by law and this policy;

- Coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensure that school personnel receive professional development and other support regarding their duties and responsibilities for homeless youths;
    - Ensure that unaccompanied homeless youths:
    - Are enrolled in school;
    - Have opportunities to meet the same challenging State academic standards as other children and youths; and
- Are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid;
- Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.

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

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

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

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

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

A. Enroll the child or youth in any public school that non homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

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

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

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

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

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

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;
D. Official record from another educational institution in Arkansas; or
E. An immunization record printed off the statewide immunization registry with the Official Seal of the State of Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating "up-to-date", "complete", "adequate", and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted as a history of varicella disease must be documented by a licensed physician, advanced practice nurse, doctor of osteopathy, or physician assistant. Valid proof of immunization and of immunity based on serological testing shall be entered into the student's record.

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

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

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

Temporary Admittance

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

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

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

Exclusion From School

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

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

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

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

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

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

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

4.15F2—INVESTIGATIONS OF CHILD SEXUAL ABUSE OR CHILD PHYSICAL ABUSE AT THE PUBLIC SCHOOL

The following is an excerpt of a court ruling issued by Judge Gary Isbell and as such will be followed by the Bergman School District: "It is, therefore, considered, and ordered that the public schools in the 14th Judicial District of Baxter, Boone, Marion and Newton Counties are hereby directed as follows:

1. "Investigative personnel of the Department of Human Services or the Department of Children and Family Services shall have the absolute right to enter upon the public school grounds to interview children attending and enrolled in the respective school; and
2. The Arkansas State Police, through its designated personnel for the investigation of child sexual or child physical abuse, shall have the right to enter upon the public school grounds to interview children attending and enrolled in the respective schools; and
3. The absolute right to enter upon the school grounds and to interview school children is limited to the following conditions:
   a. Proper identification of the investigative personnel; and
   b. A written allegation that a specifically named child or children are suspected of having been the victim of child sexual abuse or child physical abuse or to have witnessed the same; and
   c. That the alleged perpetrator of those acts resides in or commonly stays at the residence where the alleged acts of abuse occurred.
4. The respective schools are encouraged to provide a counselor, teacher, or other personnel at any such interview in order to provide an environment appropriate to the child being interviewed and to avoid any inference of coercion or overarching of the child's rights; and
5. When the school personnel discharge their duty under law to be the reporter of suspected child physical or sexual abuse they shall be allowed to communicate with the investigative personnel of the appropriate state agencies upon the school grounds of their employment."

4.41—PHYSICAL EXAMINATIONS OR SCREENINGS

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

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

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

For the purposes of this policy, "Invasive Physical Examination" is defined as any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not

include a hearing, vision, or scoliosis screening.

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

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

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

4.50—SCHOOL MEAL MODIFICATIONS

Except for requests to receive "lactose free" milk, the district only provides modified meal components on menus to accommodate students with a disability. A parent/guardian wishing to request dietary accommodations for their student with a disability must submit to the district's Director of Child Nutrition a medical statement completed by a State licensed healthcare professional, which includes:

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

The medical statement should include:

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

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

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

Parents may submit a written request for their student to be provided "lactose free" milk. The parent's request is not required to be accompanied by a medical statement in order for it to be granted.

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

Except for requests to receive "lactose free" milk, the district will not prepare meals outside the normal menu to accommodate a family's religious or personal health beliefs.

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.

4.35—STUDENT MEDICATIONS

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

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

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

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

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

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

Schedule II Medications
Option 1: The only Schedule II medications that shall be allowed to be brought to the school are methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse).

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

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.

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

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

1. Self-administer either a:
    a. Rescue inhaler; or

    b. Auto-injectable or nasal spray epinephrine;
2. Perform the student's own blood glucose checks;
3. Administer insulin through the insulin delivery system the student uses;
4. Treat the student's own hypoglycemia and hyperglycemia; or
5. Possess on the student's person:
    a. A rescue inhaler;
    b. Auto-injectable or nasal spray epinephrine; or
    c. The necessary supplies and equipment to perform the student's own diabetes monitoring and treatment functions.

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

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

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

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

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

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

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

Emergency Administration of Glucagon and Insulin

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

1. An IHP that provides for the administration of Glucagon, insulin, or both in 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 trained school employees designated by the school nurse as a care provider who have been certified by a licensed physician may administer epinephrine, either through an auto-injector or nasal spray, in emergency situations to students who have an IHP that provides for the administration of epinephrine in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained[6] school employee(s) certified to administer epinephrine to administer auto-injector or nasal spray epinephrine to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

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

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

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

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

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

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

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

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

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

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

Seizure Disorder Medications
Students who have been diagnosed with a seizure disorder shall have a seizure action plan that shall be a written IHP designed to acknowledge and prepare for the healthcare needs of the student. The student's seizure action plan shall be created in collaboration

between District staff and the student's Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis or the student if over eighteen (18). As part of the creation of the student's seizure action plan, the student's Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall:

1. Provide the school with written authorization to administer the seizure medication at school;
2. Provide a written statement from the student's healthcare provider that shall contain the following information:
    a. The student's name;
    b. The name and purpose of the medication;
    c. The prescribed dosage;
    d. The route of administration;
    e. The frequency that the medication should be administered; and
    f. The circumstances under which the medication should be administered;
3. Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact, which shall be stored in a safe and secure location accessible only by District personnel or volunteers with training to administer seizure medication.

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

4.27—STUDENT SEXUAL HARASSMENT

The Bergman School District is committed to providing an academic environment that treats all students with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

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

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

Definitions

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
"Education program or activity" includes locations, events, or circumstances where the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.
"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting an investigation of the allegation of sexual harassment.
"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee:
    a. Conditions the provision of an aid, benefit, or service of the District on an individual's participation in sexual conduct; or
    b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;
2. The conduct is:
    a. Unwelcome; and
    b. Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. Constitutes:
    a. Sexual assault;
    b. Dating violence
    c. Domestic violence; or
    d. Stalking.

"Supportive measures" means individualized services that are offered to the complainant or made available to the respondent designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other

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

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

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

- Making sexual propositions or pressuring for sexual activities;
- Unwelcome touching;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures, or written materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Telling sexual or crude jokes;
- Spreading rumors related to a person's alleged sexual activities;
- Discussions of sexual experiences;
- Rating other students or employees as to sexual activity or performance;
- Circulating or showing emails or Websites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the individual self-identifies as homosexual or transgender.

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

- Discuss the availability of supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- explain to the complainant the process for filing a formal complaint.

Supportive Measures

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

Formal Complaint

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

- Notice of the District's grievance process and a copy of the procedures governing the grievance process;
- Notice of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
    - The identities of the parties involved in the incident, if known;
    - The conduct allegedly constituting sexual harassment; and
    - The date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

- That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- That the parties may inspect and review evidence relevant to the complaint of sexual harassment; and
- That the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

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

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

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties;
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege or access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party unless the District obtains the parent, legal guardian, or other responsible adult of that party's voluntary, written consent or that party's voluntary, written consent if the party is over the age of eighteen (18) to do so for the grievance process;
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;
- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation; this includes evidence:
    - Whether obtained from a party or other source;
    - The District does not intend to rely upon in reaching a determination regarding responsibility; and
    - That is either Inculpatory or exculpatory; and
- Create an investigative report that fairly summarizes relevant evidence.

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

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

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

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

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including:

a. Any notifications to the parties;
b. Interviews with parties and witnesses;
c. site visits;
d. Methods used to gather other evidence; and
e. Hearings held;

3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
6. A determination regarding responsibility;
7. Any disciplinary sanctions imposed on the respondent; and
8. Whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
9. The procedures and permissible bases for the complainant and respondent to appeal.

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

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

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

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

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

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

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

Appeals

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

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

For all appeals, the District shall:

1. Notify the other party in writing when an appeal is filed;
2. Simultaneously Provide all parties a written copy of the District's procedures governing the appeal process;
3. Implement appeal procedures equally for both parties;
4. Ensure that the decision-maker[5] for the appeal is not the same person as the decision-maker that reached the original determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
5. Provide all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

Confidentiality

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

- Individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
- Submit a report to the child maltreatment hotline;

- Submit a report to the Professional Licensure Standards Board for reports alleging sexual harassment by an employee towards a student; or
- The extent necessary to provide either party due process during the grievance process.

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

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

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

Emergency removal

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

Retaliation Prohibited

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

Disciplinary Sanctions

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following the completion of the District's grievance process, any student who is found by the evidence to more likely than not[7] have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion. No disciplinary sanction or other action that is not a supportive measure may be taken against a respondent until the conclusion of the grievance process.

Students who knowingly fabricate allegations of sexual harassment or purposely provide inaccurate facts shall be subject to disciplinary action up to and including expulsion. A determination that the allegations do not rise to the level of sexual harassment alone is not sufficient to conclude that any party made a false allegation or materially false statement in bad faith.

Records

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

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

4.52—STUDENTS WHO ARE FOSTER CHILDREN

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

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

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

Upon notification to the District's foster care liaison by a foster child's caseworker that a foster child's school enrollment is being changed to one of the District's schools, the school receiving the child must immediately enroll the foster child. 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 the foster child's graduation requirements while detained in a juvenile detention facility or while committed to the Division of Youth Services of DHS, the District shall issue the child a diploma.

Foster Child School Choice

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

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

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

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

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

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

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

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

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

Section 6 - Digital Learning

ATTENDANCE POLICY
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 failed to be physically present for an assigned period may be disciplined in accordance with the district truancy policy.
DISCIPLINE POLICY
The Bergman 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 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 this student discipline. Students are responsible for their conduct that occurs:

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

All students learning virtually are considered to be on school grounds when participating in the virtual classroom synchronously or asynchronously and shall be held accountable for respecting and obeying all school policies as outlined in the Bergman School District student handbook while participating in online learning and when reporting to campus for scheduled meetings and events. Students will be expected to display appropriate behavior during virtual online sessions and when participating in online discussions.
Bergman High School Handbook (4.29 - Internet Safety & Electronic Device Use Policy) Bergman High School Handbook
GRADING POLICY
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 affect academic improvement. Students' grades shall reflect only the extent to which a student has achieved the express educational objectives of the course.

BERGMAN HIGH SCHOOL LEARNING COMPACT
FAMILY-SCHOOL CONNECTION

Parent/Guardian Agreement
I want my child to achieve; therefore, I will encourage him/her by doing the following:

- Establish a time and a quiet, well lighted place for homework and review it regularly
- Stay aware of what my child is learning
- Read with my child and let my child see me read (opportunities to obtain reading materials include library cards, Amazon accounts and e-books)
- Keep the school notified as to my current address and phone number
- See that my child is punctual and attends school regularly
- Support the school in its effort to maintain proper discipline

Student Agreement
I will work to the best of my ability; therefore, I must strive to do the following:

- Attend school regularly
- Come to class each day with pencils, paper, and other necessary tools for learning
- Complete and return assignments
- Do my part to keep my school and campus neat and clean
- Conform to rules of student conduct that allows for a learning environment
- Respect and encourage others

Teacher Agreement
All students must achieve; therefore, I shall strive to do the following:

- Provide quality instruction and necessary assistance
- Provide reasonable assignments for students
- Maintain and foster high standards of achievement and behavior
- Communicate regularly with parents and students

- Respect and encourage students

Principal Agreement
I support this form of parent involvement; therefore, I shall strive to do the following:

- Maintain a positive and safe learning environment
- Maintain and foster high standards of academic achievement and behavior
- Communicate with parents and students
- Provide necessary assistance to all stakeholders
- Respect and encourage all stakeholders