

Elementary
and
Intermediate School

Student Handbook

2025 - 2026

ACKNOWLEDGEMENT OF RECEIPT (Return this to school)

In Compliance with Arkansas State Law 6-18-503, we herein advise you of the rules, regulations, and policies for Berryville Public Schools by which students will be governed. The handbook provides information on rules, policies, attendance, academic requirements, student responsibilities, and privileges, etc.

Please read the handbook with your children. Reading and understanding the policies will help students have a positive year.

PARENT/GUARDIAN AND STUDENT SIGNATURE SHEET (Send back to school)

We, parent/guardian and student, have read the student handbook and understand the rules, regulations, and other directions to be followed. A parent/guardian must sign the parent/guardian signature line, and the student must sign the student signature line.
Please sign the parent/guardian and student signature sheet and return it to the office within ten days. Parent/Guardian and student signatures indicate an awareness of the following rules, policies, and procedures from the Berryville Elementary/Intermediate School Handbook:

1. I have received a copy of the Student Handbook effective for the 2025-2026 school year and am hereby notified of the contents herein.
2. I have received the student Ethics Policy, Guidelines, and Prohibitions and understand its contents. Questions about any network curriculum activity and/or Berryville School Computer Network will be answered by Daniel Smith, Technology, ext. 3290. My signature below indicates that I agree to follow the guidelines and prohibitions of the Student Ethics Policy stated in the student handbook.
3. I have received a copy of the Behavior and Discipline sections of the student handbook.
4. I have received an asbestos policy.

Print Student Name _____ Grade _____

Student Signature _____ Date _____

Parent/Guardian Signature _____ Date _____

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Administration Message and Introduction

Welcome to Berryville Schools. The purpose of this handbook is to provide you with a resource of essential information regarding student expectations and board policies. We are committed to putting our students first and making a positive difference in the lives of our students. We will accomplish this by setting high expectations for all students and providing supportive systems to ensure they are met.

Communication is the key to a successful educational experience. Through a partnership between home and school, we will continue to improve the quality of education in our school. We look forward to working with you and your students as we focus on an academically successful school year.

A committee of parents, teachers, students, and administrators reviews the handbook each year to be sure appropriate information is in the handbook (A.C.A. § 6-18-502). Changes in law or board policy may occur during the school year, the most current school board policies can always be found online at https://bhs.bobcat.k12.ar.us/ We would encourage parents to call a school administrator if they have a question.

School-Parent Compact

Berryville Schools provides a School-Parent Compact for parental involvement outlining the responsibilities of parents, students, and school staff in raising academic achievement and in building partnerships enabling students to meet state academic standards. A copy of this document is available at Parent/Teacher Conferences, the Back-to-School Event, and on our website.

District Contact Information

Administration Office	602 W. College (physical) 902 W Trimble Ave (mailing) Berryville, AR 72616	Phone: 570-480-4669
Special Education Services Center	602 W. College (physical) 902 W Trimble Ave (mailing) Berryville, AR 72616	Phone: 870-480-4639
ESL Center	602 W. College (physical) 902 W Trimble Ave (mailing) Berryville, AR 72616	Phone: 870-480-4631
Transportation Department	910 W. Freeman (physical) 902 W. Trimble Ave Berryville, AR 72616	Phone: 870-480-4652

Campus Contact Information

Berryville Elementary School	**Berryville Intermediate**
https://bes.bobcat.k12.ar.us/ Dr. Dr. Jill Schowe, Principal Heather Garrett, Counselor Dan Wilson, School Resource Officer Micaela Chaney, Nurse Office – 870.480.4640 Counselors Office 870.480.4640 ext. 4642 Registrars – 870.480.4626 Resource Officer – 870.480.4362 Nurse – 870.480.4620 ext. 4641 Special Education – 870.480.4639	https://bis.bobcat.k12.ar.us/ Dr. Lisa Lee Geren, Principal Pam Forga, Counselor Dan Wilson, School Resource Officer Jessica Jackson, Nurse Office – 870.480.4647 Counselors Office 870.480.4647 ext. 4664 Registrars – 870.480.4626 Resource Officer – 870.480.4362 Nurse – 870.480.4623 Special Education – 870.480.4639

Office Hours: 7:40 AM – 4:00 PM School Colors: Purple and Gold

School Mascot: Bobcats

Berryville School District Mission

Ensuring high levels of learning for everyone, every day.

Berryville Schools District Vision

Graduating Leaders of Tomorrow

Berryville Schools District Commitments

Celebrating Staff and Student Success
Establishing a positive culture that encourages collaboration
Continue holding staff and students accountable to high expectations
Providing tools and resources for continuous professional growth
Providing resources for families in need in order to assure success for all students
Providing intentional learning opportunities for all

Berryville Elementary School Mission Statement

High levels of learning…everyone, every day. Whatever it takes!

Berryville Elementary School Vision Statement

Berryville Elementary School will be a safe and caring environment where students will achieve high levels of success academically, emotionally, and socially.

Berryville Elementary Collective Commitments

We will collaborate, celebrate successes often, and use data to drive instruction. We will monitor the well-being of all students and staff through surveys and emotion checks and provide opportunities for all to grow through WIN, enrichment, and professional development.

Berryville Intermediate School Mission Statement

To ensure that all students receive a high-quality education.

Berryville Intermediate School Vision Statement

United for Student Success

Berryville Intermediate Collective Commitments

We are committed to using data and essential standards to drive instruction and be solutions oriented.
We are committed to celebrating success of students and staff.
We are committed to having high expectations for students and staff.
We are committed to open communication with all stakeholders.
We are committed to working collaboratively with colleagues to achieve successful learning outcomes.

Crisis Hotline Contact Information

Local:

Child Abuse 1-800-482-5964

Crisis Hotline (anytime) 1-800-798-8336

Loving Choices Pregnancy Center 1-479-631-6677

Teen Action Support Center 24 hours 1-479-636-TASC (8272)

Arkansas:

Alcohol & Drug Abuse Hotline (8:30-5 M-F) 1-501-686-9866

Arkansas Child Abuse & Neglect Hotline 1-800-482-5964

Arkansas Drug Info (8:30-5:00 M-F) 1-888-228-1233

Arkansas Poison & Drug Info 1-800-376-4766

Arkansas State Drug Hotline 1-800-553-3820

Crisis Center for Women 1-800-359-0056

Planned Parenthood 1-479-443-7791

Rape Crisis 1-800-813-5433

Sexual Assault 1-877-432-5368

Suicide Prevention 1-800-784-2433

Youth Bridge 1-800-628-2260

National:

Drug & Alcohol Hotline 1-800-662-

4357 Runaway Hotline 1-800

Runaway (786-2929)

STD & AIDS Hotline 1-800-342-

2437

Teen Line National Hotline (3-12 PM) 1-800-522-8336

Trevor Hotline for Gay Youth Crisis 1-800-850-8078

Berryville Schools Media
http://bobcat.k12.ar.us

Facebook

Twitter

eSchool Home Access Center

Instructions for Accessing eSchool Home Access Center for Student Grades

To view grades or attendance, navigate to the Berryville

School home page at bobcat.k12.ar.us.

Click on the campus tile at the top of the page and choose

Elementary or Intermediate School.

Click on the HAC (Home Access Center) link on the right side of the page. Or click on the following link https://hac23.esp.k12.ar.us/homeaccess

Select Berryville School District in the dropdown and enter your user name and password. Contact the building if you do not have an account or if you have forgotten your password.

ACCESS TO STUDENT INFORMATION

Federal law permits the school District to disclose personally identifiable information in the student's education records to school officials with legitimate educational interests. School officials include persons employed by the District, such as an administrator, supervisor, teacher, or support staff member or a person, agency, or company with whom the District has contracted or otherwise arranged to perform a particular task or service. Such individuals have a legitimate educational interest if they need to review an education record to fulfill their professional and/or official responsibility.

A legitimate educational interest also exists where the staff member or other individual works directly with students and needs to review education records to increase their awareness of steps necessary for the safety and welfare of students and staff members.

ALTERNATE LEARNING ENVIRONMENT

Alternative learning environment (ALE) refers to placement other than the regular day school classes. The ALE program is designed to assist students toward better social, behavioral and academic school performance and adjustment. The school will provide students with all the support services available to other students. The length of time within alternative education will be based on the student's successful achievement of specific short-term and long-term goals.

When the student has successfully attained these goals, there will be a review to determine if transition back to the traditional school is appropriate.

ARRIVAL AND DISMISSAL

Staff members are scheduled on duty for supervision in designated locations at 7:40 am. Therefore, students should not arrive before 7:40 am. The school day for students in grades K-5 will begin at 8:05 and be dismissed at 3:24. Except for meetings or programs about which parents have been notified or invited to, children will not be kept or allowed to stay on their own after school. Keeping the child after school will occur only after communication with the parents. No supervision will be provided otherwise.

ASBESTOS POLICY

The Berryville School District Buildings contain some asbestos materials; however, the District has a Management Plan to control the asbestos safely. This plan can be viewed at the facilities office during regular business hours.

CHECK-IN PROCEDURES

Students absent the previous day should bring a note to their homeroom teacher from a parent or other acceptable entity stating the reason for the absence. In addition, parents should check students in through the office anytime students arrive late.

CHECK-OUT PROCEDURES

Parents or other authorized adults needing to check students out before the end of the school day should go to the office with proper identification and complete an early dismissal form. If someone other than a child's parent will be picking up a child, the parent must notify the school office. Anyone other than parents must have authorization and identification to pick up a child. Parents may designate continuous authorization for pick-up on their child's registration form, kept on file in the school office. Parents may also authorize release for an

individual to pick up child by sending a verifiable signed notification to the office. It is the responsibility of the parent/guardian to notify the school of any changes.

Car rider tags are issued through the office. Parents must display their tags to school personnel before collecting their child, or they can go to the office with proper identification. If a parent/guardian needs to pick up a student that has gotten off the bus, the parent must go to the office with appropriate identification. The office staff will contact the bus. Students will not be removed from a bus that is already in route.

With the teachers' permission, students who become ill during the day should report to the school nurse. The nurse will contact the parents and complete the check-out form if necessary. If the parents cannot be immediately contacted, the student will remain in the nurse's office until the parent or guardian can be reached. If parents are not reached by the end of the day, and the nurse deems it appropriate, the child will be sent home in the regular manner. Should there be an emergency involving an accident or serious illness and the parents cannot be contacted, the student will be transported to medical or dental facilities to meet their needs.

CRISIS INTERVENTION

Berryville Schools recognize that their responsibility for the safety of students extends to possible natural and man-made disasters and that such emergencies are best met by planning and preparedness. Crisis intervention teams have been identified in each school to be activated in case of a crisis. These teams and building, and District administrators will be responsible for a coordinated response to emergencies.

Emergency procedures are posted in each classroom, and drills must be conducted at least three times a year. In the event of terrorism and/ or national disasters, governmental agencies will intervene.

CURRICULUM

The Right to Read Act, amended by the Arkansas Legislature in 2019, requires "curriculum programs that are supported by the science of reading and based on instruction that is explicit, systematic, cumulative, and diagnostic, including without limitation:

(1) dyslexia programs that are evidence-based and aligned to structured literacy or grounded in the Orton-Gillingham methodology, Take Flight.

(2) evidence-based reading intervention programs, and

(3) evidence-based reading programs that are grounded in the science of reading." Pursuant to Ark. Code Ann. § 6-17-429(f), the Arkansas Division of Elementary and Secondary Education shall identify and create a list of approved materials, resources, and curriculum programs for public school Districts and open-enrollment public charter schools that are supported by the science of reading and based on instruction that is explicit, systematic, cumulative, and diagnostic, including dyslexia programs, evidence-based reading intervention programs, etc.

DELIVERIES AND STUDENT SALES- FLOWERS AND/OR FOOD

Interruptions of instructional time to make deliveries of flowers, balloons, et cetera, will be kept to a minimum. School secretaries are busy meeting the needs of students and staff during the school day and do not always have time to make deliveries. The school will not be responsible for delivery of items that are not a part of the student's instructional or educational needs. Students will be notified to come to the office to pick up delivery before the end of the school day. Students are requested not to sell or buy items at school unless they are sponsored by the school or the principal approves the sale.

DISCRIMINATION DISCLAIMER

Berryville Schools do not discriminate in the application of its educational programs nor in the treatment of its applicants for employment, nor in any of its programs and activities, nor does it use any unlawful criteria such as age, race, ethnicity, national origin, sex, sexual orientation, gender identity, or disability, in its dealing with employees, students, or the general public.

The following persons have been designated to handle inquiries regarding the nondiscrimination policies:

For Section Title IX: Equity Coordinator
c/o Berryville Public Schools
902 West Trimble Ave, Berryville, AR
72616 870-480-4669

DRUG POLICY AND SALES ACT OF 612

School Drug Sales Act provides that the sentence for the sale of controlled substances within 1,000 feet of public or private schools or colleges shall be two years and a fine of no less than
$1,000. Also, the use of any tobacco products by any person is prohibited by federal law in all school buildings. Any persons possessing drugs or tobacco on school grounds will be dealt with accordingly.

EDUCATIONAL GOALS

We realize some of our educational goals are beyond the school's responsibilities, which is why we strongly believe the family and other agencies and institutions of our community must cooperatively be involved in the educational development of our children. We acknowledge the total achievement of these educational goals is idealistic, but feel we must have high ideals and goals to strive for if we are to exist and progress as a free people.

- High moral values and ethical behavior
- Self-worth, individual identity, and self-confidence
- Mental, emotional, and physical health
- Positive and cooperative attitudes
- An appreciation and understanding of the family as the basic unit of society
- A desire for knowledge, a love of truth, and self-discipline necessary to develop his other potential to the fullest
- Open and inquisitive minds and flexible personalities adaptable to the ever- changing world

- Thinking skills, communication skills, mathematical skills to the highest degree possible, and an appreciation and understanding of the sciences and the interdependence of earth and all organisms.
- A genuine sense of appreciation and gratitude for the land and natural resources of the earth
- Responsible actions in our democratic society and responsible actions as citizens of Earth and space
- An understanding and sense of appreciation and gratitude for our democratic way of life with a commitment to nature and its preservation

EDUCATIONAL PHILOSOPHY FOR BERRYVILLE PUBLIC SCHOOLS

The Berryville School District assumes the responsibility of providing students a high-quality education that challenges each student to achieve his/her maximum potential. Therefore, the District shall endeavor to create the environment necessary to attain this goal. The creation of the necessary climate shall be based on the following core beliefs:

- The District's vision statement will be developed with input from students, parents/guardians, business leaders, and other community members.
- All students can be successful learners.
- Students learn at different rates and in different ways.
- A primary goal shall be to give students the skills they need to be lifelong learners.
- The education of all citizens is basic to our community's well-being.
- Student achievement is affected positively by the involvement of parents/guardians and the community in the schools.
- The District is responsible for helping cultivate good citizenship skills in its students.
- Students reflect the moral and ethical values of their environment.
- Each person is responsible for his/her own actions.
- Innovation involves taking risks.
- Schools are responsible for creating the conditions that promote success.
- Each person is entitled to retain his/her dignity.
- All people have the right to be treated with respect and the responsibility to treat others respectfully.
- For teachers to succeed in cultivating high student achievement, they must be given the materials, training, and environment necessary to produce such results.

EMERGENCY PLANS

FIRE DRILLS - An intermittent bell/announcement is the signal to follow the emergency exit plan. If fire or smoke is present, evacuate immediately to the nearest safe exit. While no fire alarm will be ignored, when no evidence of a fire or smoke is present, students and staff will be vigilant for signs of danger before evacuating. Students must stay in the designated area with their class until the principal or designee gives the return signal.

TORNADO DRILLS - If an announcement is made about a tornado warning, students will move to areas away from the windows and crouch down using their arms to protect their

heads.

EARTHQUAKE Drills – If an announcement is made about an earthquake, students will move under a table, desk, or chair as quickly as possible. Once under the table, desk, or chair student will hold onto the furniture's legs.

LOCK-DOWN DRILL - If the announcement is made, "Lock and secure your classrooms," all personnel are to stay out of the halls. All rooms will be locked, and added security devices will be slid in place. Students should be moved away from windows, doors, etc. All reporting is done through email. If the fire alarm activates while the school is on lockdown, students will not evacuate until it is determined whether there is a fire. Students and faculty will remain in lockdown.

EVACUATION DRILLS - If an announcement is made to evacuate the building, students should exit as in a fire drill and meet their teacher in their designated evacuation areas. Students should exit as in a fire drill and meet their teacher in the designated area, where they will get into a single file line and sit quietly for further instructions.

EMERGENCY CONTACTS FOR STUDENTS

A current work telephone number or emergency number should be on file at all times in the event your child becomes ill or is injured at school. Should the school be unable to contact a parent or designated responsible party, the child will have to remain at school until parents or responsible party is notified. Should there be an emergency and parents cannot be reached, the child would be transported to a local emergency room, and the doctor on call will be used for emergency treatment.

ENROLLMENT/ENTRANCE REQUIREMENTS

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

A. Be a resident of the District as defined in District policy (4.1—RESIDENCE REQUIREMENTS);

B. Meet the criteria outlined in Policy:

§ 4.40—HOMELESS STUDENTS; or

§ 4.52—STUDENTS WHO ARE FOSTER CHILDREN;

C. Be accepted as a transfer student under the provisions of policy 4.4; or

D. Participate under a school choice option and submit the required paperwork as required by the choice option under Policy 4.5.

A student may enter kindergarten if the student:

· Meets one of the requirements for school attendance of A through D above; and

· Falls under one of the following:

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

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

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

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

Uniformed Services Member's Children For the purposes of this policy:

"Activated reserve components" means members of the reserve component of the uniformed services who have received a notice of intent to deploy or mobilize under

Title 10 of the United States Code, Title 32 of the United States Code, or state mobilization to active duty.

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

"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 his or her 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 his or her employment to maintain membership in the Selected Reserve; and
c. Assigned to a civilian position as a technician in the organizing, administering, instructing, or training of the Selected Reserve or in the maintenance and repair of supplies or equipment issued to the Selected Reserve of the United States Armed Forces.

"Active duty members of the uniformed services" includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;

"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;
- Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and
- Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.
- Dual status military technicians; and
- Traditional members of the National Guard and reserve components of the armed forces who are relocating to the state of employment or to serve as a member of an Arkansas- based reserve component unit.

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

"Transition" means the:

- Formal and physical process of transitioning from public school to public school; or
- Period of time in which a student moves from a sending District to a receiving District. "Uniformed services" means the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States 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 have specialized knowledge regarding the educational needs of children of military families and the obstacles that children of military families face in obtaining an education.

An eligible child as defined in this policy shall:

- Be allowed to continue his/her enrollment at the grade level commensurate with his/ her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
- Be eligible for enrollment in the next highest-grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
- Enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;
- Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to the extent that space is available. This does not prohibit the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs;
- Be provided services comparable to those the student with disabilities received in his/ her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;
- 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;
- 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;
- Be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the District by a custodial parent on active military duty.

Following the receipt of advanced notice of the enrollment 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.

Date Adopted: 7/2022

Legal References: A.C.A. § 6-4-302, A.C.A. § 6-15-504, A.C.A. § 6-18-201(c), A.C.A. § 6-18-207, A.C.A. § 6-18-208, A.C.A. § 6-18-510, A.C.A. § 6-18-702, A.C.A. § 9-28-113, Plyler v Doe 457 US 202,221 (1982)

Additional Reference: ASBA Model Policies

Cross References: 4.47 - HOMELESS STUDENTS, 4.6 - HOMESCHOOLING, 4.5 - SCHOOL CHOICE, 4.4 - STUDENT TRANSFERS, 4.1 - RESIDENCE REQUIREMENT

EXTRACURRICULAR ACTIVITIES

It shall be the policy of the Berryville Public Schools to view extracurricular activities as an extension of the instruction program. The role of extracurricular activities is to provide opportunities for students to develop their potential in the areas of cooperation, teamwork, leadership, and discipline. Extracurricular activities also provide enrichment in a learning situation other than the regular classroom, as well as providing an outlet for student interests, hobbies and career opportunities.
All students will be expected to successfully complete four courses the previous semester to participate in extracurricular activities. Extracurricular is defined as those officially approved organized student activities connected with Berryville Schools.

It shall be the policy of the administration and staff to schedule extracurricular activities after regular school hours and/or Saturdays, except for those events sanctioned by the Arkansas Activities Association. In addition, every effort will be made by the administration and staff to limit activities that interfere with the regular instruction program.

FIELD TRIPS/STUDENT REWARDS

When a field trip is to be taken, students will bring home a permission form indicating the purpose, destination, and date. This form must be signed and returned to the teacher in order for the child to participate.

GIFTED AND TALENTED

The Berryville Schools offer a gifted and talented program referred to as GATE (Gifted and Talented Education). This program is available in grades K-12 in various forms.

GATE program and information can be found by going to the following link: https://sites.google.com/site/berryvillegate/home or https://sites.google.com/berryville.k12.ar.us/berryvillegiftedandtalentededu/home?authuser=0

GUIDANCE

The school counseling program exists to facilitate the human growth and development of each individual student. The school believes the cooperative efforts of family, community, and school are necessary for the full development of children.

In an increasingly complex society, young people are called upon to make important transitions in life. The counseling services will promote the mental, social, moral, and physical growth and understanding needed to help each student to attain their personal best.

These services will foster personal growth and values, understanding of self and others, realistic self-appraisal, and decision making. According to the state education standards, the character education curriculum used at the elementary and intermediate schools is G.U.I.D.E for Life.

G.U.I.D.E for Life explores five principles that students need to be Arkansas Graduates. They are Growth, Understanding, Interaction, Decisions, and Empathy. According to the comprehensive school counseling plan for BSD, the counselor will push into the classrooms a minimum of once per month not exceeding 30 minutes per lesson.

PHYSICAL EDUCATION

Physical education training is offered for all elementary and intermediate students in grades K- 5 for a minimum of 40 minutes per week as mandated by the state. If a student's participation has some limitations, a medical doctor's written excuse must be on file.

Regular school clothing is satisfactory for most physical education activities. However, certain activities such as fitness testing and track may require tennis shoes or other types of appropriate clothing be worn. Students will be notified by the physical education instructor on these occasions.

Health Services (ARK. Code 6-18-706)

Berryville School District provides a Registered Nurse to supervise medical care in every school and to assist you in meeting the health needs of your child during the school day. If you have any questions after reading this information, please contact your child's school

nurse.

BERRYVILLE SCHOOLS HEALTH HISTORY FORM: (HIPAA/FERPA)

A student Health History form must be completed annually and updated as needed by the parent. It is important for the parent to bring to the nurse's attention any medical concerns either physical or emotional. The nurse may need to share this information with the teacher/staff on an "as need to know basis" to not only ensure the safety and welfare of your child but to possibly modify activities if needed. District supplied "over the counter medications" will NOT be given without a parent signed health history form**.**

HEALTH PASS:

The health pass is a legal document and should be treated accordingly. All students must have a pass to come to the health office. The only exceptions are emergencies or the teacher escorting the student. If a student needs to make a visit to the health office between classes, they will need to ask for a health pass from their instructor at the end of class. Electronic nurse passes are available to all students to see the nurse. The nurse will call the student in when the pass is read by the nurse.

HEALTH SCREENINGS (state mandated) Vision: (A.C.A. 6-18-1501)

Act 1438 of 2005 requires students in grades PreK, KF, 1, 2, 4, 6, 8, and transfer students to have an eye and vision screen. Only failure notifications are sent home. A child who does not pass the screening shall be required to have an exam conducted by an optometrist or ophthalmologist within 60 days of receipt of the screening report and show proof of the exam. Parents needing financial assistance should contact the school nurse.

Hearing: Hearing screens are mandated for students in grades PreK, KF, 1, 2, 4, 6, 8, and transfer students. Only failure notices are sent home. Parents have 60 days to show proof that a doctor or audiologist examined their child. Insurance is billed for students covered under Medicaid/Arkansas Kids 1st will be billed, where applicable, for hearing and vision screenings conducted at school unless notified, in writing, by parents to decline within 60 days of receipt of handbook.

BMI:

(ARK Code 20-7-133 and 3.04)

Act 1220 requires students in grades KF, 2, 4, 6, 8, and 10 shall have their height and weight assessed. A parent who refuses to have their child assessed must provide written documentation of the refusal by checking the refusal box on the health history form. Screening results will be sent home only upon request of the parent/legal guardian.

ILLNESS

Chronic Illness: (A.C.A. 6-18-1005)

Contact your school nurse if your child has a diagnosis of Asthma, Diabetes, Seizures, Anaphylaxis, or any other medically diagnosed health condition. An Individual Health Care Plan (IHP) will be developed and kept on file. Information is shared with staff on an "as needed basis." Check with your school nurse to see if your child's condition qualifies for this.

In order to receive care, all medications, medical treatments and procedures must have signed-written medical orders from an Arkansas licensed medical professional. These are valid for one year from the signature date.

Acute Illness: If a student develops a temperature of 100.4 degrees or above, or is vomiting, and/or has diarrhea, the school nurse or nurse delegate will notify parents to promptly, (within the hour), remove the child from school. Students should be symptom free for 24 hours, which is one entire school day from the day of dismissal, without requiring medication for fever, vomiting, diarrhea, or other symptoms prior to returning to school. If a student is ill and should not participate in physical activities, a note is required from the parent. Continued limitations (over 1 day) will require a medical Doctor's written excuse and be kept on file. If a student requests an illness dismissal from school, and does not go through the nurse, the absence will not count as medically excused unless an MD note is obtained.

Communicable Diseases:

When your child is absent due to a communicable disease diagnosed by a medical professional, the parent should call their school nurse with the information. This is particularly important if the child has chicken pox (varicella), measles, influenza, pertussis, etc. A written excuse, preferably by the doctor, should accompany your child when he/she is medically cleared to return to school. The school nurse will inform the Arkansas Department of Health of all cases of reportable communicable diseases and will follow their protocol.

Head Lice:

It is common for children to bring head lice to school. 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.

IMMUNIZATIONS:

(Ark. Code Ann. § 20-7-109, 6-18-702, 6-60-501 - 504, and 20-78-206)
In order for a student to attend school, the following immunization guidelines must be followed. Failure to meet these requirements will result in your child's exclusion from school.

Immunization Requirements

Kindergarten through 12th Grade:

DTaP/DT/Td	**4 doses- with 1 on/after 4th birthday**
Polio	**3 doses- with 1 on/ after 4th birthday**
MMR	**2 doses- with 1 on/after 1st birthday and at least 28 days between doses**
Hepatitis B	**3 doses (2 or 3 doses with specified age and spacing-see law or call 501 661-2169)**
Varicella	**2 doses-1 after 1st birthday and second dose at least 28 days after dose 1**
	OR a note from a medical professional with proof / statement of disease history

Plus: Students meeting the age or grade level criteria below are required to have the following additional immunizations. Kindergarten and First Grade:

Hepatitis A **1 dose on/after 1st birthday**

Students 11 years old or *older* on or before September 1: (This is required for any student 11-21 years of age.)

Tdap **1 dose**

Students entering 7th grade regardless of age:

Meningococcal **1 dose**

Students turning 16 years old on or before September 1 regardless of grade:

Meningococcal **1 dose if not previously vaccinated and if student will be 16 by Sept. 1**
(If the first dose is administered at age 16 years or older, no second dose is required.)
Second dose is required if it has been 8 weeks or more since the first dose was given. No dose is required for students 17 and older, however, it is strongly recommended.

Provide an updated copy of your child's immunization record to your school nurse or registrar before the first day of attendance. For questions, please contact your healthcare provider, school nurse, or the Benton County Health Unit at (479 986-1300).

Immunization Exemption in the State of Arkansas:

Parents may obtain information from the Arkansas Department of Health at Arkansas.gov or call (501) 537- 8969 or email:

Immunizaton.section@arkansas.gov

1. Application for an Arkansas exemption must be completed annually, preferably in May through July or any time a student enrolls; allow 2-4 weeks for processing.
2. Provide a notarized copy of the ADH application to the school registrar/nurse.
3. When a parent receives the ADH Immunization Exemption Approval Letter, please provide a copy to the school nurse/registrar.
4. All exemptions must be renewed before the beginning of each school year and are due the first day of school
5. An exemption letter from another state is not acceptable.
6. An exemption letter from your physician is not acceptable.
7. Failure to comply with timelines will result in the student's exclusion from school.

MEDICATIONS: See Policy and Procedures beginning with 4.35 Student Medications

911 Calls:

In event there is an emergency, 911 will be called along with a parent phone call. If parents cannot be reached, the student will be transported to a local hospital.
Efforts will be made to transport to the nearest hospital.

Insurance:

The Berryville School District does not carry insurance to cover students who might be injured during the regular course of the school day; however, the District does provide an opportunity for parents to purchase an accidental insurance program for school-age children. At the beginning of the school year, forms are sent home with students explaining the cost to parents and benefits received in case of accidents.
Parents are encouraged to purchase the insurance offered by the school or provide their own insurance to cover the cost of injuries at school. The District in no way benefits from the policy premiums.

Please contact your building nurse if you have questions regarding your child's health and school attendance.

HEALTH AND SAFETY

CONTACT WITH STUDENTS WHILE AT SCHOOL

CONTACT BY PARENTS/GUARDIANS

Parents/Guardians wishing to speak to their children during the school day will follow the visitor's policy.

CONTACT BY NON-CUSTODIAL PARENTS/GUARDIANS

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

Unless prior arrangements have been made with the school's principal, Arkansas law states 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, Arkansas law provides that the transfer of a child between his/her custodial parent/guardian and non-custodial parent/guardian, when both parents/guardians are present, shall not take place on school property on normal school days during normal school hours of operation. The custodial or non-custodial parent/guardian may send to/drop off the student at school to be sent to/picked up by the other parent/guardian on predetermined days in accordance with any court

order provided by the custodial parent/guardian or by a signed agreement between both the custodial and non-custodial parents/guardians that was witnessed by the student's building principal. Unless a valid no-contact order has been filed with the student's principal or the principal's designee, District employees shall not become involved in disputes concerning whether or not the parent/guardian was supposed to pick up the student on any given day.

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

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Department of Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Except as provided below, other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents/guardians of a student (or the student if above eighteen (18) (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/guardian or other person having lawful control by court order, or person acting in loco parentis identified on student enrollment form. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent/guardian, custodian, or person standing in loco

parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Department of Arkansas State Police, or an investigator or employee of the Department of Human Services.

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

This sentence is based on language in A.C.A. § 9-13-104 (b) and is NOT required. School administration should ALWAYS decline any involvement in the fight between parents/guardians over whose day it is to pick up the student. The school's interest is that a PARENT or an individual authorized by a PARENT/GUARDIAN checks the child out or picks the child up, not that the "right" parent/guardian checks the child out on the "right" day.

Date Adopted: 5/16/16
Last Revised: 4/6/17
Legal References: A.C.A. § 6-18-513
A.C.A. § 9-13-104
A.C.A. § 12-18-609,610,613
A.C.A. § 12-18-1001, 1005

HOMEBOUND INSTRUCTION

If the student is absent from the school because of an illness, an accident resulting in serious injury, pregnancy or other physically disabling conditions (Or in the case of a child with disabilities, the IEP has determined that the child's LRE is a homebound placement). The following guidelines must be met for eligibility for homebound instruction:

1. Eligibility
    a. Any student who has a medical problem confirmed by a physician that prohibits the student from being physically in class may apply for homebound instruction.
    b. A student who is pregnant shall not be considered for homebound instruction unless there is a medical necessity, confirmed by a physician, which states that the student is unable to be in school.
    c. Eligibility for homebound instruction will be limited to those students who are to be out of school for more than twenty consecutive days. Homebound instruction can begin as soon as the completed homebound

application is returned to the school counseling office.

d. Homebound students may not actively participate in extracurricular activities i.e. prom, participating in Athletics, trips, etc.

2. Application
    a. The student should request a HOMEBOUND STATUS APPLICATION FORM from the school counseling office.
    b. The doctor will be required to state on the application approximately how long the homebound condition will exist.
    c. Approval or non-approval of homebound status rests with the counseling staff and the building principal based on the doctor's recommendation.
3. Credit
    a. Full credit may be earned in the four core subject areas: math, science, social studies, and English. Occasionally subject matter assignments may need to be altered or supplemented.

HOMELESS STUDENTS-see Policy 4.40 Homeless Students

HOME SCHOOL RE-ENTRY PROCEDURE

Guideline for placement and/or scheduling of former home school students and students from non-accredited schools (schools not accredited by a state or regional association).

- 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 lesson 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 homeschooled student who enrolls or re-enrolls in the District enter at a grade level and academic course level equivalent to or higher than the home-schooled student's grade level and academic course level in the home school:
As indicated by the documentation submitted by the home-schooled student;

By mutual agreement between the public school and the homeschooled student's parent/legal guardian; or

- If the home-schooled student fails to provide the documentation required by this policy, with the exception of 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, course credits in the same manner the District uses when determining grade placement, and course credits for students 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 based on the student having attended a home school:
- Award of course credits earned in the home school;
- Placement in the proper grade level and promotion to the next grade level;
- Participation in any academic or extracurricular activity;
- Membership in school-sponsored clubs, associations, or organizations;
- A diploma or graduation, so long as the student has enrolled or re-enrolled in the District to attend classes for at least the nine (9) months immediately preceding prior to graduation;
- Scholarships.

Legal References: A.C.A. § 6-15-503
A.C.A. § 6-15-504
A.C.A. § 6-41-103

HOME SCHOOL POLICY

Parents/Guardians may choose to homeschool their children under Arkansas Law (A.C.A. 6-15- 501-507 as amended by Act 117 of 1999) Under Arkansas law, children between the ages of five (5) and seventeen (17), inclusive, in accordance with Ark, Code Ann. 6-18-201 (Supp. 1997), as amended by Act 570 of 1999 (statute referencing the compulsory attendance age requirements) must attend school. A parent/guardian who intends to homeschool a child in accordance with Ark. Code Ann. 6-18-201 (as amended) must enroll the child in a homeschool at the beginning of each school year, but no later than August 15 for the fall semester, or by December 15 for the spring semester, or subject to the provisions of Sections 4.03 and 4.04, fourteen (14) calendar days prior to withdrawing. The Superintendent or the local school board may waive the fourteen (14) day waiting period.

No public school shall be eligible to enroll in a homeschool if the student is currently under disciplinary action for violation of any written school policy including but not limited to excessive unexcused absences. Exceptions to this requirement are outlined in section 4.04.

Public school students who are under disciplinary actions by the local school District shall be eligible for enrollment in a homeschool if:

- The Superintendent or local school board chooses to allow the child to enroll in a homeschool.

- The disciplinary action against the student has been completed or at the end of a school semester, (whichever comes first) or the student has been expelled.

- Homeschool students can enroll in school on a part-time basis. Class selections will

be determined at administration's discretion.

INSURANCE

Accident insurance which protects students injured at school, while coming to or going from school, and while engaged in specified school activities, is offered to all students. Students who participate in any form of athletics will be required to take the insurance or bring a note from home stating they are covered through their insurance policies and the school will not be held responsible in case of injury.

LIBRARY

The school library is a vital part of the instructional program. Through regularly scheduled class and independent study time, students are encouraged to explore books, periodicals, do research, and access audio-visual materials that the center contains. Books are checked out for a one-week period. Parents and students are requested to cooperate and see that materials are returned on time and in good condition.

There are charges for late, damaged, or lost materials. If books are lost or damaged, a charge equal to the current price or $10.00 for hardbacks and $5.00 for paperbacks, whichever is greater.

RE: Arkansas Library Materials Security Law
A.C.A. § 13-2-801 et seq. provides for support for school libraries in terms of keeping "library materials" secure from unauthorized removal or willful mutilation. This act provides support by allowing charges to be brought against a person who violates school policies that govern library security and provides protection to the employee that detains or questions a person believed to be concealing materials.

The term "library materials" means books, manuscripts, letters, newspapers, court records, films, microfilms, tape recordings, phonograph records, lithographs, prints, photographs, or any other written or printed document, graphic material of any nature and other personal property which is the property of or is in the custody of, or entrusted to a public or private library, museum, archives, or other depository.

Legal charges may be brought against persons violating school policies that govern access to library materials. Before a charge can be filed against a person, the library shall send written notice notifying them that if the books or materials are not returned to the library, charges will be filed against them.

The act also allows for a person to be detained and questioned in a reasonable manner if library personnel believe a person has committed an offense or has concealed any library material upon his person or within his belongings. This law protects library personnel that detain or question any person from civil liability.

LOITERING AROUND SCHOOL CAMPUS

Anyone who is found loitering around or within 100 feet of the school campus during

school hours or at any school sponsored activities such as ball games, dances, banquets, etc. without lawful business shall be guilty of a misdemeanor and if convicted shall be subject to fines up to $250. This applies to all persons except those loitering on their own property within 100 feet of the campus, persons walking or driving to another destination, or people having a meaningful reason to be on campus such as picking up a child or visiting the campus with a pass from the office.

LUNCHES

All elementary schools are closed campuses; therefore, students may not leave campus without a dismissal in the office. Lunches are served in cafeterias during designated lunch periods. For other details regarding food and nutrition, see Nutrition Services Section.

MAKE-UP/LATE WORK

Students are required to complete any make-up/late work at teacher's discretion.

MESSAGES

- Only emergency messages will be delivered to students.
- Classes will not be interrupted to deliver messages regarding personal appointments, work schedules, family errands, etc.

MIGRANT PROGRAM

The Migrant Program is a federally funded program established in 1965 under the Title I program of public law 89-10. Students of any ethnic background can qualify for the program when they move from one school District to another, because a family member is seeking or has taken a job in agriculture related work. (Poultry processing, farm hand, feed mill, hatchery, timber, etc.) Students may receive migrant services for 36 months from the date of qualifying move.

Migrant Services include:
Tutoring- Tutoring allows students to come from their class after instruction time during school as needed because of low grades or low-test scores. The program attempts to reinforce what students have already been taught. Students are allowed to come to migrant no more than 3 class periods per day.
Mini-Physicals- The migrant nurse visits our campus 3 times a year to give mini-physicals to students in grades K-5. If a medical, dental, or vision problem is noted, parent/guardian contact is made. Limited funds are available to take care of minor medical problems along with dental needs and visual needs. Appointments for students can be arranged if the parent/guardian is unable to do so. If a migrant student has a medical problem, when the nurse is not here, let the migrant staff know and every effort will be made to take care of it.

R.I.F.- Reading is Fundamental is designed to encourage students to read more and parents/guardians to read to their children. Migrant students in grades K-6 are given the opportunity to choose a book to take home and keep. Tutors are required to have 3 RIF distributions in a school year.

P.A.S.S.- Portable Assisted Study Sequence is available for migrant students in grades 9-12 who are not progressing at an adequate rate to graduate. If approved by the principal and counselor, these correspondence courses can be used in place of a regular class. A list of

courses is available from the migrant office.

NAME CHANGE

Changing the name of a minor can only be accomplished by the parent or legal guardian of the child. If the purpose of the name change is to simply alter a minor spelling mistake, a request to change the name can be made directly with the Arkansas Department of Health. However, changing a child's name for any other reason will require an order issued by an Arkansas court.

NUTRITION SERVICE

Meal Charges

The District does not provide credit for students to charge food. Items may be purchased by either prepayment or providing payment for the items at the time of receipt.

While credit is not permitted, any student going through the line at meal service will be provided with a regular meal tray regardless of the balance of the account. The meal will be charged to the student's account, and parents or guardians will be responsible for payment.

Families wishing to avoid these charges when a student's account balance is not sufficient to cover the day's meal must send a lunch to school with the student.

Families choosing not to send a packed lunch and not to pay meal charges may have negative account balance payment reminders sent home weekly.

Payment for Meals

You may send cash or check (payable to Berryville Schools) to pay for your student's breakfast or lunch purchase. Checks should be made payable to the school, and the student's lunch account number should be written on the check. When sending one check for multiple students, please indicate the amount to be deposited in each account. Deposits may also be made online at family.titank12.com.

Monthly Correction Policy for Meal Charges

Each student's account balance is traced electronically, including deposit and purchase history. Families may view this information at family.titank12.com. Questions or corrections may be directed to the school cafeteria or the Berryville Schools Nutrition Services Office 870-480-4627. Berryville Schools Nutrition Services will make corrections to accounts that are found to be in error within the same calendar month of when the error occurred.

Notifications

The District will contact parents via weekly payment reminders sent home with students who are on a reduced or paid status regarding lunch balances $5.00 or below. If negative balance is left unpaid, the District will contact parents via phone and/or mailed letters.

Free and Reduced Priced Meals

Applications for free and reduced-priced meals may be picked up in each building office or printed at bobcat.k12.ar.us. The parent or guardian of a student participating in free or reduced meals must reapply at the beginning of every school year. As the prior year's application is only valid for the first 30 days of school, after 30 days, all students without a

processed application for free or reduced meals in the current school year will pay full price. Families with circumstances that have changed may apply/reapply at any time during the school year.

Monthly Menus and Nutritional
Monthly menus are posted in each cafeteria, District Website, and on social media.

Nutrition Rules/Guidelines
Arkansas ACT 1220 established certain rules regarding student nutrition as well as the existence and limitation of foods and beverages in the public schools. As part of these rules, parents may provide foods of minimal nutritional value or candy to their own child but may not provide these foods to other children. Each school may provide any food or beverage item to students during the school day for up to nine different events each school year. These nine events are determined by the campus administration.

Prices

2025-2026 Meal Prices	
Breakfast K-12: **FREE**	Reduced Breakfast: K-12: **FREE**
Lunch K-5: $2.80	Reduced Lunch K-12: $0.40
Lunch 6-12: $3.10	Extra Milk: K-12: $0.45
Adult Breakfast: $3.00	Adult Lunch: $4.50

USDA Nondiscrimination Statement
In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. **Mail:** U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410;

2. **Fax:** (202) 690-7442; or
3. **Email:** program.intake@usda.gov

This institution is an equal opportunity provider.

PARENT-TEACHER CONFERENCES

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

Teachers are required to communicate during the school year with the parents, guardians, or care-giving adult or adults in a student's home to discuss the student's academic progress unless the student has been placed in the custody of the Department of Human Services and the school has received a court order prohibiting parent or guardian participation in parent/teacher conferences.[1] More frequent communication is required with the parents/guardians of students who are performing below grade level.

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

If a student is to be retained at any grade level or denied course credit[2], notice of, and the reasons for retention shall be communicated promptly in a personal conference.

Legal References: Standards for Accreditation 5-A.1
A.C.A § 6-15--1702(b)(3)(B)(ii)

PERMANENT RECORDS

Permanent school records, as required by the Arkansas Department of Education, shall be maintained for each student enrolled in the District until the student receives a high school diploma, its equivalent or is beyond the age of compulsory school attendance. A copy of the student's permanent record shall be provided to the receiving school within ten (10) school days after the date a request from the receiving school District is received. (ACA 6-18-901, District Policy 4.38)

PLEDGE OF ALLEGIANCE

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

Students shall not be compelled to recite the pledge, but shall not disrupt those students choosing to recite the pledge. Students choosing not to recite the pledge shall not be subject

to any comments, retaliation, or disciplinary action.

Public schools shall observe a one (1) minute period of silence during morning announcements. Students may reflect, pray, or engage in a silent activity. Teachers or school employees in charge of the classroom shall ensure that all students remain silent and do not interfere with or distract another student during the period of silence. (Act. 576 of 2013). The National Anthem will also be played each week.

PROFESSIONAL QUALIFICATIONS OF TEACHERS

Every Student Succeeds Act (ESSA) gives parents the right to know the professional qualifications of the classroom teacher who instructs their children. Specifically, the parents can request the information listed below:

- Has the teacher met Arkansas qualifications and licensing criteria to teach the grade level and/or subject area to which he/she is assigned?
- Has the state waived its qualifications and licensing criteria to permit the teacher to teach on an emergency or provisional license?
- What is the teacher's college major, graduate certification or degrees, and the field or discipline for those certificates or degrees?
- What are the qualifications of a teacher's aide or similar paraprofessional providing instructional assistance to your child?

Most of this information can be accessed on the ADE public site at https://adeaels.arkansas.gov/AelsWeb/Search.aspx

PROGRESS REPORTS/REPORT CARDS

Progress reports for students will be given to the student to take home to the parents/guardians at the midpoint of each grading period. To arrange a meeting, parents/guardians may contact their child's classroom teacher or the school office.

A report card is issued at the end of each nine-week grading period. Parents/Guardians may pick up the cards or the card will be sent home with the student. If a parent/guardian wishes further explanation than given on the report card, they should feel free to request it. All fines must be paid before a diploma will be issued.

Grading

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

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

Grading Scale K-5 Standards-Based report cards.

Legal reference: ACA 6-15-902; State Board of Education: Standards of Accreditation 12.02; ADE Rules and Regulations Governing Uniform Grading Scales for Public Secondary School.

RETENTION POLICY

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). Parent/teacher conferences are encouraged and may be held as necessary in an effort to improve a student's academic success.

Promotion or retention of students shall be primarily based on their ability to succeed in the next grade level. The parents or guardians of any student who is to be retained at any grade level (K-5) shall be given written notice for possible retention in writing during spring parent/teacher conferences.
At least once each semester, the parents, legal guardians, persons having lawful control of the student, or person 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 in reading.

Any student not proficient on a state-mandated test must be enrolled in a remediation. Whether or not a student has successfully completed the remediation will be determined at the end of each semester. Factors that will be considered are grades and/or scores from the remediation class, regular class and formative assessments.

SCHOOL-BASED MENTAL HEALTH SERVICES

The Berryville School District participates in a school based mental health program.

SCHOOL CHOICE

The Superintendent will consider all applications for School Choice postmarked no later than the May 1 proceeding of the fall semester and the applicant would begin school in the District. The Superintendent shall notify the parent/guardian and the student's resident District, in writing, of the decision to accept or reject the application within 30 days of it receipt of the application.

The School Board reserves the right, after hearing before the board, not to allow any person who is currently under expulsion from another District to enroll in a District school.

Students admitted under this policy shall be entitled to continued enrollment until they graduate or are no longer eligible for enrollment in the District's schools. Any student admitted to this District under the provisions of this reapply for a school choice admission if desiring to return to this District in the future.

Legal Reference: Act 1227 ENROLLMENT

SCHOOL DAY

The school day begins at 8:05 and ends at 3:24 for K-5 students. Students are to be in school during school hours. Teachers do not grant permission for students to leave campus. If it becomes necessary for a student to leave school at the end of the day in a different manner than he/she normally arrives, the parent/guardian shall notify the main office no later than 2:30 by telephone, in writing, or in person. Otherwise, the student will be sent home the same way he/she arrived when the school day began or by normal routine.

SECTION 504 OF THE REHABILITATION ACT

Services are provided for students having a disability, physical or mental, which substantially limits one or more major life activities. Anyone thinking a student may need services should contact the student's principal.

SEX OFFENDERS ON CAMPUS (MEGAN'S LAW) (6.10)

The Berryville School District shall work with area law enforcement in a manner consistent with applicable state law and Arkansas Department of Education Regulations to communicate the presence of a sexual offender. When necessary, law enforcement may contact building principals to provide information concerning registered sex offenders. The decision regarding the school principals to be notified rests solely with law enforcement officials; law enforcement officials use a rating system to determine who needs to be notified, which is according to the sex offender's danger to the community.

In turn, building principals should notify any employee who is regularly in a position to observe unauthorized persons on or near the school's property in the ordinary course of their employment. Employees notified could include any of the following: aides, bus drivers, coaches, maintenance staff, professional support staff, school level administrative staff, security personnel, teacher's assistants, and teachers.

It is important that school personnel who receive sex offender notifications understand that they are receiving the sex offender notification in their official capacity and are **not** to disseminate information about an offender to anyone outside the school. If school personnel are asked about notification information by an organization using school facilities, the organization should be referred to the area law enforcement agency that issued the notice.

Persons **not** to be notified, except at the specific discretion of area law enforcement officials, include: members of parent/teacher organizations, other schools, organizations using school facilities, students, parents/guardians of students, and the press. District personnel may inform the press about procedures that have been put in place and other general topics, but may not reveal the name or any other specifics regarding an offender.

A parent/guardian who is a level 1 or level 2 sex offender shall be allowed to enter the school campus to attend parent/teacher conferences or any other activity that is appropriate for a parent/guardian or community member.

Level 3 and Level 4 sex offenders may only enter the school campus in the following instances:

- The offender is a student attending school in the District;
- To attend a graduation or baccalaureate ceremony;
- It is a non-student contact day according to the school calendar or no school-sponsored event is taking place on campus;
- The offender is a parent/guardian of a student enrolled in the District and goes directly to the school office to have school personnel deliver medicine, food, or personal items for the student;
- The offender is a parent/guardian of a student and enters the school campus where the student is enrolled to attend a scheduled parent/teacher conference **and** the offender is escorted to and from the conference by a designated school official or employee.

A Level 3, but not a Level 4, sex offender may attend a school sponsored event for which an admission fee is charged or tickets are sold or distributed if the sex offender:
Is the parent/guardian of or is related by blood or marriage within the fourth (4th) degree of consanguinity 1 to a student enrolled in the public school; and
Notifies the administration of the school in writing at least twenty-four (24) hours before the start of the event that he/she will be attending the event.

A Level 3 or Level 4 sex offender who is the parent/guardian of a child enrolled in the District and who wished to enter the school campus in which the student is enrolled for any other purpose than those listed above, must give reasonable notice to the school principal or his/her designee. The principal or designee may allow the sex offender to enter upon the campus provided there is a designated school official or employee to escort and supervise the sex offender while they remain on campus. The sex offender shall not enter upon the school campus until such time as a designated school official or employee is available.

Copies of the notification from law enforcement should be kept in a secure place accessible to teachers and staff, but should not be posted on school bulletin boards or made available to students or members of the community at large.

Legal References: *Arkansas Department of Education Guidelines for "Megan's Law"*

A.C.A. § 5-14-132
A.C.A. § 12-12-913 (g)(3)
A.C.A. § 28-9-212

SPECIAL EDUCATION

Special Education services are offered for qualified students with disabilities. All federal and state laws are applicable for students' Individualized Education Programs (IEP). Parents/Guardians with concerns about their child's physical or intellectual needs should contact the Special Education Department or the Principal.

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

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

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

The Board directs the Superintendent to ensure procedures are in place for the implementation of special education services and that programs are developed to conform to the requirements of state and federal legislation. The Superintendent is responsible for appointing a District coordinator for overseeing District fulfillment of its responsibilities regarding handicapped students. Among the coordinator's responsibilities shall be ensuring District enforcement of the due process rights of handicapped students and their parents/guardians.

STATE TESTING

K-5th grade students will take the Arkansas Teaching and Learning Assessment System (ATLAS) test.

STAY IN SCHOOL PROGRAM

Arkansas State Law Act 867 (HR 1616) authorizes school Districts to enter into cooperative agreements with law enforcement officials to implement a stay-in-school program. This program provides that law enforcement officials may attempt to locate and detain students who are off school premises during school hours but should be in school. Such students may be taken into custody and returned to school, or transported to parents/guardians or to a truancy reception center which has been designated by the school District.
Effective 7/8/89

STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE

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

STUDENT TRANSFERS

Any student transferring from a school accredited by the Arkansas Department of Education to a school in this District shall be evaluated by District staff to determine the student's appropriate grade placement.

TELEPHONE

The main use of the school phone is for business. Necessary plans should be made with students before they leave home in the morning. A student may use the phone by securing

permission from the teacher and presenting an approval note to the office. Students and teachers will not be called out of class to answer the phone except in case of extreme emergency.

TOBACCO-FREE CAMPUS

In accordance with Act 854 of 1987 and to promote a healthier environment for all concerned, it shall be the policy of the Berryville Public Schools to prohibit the use of tobacco or products containing tobacco in enclosed areas, buildings or facilities of the Berryville Public Schools.

TUTORING

Tutoring is available before school, during lunch, and after school. Students should check with individual teachers. Bobcat Academy is available for K-5 students Monday-Thursday after school until 5:30. See website for application.

VIDEO SURVEILLANCE

The board has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding District facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras. The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff, and visitors have no reasonable expectations of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as restrooms or dressing areas where and expectations of 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/Guardians 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.

Students who vandalize, damage, disable, or render inoperable (temporary or permanently) surveillance cameras and equipment shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities. (District Policy 4.48)

VISITORS

All visitors are required to check-in and pick up a visitor pass. Visitors, please remember the classrooms are busy places and interruptions must be kept to a minimum. Because a teacher's primary responsibility is to the children, drop-in classroom visits are not permitted. Teachers will not be called out of class or away from duty. Visitors shall refrain from confronting or harassing students. Students from other schools are not permitted to visit the classroom.

If parents have business with a teacher or the principal, they should arrange for a conference

at a convenient time. A conference by phone or in person can be arranged through the school office. Teachers have preparation periods daily and are usually available for conferences at that time.

WEATHER

When weather conditions are hazardous for buses to travel safely, school may be dismissed. On mornings in question, the local radio and TV stations will announce the decision as early as possible. Schools will also utilize School Reach and Social Media for announcements. Parents may contact a campus registrar to update contact information for these call outs.

If weather conditions become bad enough during school hours to require buses to make their runs before the regularly scheduled time, radio and television stations will be notified. Parents are encouraged to discuss alternate plans with their children in case of such an emergency.

WITHDRAWAL AND DROPS

(NON-ATTENDANCE OR OTHER)
All students leaving Berryville Public Schools must formally withdraw. Withdrawal form is initiated by the school secretary and/or school registrar.

- Students need to visit the school counselor.
- Students must return books to each teacher. All books not returned will be assigned a replacement fee based on the current value of the book. Each teacher will put withdrawal grades to date, initial record clear columns, note any fines or missing books, and sign by class.
- Students must also visit the school nurse, food service, and library to clear any fines.
- Students will return to office when all information has been obtained and the school secretary will verify all check-out procedures have been followed. Form is dated and signed by the principal. A copy is made and given to the student.
- Completed form is filed in the student's file.

After ten (10) days of consecutive absences, without notification, a student will be dropped. If a student does not properly withdraw, but is no longer a student included in the school's enrollment, the same procedure must be followed.

POLICIES AND PROCEDURES

The most current school board policies can always be found online at Berryville Schools> Leadership> Board of Education> Policies. In this section we have included policies that are utilized most often or required for publication by law. In cases where additional administrative procedures are in place, the procedures follow the policy. Note that many policies are interrelated and some procedures may relate to multiple policies. As always, your campus administration will be happy to assist you with any questions or needs.

4.1 - RESIDENCE REQUIREMENTS

Definitions:

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

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

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

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

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

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

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

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

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

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

school years at the enrolled school district regardless of mobilization, deployment, or military status of the parent or guardian.

Legal References: A.C.A. § 6-4-302
A.C.A. § 6-18-202
A.C.A. § 6-18-203
A.C.A. § 6-28-108
A.C.A. § 9-28-113

Date Adopted:
Last Revised: June 2025

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. The Bobcat Virtual Education Program addresses absences in the Parent-Student handbook.

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 the student's 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.

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

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

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

a. Bring a written statement to the principal or designee upon the student's return to school from the student's parent, legal guardian, or treating physician stating the reason for the student's absence;
b. If the student is attending the District's courses digitally, upload a written statement from the student's parent, legal guardian, or treating physician stating the reason for the student's absence through the District's digital course management platform for review by the principal or designee; or
c. Provide documentation as proof of a student's participation in an activity or program scheduled and approved by the 4-H program that is provided by a 4-H county extension agent, 4-H educator, or other appropriate entity associated with the 4-H activity or program.

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.

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 10 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 4 unexcused absences, the student's 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 the student's 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 he/she meets certain requirements specified in the statute.

Legal References: A.C.A. § 6-4-302
A.C.A. § 6-18-209
A.C.A. § 6-18-213
A.C.A. § 6-18-220
A.C.A. § 6-18-222
A.C.A. § 6-18-229
A.C.A. § 6-18-231
A.C.A. § 6-18-234
A.C.A. § 6-18-236
A.C.A. § 6-18-507(g)
A.C.A. § 6-18-702
A.C.A. § 6-28-114
A.C.A. § 7-4-116
A.C.A. § 9-28-113(f)
A.C.A. § 27-16-701
Division of Elementary and Secondary Education Rules Governing Distance and Digital Learning

Date Adopted:
Last Revised: June 2025

4.9—TARDIES

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

Date Adopted:
Last Revised: June 2025

4.11- EQUAL EDUCATIONAL OPPORTUNITY

No student in the Berryville 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 Title IX Coordinator, who may be reached at 870-480-4620.

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.

Notes: A copy of this non-discrimination notification should be included in all district publications to students and parents.

While 34 C.F.R. § 106.8 requires that an individual be able to submit a report, including by telephone, both inside and outside of business hours, we do not believe that this requires that the Title IX Coordinator must be on-call to receive phone calls at any time; instead, the number provided for individuals to use must allow individuals wanting to report sexual discrimination or sex-based harassment to the Title IX Coordinator to be able to leave a voice message for the Title IX Coordinator.

Legal References: A.C.A. § 6-1-114
A.C.A. § 6-10-132

A.C.A. § 6-16-2001 et seq.
A.C.A. § 6-18-514
A.C.A. § 14-1-403
28 C.F.R. § 35.106
34 C.F.R. § 100.6
34 C.F.R. § 104.8
34 C.F.R. § 106.8
34 C.F.R. § 106.9
34 C.F.R. § 108.9
34 C.F.R. § 110.25

Date Adopted:

Last Revised: June 2025

4.14- STUDENT MEDIA AND DISTRIBUTION OF LITERATURE

The Superintendent and the student media advisors(s) shall jointly develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and the time(s), place(s), and manner(s) of the dissemination of student media, which shall include timelines for the review of materials.

Definitions

"School-sponsored media" means all student media that are:

- Supported financially by the school;
- Supported by the use of school facilities; or
- Produced in conjunction with a class.

"Student journalist" means a student who gathers, writes, edits, photographs, records, video tapes, or prepares information for dissemination in student media.

"Student media" means any means of communication that are:

- Prepared, substantially written, published, or broadcasted by a student;
- Distributed or generally made available, either free of charge or for a fee, to members of the student body; and
- Prepared under the direction of a student media advisor.

"Student media" does not include media that is intended for distribution or transmission solely in the classroom in which it is produced.

"Student media advisor" means an individual who is employed, appointed, or designated by the District to supervise or provide instruction with respect to student media.

Student Media

While the District recognizes a student's right of expression under the First Amendment of the Constitution of the United State, school-sponsored media does not provide an open forum for public expression. Student media, as well as the content of student expression in school- sponsored activities, shall be subject to the editorial review of the District's administration, whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations.

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 writings which are, 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; sexual activity; 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:
    - Are obscene as to minors;
    - 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;
        - Constitute an unwarranted invasion of privacy as defined by state law,
        - Suggest or urge the commission of unlawful acts on the school premises;
        - Suggest or urge the violation of lawful school regulations;
        - Attacks ethnic, religious, or racial groups; or
        - 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 Board or the employees of the District.

Student Distribution of Non-school Literature, Publications, and Materials

A student or group of students who distribute ten (10) or fewer copies of the same non-school - sponsored literature, publications, or materials, shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10) copies of non-school materials shall have school authorities review their non-school- sponsored materials at least three (3) school days in advance of their desired time of dissemination. School authorities shall review the non-school - sponsored 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-sponsored materials. The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of non-school-sponsored materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur; and
5. Not inhibit a person's right to accept or reject any literature distributed in accordance with the regulations.

Legal References: A.C.A. § 6-18-514
A.C.A. § 6-18-1201 et seq.
Tinker v. Des Moines ISD, 393 U.S. 503 (1969)
Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Date Adopted:
Last Revised: June 2025

4.17- STUDENT DISCIPLINE

The Berryville 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.

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 Berryville 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.

Note: To satisfy a student's due process rights, for events both on and off campus, make sure that all special education requirements are met when those requirements apply.

Legal References: A.C.A. § 6-17-113
A.C.A. § 6-18-502
A.C.A. § 6-18-514
A.C.A. § 6-18-2401 et seq.
DESE Rules Governing Student Discipline and School Safety

Date Adopted:
Last Revised: June 2025

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 the student's 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.

Legal References: A.C.A. § 6-5-201
A.C.A. § 6-15-1005
A.C.A. § 6-16-2001 et seq.
A.C.A. § 6-18-222
A.C.A. § 6-18-502
A.C.A. § 6-18-514
A.C.A. § 6-18-515
A.C.A. § 6-18-707
A.C.A. § 6-21-609
A.C.A. § 27-51-1602
A.C.A. § 27-51-1603
A.C.A. § 27-51-1609
DESE Rules Governing Student Discipline and School Safety

Date Adopted:
Last Revised: June 2025

4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY

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

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

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

Notes: The Rules don't specify who is responsible for instructing the students in safe riding practices.

Insert your district's policy for student bus eligibility here. In Arkansas, there is no requirement that the district provide bus transportation for any of its students, but whatever criteria you establish have to be rational and consistently applied throughout the district. It can be as simple as stating that every student is eligible to ride the bus, or you can establish parameters such as a minimum distance from school. You can have different criteria for transporting elementary students to their school than you have for high school students to their school. Both general eligibility rules as well as possible disciplinary measures must take into account the district's responsibility to meet federal requirements for students with disabilities. If you choose to mention bus route configurations, don't list them in the policy. Instead, state that the superintendent, or designee(s), shall annually establish the routes and may modify them as needed. You may choose to stipulate criteria, such as length of the routes, or snow routes that the superintendent shall use in establishing the routes.

Legal References: A.C.A. § 5-60-122
A.C.A. § 6-19-119 (b)
Ark. Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers 4.0

Date Adopted:
Last Revised: June 2025

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:

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

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

Disorderly activities by any student or group of students that adversely affect the school's orderly educational environment shall not be tolerated at any time on school grounds

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

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

A student who is removed from class shall:

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

The conference shall be held for the purpose of:

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

The following individuals shall be present at the conference:

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

f. The student, if appropriate.

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

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

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

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

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

Legal References: A.C.A. § 6-18-511
DESE Rules Governing Student Discipline and School Safety

Date Adopted:

Date Adopted:
Last Revised: June 2025

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:

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

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

Legal References: A.C.A. § 6-17-106

DESE Rules Governing Student Discipline and School Safety

Date Adopted:

Last Revised: June 2025

4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Definitions

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

“Possession” means having a weapon on the student’s body or in an area under the student’s control.

“Weapon” means any:

- Firearm;
- Knife;
- Razor;
- Ice pick;
- Dirk;
- Box cutter;
- Nun chucks;
- Pepper spray, mace, or other noxious spray;
- Explosive;
- Taser or another 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 the student’s person, in a book bag/purse, or in the student’s 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.

Notes: The exemption is for IDEA purposes where the possession can reasonably be associated with the student's disability. To be eligible for ESEA funds, the federal Department of Education requires an assurance that the district:

1. Is in compliance with the State law requiring the one-year expulsion; and
2. A description of the circumstances surrounding expulsions imposed under the one-year expulsion requirement, including:
   - A. The name of the school concerned;
   - B. The number of students expelled from the school; and
   - C. The type of firearms concerned.

This requirement applies even in the instances where the district exercised its option to modify the expulsion requirement on a case-by-case basis. The DOE Guidance on the Gun Free Schools Act prohibits the use of the case-by-case option to avoid "over-all compliance with the one-year expulsion requirement. In order to modify the expulsion recommendation, the superintendent must provide a written explanation behind the modification under the Federal law.

The statute that specifies the parents' penalties is A.C.A. § 5-27-210, but it is also helpful to have A.C.A. § 5-4-201 and A.C.A. § 5-4-401 available which spell out the fines and possible imprisonment for a class B misdemeanor offense.

Cross Reference: 4.31—EXPULSION

Legal References: A.C.A. § 5-4-201
A.C.A. § 5-4-401
A.C.A. § 5-27-210
A.C.A. § 5-73-119(b) (e)(8), (9), (10)
A.C.A. § 5-73-133
A.C.A. § 6-18-502
A.C.A. § 6-18-507
A.C.A. § 6-21-608
DESE Rules Governing Student Discipline and School Safety
20 USC § 7961

Date Adopted:
Last Revised: June 2025

4.25—STUDENT DRESS AND GROOMING

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

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

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

The Superintendent shall establish student dress codes for the District's schools, to be included in the student handbook, and are consistent with the above criteria.

Legal References: A.C.A. § 6-10-138
A.C.A. § 6-18-502(c)(1)
A.C.A. § 6-18-503(c)

Date Adopted:
Last Revised: June 2025

4.27—STUDENT SEX DISCRIMINATION AND SEXUAL HARASSMENT

The Berryville 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 e-mails or Web sites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the individual self-identifies as homosexual or transgender.

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

- Discuss the availability of supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- explain to the complainant the process for filing a formal complaint.

Supportive Measures

The District shall offer supportive measures to the complainant and make supportive measures available to the respondent that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party before or after the filing of a formal complaint or where no formal complaint has been filed. The District shall provide

individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary ad non-punitive to the respondent. A complainant who initially declined the District's offer of supportive measures may request supportive measures at a later time and the District shall provide individualized supportive measures based on the circumstances when the subsequent request is received.

Formal Complaint

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

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

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

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

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

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties;
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege or access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party unless the District obtains the parent, legal guardian, or other responsible adult of that party's voluntary, written consent or that party's voluntary, written consent if the party is over the age of eighteen (18) to do so for the grievance process;
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

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

At least ten (10) 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:
   a. A determination regarding responsibility;
   b. Any disciplinary sanctions imposed on the respondent; and

c. Whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and

6. The procedures and permissible bases for the complainant and respondent to appeal.

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

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

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

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

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

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

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

Appeals

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

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

For all appeals, the District shall:

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

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

Date Adopted:
Last Revised: June 2025

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; on route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event. School personnel shall seize any laser pointer from the student possessing it and the student may reclaim it at the close of the school year, or when the student is no longer enrolled in the District.

Legal References: A.C.A. § 6-18-512
DESE Rules Governing Student Discipline and School Safety

Date Adopted:
Last Revised: June 2025

4.29—INTERNET SAFETY and ELECTRONIC DEVICE USE POLICY

Definition

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

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

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

Technology Protection Measures

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

A. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
B. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
C. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Internet Use and Safety

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

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

Misuse of Internet

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

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

Legal References: Children's Internet Protection Act; PL 106-554
FCC Final Rules 11-125 August 11, 2011
20 USC 6777
47 USC 254(h)(l)
47 CFR 54.520
47 CFR 520(c)(4)
A.C.A. § 6-21-107
A.C.A. § 6-21-111

Date Adopted:
Last Revised: June 2025

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

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

The school principal or designee shall proceed as follows in deciding whether or not to suspend a student:
1. The student shall be given written notice or advised orally of the charges against him/her;
2. If the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present the student's version of the facts; and
3. If the principal finds the student guilty of the misconduct, he/she may be suspended.

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

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 the student's designee may be appealed to the Superintendent, but not to the Board.

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

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

Date Adopted:
Last Revised: June 2025

4.34—COMMUNICABLE DISEASES AND PARASITES

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

Legal References: A.C.A. § 6-18-702
Arkansas State Board of Health Rules Pertaining To Immunization Requirements
Division of Elementary and Secondary Education Rules Governing Kindergarten Through 12th Grade Immunization Requirements

Date Adopted:
Last Revised: June 2025

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:
   - Rescue inhaler; or
   - Auto-injectable or nasal spray epinephrine;
2. Perform the student's own blood glucose checks;
3. Administer insulin through the insulin delivery system the student uses;
4. Treat the student's own hypoglycemia and hyperglycemia; or
5. Possess 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; 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; 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 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 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 are suitable for the students the school serves. The school nurse or other trained school employee designated by the school nurse as a care provider who has been certified by a licensed physician may administer 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:
    - The student's name;
    - The name and purpose of the medication;
    - The prescribed dosage;
    - The route of administration;
    - The frequency that the medication should be administered; and

- The circumstances under which the medication should be administered;

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

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

Notes: A.C.A. § 17-87-103(11) provides for the administration of Glucagon, insulin, or both to students suffering from diabetes.

Districts are not under any obligation to "recruit" volunteers and 4.11 of the Rules explicitly states that no employee shall be pressured into volunteering.

A.C.A. § 6-18-711(d) requires that, if a school district provides educational information on immunizations, infectious diseases, medications, or other school health issues to parents and guardians of students, then the following educational information that is created by the Department of Education, in cooperation with the Department of Health, about Type 1 and Type 2 diabetes shall be provided to parents as well:

- A description of Type 1 and Type 2 diabetes;
- A description of the risk factors and warning signs associated with Type 1 and Type 2 diabetes;
- A recommendation to the parent or guardian of a student displaying warning signs associated with Type 1 or Type 2 diabetes that the parent or guardian consult with the student's primary care provider to determine if immediate screening for Type 1 or Type 2 diabetes is appropriate;
- A description of the screening processes for both Type 1 and Type 2 diabetes and of the significance of the stages of Type 1 diabetes;
- A recommendation that, following a Type 1 or Type 2 diabetes diagnosis, the parent or guardian consult with the student's primary care provider to develop an appropriate treatment plan; and
- A statement that the diabetes-related educational information is solely for the purposes of educational information and shall not be considered or construed to be for the purposes of providing a medical diagnosis.

Legal References:
Ark. State Board of Nursing: School Nurse Roles and Responsibilities
Division of Elementary and Secondary Education and Arkansas State Board of Nursing Rules Governing the Administration of Insulin, Glucagon, and Medication for Adrenal Insufficiency or Adrenal Crisis to Arkansas Public School Students
A.C.A. § 6-18-701
A.C.A. § 6-18-707
A.C.A. § 6-18-711
A.C.A. § 6-18-714
A.C.A. § 6-18-717
A.C.A. § 6-18-720
A.C.A. § 6-18-721
A.C.A. § 17-87-103 (11) and (14)
A.C.A. § 20-13-405

Date Adopted:

Last Revised: June 2025

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.

Note: Students who are eighteen (18) years of age or older are considered to be legal adults, and as such have the right to check themselves out of school.

Date Adopted:

Last Revised: June 2025

4.39—CORPORAL PUNISHMENT

The Berryville 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.

Legal References: A.C.A. § 6-18-503(b)
DESE Rules Governing Student Discipline and School Safety
DESE Rules Governing Special Education and Related Services Section 11.00 - Discipline

Date Adopted:
Last Revised: June 2025

4.40—HOMELESS STUDENTS

The Berryville School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or the student's 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 homeless child:

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

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

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

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

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

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

A homeless student shall be immediately eligible to participate in interscholastic activities at the school in which the student is enrolled.

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

a. Are:
   - 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
b. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
c. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
d. Are migratory children who are living in circumstances described in clauses (a) through (c).

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

Legal References: A.C.A. § 6-18-115
A.C.A. § 9-25-106

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

Date Adopted:
Last Revised: June 2025

4.42—STUDENT HANDBOOK

It shall be the policy of the Berryville 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 Director immediately, so that corrections may be made and notice of the requirements given to students and parents.

Notes:

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.

The use of the plural "Policies" here is to include all of the 4.45 policies, such as 4.45.1 and following, without having to amend the policy each time the number of graduation policies changes.

Date Adopted:

Last Revised: June 2025

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

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

1. Cyberbullying;
2. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes;
3. Pointed questions intended to embarrass or humiliate;
4. Mocking, taunting or belittling;
5. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person;
6. Demeaning humor relating to a student's actual or perceived attributes;
7. Blackmail, extortion, demands for protection money or other involuntary donations or loans;
8. Blocking access to school property or facilities;
9. Deliberate physical contact or injury to person or property;
10. Stealing or hiding books or belongings;

11. Threats of harm to student(s), possessions, or others;
12. Sexual harassment, as governed by policy 4.27, is also a form of bullying; and/or
13. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether the student self-identifies as homosexual or transgender (Examples: “Slut”, “You are so gay.”, “Fag”, “Queer”).

"Cyberbullying" means any form of communication by electronic act that is sent with the purpose to:
- Harass, intimidate, humiliate, ridicule, defame, or threaten a student, school employee, or person with whom the other student or school employee is associated; or
- Incite violence towards a student, school employee, or person with whom the other student or school employee is associated.

Cyberbullying of School Employees includes, but is not limited to:
a. Building a fake profile or website of the employee;
b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
c. Posting an original or edited image of the school employee on the Internet;
d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee;
e. Making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
f. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;
g. Signing up a school employee for a pornographic Internet site; or
h. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

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

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

“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.

Notes: DESE has created a guidance document on bullying that could be useful in developing staff and student training on bullying. The document can be found at https://dese.ade.arkansas.gov/Offices/District-Operations/school-safety/bullying-and-violence-prevention.

Different consequences are permitted depending on the age or grade of the bullying student.

Example: a student might be disciplined both for bullying and sexual harassment, in an appropriate situation, or bullying and assault.

Suggestion for the posted notice: Create a circle with a line through it over the word Bullying (similar to a non-smoking logo). Beside the logo write: Mean talk or hurting other people is called bullying. Bullying is against the rules and can get you in trouble, suspended, or expelled. If someone bullies you, or you see someone being bullied, get help by telling an adult.

Copies of the notices are required to be published in any district Publication that sets forth the comprehensive rules, procedures, and standards of conduct for the schools within the district as well as the student handbook.

There should be a statement in the Student Handbook to this effect.

Legal References: A.C.A. § 5-71-217
A.C.A. § 6-18-514
DESE Rules Governing Student Discipline and School Safety

Date Adopted:

Last Revised: June 2025

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, audio recording devices, 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.
In accordance with Arkansas law, the District has audio recording devices in each of the District's locker rooms, changing rooms, and dressing rooms.

Signs shall be posted on campus buildings and in district vehicles to notify students, staff, and visitors that video cameras may be in use. Signs shall be posted in a conspicuous place in each of the District's locker rooms, changing rooms, and dressing rooms notifying individuals of the presence of an audio recording device in the locker room, changing room, or dressing room.

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; and
- Audio recording devices are present in each of the District's locker rooms, changing rooms, and dressing rooms.

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 3 weeks after they were created.

Other than audio recordings being retained under the provisions of this policy's following paragraph, audio recordings shall be retained for one (1) year from the date when the audio recording was made. At least ten (10) days before the destruction or deletion of an audio recording, the District shall publish a notice on the District's website that the District intends to destroy or delete the audio recording.

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.

Notes:

While 34 CFR 99.3 exempts records of law enforcement units (which for the purposes of this policy would include School Resource Officers (SROs), 34 CFR 99.8(b) effectively negates that exemption in relation to this policy with the following language:

(2) Records of a law enforcement unit does not mean--
(i) Records created by a law enforcement unit for a law enforcement purpose that are maintained by a component of the educational agency or institution other than the law enforcement unit; or
(ii) Records created and maintained by a law enforcement unit exclusively for a non-law enforcement purpose, such as a disciplinary action or proceeding conducted by the educational agency or institution.
The law goes on to say that education records retain their status as such even when in the possession of a law enforcement unit and thus remain subject to the restrictions on the release of education records contained in the Family Educational Rights and Privacy Act (FERPA). In short, you cannot deny access to the video recordings that may be used for student or staff disciplinary purposes by "hiding" them in your school's law enforcement unit.

The issues involved in parental rights to viewing videos are complicated, but the Student Privacy Policy Office of FERPA, has recently simplified the matter. A video of, for example, a fight between two (or even several) students in which other students happen to have been incidentally included in the background of the video generates the following viewing conditions:

a. Either or both of the students' parents may view the video **without** first having to receive permission from the other student's parent(s). None of the parents of the "incidental" students have to give their permission for the viewing of the video by the "involved" students' parents.
b. If a student's parent lives beyond a reasonable distance to physically come to view the video, your district may mail the video to a "receiving" school near to the parent, where the parent may view the video and then the receiving school will mail the video back to your district. The personnel at the receiving school should not view the video, but merely arrange for the parent to view it by himself/herself.
c. The district is **not** obligated to give a copy of the video to the parent or their lawyer. If, however, you choose to give the parent a video, you are obligated to go through all of the hoops that used to be the case for simply viewing the video. Specifically, faces of the "involved" students other than that of the parent's student must be redacted or else you will have to receive written permission from the parents of the other involved students.
d. Remember that the rights of the parents transfer to the students once the student turns 18.
e. Once the video has been viewed by the parties requesting to view it, the law does not require you to keep the video. Retaining the video at least until the disciplinary process is completed is strongly recommended.

Legal References: A.C.A. § 6-21-122
20 USC 1232g
20 U.S.C. 7115
34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31

Date Adopted:
Last Revised: June 2025

4.49—SPECIAL EDUCATION

In accordance with the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and Arkansas Statutes, the district shall provide a free appropriate public education and necessary related services to all children with disabilities who reside:

- Within the district boundaries; or
- Outside of the District boundaries but are enrolled in the District.

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

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

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

Note: The Office of Civil Rights prefers that the name of the coordinator, or at least a contact person or phone number to call to get the name of the coordinator, is made readily available to the public. 34CFR104.32 stipulates that as part of "child find" responsibilities, districts take appropriate steps to notify individuals with disabilities and their parents or guardians of the district's child find duty.

Legal References: 34 C.F.R. part 300
20 U.S.C. §1400 et seq.
29 U.S.C. § 794
42 U.S.C. §12101 et seq.
A.C.A. § 6-41-102
A.C.A. § 6-41-103
A.C.A. § 6-41-201 et seq.

Date Adopted:
Last Revised: June 2025

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 an 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 team shall:

a. Work with the teachers of a student to complete an 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 team;
- The student's IEP team; or
- The student's 504 Plan team.

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

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

Reports and Debriefing

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

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

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

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

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

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

The purpose of the debriefing meeting shall be to:

- Determine whether the procedures used during the incident were necessary;
- Evaluate the use of any behavioral supports and de-escalation techniques by school personnel before and during the incident;
- Evaluate the school district's 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.

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

Date Adopted:

Last Revised: June 2025

4.63—STUDENT RELIGIOUS EXPRESSION

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

Student Assignments

Student assignments include, but are not limited to:

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

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

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

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.

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

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.

In addition to the salutatorian and valedictorian selection process in Policy 5.17—HONOR ROLL AND HONOR GRADUATES, the following students may speak during the District's graduation ceremony:

Legal References: A.C.A. § 6-10-139
A.C.A. § 6-18-101
A.C.A. § 6-18-1201 et seq.

Date Adopted:
Last Revised: June 2025

Note: A parent/guardian will be notified by the teacher or principal after the first offense or if the first offense warrants parental contact. On any offense, a Principal Conference may be an additional action if deemed appropriate by the administrator.

A-1 SAFETY: Fighting- Caused, attempted to cause, or threatened to cause physical injury to another person.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 1 **• Verbal Altercation** **• Verbal Altercation: Threatening Bodily Harm** **• Fighting: Pushing, Shoving** (resulting in minor scuffle) **• Fighting: Mutual Combat without Injury** • **Biting**	**K-2** • Warning • Restrict activity • Assign detention **3-5** • Warning • Restrict activity • Assign detention	**K-2** • Restrict activity • Assign detention • Parent/ Guardian Contact **3-5** • Restrict activity • Assign detention	**K-2** • Restrict activity • Assign Detention • 1 day suspension **3-5** • Restrict activity • Assign detention • 1 day of suspension	**K-2** • 1-3-days suspension • Contact School Resource Officer • Possible recommend-dation for expulsion **3-5** • Restrict activity • Assign detention • 2 day of suspension
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 2 **• Fighting: Mutual Combat Minor Injury without Medical Attention** (black eye without lacerations to nose, small scratches or cuts without severe bleeding) **• Fighting: Assault on a Student- Unprovoked** **• Fighting: Gang Related**	**K-2** • Restrict activity • Assign detention • Parent/ Guardian Contact • 1-2 day of suspension **3-5** • Assign detention • 1-2 day of suspension	**K-2** • Restrict activity • Assign detention • Parent/ Guardian Conference • 2-3-day suspension **3-5** • Restrict activity • Assign detention • 2-3 day of suspension • Contract School Resource Officer	**K-2** • 5-day suspension • Contact School Resource Officer • Possible recommend-dation for expulsion **3-5** • 4-5-day suspension • Contact School Resource Officer • Possible recommend-dation for expulsion	

A-2 SAFETY: Fighting- Willfully used force or violence upon the person of another, except in self-defense.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 3 **Fight: Gang Related** (two or more people involved in the attack)	**K-2** • 1—3-day suspension **3-5** • 1-5 day suspension	**K-2** • 1—5-day suspension • Contact School Resource Officer • Possible recommend-dation for expulsion **3-5** • 5-day suspension • Contact School Resource Officer • Recommend expulsion		
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 4 **• Fighting: Serious Injury / Assault** (broken bones, contusions, convulsions, unconscious due to fight, stitches, shot, stabbed) **• Assault / Battery on a Staff Member**	**K-5** Combined k5 • 5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion			
A-3 Elopement- the act of leaving a safe, supervised area independently without notifying the adult(s) responsible for active supervision.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
Level 4 **Elopement** • Disregard Directive to Stop	**K-5** • 5-day suspension • Contact School Resource Officer			

• Running out of the classroom or the building • Running away from the supervising teacher.	• Possible recommend-dation for expulsion			

A-4 SAFETY: Imitation of a Firearm- Possessed an imitation firearm - as used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
Level 3 **Possession of an Imitation Weapon— MUST LOOK LIKE A REAL GUN** (If not a weapon, no need to extend suspension. If it leads to other violations, then recommend expulsion)	**K-2** • 1—3-day suspension • Parent/ Guardian Contact **3-5** • 1—3-day suspension • Parent Contact • Contact School Resource Officer	**K-2** • 1—5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion **3-5** • 4-5-day suspension • Contact School Resource Officer • Possible recommen-dation for expulsion		

A-5 SAFETY: Weapons- Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
LEVEL 4 **• B-1: Possession of a Knife or Other Dangerous Object** **• B-2: Brandishing a Knife or Other Dangerous Object at Another Person EC 48915 (c) (2) MANDATORY** Must notify the victim/parent of their right to transfer **• B-3: Possession of, or Brandishing, Gun**	**K-5** • 5-day suspension • Contact the School Resource Officer • Possible recommendation for expulsion			

EC 48915 (c) (1) MANDATORY Must notify victim/parent of their right to transfer **• B-4: Possession of Explosive Device (M80, M100, or other powerful explosives)**				

A-6 SAFETY: Possession of Controlled Substance/Under the Influence-Possessed, used, sold, or otherwise furnished; or been under the influence of any controlled substance, alcohol or intoxicant.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
LEVEL 3 **• Possession of Drugs, Alcohol or any Controlled Substance** on campus **• Under the Influence of Drugs, Alcohol or any Controlled Substance** on campus	**K-2** • 1-3 days suspension (marijuana and vaping) • Contact School Resource Officer • Parent Contact **3-5** • 1—3-day suspension • Contact School Resource Officer • Recommend expulsion	**K-2** • 1—5-day suspension • Contact School Resource Officer • Recommend expulsion **3-5** • 4-5-day suspension • Contact School Resource Officer • Recommend expulsion		

A-7 SAFETY: Controlled Substance Sale- Offered, arranged, or negotiated to sell any controlled substance, alcohol, or intoxicant or representation of items thereof.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
LEVEL 4 **Possession of Drugs for Sale** Must notify the victim/parent of their right to transfer	**K-5** • 5-day suspension • Contact School Resource Officer • Contact Juvenile Probation Officer • Recommend expulsion-extension of suspension			

A-8 SAFETY: Robbery or Extortion- Committed or attempted suspension OR Rationale robbery or extortion.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
LEVEL 3 **Robbery, Extortion, Grand Theft: Violence Indicated**	**K-2** • 1—3-day suspension	**K-2** • 1—5-day suspension • Contact School Resource		

	3-5 • 1—3-day suspension • Contact School Resource Officer • Possible recommendation for expulsion	Officer • Possible recommendation for expulsion **3-5** • 4-5-day suspension • Contact School Resource Officer • Possible recommenda-tion for expulsion		

A-9 SAFETY: Harassed, threatened, or intimidated a witness.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
LEVEL 1 **Harassed, Threatened or Intimidated a Witness**	**K-2** • Warning • Restrict activity • Assign detention • 1 day of suspension **3-5** • Warning • Restrict activity • Assign detention • 1 day suspension	**K-2** • Restrict activity • Assign detention • 1-day suspension • Contact School Resource Officer **3-5** • Restrict activity • Assign detention • 2–3-day suspension	**K-2** • Restrict activity • Assign detention • 1–3-day suspension • Contact School Resource Officer **3-5** • Restrict activity • Assign detention • 3-4 day suspension • Contact School Resource Officer	**K-2** • 5-day suspension • Contact School Resource Officer • Possible recommend ation for expulsion **3-5** • 5-day suspension • Contact School Resource Officer • Possible recommend ation for expulsion

A-10 SAFETY: **Harassed, threatened, or intimidated students or staff-** Intentionally engaged in harassment, threats, or intimidation against a pupil, groups of pupils or staff.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
LEVEL 1 **Harassed, Threatened, or Intimidated Student, Groups or Staff**	K-2 • Warning • Restrict activity	K-2 • Restrict activity • Assign	K-2 • Restrict activity • Assign	K-2 • 5 day suspension • Contact School

• Inappropriate verbal slurs • Hate Violence	• Assign detention • 1 day of suspension **3-5** • Warning • Restrict activity • Assign detention • 1–3 day suspension	detention • 1 day suspension **3-5** • Restrict activity • Assign detention • 2 day suspension	detention • 1–3 day suspension **3-5** • Restrict activity • Assign detention • 3-4 day suspension	Resource Officer • Possible recommendation for expulsion **3-5** • 5 day suspension • Contact School Resource Officer • Possible recommendation for expulsion
A-11 SAFETY: Aid in/Physical Injury- Aided or abetted the infliction or attempted infliction of physical injury - EC section 48900 (S).				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 2 **Aid or Abet in the Infliction, or Attempted Infliction, of Physical Injury**	**K-2** • Warning • Restrict activity • Assign detention • 1—~~3~~ day suspension **3-5** • Warning • Restrict activity • Assign detention • 1-day suspension	**K-2** • Restrict activity • Assign detention • 1—3 day suspension **3-5** • Restrict activity • Assign detention • 2-day suspension	**K-2** • 5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion **3-5** • 3-5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion	
A-12 SAFETY- **Hazing-** Engaged in, or attempted to engage in, hazing.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 1 **Hazing**	**K-2** • Warning • Restrict activity • Assign detention • 1 day of suspension	**K-2** • Restrict activity • Assign detention • 1 day	**K-2** • Restrict activity • Assign detention • 1–3-day suspension	**K-2** • 5-day suspension Contact School Resource Officer

	3-5 • Restrict activity • Assign detention • 1–~~3~~-day suspension	suspension **3-5** • Restrict activity • Assign detention • ~~1–3~~-2 day suspension	**3-5** • Restrict activity • Assign detention • 3-4-day suspension	• Possible recommenda-tion for expulsion **3-5** • 5-day suspension Contact School Resource Officer • Possible recommend-ation for expulsion

A-13 SAFETY: Intentional Harassment/Threats/Imitation- Intentionally engaged in harassment/threats, or intimidation against a pupil, groups of pupils or staff.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
LEVEL 1 **Engaged in the act of electronic (cyber) bullying*** **Engaged in bullying based on sexual orientation** **Engaged in bullying based on ethnicity or race** **Engaged in bullying based on physical or mental disability**	**K-2** • Warning • Restrict activity • Assign detention • 1 day of suspension **3-5** • Restrict activity • Assign detention • 1–~~3~~-day suspension	**K-2** • Restrict activity • Assign detention • 1 day suspension **3-5** • Restrict activity • Assign detention • 2-day suspension	**K-2** • Restrict activity • Assign detention • 1–3-day suspension **3-5** • Restrict activity • Assign detention • 3-4-day suspension	**K-2** • 5-day suspension • Contact School Resource Officer • Possible recommend-ation for expulsion **3-5** • 5-day suspension • Contact School Resource Officer • Possible recommend-ation for expulsion

A-14 SAFETY & NON-SAFETY: Sexual Harassment

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
Level 2 **Non-Safety** **Sexual Harassment, Inappropriate <u>Verbal</u> Harassment** **Exposure of body**	**K-2** • Restrict activity • Assign detention • 1—3-day suspension	**K-2** • Restrict activity • Assign detention • 1—5-day suspension	**K-2** • 5-day suspension • Referral to tier 3 behavior intervention team • Contact School Resource Officer	K-2 • 5-10 day suspension • Possible recommend ation for expulsion

parts to others.			•	

	3-5 • Restrict activity • Assign detention • 1—~~5~~-day suspension	**3-5** • Restrict activity • Assign detention • 2-3-day suspension	for **3-5** • 4-5-day suspension • Referral to tier 3 behavior intervention team • Contact School Resource Officer •	**3-5** • 5-10 day suspension • Possible recommend ation for expulsion
Level 3 **Safety** **Sexual Harassment, Inappropriate <u>Physical or Verbal</u> Harassment** **Touching body parts**	**K-2** • Restrict activity • Assign detention • 1 day suspension **3-5** • Restrict activity • Assign detention • 1 day suspension	**K-2** • Restrict activity • Assign detention • 1—3-day suspension **3-5** • Restrict activity • Assign detention • 2-3-day suspension	**K-2** • 5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion **3-5** • 5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion	

A 15 SAFETY: Sexual assault or battery- Committed or attempted to commit a sexual assault or committed a sexual battery.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense
Level 4 **Sexual Assault** **Unwanted and unwelcome sexual behavior (physical or verbal)**	**K-5** • 5-day suspension • Contact School Resource Officer • Crime Report • Recommendation for expulsion			

A 16 SAFETY: **Terrorist threats-** Pupil has made terrorist threats against school officials, school property or both.

Offense	1st Offense	2nd Offense	3rd Offense	4th Offense

Level 4 **Terrorist Threats**	**K-5** • 5-day suspension • Contact School Resource Officer • Mandatory expulsion			

B 1 NON-SAFETY: Bullying/Cyberbullying-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 (see policy 4.43)				
Offense	• **1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
By end of day, parent will be notified, and a complete investigation will be completed.	**K-5** • Restricted activity (loss of recess, silent lunch, walk playground perimeter • Meet with counselor. • Meeting with parents	**K-5** • 1-3 days suspension • Parent Meeting • Follow up with counselor	**K-5** • 3-5 days suspension • Parent Meeting • Confer tier 3 intervention staff, and possibly creating a behavior intervention plan.	**K-5** • 5-10 days Suspension • Possible Referral to the Superintendent

B 2 NON-SAFETY: Disruption/Defiance- Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.				
Offense	• **1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**

Level 1 **• Chronic Classroom Disruption** (Includes but is not limited to throwing chairs and destruction of classroom) **• Disruption to School Activities** **• Gambling** **• Forgery** **• Possession of Electronic Devices 4.31 & 4.33** **• Verbal Abuse**	**K-2** • Warning • Restrict activity • Assign detention **3-5** • Warning • Restrict activity • Assign detention	**K-2** • Restrict activity • Assign detention • 1 day suspension **3-5** • Restrict activity • Assign detention • 1–2-day suspension	**K-2** • Restrict activity • Assign detention • 1–3-day suspension **3-5** • Restrict activity • Assign detention • 3-4-day suspension	**K-2** • 1–5-day suspension • Continued progressive discipline and intervention plan • May lead to expulsion **3-5** • 5-day suspension • Continued progressive discipline and intervention plan • May lead to expulsion
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
Level 2 **• Continued Willful Disobedience, Refusal to Follow School Rules and Regulations, Defiance** **• Interference and/or Obstruction**	**K-2** • Restrict activity • Assign detention • 1 day suspension **3-5** • Restrict activity • Assign detention • 2 day suspension	**K-2** • Restrict activity • Assign detention • 1-3 day suspension **3-5** • Restrict activity • Assign detention • 3-4 day suspension	**K-2** • 1—5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion **3-5** • 5-day suspension • Contact School Resource Officer • Possible recommend-ation for expulsion	

B 3 NON-SAFETY: Property Damage- Caused or attempted to cause damage to school or private property.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**

LEVEL 3 **Defacing School Property, Graffiti: Permanent Damage**	**K-5** • Assign detention • 1—3-day suspension • Restitution	**K-5** • 1—5-day suspension • Contact School Resource Officer • Recommend expulsion • Restitution		
B 4 NON-SAFETY: Theft- Stole, or attempted to steal, school or private property.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 1 **Stole, or Attempted to Steal, School Property** (petty theft)	**K-2** • Warning • Restrict activity • Assign detention • 1 day of suspension **3-5** • Restrict activity • Assign detention • Restitution	**K-2** • Restrict activity • Assign detention • 1 day suspension • Restitution **3-5** • Restrict activity • Assign detention • 1–2 day suspension • Restitution	**K-2** • Restrict activity • Assign detention • 1–3-day suspension • Restitution **3-5** • Restrict activity • Assign detention • 3-4 day suspension • Restitution	**K-2** • 1—5-day suspension • Continue progressive discipline and intervention plan: may lead to expulsion • Restitution **3-5** • 5-day suspension • Continue progressive discipline and intervention plan: may lead to expulsion • Restitution
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 3 **Grand Theft** (Amount over $400.00)	**K-5** • Assign detention • 1—3 day suspension • Contact School Police • Restitution	**K-5** • 1—5 day suspension • Contact School Resource Officer • Possible recommendat		

		ion for expulsion • Restitution		
B 5 Non-Safety: Received stolen property- Knowingly received stolen school or private property.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
Level 2 **Knowingly Received Stolen Property**	**K-2** • Restrict activity • Assign detention **3-5** • Restrict activity • Assign detention	**K-2** • Restrict activity • Assign detention • 1—3-day suspension **3-5** • Restrict activity • Assign detention • 2-3 day suspension	**K-2** • 1—5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion **3-5** • 4—5-day suspension • Contact School Resource Officer • Possible recommendation for expulsion	
B 6 NON-SAFETY: Obscene Act- Committed an obscene act or engaged in habitual profanity or vulgarity.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 1 **• Committed an Obscene Act (excluding sexual harassment)** **• Habitual Profanity**	**K-2** • Warning • Restrict activity • Assign detention **3-5** • Restrict activity • Assign detention	**K-2** • Assign detention • 1 day suspension **3-5** • Assign detention • 1-3 day suspension	**K-2** • Assign detention • 1–3-day suspension **3-5** • Assign detention • 3-4 day	**K-2** • 1—5-day suspension • Contact School Resource Officer • Continue progressive discipline and intervention plan • May lead to expulsion **3-5** • 3-5-days suspension • Contact School

			suspension	Resource Officer • Continue progressive discipline and intervention plan • May lead to expulsion
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 2 **Habitual Profanity Toward a School Employee**	**K-2** • Assign detention • 1 day suspension **3-5** • Assign detention • 2-3 day suspension	**K-2** • Assign detention • 1–3-day suspension **3-5** • Assign detention • 4 day suspension	**K-2** • 1—5-day suspension • Contact School Resource Officer • Continue progressive discipline and intervention plan • May lead to expulsion **3-5** • ~~1~~—5-day suspension • Contact School Resource Officer • Continue progressive discipline and intervention plan • May lead to expulsion	
B 7 NON-SAFETY: Tobacco Use: Possession and/or use of Tobacco products				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 1 **Possession and/or use of Tobacco or Vapes**	**K-2** • Warning • Restrict activity • Assign detention • 1 day of suspension	**K-2** • Restrict activity • Assign detention • 1 day suspension	**K-2** • Restrict Activity • Assign detention • 1–3-day suspension	**K-2** • 1—5-day suspension • Continue progressive discipline and intervention plan • May lead to expulsion

	3-5 • Restrict activity • Assign detention • 1 day of suspension	**3-5** • Restrict Activity • Assign detention • ~~1~~–3-day suspension	**3-5** • Restrict Activity • Assign detention • 4–5 day suspension	**3-5** • 5 day suspension • Continue progressive discipline and intervention plan • May lead to expulsion
B 8 NON-SAFETY: Drug Sale- Possessed, offered, arranged or negotiated to sell any drug paraphernalia.				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
LEVEL 1 **Possession of Drug Paraphernalia**	**K-2** • Restrict activity • Assign detention • Contract School Resource Officer • 1 day of suspension **3-5** • Restrict activity • Assign detention • Contract School Resource Officer • 1 day of suspension	**K-2** • Restrict activity • Assign detention • Contract School Resource Officer • 1 day suspension **3-5** • Restrict activity • Assign detention • Contract School Resource Officer • 2–3-day suspension	**K-2** • Restrict activity • Assign detention • Contract School Resource Officer • 1–3-day suspension **3-5** • Restrict activity • Assign detention • Contract School Resource Officer • 4–5-day suspension	**K-2** • 1—5-day suspension • Continue progressive discipline and intervention plan • Contract School Resource Officer • May lead to expulsion **3-5** • 5-day suspension • Continue progressive discipline and intervention • Contract School Resource Officer • plan • May lead to expulsion
B 9 Misuse of Technology- The students' inappropriate or unintended use of digital tools and devices, including computers, tablets, and smartphones. *See B 1 Cyberbullying*				
Offense	**1st Offense**	**2nd Offense**	**3rd Offense**	**4th Offense**
	K-2 • Restrict activity • Assign detention • Contract School	**K-2** • Restrict activity • Assign detention	**K-2** • Restrict activity • Assign detention • Contract School	**K-2** • 1—5-day suspension • Continue

Level 1 • Accessing websites without permission • Accessing inappropriate websites	Resource Officer • 1 day of suspension **3-5** • Restrict activity • Assign detention • Contract School Resource Officer • 1 day of suspension	• Contract School Resource Officer • 1 day suspension **3-5** • Restrict activity • Assign detention • Contract School Resource Officer • 2–3-day suspension	Resource Officer • 1–3-day suspension **3-5** • Restrict activity • Assign detention • Contract School Resource Officer 4–5-day suspension	progressive discipline and intervention plan • Contract School Resource Officer • May lead to expulsion **3-5** • 5-day suspension • Continue progressive discipline and intervention • Contract School Resource Officer • Plan • May lead to expulsion

Section 3: District Behavioral Standards

In addition to the offenses listed above, the District authorizes the administration to maintain a safe and orderly environment. Any student behavior that disrupts the learning environment is prohibited. Please refer to policy 4.15 Prohibited Conduct.

Section 4: Progressive Discipline

Discipline of elementary and intermediate students will be progressive based upon a student's disciplinary history.

Section 5: Confidentiality

Disciplinary actions will not be entered on a student's permanent record and will not be divulged to unauthorized personnel.

Section 6: Discipline of Students with Disabilities

A student with a disability, as defined in state standards, who engages in inappropriate behavior is subject to normal school disciplinary rules and procedures, provided the student's right to a free and appropriate public education is not violated. The following provisions will apply:

The individualized education plan (IEP) team for a disabled student should consider whether particular disciplinary procedures should be adopted for that student and included in the IEP, and if a disabled student's placement is to be changed for a period of time exceeding ten (10) days, District special education personnel will be consulted to assure that proper due process procedures are followed.

Date Adopted: 7/2022
Legal References: A.C.A. § 6-17-113, A.C.A. § 6-18-502, A.C.A. § 6-18-503, A.C.A. § 6-18-507, A.C.A. § 5-73-120
Additional Reference: ASBA Model Policies

school, including school buses owned or leased by the District or other school vehicles, or property utilized for school-sanctioned events is prohibited. Students who violate this policy, at any school-sanctioned event, may be subject to legal proceedings in addition to student disciplinary measures.

Date Adopted: 7/2022
Legal References: A.C.A. § 6-21-609 Additional Reference: ASBA Model Policies

***SCHOOL COPY * Send back to School Signed by Parent/Guardian and Student within Ten Days**

OBJECTION TO PUBLICATION OF DIRECTORY INFORMATION

(Not to be filed if the parent/guardian or student has no objection)

I, the undersigned, being a parent/guardian of a student or a student eighteen (18) years of age or older, hereby note my objection to the publication by the Berryville School District information concerning the student named below.

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

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

_____

Name of student (printed)

_____

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

_____

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