Malvern Grades 7-12 Handbook

PARENT/GUARDIAN AND STUDENT STATEMENT OF RESPONSIBILITY

This page is a part of the student packet and must be returned to school during the first week of school.

We have received the Grades 7-12 Handbook for 2025-2026 and know that the regulations must be adhered to while a student is at school or at school sponsored events. In the event we are not entirely certain of some aspect of school policy, we will contact the principal or the administrative assistant for clarification.

We are especially aware of the policies concerning:

1. **Discipline***
2. **Minimum Attendance**
3. **Homework**
4. **Smart Core**
5. **Parent and Family Engagement**
6. **Vision/Hearing Screening – Parental Notice to Access Public Insurance**

***Parents or guardians who choose that corporal punishment not be administered to their child must deliver personally their written request to the principal of the school. In those cases an alternative disciplinary action, which will include suspension, will be taken.**

Student's Signature_____

Parent's/Guardian's Signature_____

Date_____

I, _____, give my permission for my child to attend all school-sponsored field trips during the school year.

I, _____, give my permission for my child to be photographed or videotaped for educational or school related activities.

I, _____, give my permission for my child to participate in educational surveys with the class.

I, _____, give my child permission for my child to be drug tested pursuant to the school drug testing policy (29.3 in this handbook) if my child participates in activities or drives on campus.

Note: This is a copy of the form that will be kept by the Office.

Handbook and Parent and Family Engagement Committee Members	
Teacher	Ashley Johnson - MHS Faculty
Ashley Nelson - Teacher and Family Engagement	Jennifer Williams - MMS Faculty
Ritchie Holliman - MHS Principal	Ben Dial - MMS Principal
Juliana Robison - Asst. Principal, Parent	Mr. & Mrs. Tyson Efird - MHS Parents
Greg Hughes - Asst. Principal	Sonya Johnson - MHS Parent
Kyler Wright - MHS Student	Gerald Black -MMS Parent
Corinna Phillips- MHS Student	Jason Erick - MMS Parent

Malvern School District Grades 7-12 Handbook Disclosure

The Malvern School District, not only has the right, but also the responsibility and obligation, to maintain a climate in the schools that assures the health, safety, and welfare of all students. The district reserves the right to link any inappropriate behavior not specifically identified in the handbook to an appropriate consequence as stated in the handbook.

To maintain discipline and protect the safety, security, and welfare of students, staff, and visitors, while at the same time safeguarding the use of district facilities, the Malvern School Board authorizes the use of video/audio surveillance cameras. These cameras will be used to monitor student behavior in school buildings, on school grounds, and in school vehicles. The principal or designee may review tapes routinely and document student misconduct. Action will be taken in accordance with the student discipline policy. The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff, and visitors have no reasonable expectation of privacy anywhere on or near school property with the exception of places such as restrooms or dressing rooms where an expectation of bodily privacy is reasonable and customary. Any release or viewing of such video shall be in accordance with current law. If education records of a student contain information on more than one student, the parent or eligible student may not view or be informed of any part of the record that involves other students. At no time may an administrator or school staff discuss disciplinary actions or records of any student except the custodial parent. Any disciplinary action involving a staff member shall not be discussed with parents or other staff members.

MALVERN SCHOOL DISTRICT MISSION STATEMENT

The Malvern School District will work with families and community to provide sound academic programs, expanded cultural awareness, proficient staff, adequate support services, responsible fiscal management and safe facilities conducive to learning.

We will support a vision of excellence so that students may reach their full potential as educated and responsible students by…

- Engaging parents and community in meaningful support that reinforces academic achievement for all students
- Laying a foundation for healthy living, responsible citizenship, and life-long learning
- Insisting upon high standards and a strong curriculum that will prepare our students for citizenship, higher education, career and life.
- Ensuring our teachers and principals are committed to excellence by focusing on individual student achievement, their continuous professional development and their willingness to be held accountable
- Delivering the types of services that will meet the academic and non-academic needs of students and their families.

MALVERN SCHOOL DISTRICT VISION STATEMENT

The Malvern community and Malvern School District staff envision a school system where family, community and district staff work together responsibly in an atmosphere of cooperation and mutual respect to create schools where educational and cultural diversity is understood, celebrated, and accommodated, and our students are prepared to thrive in a complex and ever-changing world by pursuing a lifetime of learning and community involvement.

The Malvern School District Board of Education adopted this handbook on July 18. 2024.

Malvern School District Board of Directors

Mrs. Connie Bane
Mr. Jesse Clark
Mr. Danny Riggan
Mrs. Melanie Rock
Ms. Deborah Smith
Mr. Steve Williams
Mr. Travis Worthington

Board of Directors

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

While the Board has a broad range of powers and duties, its individual members only have authority when exercising their responsibilities in a legally convened meeting acting as a whole. The sole exception is when an individual member has been delegated authority to represent the Board for a specific, defined purpose.

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

MALVERN MIDDLE SCHOOL MISSION STATEMENT

The mission of Malvern Middle School is to provide opportunities that allow our students to cultivate and grow the skills necessary for high school and beyond.

MALVERN HIGH SCHOOL MISSION STATEMENT

The mission of Malvern High School is to create opportunities that prepare our students to meet the challenges of the future by focusing on the skills required for them to be college and career ready.

Malvern School District

Central Administration 1620 South Main (501) 332-7500 Website: http://www.malvern.dsc.k12.ar.us Janet Blair, Superintendent Lillian Harper, Assistant Superintendent **Malvern Elementary School/Grades K - 4** 1807 West Moline Street (501) 467- 3166 Catherine Watson, Principal Alexandra Pumphrey, Assistant Principal Mike Scarbrough, Administrative Assistant **Wilson Intermediate School/Grades 5 - 6** 614 West Moline Street (501) 332-6452 Charles Blacknall, Principal Darryl Baker, Administrative Assistant	**Malvern Middle School/Grades 7 - 8** 339 East Donnelly (501) 332- 7530 Benjamin Dial, Principal Jess Martin, Administrative Assistant **Malvern Senior High School/Grades 9 – 12** 525 East Highland Street (501) 332-6905 Ritchie Holliman, Principal Juliana Robison, Assistant Principal Greg Hughes, Assistant Principal **Malvern Learning Academy/Alternative Education** **Grades 1 -12** 1517 South Main Street (501) 332-7500

Dear Parent/Guardian:

As a parent/guardian of a student in the Malvern School District, you have the right to know the professional qualifications of your child's teacher. Federal Law allows you to ask for certain information about your child's teacher and requires the District to provide you with this information within a timely manner. The information which you may request is listed below.

- Whether the Arkansas Department of Education has licensed or qualified the teacher for the grades of subjects he/she teachers
- Whether the Arkansas Department of Education has decided the teacher can teach under an Arkansas Provisional License due to holding a teaching license from another state
- The teacher's college major
- Whether the teacher has an advanced degree and, if so, the subject area
- Whether there are teaching assistants or similar paraprofessionals providing services to your child and if there are, what are their qualifications

If you would like to receive any of this information, please come by the Malvern Administrative Offices, 1620 South Main Street, during working hours (8:00 am – 4:00 pm, week days) and complete a Parent Request form. A response will be mailed to you within ten (10) working days from the date of the request.

Sincerely,
Janet Blair, Superintendent

BOARD APPROVED: March 10, 2025

MALVERN SCHOOL DISTRICT (Alternate Calendar based on hours)
2025-2026 CALENDAR

Professional Development Plan June 1, 2025 – May 31, 2026 (10 days)

FIRST SEMESTER

First Day of School – August 13, 2025

August 13 – August 31, 2025 13 days

September 1 – September 30, 2025 20 days
(No School – Labor Day – September 1, 2025)
(Parent/Teacher Conferences 2:00-8:00 – September 25, 2025 Early Dismissal)
(September 26, 2025 – No Students—Professional Development)

October 1 – October 31, 2025
(October 20-21, 2025 – No School) 21 days

November 1 – November 30, 2025 15 days
(No School – Thanksgiving – November 24-28, 2025)

December 1 – December 31, 2025 15 days
(Winter Break – December 22, 2025 – January 5, 2026)

**********End of 1st Semester – 84 days**********

SECOND SEMESTER

January 1 – January 31, 2026

18 days
(No Students – Professional Development Day – January 5, 2026)
(No School – Martin Luther King, Jr. Day – January 19, 2026)

February 1 – February 28, 2026 18 days
(Parent/Teacher Conferences 2:00-8:00 – February 12, 2026 Early Dismissal)
(February 13, 2026—No Students- Professional Development)
(February 16, 2026– No School – Presidents Day)

March 1 – March 31, 2026 17 days
(No School – Spring Break – March 23 – 27, 2026)

April 1 – April 30, 2026
(No School – Good Friday- April 3, 2026) 21 days

May 1 – May 26, 2026 11 days
(No School – Memorial Day – May 25, 2026)

Last Day of School – May 15, 2026

**********End of 2nd Semester – 85 days**********

The MSD calendar will be based on 1068 hours. The first inclement weather day will be made up on February 13, 2026. All other inclement weather days will be made up at the end of the school year. The district has reserved May 16 -30 as inclement weather days. The district will bank 24 minutes each day.

STUDENT ATTENDANCE/GRADING PERIODS

1st quarter	August 13	–	October 10	41 days
2nd quarter	October 13	–	December 19	43 days
3rd quarter	January 6	–	March 12	45 days
4th quarter	March 13	–	May 15	40 days

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ADDITIONAL MALVERN SCHOOL DISTRICT POLICIES ARE AVAILABLE AT THE ADMINISTRATION OFFICES, 1620 SOUTH MAIN STREET.

1.0 ACCELERATED COURSES AND GIFTED/TALENTED

In general, advanced and Gifted and Talented (GT) courses are considered as college preparatory. A student may be removed from an accelerated course at the school's discretion for unacceptable performance.

Gifted and Talented services are offered to students who have mastered the basic curriculum and would benefit from a more advanced study.

A student needs one of the following nominations in order to be considered for the program.

1. Nominated by parent/guardian, classroom teacher, GT teacher, counselor or principal
2. Score 95 percentile composite or higher on two (2) areas of achievement
3. Self-nomination

Students who exemplify the highest level of achievement along with the following criteria will ultimately be chosen for the program.

1. Achievement test scores
2. Creativity test
3. School ability test
4. Grade point average
5. Classroom behavioral rating scale
6. Teacher checklist
7. Parent Questionnaire
8. Student interview form
9. Parent rating sheet
10. Teacher comments

Students in grades 3-6 will receive GT services through a pull-out program for 150 minutes a week. In grades 7-12, gifted and talented services are through the content area, Pre AP, and AP classes.

Legal References: Arkansas Department of Education Rules and Regulations Governing Uniform Grading Scales for Public Secondary Schools, ADE Rules Governing Advanced Placement Courses in the Four Core Areas in High School, A.C.A. § 6-15-902(c)(1)

1.1 STUDENT ACCELERATION (4.54)

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

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

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

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

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

Legal Reference: DESE Gifted and Talented Rules

Date adopted: June 11, 2013 Last Revised: May 11, 2020

2.0 ACTIVITY PARTICIPATION

No student may participate in any school activity (athletics, concerts, plays, etc.) or practice for such an event on a day when the student was absent due to illness or injury except through permission from a medical doctor.

2.1 ELECTIONS

All candidates for any elections must sign up prior to the election. In order that proper leadership may be assured to the various clubs, classes, tryouts, organizations, etc, the candidates must meet the following qualifications:

1) Must have a 2.0, or better GPA – unless the bylaws of the organization state otherwise.
2) Must display qualities of leadership. Some organizations require teacher recommendations.
3) Citizenship must be satisfactory. **For 1st semester elections** a student may not run for office if he/she has been suspended or served 3 or more days of ISS during that semester or the previous semester. **For 2nd semester elections**, a student may not run for office if he/she has been suspended or served 3 or more days of ISS during the current school year. The office clears citizenship and scholarship.
4) The student must be enrolled one full semester prior to the semester the student will serve.

3.0 ADDRESSING CONCERNS

It is a goal of the Board and the District to be responsive to the community it serves and to continuously improve the educational program offered in its schools. The Board or the District welcomes constructive criticism when it is offered with the intent of improving the quality of the system's educational program or the delivery of the District's services.

The Board formulates and adopts policies to achieve the District's vision and elects a Superintendent to implement its policies. The administrative functions of the District are delegated to the Superintendent who is responsible for the effective administration and supervision of the District. Individuals with complaints concerning personnel, curriculum, discipline (including specific discipline policies), coaching, or the day to day management of the schools need to address those complaints according to the following sequence:

- Teacher, coach, or other staff member against whom the complaint is directed
- Principal
- Superintendent

Other than in the few instances where statutorily allowed or required, student discipline and personnel matters may not be discussed in Board meetings. Individuals with complaints regarding such matters need to follow the sequence outlined above.

Unless authorized by the Board as a whole for a specific purpose, no individual Board member has any authority when acting alone. District constituents are reminded that the Board serves as a finder of fact, not unlike a jury in matters such as student suspensions initiated by the Superintendent, expulsions, and personnel discipline. For this reason, the board may not be involved or informed prior to a board hearing on particular disciplinary matters.

Complaints that are related to district use or administration of federal funds generated through specific programs identified by the Arkansas Department of Education and authorized in the 2002 reauthorization of the Elementary and Secondary Education Act may be taken directly from a patron or by referral from the Arkansas Department of Education (ADE). If taken directly from a patron, the complaint may be submitted by either a signed statement or by a certified, recorded deposition or statement in which the complainant is identified. The complaints shall be addressed in the following manner.

1. The complaint shall be referred to the federal programs director, who shall assemble a team of at least two people to investigate the complaint.
2. Throughout the investigation, sufficient notes and records will be taken and maintained to substantiate the position of the findings of the investigation.
3. The team will interview the complainant and others as necessary to enable the team to make a determination of the validity of the complaint. The team may consult with individuals with knowledge or expertise in the matter which is the subject of the complaint, including legal counsel.
4. The investigation of complaints referred by the ADE shall be completed within 30 work days of receipt of the complaint, unless a longer time period has been approved by the ADE.
5. The investigation of complaints made directly to the district shall be completed within 40 work days unless there are extenuating circumstances; in such a case, a preliminary report shall be made within

40 work days of receipt of the complaint, which shall include an explanation of the unusual circumstances requiring additional time to complete the investigation.

6. The report of the conclusions of the investigation shall be given to the complainant. It shall contain; a summary of the allegations of the complaint; a summary of the investigative actions taken by the team; a summary of the findings concerning each alleged violation or implied violation; a statement of corrective actions needed to resolve the issues involved in each allegation and finding of complaint.

Legal Reference(s): The ADE's Complaint Resolution Procedures (Commissioner's Memo LS-07-013)

4.0 AHERA NOTIFICATION

This is the annual update of our compliance with the Asbestos Hazard Emergency Response Act (AHERA). This Act requires that all school districts, public and private, K – 12, inspect each of their school buildings for asbestos containing building materials. Management plans are then developed which outline how any asbestos containing materials will be handled in each building.

The Malvern School District is committed to providing a safe and healthy environment for all children, employees and guests in our schools. We will, as we have in the past, monitor, inspect and repair any asbestos containing materials. Copies of our management plan and inspection reports are available upon request for review at the Superintendent's office.

The Malvern School District intends to have all asbestos containing building materials under operations and maintenance, removed or encapsulated. If you would like more information regarding the AHERA program, you may call me at my office.

Janet Blair, Superintendent
(501)332-7500

5.0 ALTERNATIVE LEARNING ENVIRONMENT (5.26)

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

The superintendent or designee shall appoint an Alternative Education Placement Team which shall have the responsibility of determining student placement in the ALE. A student may be enrolled in an ALE only on the referral of the Alternative Education Placement Team. The team's placement decision is final and may not be appealed.[1]

The team is to be comprised of the following:

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

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

1. Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
2. Abuse: physical, mental, or sexual;
3. Frequent relocation of residency;
4. Homelessness;
5. Inadequate emotional support;

6. Mental/physical health problems;
7. Pregnancy;
8. Being a single parent;
9. Personal or family problems or situations;
10. Recurring absenteeism;
11. Dropping out from school; or
12. Disruptive behavior.

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

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

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

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

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

Notes: Districts are no longer mandated to provide or participate in an Ale program.
In addition to the language contained in this policy, districts using an ALE hybrid program will need to add language covering:

- That students in an ALE hybrid program shall participate on-site for direct support at least twenty percent (20%) of the total instructional time;
- Clear criteria for how the district will monitor student success to determine the need for additional direct support if there is a lack of expected progress by a student;
- That additional direct support may include an increased percentage of on-site instruction and additional services and supports; and
- That an increased percentage of remote instruction, or placement of a student in an ALE hybrid program, shall only be used to meet a student's academic and social and emotional goals outlined in the student's SAP and not as a punishment or negative consequence.

5.26.1—ALE PROGRAM EVALUATION

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

Date Adopted: December 20, 2004
Last Revised: June 16, 2025

6.0 ASSEMBLIES

Assemblies have a threefold purpose: to instruct, to inspire and to entertain. Some assemblies may stress all three objectives while others have a single purpose. **Students removed from an assembly for disciplinary reasons will not be allowed to attend assemblies for the remainder of the school year.**

7.0 ATHLETIC INSURANCE

The Malvern School District provides a supplemental insurance policy for all athletes (7^{th} – 12^{th}) who may become injured during a school sponsored athletic event or practice. Students who participate on the Wilson Intermediate football and/or basketball teams (5^{th} & 6^{th} grades) will be required to purchase this supplemental insurance policy before participating in any athletic event or practice. Persons with questions or inquiries regarding athletic insurance need to contact the athletic office at 332-7500.

8.0 ATTENDANCE

Students who are suspended from school are not to be on any Malvern campus and will not be admitted to school sponsored events. Students assigned to ISS or AC may be allowed to participate in after-school practices but not participate in events until the day following completion of ISS or AC assignment.

8.1 ATTENDANCE AT SCHOOL ACTIVITIES

Students who are too ill to attend school are not permitted to participate or attend school activities the afternoon or night of the absence. Violation of this policy will result in the student being asked to leave the event.

Students who are suspended from school are not to be on any Malvern campus and will not be admitted to school sponsored events. Students assigned to ISS may be allowed to participate in after-school practices but not attend school-sponsored events or participate in events until the completion of their ISS assignment.

8.2 ATTENDANCE POLICY

It is very important that students and parents understand that school attendance is necessary for appropriate educational objectives to be met by the students. We expect our students to attend school daily unless they have illnesses, accidents, or other unavoidable reasons that can be documented.

The Arkansas General Assembly feels that parental involvement is a necessary part of a student's education and that a student's parents, guardians, or persons in loco parentis (acting as parents) shall be aware of excessive student absences and shall bear certain responsibilities regarding their student absences. (Act 473, 1989 and Act 1308, 1997).

A student who is excessively absent by exceeding the number of unexcused absences allowed by the attendance policy in a class will receive a NC (no credit) for the semester in that class if he/she has a passing grade or an F if they have below a 60%. This however, has no reference to being absent because of ISS or

OSS.

Any student transferred from another school to the Malvern School District within fifteen (15) days of the semester exam will be required to take semester exams for the regular classroom subjects.

General Information Concerning Attendance Policy:

1. A student who enrolls after the first day of school must have a valid reason for late registration. The absences will be dealt with according to the attendance rules and procedures.
2. In order to earn credit in a class, a student must be in attendance until the end of the semester and must fulfill all unit requirements.
3. Students who miss more than fifteen (15) minutes during any part of class time will be counted as absent.
4. Absences due to cutting class and leaving campus without permission are treated as truancy. Make-up work will not be permitted and any grade taken will result in a zero.
5. Parents are encouraged to call the school when their child is absent from school and must send a doctor/dentist note or court note to the attendance secretary upon the student's return to school.
6. If the parent does not notify the school of their child's absence, as time allows, the school will attempt to call parents at home and/or work to ensure parents are aware of the absence.
7. Students are to check in and out through the principal's office when arriving late or leaving early during the school day. Permission from a parent is required for a student to leave early. A note from the parent must be presented to the attendance secretary for late arrivals and requests for early release.
8. School trips and school functions, as approved by the principal, will not be considered absences. Students who have accumulated 4, or more, unexcused absences per semester may not be allowed to attend field trips.

Legal References: A.C.A. § 6-18-201, A.C.A. § 6-18-207, A.C.A. § 6-18-208, A.C.A. § 6-18-702, A.C.A. § 6-15-504(f), A.C.A. § 9-27-103

8.2.1 COMPULSORY ATTENDANCE REQUIREMENTS (4.3)

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

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

Date Adopted: February 8, 2010
Last Revised: June 16, 2025

8.3 ABSENCES (4.7)

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.[1]

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]
2. Death or serious illness in their immediate family;[3]
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;[4]
8. Participation in the election poll workers program for high school students;
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee;
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12);
11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date;[5]
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.[6]
13. Absences for a student who is the child of a fallen service member or fallen first responder:
    - Due to a mental health concern; or
    - To attend an event from a sponsoring organization that provides support to families of fallen service members or first responders or provides support for traumatic loss, grief, or resiliency.
14. Upon the written consent of a student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student, the District shall grant an excused absence for the following purposes:
    - Social or public policy advocacy; or
    - Attempts to influence legislation or other governmental policy-making at the local, state, or federal level.

Students who serve as pages for a member of the General Assembly shall be considered on instructional assignment and shall not be considered absent from school for the day the student is serving as a page.[7]

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~~.~~; or
d. The student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student provides written documentation that the student's absence is to attend an event from a sponsoring organization that:
    - Provides support to families of fallen service members or first responders or provides support for traumatic loss, grief, or resiliency; and
        - May be verified as an organization that provides support to the military and first responder community by reviewing the Resources Page for Military Family Engagement on the Department of Education website.

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

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

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

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

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

Unexcused Absences

Absences that are not defined above; do not have an accompanying note from the parent, legal guardian, person having lawful control of the student, 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 (*7*)[8] unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal, after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has (*4*[8]) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified[9]. 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 (*7* [8]) unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law.

It is the Arkansas General Assembly's intention that students having excessive absences be given assistance in obtaining credit for their courses. Therefore, at any time prior to when a student exceeds the number of unexcused absences permitted by this policy, the student, or his/her parent, legal guardian, person with lawful control of the student, or person standing in loco parentis may petition the school or district's administration for special arrangements to address the student's unexcused absences. If formal arrangements are granted, they shall be formalized into a written agreement which will include the conditions of the agreement and the consequences for failing to fulfill the agreement's requirements. The agreement shall be signed by the student; the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis; and the school or district administrator or designee.[10]

Students who attend in-school suspension shall not be counted absent for those days.[11]

Days missed due to out-of-school suspension or expulsion shall be unexcused absences.[11]

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

Last Revised: June 16, 2025

8.4 CHECK-IN/CHECK-OUT PROCEDURES

Upon return to campus from an absence, whether for one period or for a full day, students must check-in at the office to present documentation of their absence, including notes from medical/health appointments, court, etc. Students who do not have approved documentation will be given the opportunity to contact their parents/guardians when they check-in to remind them to obtain approved documentation. Students who return to school the same day as an absence must check-in with the office or they may be marked absent for the remainder of the day.

Check –out Procedure.

The health card submitted at the time of enrollment is the document referred to each time a student is checked out of school.

These procedures must be strictly adhered to:

- An adult must present proper identification before a student is released including those in attendance at ASU-Three Rivers.
- Students 18 and older, who live at home, may check themselves out once we have contacted a parent or guardian. If we do not get verification the student will not be allowed to check out.
- Students who are 18 and documented as living on their own have the right to check themselves out of school.
- Students who have their own transportation, and a parent wishes to check them out with an email may be checked out only after verification. If the parental checkout includes the lunch period, the parent must present their ID in the office for check out and sign the student in upon return to school or bring a medical note.
- Armed forces recruiters may check out a student for an official purpose if they have documentation which includes parental consent.

8.5 MAKE-UP WORK (4.8)

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

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

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

Work for students serving an out-of-school suspension or expulsion shall be in accordance with the District's programs, measures, or alternative means and methods to continue student engagement and access to education during the student's period of suspension or expulsion.

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

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

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

Cross Reference: 4.7—ABSENCES, 4.57—IMMUNIZATIONS, 4.30—SUSPENSION FROM SCHOOL
4.31—EXPULSION
Legal References: A.C.A. § 6-18-234; A.C.A. § 6-18-502
Date Adopted: June 14, 2004
Last Revised: June 9, 2011; May 21, 2012; April 13, 2015; May 11, 2020; June 12 , 2023

8.6 STUDENT WITHDRAWALS

Before a student withdraws from school, he/she shall report his/her intention of withdrawing to the principal's office and receive a withdrawal form, which will be presented to each teacher. The teacher will fill out the student's grade up to the time of withdrawal. All money owed to the school must be paid and all school property must be returned. Records will not be forwarded unless the above procedure is followed.

8.7 ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOL STUDENTS (4.59)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cross References: 4.6—HOMESCHOOLING, 4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS, 4.57-- IMMUNIZATIONS

Legal References: A.C.A. § 6-15-509, A.C.A. § 6-18-232, A.C.A. § 6-18-702, A.C.A. § 6-47-401 et seq., DESE Rules Governing Distance and Digital Learning, DESE Rules Governing Kindergarten Through 12th Grade Immunization Requirements in Arkansas Public Schools, Commissioner's Memo COM-19-021

Date Adopted: June 29, 2017

Last Revised: June 13, 2019

8.8 ACADEMIC LOAD

Students must carry at least 6 academic subjects to be considered a full time student. Should a student be terminated from enough classes to drop him/her below the required 6, MHS reserves the right to adjust

his/her schedule accordingly. A student may be assigned to a teacher, office, library, or guidance office one period a day as an aide provided he/she is in good academic standing and on track for graduation.

9.0 BUS TRANSPORTATION

Transportation policies and procedures will be handled through the transportation office. Each driver will distribute bus rules of conduct and behavior as students ride the bus. Questions will be directed to Mrs. Janet Blair, Superintendent of MSD, 501.332.7500.
Legal References: A.C.A. § 6-19-119(b)
Ark. Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers 4.0

9.1 MSD TRANSPORTATION RULES and PROCEDURES

MALVERN PUBLIC SCHOOLS TRANSPORTATION POLICIES

The Malvern School District will provide the best transportation program possible for the greatest number of students. Only those students residing in the school district who are attending school are eligible for bus transportation. At the beginning of the school year, all students will be assigned a seat on the bus which they will use daily. The first few rows of the bus may be used to assign seats to students requiring close supervision.

GENERAL RULES FOR RIDING THE SCHOOL BUS

- Be at your bus stop five minutes prior to your estimated pickup time and stand a safe distance from the road.
- Do not play on the roadways while waiting for the bus.
- Wait until the bus stops and the driver signals it is safe to approach or cross in front of the bus.
- Always cross the road in front of the bus where the driver can see you. Never cross the road behind the bus.
- Wait until the bus leaves the area before you cross the road to check the mail.
- Enter and leave the bus quickly and orderly.
- The school bus is an extension of the classroom and all classroom rules of conduct apply.

While riding the bus

1. Respect your driver. ACT 814 of 1997 makes it unlawful for any person or persons to threaten, curse, or use abusive language to a school bus driver in the presence of students in this state. **All students are to follow the directions of the bus driver/monitor at all times.**
2. Respect the rights of other riders - no harassment or intimidation of other riders.
3. Find your seat and remain seated and facing forward while the bus is moving.
4. Keep bus aisle clear of books, bags, feet, legs, etc. at all times.
5. Speak softly, no loud or distracting noises are allowed.
6. Any act that jeopardizes the safety of students on the bus is prohibited.
7. No food, drinks (except water), candy or gum will be allowed on the bus.
8. Do not put hands, arms, or head out the windows or doors.
9. Do not shoot or throw objects in the bus or out the windows of the bus.
10. No drugs, alcohol, or tobacco product of any kind is allowed on the bus.
11. No matches, lighters, or other flammable materials are allowed on the bus.
12. Do not tamper with emergency windows, doors, and other safety equipment on the bus.
13. No vandalism to school or personal property is allowed. ACT 36 of 1987 makes the parents of a minor child responsible for reimbursing the school for any damages caused by the minor child up to $5,000.
14. Videoing/recording/photography with an electronic device is prohibited. Phone calls with permission only.
15. Do not bring water guns, rubber bands, or any shooting devices on the bus.
16. No weapons of any kind are allowed on the bus at any time.

DISCIPLINARY PROCEDURE - Discipline problems on the bus will be reported to and handled by the Building Administration.

First Offense…… The Building Administrator will meet with the student and notify parents of the problem by phone and in writing.
Second Offense…. Student will be denied transportation privileges from three to six days and will meet with the Building Administrator. Parents will be notified by phone or in person and in writing.
Third Offense……Student will be denied transportation privileges from seven to twelve days and will meet with the Building Administrator. Parents will be notified by phone or in person and in writing.
Forth Offense……Student will be denied transportation privileges for the remainder of the school year and will meet with the Administrator. Parents will be notified by phone or in person and in writing.

***For offenses determined severe in nature, the District has the right to surpass the First, Second and Third Disciplinary Procedures and immediately deny a student bus privileges due to the severity of the act.**

NOTICE! ***Any student who needs to ride a different bus than their own for any specific reason or students who do not ride a bus regularly and need to ride a bus for any specific reason must have a written request signed in advance by the parent or guardian and approved by the building administration before he/she will be allowed on a bus other than their regular bus.***

IT IS A PRIVILEGE TO RIDE A SCHOOL BUS, NOT A RIGHT!

If you have any questions or concerns, please feel free to contact us:

Superintendent's Office **Office:** 501-332-7500 **Email:** jblair@malvernleopards.org

The following statement must be signed by the parent or guardian of the children who are being transported by school-operated vehicles and returned to the bus driver.

****

***(Detach here and return to bus driver)

AS A PARENT AND/OR GUARDIAN, I DO HEREBY ACKNOWLEDGE HAVING RECEIVED AND GONE OVER THESE POLICIES WITH MY CHILD.

_____	_____	_____	_____
Name/Address of Student	Grade	Route Number	Driver's Name

_____	_____
Parent/Guardian Signature	Contact Phone Number

10.0 CAFETERIA/CHARTWELLS

BREAKFAST AND LUNCH

Students are expected to conduct themselves properly in the cafeteria according to the rules of the school. Disciplinary action will be taken if rules are not followed.

Students' participation in the lunch program for nutritional reasons as well as receiving benefits from socialization is encouraged. IF YOUR CHILD IS ALLERGIC TO MILK OR FOOD(S), A DOCTOR'S NOTE IS REQUIRED. .

Any student having excessive charges will be encouraged to apply for free or reduced priced meals. Anyone with questions about charges and/or cafeteria procedures may call the Food Service Director.

Parents, grandparents, etc. are welcome to eat lunch with their children. The cost for an adult lunch is $4.25. **Please call the school office before 9:00 a.m. or send a note if you are eating at school**. **Lunch shall not be brought for other students.** THIS INCLUDES BIRTHDAYS.

Visitors may take family members to the guest table to eat lunch with them.

Chartwell's School Dining Services

Welcome to **Chartwells School Dining Services** for Malvern School District. Chartwells School Dining Services provides Malvern Public Schools with an appealing and nutritionally sound child nutrition program that is safe and affordable to parents, students, faculty and staff. Chartwells is a food service management company with branches nationwide and teams of specialists in each region. There are dietitians, marketing managers, accountants and regional chefs that provide each district with expertise and support. Chartwells manages over 550 public school districts. These districts range from one school to hundreds of schools and serve approximately 2.5 million students across the country. Most of the food service operations are governed by the National School Lunch and Breakfast Program and require strict regulatory compliance.

All schools participating in the National School Lunch Program must adhere to the USDA school meals guidelines. Additionally, in response to the incidence of childhood overweight and obesity, schools are required to adopt and maintain a wellness policy. Malvern School district maintains and monitors the policy through the Coordinated School Health committee that meets monthly representing each school and the community. Chartwells Nutrition Standards have long exceeded USDA standards as part of their promise to nourish students and to provide expertise to the academic community.

Using Chartwell's school dining services, our cafeterias offer more fresh fruits and vegetable options at all grade levels.. We have introduced more whole grains and healthy options. For example, the pizza offered several times per week is made from whole wheat crust. Chartwells has the experience and insight to provide carefully planned and well-balanced meals that appeal to student appetites.

Our passion as Chartwells is to provide good, nutritious and nourishing meals. It is not limited to the cafeteria. We want the lessons learned in the school to guide a child throughout their lifetime. So together, with a balanced, delicious meal, we want to help our students make wise, informed decisions. Chartwell's philosophy is Eat. Learn. Live. It is a commitment to build strong bodies and sharp minds and

establish the framework for a long, healthier life. Malvern School District will continue to partner with Chartwell's to meet the goals of a well, healthy community.

10.1 FOOD SHARING AND ITS REMOVAL FROM FOOD SERVICE AREA (4.58)

Food Sharing Table

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

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

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

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

Removing Food Items From the Food Service Area

At the end of the meal period, a student may leave the cafeteria with up to two school provided whole fruit or whole vegetable food items. Students may not remove from the cafeteria milk, juice, or any other item requiring a temperature controlled environment.

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

All items removed from the cafeteria must be consumed or taken home at the end of the school day. No items may be left in classrooms or lockers. The intent is to provide additional time to finish eating.

Legal References: Commissioner's Memo FIN 08-076, Commissioner's Memo FIN 15-052

Date Adopted: April 13, 2015

Last Revised: June 13, 2019

10.2 FOOD SERVICE PREPAYMENT (4.51 - ASBA)

Meal Charges

Option 2: The District participates in USDA's CEP[5] and provides meals to all students at no charge. The District does not provide credit for students to charge for a la carte or other food and beverage items available for purchase in the school food service areas. A la carte or other food and beverage items may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the District that may be charged for the items. Parents, or students choosing to do so, may pay in advance for a la carte or other food and beverage items through any of the following methods:[2]

- Submitting cash or check payment to the food service office
- Depositing funds through the District's online service;

Unpaid Meal Access

In accordance with Arkansas law, the District allows students whose accounts do not have enough funds to purchase a meal to receive an unpaid reimbursable meal at no charge. The District will notify a student's parents [7]

- When the student's prepaid account balance has dropped to the point that the student will begin receiving unpaid meals;

- Each time the student receives the first unpaid meal after money has been deposited into the student's prepaid account; and
- After the student has received five (5) unpaid meals.

Students who have submitted proper documentation to receive a meal modification in accordance with Policy 4.50—SCHOOL MEAL MODIFICATIONS shall receive the same type of modification for an unpaid meal.

Date Adopted: June 13, 2019
Last Revised: June 16, 2025

11.0 CALLS FROM OFFICE

Student use of the office phone shall be limited to calling for parental permission to sign out. **Students are not to leave class to make personal calls.** If a personal call must be made, a student may come to the office between classes and request permission from office personnel to use the phone. The student will be considered tardy if he/she does not return to class on time. Office personnel will not give excused passes to class. Due to the large number of students and the instructional time involved, the office cannot deliver telephone messages or call students to the telephone. An exception is made for valid emergency messages.

12.0 CAMPUS BOUNDARIES

Students must remain within the campus boundaries during the school day, 7:30 a.m. to 3:30 p.m. Students not adhering may be considered truant.

13.0 CHANGE OF ADDRESS, TELEPHONE, OR TRANSPORTATION

Parents/guardians are to notify the middle school office of any change during the school year of address, telephone numbers, or transportation of their student.

14.0 CLOSED CAMPUS (4.10)

All grades shall operate under closed campuses. Students are required to stay on campus from their arrival until dismissal at the end of the regular school day. Students may be given permission to leave the campus by a school official and must sign out in the office upon their departure.
Date Adopted: April 12, 2004

15.0 COMMUNICABLE DISEASES AND PARASITES (4.34)

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: 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 blood borne, food borne, and airborne pathogens exposures. Standard precautions shall be followed relating to the handling, disposal, and cleanup of blood and other potentially infectious materials such as all body fluids, secretions and excretions (except sweat).

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

A student enrolled in the District who has an immunization exemption may be removed from school at the discretion of the Arkansas Department of Health during an outbreak of the disease for which the

student is not vaccinated. The student may not return to the school until the outbreak has been resolved and the student's return to school is approved by the Arkansas Department of Health.

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

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

Cross References: 4.2—ENTRANCE REQUIREMENTS, 4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION

Legal References: A.C.A. § 6-18-702, Arkansas State Board of Health Rules And Regulations Pertaining To Immunization Requirements

Date Adopted: April 12, 2004

Last Revised: May 21, 2012; June 11, 2013

16.0 COMPLAINT RESOLUTION

16.1 COMPLAINT RESOLUTION POLICY FOR TITLE I

Complaints concerning the Title I Program may come from students, parents, teachers, other employees, concerned citizens, or organizations.

Procedure for filing complaints

It is desirable that problems be resolved at the earliest possible time and at the most immediate level of supervision. If the problem is not resolved, a conference shall be scheduled with the complainant and the Title I Coordinator to pursue resolution for the problem.

All complaints and grievances not resolved at the above level shall be referred in writing or on tape to the Title I Coordinator. The complaint shall be dated and signed, or the person identified if on tape.

Procedures for handling complaints

1. The Coordinator, upon receipt of a complaint, will meet with the superintendent, depending on who has the administrative responsibility for the program. These two persons will then appoint a committee made up of a community person, a teacher, a school administrator and parents. This shall be done within one week of the date on which the complaint was filed.
2. The above committee shall hold a hearing with the complaining party/parties within seven (7) days of their appointment.
3. All hearing proceedings will be transcribed and recorded.
4. During the hearing, the complaining party/parties shall have the opportunity to call witnesses, question parties involved and present evidence.
5. The committee will make a written report of their finding to the local administrator of Title I.
6. A decision, based on the findings of the committee and Title I law, will be made by the person having legal responsibility for the Title I program. This decision shall be in written form and will be sent to the complaining party/parties within thirty (3) days from the time the complaint was filed.

Appeal

The complaining party/parties shall have the right to appeal the administrator's decision within thirty (3) days after the receipt of the local decision to the state Title I office. This appeal shall be written, signed and dated.

NAMES AND ADDRESSES OF CONTACT PERSONS

Local:
Lillian Harper, Assistant Superintendent
332-7500

State:
Arkansas Department of Education
#4 Capitol Mall
Little Rock, AR 72201-1021

16.2 COMPLAINT RESOLUTION POLICY FOR TITLE VI (RACE) OF THE CIVIL RIGHTS ACT OF 1964, TITLE IX (SEX) OF THE EDUCATION AMENDMENT OF 1972, AND SECTION 504 (HANDICAP) OF THE REHABILITATION ACT OF 1973

Complaints concerning the above may come from students, parents, teachers, other employees, and concerned citizens or organizations.

Procedures for filing complaints

It is desirable that problems be resolved at the earliest possible time and at the most immediate level of supervision. If the problem is not resolved, a conference shall be scheduled with the complainant and the Equity Coordinator to further pursue resolution of the problem.

All complaints or grievances not resolved at the above levels shall be refereed in writing or on tape to the Equity Coordinator. The complaint shall be dated and signed or the person identified on tape.

Procedure for handling complaints

1. The Equity Coordinator, upon receipt of a complaint, will meet with the principal of the school, who has the administrative responsibility for the program. The Equity Coordinator will then appoint a committee made up of a parent, at least one teacher, a school administrator, and a student, if applicable. This shall be done within one week of the date on which the complaint was filed.
2. The above committee shall hold a hearing with the complaining party/parties within seven days of their appointment.
3. All hearings/proceedings will be transcribed or recorded.
4. During the hearing, the complaining party/parties shall have the opportunity to question witnesses, question parties involved and present evidence.
5. The committee shall hold a hearing with the complaining party/parties within seven days of their appointment.
6. A decision based on the findings of the committee will be made by the superintendent. This decision shall be in written form and will be sent to the complaining party/parties within thirty (30) days from the time the complaint was filed.
7. If the complainant is not satisfied with the decision reached by the superintendent of schools, he/she shall within thirty (30) days file a request for a hearing with the school board.

Appeal

The complaining party/parties shall have the right to appeal the school board's decision within thirty (30) days after the receipt of the local decision to the Equity Assistance Center, #4 Capitol Mall, Room 402 A, Little Rock, AR 72201-1071. This appeal shall be written, signed and dated.

Inquiries concerning application of the above policy may be referred to Velda Keeney, Equity Coordinator, 332-7503.

17.0 CONTACT WITH STUDENTS WHILE AT SCHOOL (4.15)

CONTACT BY PARENTS

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

CONTACT BY NON-CUSTODIAL PARENTS

CONTACT BY PARENTS

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

CONTACT BY NON-CUSTODIAL PARENTS

If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or the principal's designee establishing the parent's custody of the student. It shall be the responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents. Non-custodial parents who file with the principal a date-stamped copy of current court orders granting unsupervised visitation may, to extend authorized by the court order, eat lunch, volunteer in their child's classroom, or otherwise have contact with their child during school hours and the prior approval of the school's principal. Such contact is subject to the limitations outlined in Policy 4.16, Policy 6.5, and any other policies that may apply. The District shall not act as a supervisor for non-custodial parent visitation purposes under any circumstance.

Arkansas law provides that, in order to avoid continuing child custody controversies from involving school personnel and to avoid disruptions to the educational atmosphere in the District's schools, the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school's property on normal school days during normal hours of school operation. The custodial or non-custodial parent may send to/drop off the student at school to be

sent to/picked up by the other parent on predetermined days in accordance with any court order provided by the custodial parent or by a signed agreement between both the custodial and non-custodial parents that was witnessed by the student's building principal.[1] Unless a valid no-contact order has been filed with the student's principal or the principal's designee, district employees shall not become involved in disputes concerning whether or not that parent was supposed to pick up the student on any given day.

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

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Division of Arkansas State Police may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Except as provided below, other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen (18) years of age), or in response to a subpoena or arrest warrant.

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

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

CONTACT BY PROFESSIONAL LICENSURE STANDARDS BOARD INVESTIGATORS

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

Legal References: A.C.A. § 6-18-513; A.C.A. § 9-13-104; A.C.A. § 12-18-609, 610, 613; A.C.A. § 12-18-1001, 1005
Date Adopted: April 12, 2004
Last Revised: June 9, 2011; April 13, 2015; May 9, 2016; June 29, 2017; June 13, 2019; May 11, 2020; June 27, 2024

18.0 USE OF COPYRIGHTED MATERIALS, USE OF (5.8)

Use of Copyrighted Work in Face-to-Face Classroom

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

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

Use of Copyrighted Works in Digital Transmissions

Definitions

"Class session" means the length of time provided for students to access the materials necessary for the completion of course assignments and tests. Depending on the copyrighted work's overall importance to the course, which can vary from a single assignment to an entire course focusing on the copyrighted work, the class session will end on:

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

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

"Mediated Instructional activities" includes textbooks, workbooks, and course packs.

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

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

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

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

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

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

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

- Mediated Instructional activities may not be transmitted.

C. A statement that works may be subject to copyright shall be placed in at least one of the following areas to provide notice to students of copyright status:
   - Course syllabus;
   - Home webpage for the course;
   - Webpage for the particular class session; and/or
   - webpage with the copyrighted work.

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

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

The District will not be responsible for any employee violations of the use of copyrighted materials.
Cross Reference: 5.11—DIGITAL LEARNING COURSES
Legal Reference: 17 USCS § 101 to 1010, (Federal Copyright Law of 1976)
Date Adopted: October 11, 2005
Last Revised: May 12, 2014

19.0 COUNSELING AND TREATMENT RESOURCES

A current list of counseling and treatment services can be obtained from the school guidance counselor.

20.0 CREDIT RECOVERY

Credit Recovery is an opportunity for a student to retrieve credit for courses they have failed. Any student interested in the Credit Recovery program will need to see the counselor. Credit Recovery courses will be those developed by Edgenuity and/or Study Island. The grade achieved for a Credit Recovery class will be placed on the student transcript. This grade will not replace the F previously earned.

21.0 DAILY SCHEDULE

Students are not to arrive on campus before 7:30 A.M. Hall doors are opened at 7:30 A.M. Students will enter the building upon arrival and should report to the designated areas. Students shall not loiter in the halls or restrooms.

MHS Bell Schedule

	Regular	"Z" /RTI	Ext. "Z"	Pep Assembly	Early Release
Period 1	**8:00-8:52**	**8:00-8:48**	**8:00-8:46**	**8:00-8:48**	**8:00-8:41**
Period 2	**8:57-9:45**	**8:53-9:37**	**8:51-9:33**	**8:53-9:37**	**8:45-9:24**
Assembly	**None**	**9:41-10:09(RTI)**	**9:37-10:21**	**None**	**None**
Period 3	**9:49-10:37**	**10:13-10:57**	**10:25-11:07**	**9:41-10:26**	**9:29-10:08**
Period 4	**10:41-11:29**	**11:01-11:45**	**11:11-11:53**	**10:30-11:15**	**10:12-10:51**
Lunch A	**11:29-11:59**	**11:45-12:15**	**11:53-12:23**	**11:15-11:45**	**10:51-11:21**
Period 5A	**11:33-12:21**	**11:49-12:33**	**11:57-12:39**	**11:19-12:04**	**10:55-11:34**
Period 5B	**12:03-12:51**	**12:19-1:03**	**12:27-1:09**	**11:49-12:34**	**11:25-12:04**
Lunch B	**12:21-12:51**	**12:33-1:03**	**12:39-1:09**	**12:04-12:34**	**11:34-12:04**
Period 6	**12:55-1:43**	**1:07-1:51**	**1:13-1:55**	**12:38-1:23**	**12:08-12:47**
Period 7	**1:48-2:36**	**1:56-2:40**	**2:00-2:42**	**1:28-2:13**	**12:52-1:51**
Period 8	**2:41-3:30**	**2:45-3:30**	**2:47-3:30**	**2:18-3:03**	**1:55-2:15**
Assembly	**None**	**None**	**None**	**3:03-3:30**	**None**

MMS Bell Schedule

	Regular	RTI Schedule	Pep Assembly	Alternate Dismissal
Period 1	**8:00-8:52**	**8:00-8:45**	**8:00-8:48**	**8:00-8:41**
Period 2	**8:57-9:45**	**8:49-9:34**	**8:53-9:37**	**8:45-9:24**
Period 3	**9:49-10:37**	**9:38-10:23**	**9:41-10:26**	**9:29-10:08**
RTI Period	**None**	**10:27-11:02**	**None**	**None**
Period 4	**10:41-11:29**	**11:06-11:51**	**10:30-11:15**	**10:12-10:51**
Lunch A	**11:29-11:59**	**11:51-12:21**	**11:15-11:45**	**10:51-11:21**
Period 5A	**11:33-12:21**	**11:56-12:41**	**11:19-12:04**	**10:55-11:34**
Period 5B	**12:03-12:51**	**12:26-1:11**	**11:49-12:34**	**11:25-12:04**
Lunch B	**12:21-12:51**	**12:41-1:11**	**12:04-12:34**	**11:34-12:04**
Period 6	**12:55-1:43**	**1:15-1:58**	**12:38-1:23**	**12:08-12:47**
Period 7	**1:48-2:36**	**2:02-2:43**	**1:28-2:13**	**12:52-1:51**
Period 8	**2:41-3:30**	**2:47-3:30**	**2:18-3:03**	**1:55-2:15**
Pep Assembly	**None**	**None**	**3:03-3:30**	**None**

22.0 DELIVERIES TO STUDENTS

Deliveries of lunch, balloons, flowers, etc. to students are prohibited. If a student forgets to bring his or her lunch, a parent/guardian may bring the student money for the cafeteria. Students may not have food delivered via delivery service such as DoorDash, GrubHub, etc. **If this occurs the student will receive 3 days ISS.**

23.0 DIGITAL LEARNING COURSES (5.11)

Definitions

For the purposes of this policy:

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

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

"Instructional Materials" means:

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

"Online Learning" is education in which instruction and content are delivered primarily over the Internet. The term does not include print-based correspondence education, broadcast television or radio, videocassettes, compact disks and stand-alone educational software programs that do not have a significant Internet-based instructional component.

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

Digital Course Offerings

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

All digitally offered courses shall meet or exceed the State Board of Education's curriculum standards and requirements and be capable of being assessed and measured through standardized or local assessments.

Additionally, the District shall ensure there is sufficient infrastructure to handle and facilitate a quality digital learning environment.

The District shall annually determine what District created digital learning courses it will provide to our students.[1] The District may also choose to provide digital learning courses by contracting with outside providers of such courses, who have been pre-approved as part of the Arkansas Course Choice Program by the Division of Elementary and Secondary Education (DESE). The School Board shall determine the provider method or combination of methods for the District. The Superintendent shall ensure that all digital learning courses provided to District students, regardless of the source of the course, have been approved by DESE.

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

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

A student may elect to take any or all of his/her scheduled courses digitally if offered digitally by the District or, if applicable, through the Arkansas Course Choice Program. The student's attendance in the student's digital course(s) shall be determined in accordance with Policy 4.7—ABSENCES.

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

Regardless of any other provisions of this policy, except as required by policy 5.19, the District may restrict a student's access to digital courses when the student's building principal determines the student's participation in such a course would not be academically appropriate based on the student's past performance in digital courses. Furthermore, the student's building principal may revoke a student's eligibility to continue taking a digital learning course if the student's performance during the semester indicates the student is not succeeding in the course.

Cross References: 4.7—ABSENCES;
5.8—USE OF COPYRIGHTED MATERIALS
5.19– ARKANSAS COURSE CHOICE PROGRAM

Legal References: A.C.A. § 6-16-1401 et seq.; A.C.A. § 6-16-1701 et seq.; A.C.A. § 6-18-213;
A.C.A. § 6-18-222; A.C.A. § 6-28-109
DESE RULES GOVERNING DISTANCE AND DIGITAL LEARNING

Date Adopted: October 11, 2004
Last Revised: May 9, 2016; June 14, 2021, June 12, 2023

23.1 5.19—ARKANSAS COURSE CHOICE PROGRAM

District students in grades six (6) through twelve (12) are eligible to take courses through the Arkansas Course Choice Program (ACCP) if the student is:

- Seeking to take a course not offered by the District; or
- Attending a District school that received a school letter grade of C, D, or F and the course is required for graduation.[1]

The ACCP course catalog shall be made available to all students during student course selection.[2] The District shall not actively discourage, intimidate, or threaten a student during course selection to not take a course through the ACCP.

A student attending courses through the ACCP shall enroll in at least one (1) course at the District, which may be either in person or a digital course offered by the District.

A District student attending courses through the ACCP is entitled to the following services as if the student were attending courses at the District:

1. Required assessments, including without limitation:
   a. Statewide assessments;
   b. Advanced Placement; and

c. International Baccalaureate,
2. Participation in extracurricular or co curricular activities; and
3. Special education services pursuant to the student's individualized education program.

Credits earned through the ACCP shall appear on a student's official transcript and count fully towards the student's graduation requirements.

Date Adopted : June 12, 2023
Last Revised : June 16, 2025

24.0 STUDENT DISCIPLINE (4.17)

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

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

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

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

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

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

The District's personnel policy committees shall annually review the District's student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Malvern 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.

Date Adopted: February 8, 2010
Last Revised: June 16, 2025

24.1 STUDENT CONDUCT

24.1.0 STUDENT BEHAVIOR INTERVENTION AND RESTRAINT (4.60)

Definitions

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

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

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

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

- Is developed by a problem-solving and intervention team and delineates emotional, social, or behavioral goals for a student and the steps that the school, student, parent of the student, and others will take to positively support the progress of the student towards the student's emotional, social, or behavioral goals;
- Is comprised of practical and specific strategies to increase or reduce a defined behavior or one (1) or more patterns of behavior exhibited by a student; and
- Includes the following at a minimum:
  - A definition or description of the desired target behavior or outcome in specific measurable terms;
  - A plan for preventing and eliminating inappropriate student behavior by changing a condition that is triggering, motivating, underlying, or supporting that behavior as determined through a FBA;
  - A plan for teaching a student to demonstrate appropriate social, emotional, or behavioral self-management, or a new method to address or meet the student's needs;

- A description of how a specific incentive or consequence will be used as needed to decrease or eliminate inappropriate student behavior and increase appropriate behavior;
- A plan for managing a crisis situation;
- A system to collect, analyze, and evaluate data about the student;
- The school personnel, resources, and training needed before implementation of the BIP; and
- The timeline for implementing different facets of an intervention, including without limitation when the intervention will be formally reviewed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Multi-Tiered Behavioral Interventions

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

Behavior Intervention Team

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

A student's BIT shall:

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

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

Physical Restraint

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

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

- use the least restrictive technique necessary to end imminent danger or serious physical harm to a student and others;
- Use the safest method available and appropriate to the situation;
- Consider the health and safety of a student, including without limitation whether the student has an existing medical condition that makes the use of physical restraint inadvisable;
- Not restrict the ability of a student to communicate unless the use of a less restrictive technique will not prevent imminent danger of serious physical harm to the student or others;

- Use only the amount of force that is reasonably necessary to protect a student or others from imminent danger of serious physical harm to the student or others;
- Not verbally abuse, ridicule, humiliate, taunt, or engage in any other similar action towards the student; and
- continuously and visually observe and monitor the student while the student is under physical restraint.

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

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

At no time shall school personnel use the following on a student:
- Mechanical restraint;
- Chemical restraint;
- Aversive behavioral interventions that compromise health and safety;
- Physical restraint that is life-threatening or medically contraindicated; or
- Prone restraint or other restraint that restricts the breathing of a student.

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

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

Parents may submit complaints regarding an incident involving the use of physical restraint on their student. A complaint shall be referred for review to the appropriate school personnel:
- The student's BIT;
- The student's IEP team; or
- The student's 504 Plan team.

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

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

Reports and Debriefing

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

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

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

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

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

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.

Date Adopted: June 14, 2021
Last Revised: June 16, 2025

24.1.1 DISCIPLINARY OFFENSES

Students engaging in disciplinary offenses/prohibited conduct are subject to disciplinary consequences.

The following sections that list prohibited conduct and other disciplinary offenses that may result in suspension and possibly criminal charges is not complete in that a student may be suspended or expelled for various other offenses or any repeated misconduct. Depending on the severity and the repetition of the offenses listed, more severe consequences may be applied by the principal or his/her designee. Students are subject to school authority at school functions on and off the campus. As an example, a student who breaks school rules at an out of town football game is subject to punishment as prescribed in the handbook. Misconduct while in Supervised Study Hall, Saturday School, ISS and repeating the same offense will result in more severe consequences than those listed here.

Legal References: A.C.A. § 6-18-502, A.C.A. § 6-15-1005, A.C.A. § 6-21-609, A.C.A. § 6-18-506, A.C.A. § 6-18-222, A.C.A. § 6-5-201, A.C.A. § 6-18-514

24.1.2 PROHIBITED CONDUCT (4.18)

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

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior that interferes with orderly school operations;
3. Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or stealing school property;
7. Possession and use of a personal electronic device except as authorized by Policy 4.47 or by the student's IEP or 504 Plan;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
10. Inappropriate public displays of affection;
11. Cheating, copying, or claiming another person's work to be his/her own;
12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, sexual orientation, gender identity, or disability;

18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying;
23. Operating a vehicle on school grounds while using a wireless communication device; and
24. Theft of another individual's personal property; and
25. Antisemitism

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

Date Adopted: April 12, 2004
Last Revised: June 16, 2025

24.1.2.1 BEHAVIOR NOT COVERED

The following is merely a listing of the more common offenses in many secondary schools. It should also be noted that the list is not all inclusive but provides only examples of problems and consequences. The Malvern School District reserves the right to pursue disciplinary or legal action for behavior which interferes with good order in the school even though such behavior is not specified in the proceeding written rules.

24.1.3 STUDENT ASSAULT OR BATTERY (4.21)

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 Reference: A.C.A. § 6-17-106 (a)
Date Adopted: April 12, 2004
Last Revised: June 13, 2019

24.1.4 BOMB THREAT

Any student guilty of communication of a bomb threat to any Malvern Public school will be suspended for two (2) semesters and a warrant for his or her arrest will be sworn.

24.1.5 BOOK BAGS AND BACKPACKS

Book bags and backpacks are permitted; however, book bags and backpacks with rollers are not permitted. **Book bags and backpacks are subject to search under the Search and Seizure policy.**

24.1.6 BULLYING (4.43)

Definitions

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

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

1. May address an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated;
2. Involves an actual or reasonably perceived power imbalance;
3. Is repeated or has a high likelihood of repetition; and
4. Causes or creates actual or reasonably foreseeable:
   - Physical harm to a public school employee or student or damage to the public school employee's or student's property;
   - Substantial interference with a student's education or with a public school employee's role in education;
   - A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
   - Substantial disruption of the orderly operation of the school or educational environment;.

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

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

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

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

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

a. Building a fake profile or website of the employee;
b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
c. Posting an original or edited image of the school employee on the Internet;
d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee;
e. Making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
f. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;

g. Signing up a school employee for a pornographic Internet site; or
h. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

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

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

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

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

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

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

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

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

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

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

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred.[1] In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus.[2] Parents, legal guardians, person having lawful control of a student, persons standing in loco parentis, students, school volunteers, and employees shall be given copies of the notice annually.[3]

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

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

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

Date Adopted: June 13, 2019
Last Revised: June 16, 2025

24.1.6.1 ANTISEMITISM PROHIBITED (4.65)

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

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

- The targeting of the state of Israel, conceived as a Jewish collectivity;
- Charging Jews with conspiring to harm humanity;

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

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

Discrimination and harassment based on antisemitism is expressly prohibited.

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

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

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

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

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

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

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

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

Date Adopted: June 16, 2025
Last Revised:

24.1.7 POSSESSION AND USE OF CELL PHONES, AND OTHER ELECTRONIC DEVICES (4.47)

Definitions

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

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

"Personal electronic device" means without limitation a:

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

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

Possession of Personal Electronic Device

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

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

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

- Powered OFF and stored away in a backpack.
- Not accessed at any time, which includes lunch/recess, during the school day or on a school bus traveling to and from school.

Use Of Personal Electronic Device

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

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

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

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

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

Misuse of Personal Electronic Devices

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

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

Discipline

A student may have a personal electronic device confiscated if:

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

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

confiscated device shall meet the reasonable individualized suspicion requirements of Policy 4.32—SEARCH, SEIZURE, AND INTERROGATIONS.

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

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

- **1st offense: Student voluntarily turns phone into office and picks up phone at the end of the day; Refusal will result in 3 days of supervised study hall.**
- **2nd offense: Student must turn phone into the office and parent picks up the phone. Refusal to do so will result in 3 days in-school suspension.**
- **3rd offense and beyond: Student must turn phone into the office and parent pick up the phone. The student will receive 1 day of in-school suspension. Refusal to do so will result in an additional 3 days of in-school suspension.**

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

Date Adopted: July 13, 2006
Last Revised: June 16, 2025

Electronic Device procedures:

- No use of electronic devices inside the school buildings from 7:30 am until the end of the school day. This includes cell phones, air pods, earbuds, headphones, and any other Bluetooth/wireless devices.
- At no time may a student have their phone out in the building. Students will be allowed to use their electronic device outside the building only during their breakfast and lunch.
- At no time may a student use the camera or audio recording function on their phone while at school.
- We advise all students not to bring these devices to school. If a student does bring device(s) to school, the device must be off or on silent mode.
- A student needing to make an emergency phone call, may go to the office to do so.
- Malvern School District will not be responsible for misplaced cell phones, or other electronic devices.

Electronic Device Phone Misconduct	
Number of Offenses	**Disciplinary Action**
1st Offense	Student voluntarily turns phone into office; student picks up phone at the end of day. Or, 3 days of SSH.
2nd Offense	The student must turn the phone into the office; the parent picks up the phone. Refusal to do so, 3 days ISS.
3rd Offense, and beyond	The student must turn the phone into the office; parent picks up the phone + 1 days of ISS. Refusal to do so, additional 3 days ISS.

CHEATING (homework, class work, etc.)/PLAGIARISM

Cheating is not permitted. Any student guilty of cheating or knowingly assisting another in doing so shall be punished.

PLAGIARISM

Plagiarism – the unauthorized use or close imitation of the language and thoughts of another author and the representation of them as one's own original work. Examples include: Using a quotation that is not cited (when credit is not given to the source of the quotation this is plagiarism), paraphrasing another's idea or thought without giving credit to the source is considered plagiarism. Teachers are recommended to use the following punishments for cheating/plagiarism:
First offense--Zero on work, parent contact, and documentation sent to the office
Second offense--Zero on the work, 2 days in SSH, a parent/teacher conference, and documentation sent to the office
Third offense--Zero on the work, Saturday School, a parent/teacher conference, and documentation sent to the office

ARTIFICIAL INTELLIGENCE (5.10)

Definitions

> "Artificial Intelligence (AI)" means a machine-based system can, based on a given set of human-defined objectives, make predictions, recommendations, or decisions influencing a real or virtual environment.
>
> "AI Tools" means Software, hardware, or cloud-based applications that use AI to aid in tasks like content creation, data analysis, and personalized learning. For purposes of this policy, AI tools does not include items such as spell check or grammar check.
>
> "Automated decision tool" means an AI tool that has been specifically developed and marketed, or specifically modified, to make or to be a controlling factor in making consequential decisions.

The Malvern School District Board of Directors desires to provide guidance for the appropriate use of AI technologies in curriculum development, instruction, and related educational activities that is aligned with the Arkansas Academic Standards and safeguards student data and privacy while encouraging innovation.

> ***Any AI tools or programs utilized by the District must adhere to State and federal laws; State rules; and Federal regulations governing data use, privacy, and security. Any AI tool used must comply with the District's policies on data privacy and security, especially concerning student information.***

The superintendent shall establish a committee who shall be in charge of reviewing and approving any AI tools, including automated decision tools, before they may be used. The committee shall establish the procedures the committee shall use for approving AI tool selection. The District shall provide resources to support the integration of approved AI tools.

All curriculum and instructional materials that were created with AI tools shall align with the Arkansas Academic Standards and District educational goals.

Staff shall document the extent and manner AI tools were used in the creation of curriculum or instructional materials. Staff shall ensure the content created with the assistance of AI tools is accurate and free from bias.

The District shall regularly review the impact AI tools have on the District's educational outcomes and shall update this policy as necessary following the review.

Date Adopted: March 10, 2025
Last Revised: June 16, 2025

STUDENT USE OF ARTIFICIAL INTELLIGENCE (4.64)

Definitions

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

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

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

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

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

When a student uses AI tools, a student shall:

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

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

The following actions regarding AI tools are strictly prohibited:

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

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

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

Date Adopted: March 10, 2025

Last Revised: June 16, 2025

24.1.8 CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION ELIGIBILITY (4.19)

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.

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: April 12, 2004

Last Revised: June 13, 2019

Cursing and/or Profane Language

Cursing or profane language, verbal, written or signaled, will not be tolerated. The use of vulgar or provocative language is equally unacceptable. Violation of this policy will result in the following consequences.

1st offense: 3 days of SSH
2nd offense: Saturday School
3rd offense: 3 days of ISS
4th offense: 3 days suspension
Subsequent offenses will result in further suspension and recommendation for extended ISS

24.1.9 DISRUPTION OF SCHOOL (4.20)

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.
Date Adopted: April 12, 2004
Last Revised: June 16, 2025

Misconduct or disruptive behavior that interferes with the teacher's delivery of instruction and that interferes with a student's ability to learn will be classified as disrespect/insubordination. Disruptive behavior may include, but is not limited to, student misbehavior (verbal and/or physical) and distractions caused by tosy (including fidget spinners) or objects. The student shall be immediately removed from the classroom if his or her behavior or misconduct prevents the teacher from teaching or a student from learning. If a student is removed from the classroom, administrative discretion will be subject to disciplinary action. This includes, but is not limited to, behaviors that occur in or out of the classroom. If these bheaviors occur in the classroom, the student will be sent to ISS for the remainder of the period. The following consequences may be applied but are not limited:

- 1st offense: 1 day SSH assigned by the classroom teacher
- 2nd offense: 2 days SSH and a parent contact from the classroom teacher
- 3rd offense: 1 day of ISS and a parent conference
- 4th offense: 3 day ISS
- 5th offense: 5 days of ISS (See Behavioral Probation concerning chronic violators)
- 6th offense: 3 days of out of school suspension

24.1.10 DRESS AND GROOMING/DRESS CODE (4.25)

The Malvern 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.

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

The 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. (4.25)

THE FOLLOWING SPECIFIC ITEMS ARE <u>INAPPROPRIATE AND PROHIBITED</u> FOR SCHOOL DRESS AND APPEARANCE:

- **Any outer garment that reveals undergarments (boxers, panties, brassieres, shorts, etc…)**
- **In addition, the shirt may not be longer than the shorts.**
- **Bare midriffs, low-cut blouses, strapless tops/strapless dresses, or spaghetti strapped tops/ dresses. See State Policy 4.25 above.**
- **Pants or shorts with holes may not expose undergarments (boxers, panties, etc.)**
- **Clothing, jewelry or other accessories concerning drugs, alcohol, tobacco, sex, vulgar language, double meanings, or that contain symbols or slogans that are offensive to particular groups, appear to be gang (including bandanas see policy 24.1.10.1) or satanic related or contain anything that could be inflammatory in nature**
- **Hoods, and sunglasses are not to be worn in the school building during normal school hours. Caps or head coverings may be worn at teacher discretion in a classroom. Caps must be worn either straight forward or straight back.**
- **No blankets or bed linens may be brought to school for use in the building.**
- **No Costumes may be worn, including tails. (Except on designated dress up days)**
- **No shoes with wheels**

Violation of the above guidelines will result in the student being required to change into appropriate clothing. Missing any classes due to changing into appropriate clothing can result in absences and/or tardies. **Repeat offenders of the dress code will receive disciplinary consequences at the administration's discretion and may include the following:**

- **1st offense: Warning**
- **2nd offense: 2 days SSH**
- **3rd offense: Saturday School**
- **4th and subsequent offenses: 3 days ISS**

Legal Reference: A.C.A. § 6-10-138; A.C.A. § 6-18-502(c)(1); A.C.A. § 6-18-503(c)
Date Adopted: April 12, 2004
Last Revised: June 9, 2011, June 27, 2013, June 12, 2023

24.1.10.1 BANDANAS

Bandanas of any kind are not allowed on campus. Bandanas are not to be worn as headbands or attached to clothing or personal belongings. This also includes bandana printed shirts, hoodies, or pants. Students found in possession of a bandana will be subject to disciplinary action including but not limited to confiscation of the bandana to suspension.

24.1.10.2 PICKS, COMBS OR GROOMING

Metal picks and combs and rat tail combs of any kind (metal or plastic) are not permitted. Students are not to be wearing picks and combs in their hair for safety purposes. There should be no grooming in the cafeteria or classrooms. Students found in possession of metal picks and rat tail combs will be subject to disciplinary action including but not limited to confiscation of the pick or comb to suspension. Students found to be grooming in the cafeteria or classroom will be subject to disciplinary action including but not limited to confiscation of the grooming device to suspension.

24.1.11 DRUGS AND ALCOHOL (4.24)

An orderly and safe school environment that is conducive to promoting student achievement requires a student population free from the deleterious effects of alcohol and drugs. Their use is illegal, disruptive to the educational environment, and diminishes the capacity of students to learn and function properly in our schools.

Therefore, no student in the Malvern School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy.

This policy applies to any student who:

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

Prohibited substances shall include, but are not limited to:

- Alcohol, or any alcoholic beverage;
- Inhalants or any ingestible matter that alter a student's ability to act, think, or respond;
- LSD or any other hallucinogen;
- Marijuana;[1]
- Cocaine, heroin, or any other narcotic drug;
- PCP;
- Amphetamines;
- Steroids;
- "Designer drugs";
- Look-alike drugs; or
- Any controlled substance.

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

Cross Reference: 4.35—STUDENT MEDICATIONS

Legal References: A.C.A. § 6-18-502
DESE Rules Governing Student Discipline and School Safety
Arkansas Constitution Amendment 98 § 6

Date Adopted: April 12, 2004
Last Revised: May 21, 2012; June 13, 2019; June 27, 2024

Consequences

	Possession	**Sale**	**Distribution**	**Use or Abuse**	**Under Influence**
Illegal drugs	Expulsion	Expulsion	Expulsion	Expulsion	Expulsion
Alcohol	Expulsion	Expulsion	Expulsion	Expulsion	Expulsion
Imitation or Prescription	Minimum/ISS	Expulsion	Expulsion	Expulsion	
Patent meds/over-the-counter	Minimum/ ISS	Expulsion	Expulsion	Suspension	
Tobacco/ Paraphernalia	Minimum/ISS Max/Expulsion	Expulsion	Expulsion	Suspension	

24.1.12 FACULTY ASSAULT, THREAT, OR CURSING A FACULTY MEMBER (4.21)

Any person who shall use profane, violent, vulgar, abusive or insulting language toward any public school employee during the course of his or her duties shall be guilty of a misdemeanor and upon conviction be liable for a fine of not less than one hundred ($100.00) or more that one thousand five hundred dollars ($1,500.00). Each school district shall report to the Department of Education any prosecutions within the school districts under this section.

Any student guilty of striking a faculty member or any school employee will be expelled from school for a year and criminal charges will be filed. Any student guilty of threatening or cursing a faculty member or school employee (verbal, written, or signaled) will be recommended for expulsion for the remainder of the semester or ninety (90) days at the discretion of the administration and the school board, referred to PAC, and criminal charges may be filed. Administrators will use discretion in each situation.

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

Furthermore, it is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common understanding, is calculated to: a) cause a breach of the peace; b) materially and substantially interfere with the operation of the school; c) arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation. Students guilty of such an offense may be subject to legal proceedings in addition to student disciplinary measures.
Legal Reference: A.C.A. § 6-17-106(a)

24.1.13 FAILURE TO COMPLETE HOMEWORK OR ASSIGNMENTS

Students are responsible for coming to class with completed assignments and with necessary books and materials. They are also expected to complete assigned in-class and out-of-class work in a timely manner. Students who choose not to maintain their class responsibilities will be required to study sessions as

prescribed by the teacher to avoid losing credit for the assignment. Teachers will contact parents/guardians of a student who fails to complete assignment(s)..

24.1.14 FIGHTING, VIOLENCE, DISORDERLY CONDUCT, AND UNAUTHORIZED DEMONSTRATIONS

Acts of violence or disorderly conduct will not be tolerated on campus or at school sponsored functions. A student who physically strikes another with malice **will receive a 5- 10 day suspension and, at the administrator's and SRO discretion, filing a report with the police with possible charges.** A student who violates this policy for a second time may be suspended for 10 days and **may be referred to the Second Chance Program, and at the administrator's discretion, filing a report with the police with possible charges resulting.** A student using a weapon while involved in a fight with another student will be suspended for the semester pending school board approval and criminal charges being filed. A student has the right to defend himself/herself without being suspended, provided the student is the target of a physical attack which he/she did not provoke and the student did not have the opportunity to "break off" the attack. The student must be able to justify such actions to the satisfaction of the administration. The "word" of a few buddies, in most cases, will not be sufficient to justify such acts.

Fighting involving more than 2 students will be considered as endangerment, which will result in a 10-day suspension, criminal charges being filed and referral to Second Chance for the remainder of the semester or 90 days, at the discretion of the principal. **Students who do not disperse after being instructed to do so may be subject to punishment under the insubordination rule.**

Consequences for disorderly conduct will be determined by the principal or his/her designee. Consequences may result in suspension, and at the administrator's discretion, filing a report with the police with possible charges.

Students are encouraged to report threats and harassment by other students to the counselor and/or teacher in an effort to prevent hostile acts such as fighting.

Gambling

Students shall not possess cards or dice and shall not participate in any activity that may be termed gambling or wagering where the stakes are money or any other object(s) of value.

- **1st Offense: 5 days SSH**
- **2nd Offense: 3 days of ISS**
- **3rd Offense: 5 days of ISS**
- **4th Offense: 3 days of Out of School Suspension with a referral for counseling**

24.1.14.1 HANDS OFF

Students are to keep their hands to themselves. Hands off includes the use of feet, throwing objects or any other type of physical contact **that could result in a disruption**. Students found in violation of hands off will be subject to disciplinary action which may include but not limited to:

- **1st offense: 3 days SSH**
- **2nd offense: 4 days SSH**
- **3rd offense: 5 days SSH**
- **4th offense: 1 day of ISS**

Throwing of objects will be dealt with administration discretion based upon the severity of the offense.

School officials retain the legal right to physically remove a student from a class, school building, campus grounds, or school functions when necessary.

24.1.15 FIRE ALARM

The activation of the school fire alarm by a student for other than its intended purpose will result in 10 days ISS to a maximum of a suspension. Criminal charges will be filed for turning in a false fire alarm.

24.1.16 FOOD, DRINK, AND GUM

Food and drink will not be permitted except in the cafeteria and designated areas. Students are allowed to have clear, commercially packaged water bottles in the classroom; however, no other drinks will be allowed in the building. Students are allowed to re-fill their commercial water bottles at the water fountains or water

re-filling stations. Students are NOT to be eating in the classroom. **At teacher discretion, gum may be allowed.** Students who are in violation of rules in regards to food, drink, and gum -will be assigned SSH.

1st offense- 2 days SSH
2nd offense- 3 days SSH
3rd Offense and subsequent offenses- 5 days SSH

24.1.17 FORGERY

A student shall not forge another person's name to any document or form nor purposely, knowingly furnish false information. Forging a note, parent/guardian signature, corridor pass or knowingly being in possession of such will result in **5 days of SSH** for the first offense. **Subsequent offenses will result in a minimum of 3 days of ISS.**

Forging or being in possession of a forged note for a court appearance, medical appointment, etc. will result in **5 days ISS** for the first offense and subsequent offenses will result in a suspension.

24.1.18 GANGS AND GANG ACTIVITY (4.26)

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

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

1. Wearing or possessing any clothing, **bandanas**, jewelry, symbol, or other sign associated with membership in, or representative of, any gang;
2. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or handshakes representative of membership in any gang;
3. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang; and/or
4. Extorting payment from any individual in return for protection from harm from any gang.
5. Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion.

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

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

Legal References: A.C.A. §6-15-1005(b)(2); A.C.A. § 5-74-201
Date Adopted: April 12, 2004
Last Revised: June 28, 2010

24.1.19 HALL AND STAIR BEHAVIOR/EXITING THROUGH UNAUTHORIZED EXITS

Students are to walk on the right side of the hallway and stairway. Students found running in the hallways or on the stairways could be subject to disciplinary actions. Students are to speak in normal voices in the hall or on the stairs. Shouting or excessively loud noises will not be tolerated.

Students may only exit through the front of the building between guidance and the main office at MHS. Exiting through any other exit to leave campus may result in 3 days ISS.

24.1.20 LASER POINTERS (4.28)

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

Legal References: A.C.A. § 6-18-512, A.C.A. § 5-60-122

Date Adopted: April 12, 2004

LITTERING
Any student guilty of littering may be assigned to clean up an area of the campus. Refusal to clean up would result in **2 days** SSH.

24.1.21 LOITERING
There is to be no loitering at any time, this includes on or near any Malvern Public School campuses. Students gathering in restrooms, hallways, stairways, or outside areas and harassing others will be subject to disciplinary consequences.

21.1.22 LYING AND OBSTRUCTING AN INVESTIGATION
Lying to faculty or obstructing an investigation will result in 3 days of ISS.

24.1.23 PUBLIC DISPLAY OF AFFECTION
There is to be no public physical display of affection (including but not limited to: embracing, kissing, etc.) at school or at school-sponsored events. Disciplinary action may include:

- 1st offense: 2 days SSH
- 2nd offense: 3 days SSH
- 3rd offense: 5 days SSH
- 4th offense: 1 day ISS

24.1.24 SALE OF UNAUTHORIZED ITEMS
The sale or trading of any items is prohibited at school, school activities, or school buses without the consent of the principal and student services director. Only district sponsored items may be sold on campus.

24.1.25 SCHOOL TRIPS/FIELD TRIPS
School trips must be educational. **Students with questionable grades (must be passing all classes), attendance (more than 4 unexcused absences in a semester), or behavior (more than three days of ISS and/or OSS) may be restricted from school trips.** Students who misbehave on school trips will receive appropriate disciplinary actions according to the handbook policies and will lose the privilege to attend future school trips.

All students must ride the school bus designated for that school trip to be considered a part of the group. For liability reasons, only authorized personnel and students may ride the school bus to and from school field trips. If the parent or guardian chooses to take their child home in their own vehicle after the trip, they must have made arrangements with the school prior to the trip.

24.1.26 SCUFFLING
Bickering, shoving, scuffling, etc. are dangerous and could lead to fights. Administrative discretion will be used in determining punishment above the levels mentioned. Consequences may include:

Bickering or arguing:	**Scuffling or shoving:**
1st offense: 2 days SSH	1st offense: 3 days ISS
2nd offense: 5 days SSH	2nd offense: 5 days ISS
3rd offense: 1 day ISS	3rd offense: 3 day suspension
4th offense: 3 days ISS	

24.1.27 STEALING
Any student guilty of stealing public or private property will be assigned ISS. Subsequent offenses may result in suspension. Any articles on campus that one considers lost are to be left alone and reported to the nearest teacher. Students are not to have any items in their possession that they are not authorized to have. possession alone may be grounds for suspension and charges may be filed.

- **1st offense: 5 days ISS**
- **2nd offense: 10 days ISS**
- **Subsequent offenses will result in out of school suspension**

<u>24.1.271 Student Refusal</u>
All students must follow a school authority directive or reasonable request. This may include, but

not limited to:

- **proper self-identification**
- **turn in any electronic device**
- **change a classroom seat**
- **leave a designated area**

Failure to do so will result in 3 days ISS.

24.1.28 STUDENT SEXUAL HARASSMENT (4.27)

The Malvern School District is committed to providing an academic environment that treats all students with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

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

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

Definitions

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

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

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

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

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

1. A District employee:
    a. Conditions the provision of an aid, benefit, or service of the District on an individual's participation in sexual conduct; or
    b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;
2. The conduct is:
    a. Unwelcome; and
    b. Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. Constitutes:
    a. Sexual assault;
    b. Dating violence
    c. Domestic violence; or

d. Stalking.

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

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

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

- Making sexual propositions or pressuring for sexual activities;
- Unwelcome touching;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures, or written materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Telling sexual or crude jokes;
- Spreading rumors related to a person's alleged sexual activities;
- Discussions of sexual experiences;
- Rating other students or employees as to sexual activity or performance;
- Circulating or showing emails or Websites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the individual self-identifies as homosexual or transgender.

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

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

Supportive Measures

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

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

Formal Complaint

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

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

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

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

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

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

choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;

- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation; this includes evidence:
  - Whether obtained from a party or other source;
  - The District does not intend to rely upon in reaching a determination regarding responsibility; and
  - That is either Inculpatory or exculpatory; and
- Create an investigative report that fairly summarizes relevant evidence.

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

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

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

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

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including:
   a. Any notifications to the parties;
   b. Interviews with parties and witnesses;
   c. site visits;
   d. Methods used to gather other evidence; and
   e. Hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
   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[5] for the appeal is not the same person as the decision-maker that reached the original determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
5. Provide all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

Confidentiality

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

- Individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;

- Submit a report to the child maltreatment hotline;
- Submit a report to the Professional Licensure Standards Board for reports alleging sexual harassment by an employee towards a student; or
- The extent necessary to provide either party due process during the grievance process.

Except as listed above, the District shall keep confidential the identity of:
- Any individual who has made a report or complaint of sex discrimination;
- Any individual who has made a report or filed a formal complaint of sexual harassment;
- Any complainant;
- Any individual who has been reported to be the perpetrator of sex discrimination;
- Any respondent; and
- Any witness.

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

Emergency removal

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

Retaliation Prohibited

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

Disciplinary Sanctions

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following the completion of the District's grievance process, any student who is found by the evidence to more likely than not[7] have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion. No disciplinary sanction or other action that is not a supportive measure may be taken against a respondent until the conclusion of the grievance process.

Students who knowingly fabricate allegations of sexual harassment or purposely provide inaccurate facts shall be subject to disciplinary action up to and including expulsion. A determination that the allegations do not rise to the level of sexual harassment alone is not sufficient to conclude that any party made a false allegation or materially false statement in bad faith.

Records

The District shall maintain the following records for a minimum of seven (7) years:
- Each sexual harassment investigation including:
- Any determination regarding responsibility;
- any disciplinary sanctions imposed on the respondent;
- Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
- Any appeal and the result therefrom;
- All materials used to train Title IX Coordinators, investigators, and decision-makers;

- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, which must include:
  - The basis for the District's conclusion that its response was not deliberately indifferent; and
  - Document:
    - If supportive measures were provided to the complainant, the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or
    - If no supportive measures were provided to a complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Date Adopted: April 12, 2004
Last Revised: June 16, 2025

Inappropriate Comments and Gestures

Ethnic slurs and sexually suggestive comments and gestures, as well "pantsing", will not be tolerated and may result in the following consequences.

- 1st offense: 3 days ISS
- 2nd offense: 5 days ISS
- 3rd offense: 3 days Suspension
- 4th offense: 5 days Suspension

Indecent Exposure

The first offense will result in a 5 day suspension with referral to Extended ISS placement.

24.1.29 TARDIES (4.9)

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

Habitual tardiness and the attendant distraction of classes will not be tolerated. **Students will be allowed one excused tardy per semester for transportation problems.** A student who misses more than fifteen minutes of a class will be counted absent instead of tardy.

Students who are tardy must report to the attendance office and receive a tardy slip. Tardies will be tracked in the office.

Students are strongly encouraged to use the restroom before school, at lunch, and between classes so that instructional time is not lost.

Date Adopted: April 12, 2004
Last Revised:

Unexcused Tardies

MMS			MHS	
Tardy Offenses	Disciplinary Measures		Tardy Offenses	Disciplinary measures
1st	warning		**1st**	warning
2nd	warning		**2nd**	1 period SSH
3rd	warning		**3rd**	2 periods SSH
4th	1 period SSH		**4th**	2 periods SSH
5th	2 periods SSH		**5th**	4 periods SSH
6th	Saturday School		**6th**	5 periods SSH
7 or more	1 day of ISS per tardy		**7 or more**	1 day of Saturday School per tardy

24.1.29.1 EMERGENCY PASSES

Students are allowed nine (9) Emergency passes per nine weeks. Students who use more than nine (9) Emergency passes will be assigned the following consequences.

MMS Excessive Emergency Passes			MHS Excessive Emergency Passes	
10th	1 period of SSH		10th	1 period of SSH
11th	2 periods of SSH		11th	2 periods of SSH
12th	Saturday School		12th	3 periods of SSH
13 or more	1 day of ISS per pass		13 or more	1 day of ISS per pass

Students with a medical condition which could require additional emergency passes MUST provide documentation from a physician each year with start and end dates.

24.1.30 TECHNOLOGY ETHICS POLICY

Failure to comply with the spirit and intent of this policy will result in appropriate disciplinary action as determined by school administrators. Any action to include tampering (changing backgrounds, settings, properties, and adding or deleting programs, etc.), theft, damage, vandalism or "hacking" will be dealt with by total and permanent revocation of privileges to use technology equipment and possible criminal charges filed.

A standing review committee made up of the system operators from MMS/MHS, two secondary administrators and the district technology coordinator is appointed. The review committee will serve as a body to hear appeals of individuals who lose technology privileges. Requests to appear before the review committee must be submitted through the respective building principals in writing.

Legal References: 20 USC 6801 et seq. (Children's Internet Protection Act: PL 106-554), A.C.A. § 6-21-107, A.C.A. § 6-21-111

Students who violate the computer use agreement as outlined in student policy 4.29F will be subject to the following consequences:

- 1st offense: Warning/Student Conference
- 2nd offense: 3 days SSH/Parent Conference
- 3rd offense: loss of computer privileges for 2 weeks
- 4th offense and beyond: 2 days ISS
- Any viewing or printing of sexually explicit material will result in 3 days suspension as well as loss of computer privileges. (Minimum 9 weeks)

24.1.31 THREATS

Threats of bodily harm, explicit or implied will not be tolerated and will result in a minimum of ISS. A threat assessment will be performed for all threats.

In order to protect and safeguard all students, faculty, and staff, Malvern Middle School will follow our Threat Assessment Policy whenever a student threatens to harm self or others.

This policy and procedure consists of the following steps.

1. Student making threat (spoken, written, or gestured) will be isolated from other students and will be seen by the Threat Assessment Team which is made up of the following school officials: Principal or Administrative Assistant, School Counselor, School Based Mental Health Counselor, and Resource Office if appropriate.
2. The Threat Assessment Team will evaluate the situation and determine the results of the assessment.
3. If the threat is determined to be legitimate, parents will be notified and further action will be necessary. Further action may include the involvement of law enforcement.

**** A threat assessment is different and separate from disciplinary consequences. Even if a threat is found to be unsubstantial by the assessment team, the student involved in making the threat could still receive discipline according to the MMS/MHS handbook.**

24.1.31.1 DEATH THREATS

Communicating a death threat concerning a school employee or student is a Class D Felony. Any student issuing a death threat concerning another student or school employee (verbal, written, or signaled) will be recommended expulsion and may have criminal charges filed against him or her. Administrators will use discretion in each situation.

24.1.32 TOBACCO, ELECTRONIC NICOTINE DELIVERY SYSTEMS, AND RELATED PRODUCTS (4.23)

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

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

Notes: The statute requires the statute's posting "…in a conspicuous location at every entrance to each building owned or leased by a public school district and every school bus used to transport students"

Law enforcement officers and employees of a school are immune from civil liability for the confiscation from a minor on a school campus or at a school-sponsored event of:

- Nicotine, tobacco products, vapor products, alternative nicotine products, e-liquid products, or cigarette papers; or
- A product that the individual reasonably believes to be a vapor product.

Date Adopted: April 12, 2004
Last Revised: June 16, 2025

Tobacco promotion

Tobacco promotional items, including clothing, bags, lighters, and personal articles, are not permitted on school grounds, in school vehicles, or at school sponsored events. Tobacco advertising is prohibited in all school sponsored publications and all school sponsored events.

Possession/Use of Chewing or Smoking Tobacco, Skoal, E-Cigarettes, Vapes, Lighters, and Matches on Campus or in a School Vehicle

- 1st offense: 3 days ISS
- 2nd offense: 5 days ISS
- 3rd offense: 7 days ISS (Referred for Counseling)
- 4th offense: 10 days ISS
- 5th offense: Referred to 2nd Chance

24.1. 33 TRUANCY/LOITERING

A truant is defined in Webster's Seventh Collegiate Dictionary as one who stays out of school without permission. A student who leaves a class or other assigned area, including being found in the cafeteria during a lunch period other than his or her own, without permission will be considered truant. Students who leave class **with** permission but do not return in a timely manner will be considered in violation of truancy/loitering.

- 1st offense: 3 days SSH
- 2nd offense: Saturday School
- 3rd offense: 3 days of ISS
- 4th offense: 5 days of ISS

A student who is off campus during school hours without permission is also considered truant. A student guilty of this type of truancy will be held to the same standards listed above. Failure to sign in may result in being marked absent for the entire day.

24.1.34 VANDALISM/DAMAGING SCHOOL PROPERTY

Students will not be allowed to damage school property anywhere on campus. Parents and students may be asked to pay costs of replacing or repairing damaged property. Any student guilty of willful

damage to or destruction of property as well as technology equipment will be subject to disciplinary action. Minimum will be SSH and up to and including suspension depending on the severity of the damage.

24.1.35 WEAPONS AND DANGEROUS INSTRUMENTS (4.22)

Definitions

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

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

"Weapon" means any:

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

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

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

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

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

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

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

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

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; 20 USC § 7961
Date Adopted: April 12, 2004
Last Revised: June 28, 2010; April 13, 2015; June 13, 2019

24.1.35.1 Scissors and other Prohibited Items

Students are not to have scissors in their possession unless under the supervision of a faculty or staff member. Students are not to bring scissors to school. Scissors will be provided in the classroom for students to use when working on school related projects. Students who are found to have scissors in their possession may be subject to disciplinary action.

Other prohibited items may include, but are not limited to: water guns or any other water toys, toy guns, 'splatter ball' guns, etc.

24.1.36 Student Conduct Chart
***Disciplinary measures will be at the administration's discretion**
***This chart does not include all offenses and their consequences**
***Detailed consequences may be found under specific headings**

Disciplinary Offense/Prohibited Conduct	Minimum Punishment	Maximum Punishment
Assault/Threats (Student or Faculty)	ISS	Expulsion
Bomb Threat	Expulsion	Expulsion
Bullying	Conference	Expulsion
Cell phone Possession/Use and Other Electronic Devices	Confiscation & Conference	Suspension
Cheating, Copying/Claiming Another Person's Work to be His/Her Own (Plagiarism)	Conference	Suspension
Conduct To and From School	Conference	Expulsion
Death Threats	Suspension	Expulsion
Disrespect/Insubordination	SSH	Expulsion
Disruptive Behavior/Disruption of School	SSH	Expulsion
Drugs & Alcohol (see chart under Drugs & Alcohol)	See chart under Drugs & Alcohol for minimum consequences	Expulsion
Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability	SSH	Expulsion
Failure to Attend SSH/Disruption of SSH	SSH	ISS
Failure to Complete Homework or Assignments	Conference	Saturday School
Fighting/Disorderly Conduct	Suspension	Expulsion
Fire Alarm	ISS	Suspension
Firearms	Expulsion	Expulsion
Food, Drink, & Gum	Conference	ISS
Forgery	SSH	Suspension
Gambling (Possession of cards/dice)	SSH	Suspension
Gangs	SSH	Expulsion
Hall Behavior	Conference	Suspension
Hazing	SSH	Expulsion
Inappropriate Behavior	Conference	Expulsion
Inappropriate Dress/Dress Code	Conference & Change of clothing	Suspension

Inappropriate Language/Obscene Gestures	Conference	Expulsion
Indecent Exposure	Suspension	Expulsion
Insubordination/Disregard of Directions	Conference	Suspension
Laser Pointers	Confiscation & Conference	Suspension
Littering - refusal to clean up	2 days SSH	Suspension
Loitering	Conference	Suspension
Public Display of Affection	Conference	Suspension
Public Sexual Indecency	Suspension	Expulsion
Sale of Unauthorized Items	Confiscation & Conference	Suspension
Scissors and Other Prohibited Items (unless used as a weapon)	Confiscation & Conference	Suspension
Sexual Harassment	ISS	Expulsion
Stealing	Conference & Return of Item	Suspension
Tardies	SSH	ISS
Technology Ethics	Revocation of privileges	Expulsion
Threats	Conference	Expulsion
Tobacco (see chart under Drugs & Alcohol)	ISS	Expulsion
Truancy	SSH	ISS
Vulgar, Profane, or Obscene Language/Gestures	SSH	Suspension
Weapons Other Than Firearms	Suspension	Expulsion
Vandalism/Willful Damage to School Property	Saturday School/Restitution for loss	Suspension

24.2 DISCIPLINARY CONSEQUENCES

24.2.1 BEHAVIORAL PROBATION

A student who has been suspended from school or has more than 3 referrals to ISS, will be placed on behavioral probation for the remainder of the semester upon returning to school.

Any further misbehavior can result in a five (5) or ten (10) day suspension unless a longer suspension is otherwise specified in this handbook. A student who has been expelled for the remainder of the semester will be reinstated on academic and behavioral probation. A student who is suspended twice during any one semester may be referred to ISS for a subsequent offense. **Chronic violators may either be referred to counseling, AE, have a FINS petition filed with the court, extended ISS, or may be recommended for expulsion.**

24.2.1A BEHAVIORAL AND/OR ACADEMIC SUPPORT

As a result of behavioral referrals, poor academic standing, or the return of a student from clinical facility and at the request of a parent, staff member, or administrator, a conference shall be held for a student in need of assistance with behavioral or academic performance issues. Conferences will establish a protocol for staff members **(including a behavioral interventionist)**, students, and/or parents to ensure proper school/classroom behavior and/or to ensure the academic progress of students. As a result of the conference, a signed written protocol report will be completed by campus administration. The report will include but is not limited to detailed precautions to reduce issues, steps to be taken to ensure the behavioral and/or academic progress of the involved student, and/or communication (types and duration) to be utilized to inform all parties involved of the student's progress.

24.2.2 CORPORAL PUNISHMENT (4.39)

The Malvern 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 Reference: A.C.A. § 6-18-503(b)
Date Adopted: June 14, 2004
Last Revised: May 21, 2012; June 13, 2019

24.2.3 EXPULSION (4.31)

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

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

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

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

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

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

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

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

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

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

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

Cross Reference: 4.22—WEAPONS AND DANGEROUS INSTRUMENTS
Legal References: A.C.A. § 6-18-502; A.C.A. § 6-18-507
Date Adopted: June 9, 2008
Last Revised: June 29, 2017; June 13, 2019; June 12, 2023

24.2.3.1 SECOND CHANCE PROGRAM

Purpose of the Program:	To ensure each student of the MSD has an opportunity to receive and achieve academic and personal success on a school campus by providing additional support and educational services in a positive and fitting learning environment despite previous personal, or educational choices and/or challenges.
Population of the Program:	The Leopard Way Alternative Program will be offered to students ranging from the 5th grade to 12th grade. Students referred to this program have exhausted their traditional classroom setting opportunities and would benefit from an alternative method of instruction and personal goals in order to attain academic success.
Setting:	The setting of the program will be at the determination of the administration. Students will be assigned to either one of our alternative learning environments or to a more isolated classroom for more one on one instruction.

24.2.4 IN-SCHOOL SUSPENSION (ISS)

ISS is an integral part of the progressive discipline for the Malvern secondary schools. Students in ISS are suspended but have been given the opportunity to stay in this alternative learning setting in order to keep up with their class work. Further violations of school rules while in this setting may result in OSS; upon their return, the student will have to complete the assigned days in ISS. Students assigned to ISS will be required to bring all classroom materials and will remain in the In-School classroom until they have completed the length of the assignment to ISS.

Students may be assigned to ISS for up to 10 days. Assigned students must have a doctor's excuse or verifiable family emergency for any absence and will be required to make up the time missed for any tardy. Students may be removed from ISS for violating the provisions of the ISS contract.

Students assigned to ISS may not attend school-sponsored events until the completion of their ISS assignment. Students who are involved in extracurricular activity may be allowed to attend practices after school (no games or performances) if the adult in charge of the activity requests and the administration approves. **While in ISS students must turn their phone into the ISS supervisor.**

Misbehavior while in ISS may result in the following consequences:

- 1st offense: 1 additional day of ISS
- 2nd offense: 1 day out of school suspension + return to ISS until the assigned days are completed
- 3rd offense: 3 days out of school suspension + return to ISS until the assigned days are completed

Note: Students placed in ISS will not be allowed to attend classes at ASUTR or FLEX until their ISS time is completed.

24.2.5 EXTENDED IN SCHOOL SUSPENSION

Students will be assigned to extended In School Suspension for continual/excessive misconduct. Time missed as a result of an unexcused absence will result in the student making up a like amount of time. Students assigned to Extended ISS will be assigned for a minimum of 30 days up to a semester. Students who repetitively misbehave in extended ISS may receive Out of School Suspension up to Expulsion.

24.2.6 SATURDAY ALTERNATIVE SCHOOL

The main purpose of this school shall be to help students remain in school instead of being suspended; however, Saturday School is not available to students who are involved with the following offenses: drugs, alcohol, fighting, employee abuse and other serious offenses.

Saturday Alternative School will be held at Malvern High School and will be scheduled on an "as needed" basis. Failure to attend Saturday School without prior approval will result in a 3 days of ISS for the first offense and subsequent offense will result in additional punishments.

The rules are as follows:

1. Saturday School begins at 8:00 a.m. and ends at 12:00 p.m. Doors will be locked at 8:00 a.m., and no one will be permitted to enter late.
2. Arrangements must be made to remove the student from the Malvern High School building promptly at 12:00 dismissal. Failure to follow these guidelines could result in loss of Saturday School as a disciplinary option.
3. Upon checking in, each student must have at least one (1) library/reading book, two (2) textbooks, paper and pencil or pen. No magazines or newspapers will be allowed.
4. Dress code must be followed according to the MMS/MHS student handbook.
5. Productive and meaningful academic appropriate assignments are expected throughout each session. Head on desk or sleeping will not be tolerated; students will be sent home if this occurs.
6. The students will be given one restroom break after the first two hours. Other than this break, students will be required to study and work as directed by the supervisor for the four (4) hour period.
7. All classroom/school rules and regulations will be followed during the Saturday Alternative School.
8. Verifiable physician statements that the student was not able to attend Saturday School will result in re-assignment to the next Saturday School.
9. If it is known that a student cannot attend Saturday School on the assigned date, the parent shall contact the administration before the end of the school day on the Thursday prior to the Saturday School assignment. At that point the administration may delay the assignment due to genuine and verifiable conflicts.
10. Any absence from Saturday School, due to illness or other unavoidable circumstances, will be made up at the next Saturday School or the student will be placed in ISS for 3 days.

If a student is dismissed from Saturday School, the supervisor will attempt to notify the parent/guardian as soon as possible to remove the student from the campus. Notification will be sent to parents/guardians on each Saturday School assignment.

24.2.7 SUPERVISED STUDY HALL

SSH will be held during lunch. Students arriving late to SSH will not be allowed to enter, the day will not count and will count as an SSH violation. When assigned to SSH, students will be given written notice in the form of an SSH slip or a 'Hero' ticket to be carried home to parents. A student who fails to report for SSH (unexcused), does not bring or use appropriate study materials, talks to other students, or by his or her behavior disrupts SSH will be subject to the following:

NUMBER OF OFFENSES	DISCIPLINARY ACTION
1st offense	Warning
2nd offense	2 days SSH
3rd offense	Saturday School

Students may NOT sign out during the lunch period if they have been assigned SSH unless the student has a medical excuse.

24.2.8 SUSPENSION FROM SCHOOL (4.30)

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 his/her version of the facts; and
3. If the principal finds the student guilty of misconduct, he/she may be suspended.

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

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

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

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

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

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

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

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

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

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

Cross Reference:4.7—ABSENCES
Legal References: A.C.A. § 6-18-507; *Goss v Lopez*, 419 U.S. 565 (1975)
Adopted: April 12, 2004
Last Revised: May, 2008; May 21, 2012; March 14, 2016; July 11, 2016; June 29, 2017; June 13, 2019

24.2.9 PHYSICAL RESTRAINT (4.51)

There are times when it becomes necessary for staff to use reasonable restraint to protect others from harm. Reasonable restraint is defined as immobilization of the individual's opportunity for movement by staff members(s) through direct contact. Any person employed by the district may, within the scope of their employment, including involvement in extracurricular activities, use and apply such amount of force as is reasonable and necessary to accomplish the following purposes:

- To restrain a student from an act of wrongdoing;
- To quell a disturbance threatening physical injury to self or others;
- To obtain possession of weapons or other dangerous objects which are within the control of a student; and
- To protect self or others.

An act of a teacher or other employee will not be considered child abuse if the act was performed in good faith and in compliance with this policy. Such acts will not be construed to constitute corporal punishment.

In the case of a student with a disability, any restraint used beyond the four specific situations listed above will be identified on the Individual Education Plan (IEP) as a form of intervention.

The school employee using physical restraint will:

A. Immediately, or as soon thereafter as possible, notify the principal of the incident;
B. Provide a written report of the situation indicating why such action was deemed necessary; and
C. The principal and his/her designee will inform the parent/legal guardian of the incident using the appropriate disciplinary form.

Date Adopted: June 28, 2010

To Parent(s)/Guardian(s): **(4.51F)**

In the event of a crisis situation that occurs in the schools, the Malvern School District has adopted the *Professional Crisis Management* program to ensure the safety of your child and the staff working with your child.

Professional Crisis Management is a system that uses both non-physical techniques and physical procedures to reduce the likelihood of crisis behaviors. Crisis behaviors are defined as continuous aggression, continuous self-injurious behavior, and continuous high magnitude disruptions. If your child is ever involved in any Professional Crisis Management procedure, you will be notified in writing or by a phone call depending on the severity of the crisis behaviors.

Parent Signature _____Date _____

Date Adopted: June 28, 2010
Last Revised: May 12, 2014

24.2.10 SEARCH, SEIZURE, AND INTERROGATIONS (4.32)

The District respects the rights of its students against arbitrary intrusion of their person and property. At the same time, it is the responsibility of school officials to protect the health, safety, and welfare of all students enrolled in the District in order to promote an environment conducive to student learning. The Superintendent, principals, and their designees have the right to inspect and search school property and equipment. They may also search students and their personal property in which the student has a reasonable expectation of privacy, when there is reasonable and individualized suspicion to believe such student or property contains illegal items or other items in violation of Board policy or dangerous to the school community. School authorities may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.

School property shall include, but not be limited to, lockers, desks, and parking lots, as well as personal effects left there by students. When possible, prior notice will be given and the student will be allowed to be present along with an adult witness; however, searches may be done at any time with or without

notice or the student's consent. A personal search must not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

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

A school official of the same sex shall conduct personal searches with an adult witness of the same sex present.

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

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

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

Legal References: A.C.A. § 6-18-513; A.C.A. § 9-13-104; A.C.A. § 12-18-609, 610, 613
A.C.A. § 12-18-1001, 1005

Date Adopted: April 12, 2004
Last Revised: June 9, 2011; April 13, 2015; June 13, 2019

24.2.11 TEACHERS' REMOVAL OF STUDENT FROM CLASSROOM (3.49)

Note and advisement: This policy is adopted by the Board of Directors in order to bring the District into compliance with the Division of Elementary and Secondary Education rules concerning student discipline, and to incorporate the provisions of A.C.A. § 6-18-511. However, teachers should be aware that federal law governing a student's Individual Education Program (IEP) or 504 plan, or status as an individual with a disability will supersede Arkansas law. In many cases, removing a student from a classroom due to behavioral problems; will violate a student's IEP, violate a student's 504 plan, or constitute discrimination against the student due to a disability that affects the student's ability to conform his or her behavior. Teachers have been successfully sued for IEP and 504 plan violations in other jurisdictions, and teachers need to understand that violating a student's rights is outside of the scope of his or her employment, and no insurance is available or provided by the school district for either legal defense or to pay a money judgment. Teachers who rely on this law and this policy to exclude a student with special needs or a disability are assuming a grave personal risk.[1]

"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.

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 lead 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.

Date Adopted: June 27, 2013
Last Revised: April 13, 2015; May 12, 2025

25.0 5.20—DISTRICT WEBSITE

The Malvern School District shall maintain a web page to provide information about its schools, students, and activities to the community. This policy is adopted to promote continuity between the different pages on the district website by establishing guidelines for their construction and operation.

The Malvern School District website shall be used for educational purposes only. It shall not create either a public or a limited public forum. Any link from any page on the District's site may only be to another educational site. The website shall not use "cookies" to collect or retain identifying information about visitors to its website nor shall any such information be given to "third parties." Any data collected shall be used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

Each school's web page shall be under the supervision of the school's Web Master and the District's website shall be under the supervision of the District's Web Master. They shall have the responsibility for ensuring that web pages meet appropriate levels of academic standards and are in compliance with these guidelines and any additional administrative regulations. To this end, the District and School Web Masters shall have the authority to review and edit any proposed changes to web pages to ensure their compliance with this policy. All such editing shall be viewpoint neutral.

District and school web pages shall also conform to the following guidelines:
1) All pages on the District's website may contain advertising and links only to educational sources.
2) The District's home page shall contain links to existing individual school's web pages and the school home pages shall link back to the District's home page. The District's home page may also include

links to educational extracurricular organization's web pages, which shall also link back to the District's home page.

3) Photos along with the student's name shall only be posted on web pages after receiving written permission from the student's parents or the student if the student is over the age of eighteen (18).
4) The District's web server shall host the Malvern District's website.
5) No web page on the District website may contain public message boards or chat rooms.
6) All web pages on the District website shall be constructed to download in a reasonable length of time.
7) The District's home page shall contain a link to a privacy policy notice, which must be placed in a clear and prominent place and manner.
8) With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by the District.
9) The District shall include the following information on its website through a link located on the District's homepage titled "State Required Information":
    a. Local and state revenue sources;
    b. Administrator and teacher salary and benefit expenditure data;
    c. District balances, including legal balances and building fund balances;
    d. Minutes of regular, emergency, and special meetings of the school board;
    e. The district's budget for the ensuing year;
    f. A financial breakdown of monthly expenditures of the district;
    g. The salary schedule for all employees including extended contract and supplementary pay amounts;
    h. Current contract information (not including social security numbers, telephone numbers, personal addresses or signatures) for all district employees;
    i. The district's annual budget;
    j. The annual statistical report of the district;
    k. Agenda of regular, emergency, and special meetings of the District board of directors;
    l. The names, email addresses, position (including zones), and terms of office for all members of the school district board of directors;
    m. The district's personnel policies;
    n. The annual School Performance Report;
    o. School-Level Improvement Plans;
    p. The District Strategic Plan;
    q. Student discipline policies;
    r. Comprehensive School Counseling Plan;
    s. The District financial policies;
    t. Student handbooks;[12]
    u. The Annual Report to the Public;
    v. The parent, family, and community engagement plan;
    w. The Immunization waiver report from Policy 4.57—IMMUNIZATIONS;
    x. School District Calendar;
    y. List of statutory, rule, or Standards for Accreditation waivers the District has received under A.C.A. § 6-15-103;

    aa. The total amount of State funds used for teacher salaries;
    bb. The District's policy addressing the selection, relocation, retention and challenging of materials that are physically present in the library and available to the public;

The information and data required for items A through N in 9 above shall be the actual data for the previous two (2) school-years and the projected data for the current school-year.

Before July 15 of each year, the District shall post on its website the following information:[13]

- The dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students with dyslexia;
- The number of students during the previous school year who received dyslexia intervention; and

- The total number of students identified with dyslexia during the previous school year.

If the District's reading curriculum is not taken from the DESE list of approved curricula, the District shall post the reading curriculum the District uses and a statement that the curriculum is not on the list of DESE approved curricula.

The District shall include the following information on its website that may be accessed through a link located on the District's homepage titled "Title IX/Sex Discrimination":[14]

- Contact information for the District's Title IX Coordinator;
- A statement that any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, telephone number, or email address provided. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment;
- Copies of the District's sexual harassment policies;
- Copies of the District's Procedures governing the grievance and appeal process;
- The process for filing a formal complaint of sexual harassment; and
- Direct links to or copies of the materials used to train the District's Title IX Coordinators, investigators, and decision-makers.

The District shall include the following information on its website that may be accessed through a link located on the District's homepage titled "Military Families":[15]

- The student enrollment application process;
- Career-ready pathways and other academic or education programs offered;
- Required academic courses for each curriculum and elective course options;
- 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;
- Notable District and District school Purple Star School Programs;
- The District military family education coordinator contact information; and
- The District schools' military family education facilitator contact information.

The District shall post the following on the District website that may be accessed through a link titled "Antisemitism/Title VI":

1. The District's definition of antisemitism;
2. A statement that antisemitism is prohibited in the District's educational programs and activities;
3. A statement that complaints of discrimination or harassment based on antisemitism may be filed with the Title VI Coordinator;
4. Contact information for the District's Title VI Coordinator; and
5. Information on how to file a complaint of antisemitism with the Title VI Coordinator at the Arkansas Department of Education.

The District and school webmasters are responsible for ensuring all District webpages meet required standards to be accessible to individuals with disabilities.

Date Adopted: April 12, 2004
Last Revised: June 16, 2025

25.1 PERMISSION TO DISPLAY PHOTO OF STUDENT ON WEB SITE (5.20F1)

I hereby grant permission to the Malvern School District to display the photograph or video clip of me/my student (if a student is under the age of eighteen {18}) on the District's website, including any page on the site, or in other District publications without further notice. I also grant the Malvern School District the right to edit the photograph or video clip at its discretion.

The student's name may be used in conjunction with the photograph or video clip. It is understood, however, that once the photograph or video clip is displayed on a web site, the District has no control over

how the photograph or video clip is used or misused by persons with computers accessing the District's website.

_____

Name of student (Printed)

_____

Signature of student (only necessary if student is over eighteen (18) and Date

_____

Signature of parent (required if student is under eighteen (18) and Date

Date Adopted: October 11, 2004 Last Revised:

25.2 PERMISSION TO DISPLAY PHOTO OF STUDENT ON WEB SITE (5.20F2)

I hereby grant permission to the Malvern School District to display my/my student's name (if student is under the age of eighteen {18}) in conjunction with my/my student's home address, email address, telephone number and/or my parents' names.

It is understood, however, that once the information is displayed on a web site, the District has no control over how the information is used or misused by persons with computers accessing the District's web site.

I (we) agree to defend and hold harmless the members of the Malvern School Board, the Malvern School District, its officers, employees, agents, successors and assigns from and against any and all claims and liabilities resulting from displaying my/my student's specified information.

_____

Name of student (Printed) and Date

_____

Signature of student (only necessary if student is over 18) and Date

_____

Signature of parent (required if student is under 18) and Date

Date Adopted: October 11, 2004 Last Revised:

25.3 WEB SITE PRIVACY POLICY (5.20.1)

The Malvern School District operates and maintains a web site for the purpose of informing the citizens of the district about its activities. The web site does not use "cookies" or ISP addresses to collect or retain personally identifying information about visitors to its web site nor is any such information given to "third parties." Any data collected is used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

The site serves no commercial purpose and does not collect any information from individuals for such purpose.

Photographs of students, when associated with the student's name, shall not be displayed on any page of the district's web site without the prior written consent of the parent (or the student if 18 or older).

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password protected communication between the District and its staff.

Legal References: 15 U.S.C. § 6501 (COPPA)
Date Adopted: October 11, 2004 Last Revised:

26.0 EMERGENCY DRILLS (4.37)

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than three (3) times per year.[1] Students who ride school buses,[2] shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct a lockdown drill at all schools in the District in collaboration with local law enforcement, medical professionals, fire department officials, and emergency management personnel. The lockdown drill training will include use of the District's emergency communication method with law enforcement.[3,4] Students will be included in the drills to the extent that is developmentally appropriate for the age of both the students and grade configuration of the school.[5]

Drills may be conducted during the instructional day or during non-instructional time periods.

Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of violence, terrorist attack, natural disaster, other emergency, or the District's emergency communication with law enforcement method[3]. Students shall be included in the drills to the extent practicable.[5]

Date Adopted: April 12, 2004
Last Revised: June 16, 2025

27.0 ENTRANCE REQUIREMENTS (4.2)

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 ~~age~~ six (6) years of age during the school year in which the student is enrolled in grade one (1), and who meets the basic residency requirements for school attendance may be enrolled in the first grade.

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

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

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

1. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall furnish the child's social security number, or if they request, the district will assign the child a nine (9) digit number designated by the Division of Elementary and Secondary education.
2. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall provide the district with one (1) of the following documents indicating the child's age:

a. A birth certificate;
b. A statement by the local registrar or a county recorder certifying the child's date of birth;
c. An attested baptismal certificate;
d. A passport;
a. An affidavit of the date and place of birth by the child's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis;
b. United States military identification; or
c. Previous school records.

3. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding. Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.
4. In accordance with Policy 4.57—IMMUNIZATIONS, the child shall be age appropriately immunized or have an exemption issued by the Arkansas Department of Health.

Uniformed Services Member's Children

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

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

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

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

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

“Eligible child” means the children of:

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

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

“Transition” means the:

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

“Uniformed services”[4] means the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Space Force, United States Coast Guard, the National Oceanic and Atmospheric Administration Commissioned Officer Corps, the United States Commissioned Corps of the Public Health Services, and the state and federal reserve components of each of these bodies.

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

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

An eligible child as defined in this policy shall:

1. Be allowed to continue the student’s enrollment at the grade level commensurate with the student’s grade level the student was in at the time of transition from the student’s previous school, regardless of age;
2. Be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in the student’s previous school;
3. Enter the District's school on the validated level from the student’s previous accredited school when transferring into the District after the start of the school year;
4. Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in the student’s previous school to the extent that space is available. This does not prohibit the

District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses/and/or programs;

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

Following the receipt of advanced notice and an enrollment application of an eligible student from a military family, the District shall: Provisionally enroll, provide placement for, and enter academic course requests on behalf of the incoming student based on the student's education record provided by the student's family or the sending district;

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

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

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

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

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

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

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

International Exchange Students

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

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

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

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

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

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

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

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

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

Date Adopted: February 8, 2010
Last Revised: June 16, 2025

28.0 EQUAL EDUCATIONAL OPPORTUNITY (4.11)

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

Inquiries on non-discrimination may be directed to the Title IX Coordinator, who may be reached at 501-332-7500[4].

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.

Date Adopted: April 12, 2004
Last Revised: June 16, 2025

28.1 STUDENT USE OF MULTIPLE OCCUPANCY ROOM (4.61)

Definitions

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

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

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

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

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

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

Legal Reference: A.C.A. § 6-21-120
Date Adopted: June 12, 2023 Last Revised: June 12, 2023

28.2 STUDENT NAME, TITLE, or PRONOUN (4.62)

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

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

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

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

Legal Reference: A.C.A. § 6-1-108
Date Adopted: June 12, 2023
Last Revised: June 12, 2023

4.63 STUDENT RELIGIOUS EXPRESSION

The Malvern 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:~~2~~1

Cross References: 4.14—STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE
5.17—HONOR ROLL AND HONOR GRADUATES

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

Date Adopted: June 12, 2023
Last Revised: June 12, 2023; June 27, 2024

29.0 EXTRACURRICULAR ACTIVITIES

29.1 EXTRACURRICULAR ACTIVITIES – ELEMENTARY (4.56.1)

Definitions

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

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

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

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

Extracurricular Eligibility

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student's educational experience. At the same time, the Board believes that a student's participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments or other similar events excepted with approval of the superintendent). All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

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

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

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

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

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

Cross References: 4.55—STUDENT PROMOTION AND RETENTION, 4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOL**S**

Legal References: A.C.A. § 6-4-302, A.C.A. § 6-15-2907, A.C.A. § 6-16-151, A.C.A. § 6-18-713, Commissioner's Memo LS-18-015

Date Adopted: May 12, 2014

Last Revised: March 14, 2016; June 29, 2017; June 13, 2019

29.2 EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS (4.56)

Definitions

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

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

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

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

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

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

Extracurricular Eligibility

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student's educational experience. At the same time, the Board believes that a student's participation in extracurricular activities cannot come at the expense of the student's classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one (1) per week per extracurricular activity (tournaments excepted). Additionally, a student's participation in, and the District's operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may waive this paragraph's provisions when the student's failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

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

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

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

Interscholastic Activities

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

ACADEMIC REQUIREMENTS: Junior High

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

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

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

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

ACADEMIC REQUIREMENTS: Senior High

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

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

STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM

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

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

ARKANSAS ACTIVITIES ASSOCIATION

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

Intrascholastic Activities

AAA Governed Activities

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

Non-AAA Governed Activities

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

School Choice Transfers

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

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

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

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

Date Adopted: May 12, 2014
Last Revised: June 16, 2025

29.3 DRUG TESTING

MANDATORY DRUG TESTING

MISSION STATEMENT:

The Malvern School District recognizes that drug abuse is a significant problem for students, detrimentally affecting the overall health, behavior, learning ability, reflexes, and development of each individual. Drug abuse includes, but is not limited to, the use of illegal drugs, alcohol, and the misuse of legal drugs and medications.

DEFINITIONS:

Drug: Any substance considered illegal by Arkansas statutes or which is controlled by the Food & Drug Administration unless prescribed by a licensed physician.

Activity Programs: Any activity that meets the guidelines of the Arkansas Activities Association or is sponsored by the Malvern School District. This includes all school-sponsored academic, athletic/spirit and student groups for grades 7-12.

School Year: From the first day of classes in the fall, unless the activity begins prior to the first day of classes, in which event, from the first day of practice through the last day of classes in the spring.

POLICY STATEMENT:

The Malvern School District is conducting a mandatory drug-testing program for students who choose to participate in an activity program sponsored by the Malvern School District or who choose to purchase a parking permit and drive on any Malvern School District campus. Its purpose is threefold: (1) to provide for the health and safety of students who drive on any Malvern School District campus or participate in an activity program in grades 7-12; (2) to undermine the effects of peer pressure by providing a legitimate reason

for students to refuse to use illegal drugs; and (3) to encourage students who use drugs to participate in drug treatment programs.

PROCEDURES FOR STUDENTS:

Consent: Each student wishing to participate in any activity program or drive on any Malvern School district campus and the student's custodial parent or guardian shall consent in writing to drug testing pursuant to the district's drug testing program. Written consent shall be in the form attached to this policy as FORM A. No student shall be allowed to participate in any activity program or drive on any Malvern School District campus absent such consent.

Students not involved in activities or choosing to drive on a Malvern School district campus may be allowed to participate voluntarily in the testing pool with a consent form signed by the parent.

Student Selection: At the option of the district, all students in activity programs may be drug tested **during the** school year. In addition, random testing will be conducted monthly during the school year beginning in September. Students will be selected at random by an independent company who has been selected by the Malvern Board of Directors to conduct the random drug tests. Students will be selected from a "pool" of all students who have participated in an activity program or obtained a driving permit at anytime during the school year. A single test can be required by a principal from a student for reasonable suspicion. The superintendent or his designee shall take all reasonable steps to assure the integrity, confidentiality, and random nature of the selection process.

SAMPLE COLLECTION:

Samples will be collected by the company chosen by the Board of Directors on the same day a representative of that company appears in the district for the purpose of administering monthly random drug tests. If a student is unable to produce a sample at any particular time, the student will be allowed time and opportunity to provide the sample. The student will not be allowed to leave the testing area until the sample is collected. All students providing samples will be given the option of doing so alone in an individual room with the door closed.

TESTING AGENCY:

The Board of Directors will choose a qualified agency for the purpose of processing sample results and maintaining privacy with respect to test results and related matters.

PRESCRIPTION MEDICATION:

Students who are taking prescription medication may provide a copy of the prescription or a doctor's verification, which will be considered in determining whether a "positive" test has been satisfactorily explained. That documentation will be forwarded to the testing company to consider the student's use of such medication to assure the accuracy of the result. Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests."

SCOPE OF TESTS:

The drug screen tests for one or more illegal **and prescription** drugs. The superintendent or his designee shall decide which illegal drugs shall be screened, but in no event shall that determination be made after selection of students for testing. Student samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug intoxication. As a quality control measure, the school reserves the right to send any urine sample that appears unusual in color and/or consistency to a laboratory for testing and confirmation or non-confirmation.

LIMITED ACCESS TO RESULTS:

The results will be reported only to the superintendent or his designee.

PROCEDURES IN THE EVENT OF A POSITIVE RESULT:

Whenever a student's test result indicates the presence of illegal drugs ("positive test"), the following will occur:

If the sample tests positive, a custodial parent or legal guardian will be notified and a meeting will be scheduled with the superintendent or his designee, the student, the custodial parent or legal guardian, and the student's coach or sponsor, if available and applicable.

FIRST POSITIVE RESULT:

For a positive result, the student will be placed on probation and not be allowed to participate in competitions, presentations, and activities of Malvern Schools for a period of twenty (20) school days. A student may practice or attend an organization's meetings, but may not compete, dress out for competition, take part in a club's scheduled event beyond meetings or drive on campus. The student will be recommended for counseling; if any charge is incurred, it will be the responsibility of the parents.

On day twenty-one (21), the student will be allowed to be retested (at the expense of parent-guardian). If the test results are found to be negative, the student will again become eligible for driving on campus, competitions, presentations, and activities relating to Malvern Schools. However, the student must

submit to a mandatory drug screen or lab test on a monthly basis at the expense of the parent/guardian for the next three consecutive months when school is in session.

SECOND POSITIVE RESULT:

A second positive result following the first positive test will result in the student being suspended from participating in activities and driving on campus for 6 months (120 consecutive school days). Once again the student will be recommended for counseling and may be retested on school day 121 following his/her suspension from participation in activities and driving on campus. All costs associated with counseling or retesting will be the responsibility of the parent/guardian. If the retest is found to be negative, the student will again be eligible for driving on campus, competitions, presentations, and activities relating to Malvern Schools. The student must submit to a mandatory drug screen or lab test on a monthly basis at the expense of the parent/guardian for the next six consecutive months when school is in session.

THIRD POSITIVE RESULT:

For the third positive result, the student will be suspended from participation in activities and driving on campus for the remainder of his/her enrollment with the school district.

NON-PUNITIVE NATURE OF POLICY:

No student shall be penalized academically for testing positive for illegal drugs. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the district shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent or legal guardian will be notified as soon as possible by the district.

OTHER DISCIPLINARY MEASURES:

By accepting this policy the district is not precluded from utilizing other disciplinary measures set forth in the Student Discipline Policy. Likewise, this policy does not preclude the district from following its disciplinary procedure and resulting action when founded upon reasonable belief and suspicion that a student has participated in drug-related activities.

DRUG TESTING POLICY
GENERAL AUTHORIZATION FORM A

I understand that my performance as a participant and the reputation of my school are dependent, in part, on my conduct as an individual. I have read and understand the contents of the Malvern School District Drug Testing Policy. I hereby agree to accept and abide by the policies, standards, rules, and regulations set forth by Malvern School District Board of Education and the sponsors for the activity in which I participate.

I also authorize the Malvern School District to conduct a breath scan or a urinalysis to test for drugs and/or alcohol use. I also authorize the Malvern School District to conduct random tests during the school year(s). I authorize the release of information concerning the results of such a test to the Malvern School District and to the parents and/or guardians of the student.

This shall be deemed a consent pursuant to the Family Education Right to Privacy Act for the release of above information to the parties named above.

_____
Student Name (Printed)

_____ _____
Student Signature Date

_____ _____
Parent/Guardian Signature Date

Signatures indicate permission given to be tested during the year(s) the student is involved in activities designated for drug testing.

Drug Testing Policy
Notification of Violation of
Drug Screen Testing Policy

I, _____, am the custodial parent/legal guardian of _____, a student in the Malvern School District. I have been notified by officials of the Malvern School District that _____ (student's name) has tested positive during the drug test administered under the provisions set by the Malvern

School District.

I understand that the above-named student is hereby recommended for counseling; if any charge is incurred, it will be my responsibility. The named student will also be placed on probation and not be allowed to participate in competitions, presentations, activities or drive onto any Malvern school campus for a period of twenty days (20).

On day twenty-one (21), the above-named student will be allowed to be retested (at my expense) under the guidelines set forth in the Drug Screen Test Policy. I, the custodial parent/legal guardian, understand that if the test results are found to be negative, the so-named student will again become eligible for competitions, presentations, activities and driving onto campus. I also understand that there will be a mandatory drug screen or lab test for three consecutive months at my expense.

If the test results are positive, the so-named student will be suspended from competition, presentations, activities and driving onto any Malvern School District campus for 6 months (120 consecutive school days). In addition to the suspension, the so-named student will be immediately referred for professional counseling and rehabilitation at my expense.

_____ _____

Custodial parent/ legal guardian School Official

_____ _____

Student Date

Drug Testing Policy
Notification of Second Positive Results of
Drug Screen Test

I, _____, custodial parent/legal guardian of _____, a student in the Malvern School District, was notified on _____ (Date) of the first positive drug screen test results of the so-named student by _____ (School Official). At that time, I understood that the above-named student would be on probation and not be allowed to participate in competitions, presentations, activities, or drive on any Malvern campus for a period of twenty days (20). I understood that on day twenty-one (21), at my own expense, I could request a second test administered under the guidelines set forth in the Malvern School District's Drug Screen Policy. I, custodial parent/legal guardian of the so-named student, was notified of the second positive test results on the date of _____ (date) by _____ (School official).

I understand that under the Malvern School District's Drug Abuse Policy, which I, the custodial parent/guardian consented to when I signed the consent form, the so-named student will be suspended from competitions, presentations, activities and driving on any Malvern school campus for 6 months (120 consecutive school days). I understand that the above named student may be retested on school day 121 following his/her suspension from participation in activities and driving on campus. All costs associated with counseling or retesting will be my responsibility. If the retest is found to be negative, the above named student will again be eligible for driving on campus, competitions, presentations, and activities relating to Malvern Schools. The above named student must submit to mandatory drug screen or lab test on a monthly basis at my expense for the next six consecutive months when school is in session. I also understand that I should seek professional counseling and rehabilitation for the named student and I will be responsible for any cost incurred as a result of seeking this counseling and rehabilitation.

_____ _____

Custodial parent/legal guardian School Official

_____ _____

Student Date

29.4 FUND RAISING (6.6)

All fund raising activities held in the District or in the name of the District must be pre-approved in writing by the Superintendent and affected school principal. Approval will be predicated on the potential for return relative to the time and energy to be invested in the fund raising. Fundraising that conflicts excessively with and/or detracts from student or teacher instructional time in either the planning or the execution of the activity will not be approved.

Neither an individual school nor the District shall be liable for any contract between clubs or organizations and third parties.

Student participation in any fund raising activity shall:

1) Be voluntary. Students who choose not to participate shall not forfeit any school privileges. It shall not be considered discriminatory to reward those who participate; and

2) Not influence or affect the student's grade.

For purposes of this policy, "Door-to-door sales" means the selling of merchandise outside of the child's home and off the school grounds.

Secondary Schools

Fund raising in the secondary schools may only be done by officially sanctioned student clubs, spirit groups, school PTAs, or parent booster clubs. Student clubs and spirit groups must receive written approval from their sponsor and the school principal before submitting the fund raising proposal to the Superintendent.

Door to door fundraising activities are generally discouraged. If approved, students wishing to participate who are under the age of eighteen (18) must return to their sponsor a signed parental notification and permission form.

Elementary Schools (K-6)

Fund raising in the elementary schools may only be done by the school or a school sponsored organization. Door to door fundraising activities are generally discouraged, but there shall be no more than one such activity per school per school year.

Schools must provide written notification of the following to parents or legal guardians of elementary students who participate in fundraising programs.

1) Student participation in fundraising programs is voluntary;

2) Students who do not participate will not forfeit any school privileges;

Students may not participate in fundraising programs without written parental permission returned to school authorities;

3) An elementary student who sells fundraising merchandise door to door must be accompanied by a parent or an adult; and

4) Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

Legal References: A.C.A. § 6-18-1102, A.C.A. § 6-18-1104
Date Adopted: October 11, 2004
Last Revised: April 13, 2015

30.0 GRADING/GRADE POINT SYSTEM:

LETTER	GRADE	MEANING	QUALITY POINTS
A	**100-90**	**Superior**	**4.00**
B	**89-80**	**Good**	**3.00**
C	**79-70**	**Satisfactory**	**2.00**
D	**69-60**	**Poor**	**1.00**
F	**Below 60**	**Failing**	**0.00**

A student may figure his/her grade point average by simply adding the quality points for each semester's academic grades together and dividing by the number of academic courses taken.

30.1 5.21—ACCELERATED LEARNING COURSES

Definition

"Accelerated learning" means an organized method of learning that enables a student to meet individual academic goals and graduation requirements while pursuing higher levels of skill development, including without limitation the following coursework:

1. A College Board Pre-Advanced Placement and Advanced Placement (AP) course;
2. An International Baccalaureate (IB) Diploma Program course;
3. A Cambridge Advanced International Certificate of Education course;
4. A concurrent credit course; and
5. A substantively similar course or program approved by the Division of Elementary and Secondary Education (DESE).

Students in grades seven through twelve (7-12) who take accelerated learning courses or other courses approved for weighted credit by the Division of Elementary and Secondary Education (DESE) or the Division of Career and Technical Education (DCTE) shall be graded according to the following schedule:

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

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

A = 5 points
B = 4 points
C = 3 points
D = 2 point
F = 0 points

For a student to be eligible to receive weighted credit for an AP, or IB course:

- The course must be taught by an Arkansas licensed teacher who has received the appropriate training required by the appropriate accrediting organization; and
- The student takes the applicable AP or IB examination after completing the entire course. Credit shall be given for each grading period during the course of the year but shall be retroactively removed from a student's grade for any course in which the student fails to take the applicable exam. Students who do not take the applicable exam shall receive the same numeric value for the grade the student receives in the course as if it were a non-AP or IB course.

DESE shall approve additional courses, including other accelerated learning courses, for weighted credit if the course:

a. Exceeds the curriculum standards for a non-weighted credit class;
b. Meets or exceeds the standards of a comparable accelerated learning course; or
c. It is identified by DESE as an honors class.

For career and technical education courses taken after July 1, 2023, career and technical courses that are eligible for weighted credit are those career and technical education courses that: Exceed the curriculum standards for a non-weighted class; and

- Lead to an approved industry-recognized certification or concurrent credit.

A student shall receive weighted credit for each approved career and technical education course upon the student:

- Completing the relevant career and technical pathway; and
- Earning the high-value industry credential aligned with the career and technical pathway.

A student who transfers into the district will be given weighted credit for the accelerated learning courses and other courses approved by DESE and DCTE for weighted credit that were taken for weighted credit at the student's previous school(s) according to the preceding scale.

Date Adopted: November 14, 2005
Last Revised: June 16, 2025

30.2 CONCURRENT CREDIT (5.22)

A ninth (9^{th}) through twelfth (12^{th}) grade student who successfully completes a college course(s) from an institution approved by the Division of Elementary and Secondary Education (DESE) shall be given credit toward high school grades and graduation at the rate of one (1) high school credit for each three (3) semester hours of college credit. Unless approved by the school's principal, **prior to enrolling for the course,** the concurrent credit shall be applied toward the student's graduation requirements as an elective.

As permitted by the DESE Rules Governing Grading and Course Credit, a student who takes a three (3) semester hour remedial/developmental education course shall receive a half (1/2) credit for a high school career focus elective. The remedial/developmental education course cannot be used to meet ~~the~~ core subject area/unit requirements.

Participation in the concurrent high school and college credit program must be documented by a written agreement between:

- The student;
- The student's parent(s) or legal guardian(s) if the student is under the age of eighteen (18);
- The District; and
- The publicly supported community college, technical college, four-year college or university, or private institution of higher education the student attends to take the concurrent credit course.

Students are responsible for having the transcript for the concurrent credit course(s) they've taken sent to their school in order to receive credit for the course(s). Credit for concurrent credit courses will not be given until a transcript is received. Students may not receive credit for the course(s) they took or the credit may be delayed if the transcripts are not received at all or in a timely manner; this may jeopardize students' eligibility for extracurricular activities, and graduation.

Students will retain credit earned through the concurrent credit program that was applied toward a course required for high school graduation from a previously attended, accredited, public school.

A student or a student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student shall not be responsible for tuition, fees, or materials for participation in a concurrent credit course.

Date Adopted: December 12, 2005
Last Revised: June 16, 2025

30.3 GRADING AND REPORTING (5.15)

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

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

The grades of a child in foster care shall not be lowered due to an absence from school due to:
1. A change in the child's school enrollment;
2. The child's attendance at a dependency-neglect court proceeding; or
3. The child's attendance at court-ordered counseling or treatment.

The grading scale for K- 2 shall be as follows:

For the purpose of determining proficiency in several areas of the curriculum, rubrics will be used for determining the level of achievement for students.
Kindergarten –2nd Grade: Progress reports will be given after each nine (9) week period. This report will provide information about the student's progress and whether he/she is working at, above, or below grade level. Letter grades are not given.

The grading scale for all schools, other than Kindergarten – 2nd Grade, in the district shall be as follows:
A =100 – 90
B = 89 – 80
C = 79 – 70
D = 69 – 60
F = 59 and below
For the purpose of determining grade point averages, the numeric value of each letter grade shall be:
A = 4 points
B = 3 points
C = 2 points
D = 1 point
F = 0 points

The grade point values for accelerated learning courses and other approved courses for weighted credit shall be one (1) point greater than for regular courses with the exception that an F shall still be worth zero (0) points.

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

For example: The grading period had forty (40) days. A student transferred in with a grade of eighty-three percent (83%) earned in ten (10) days at the previous school. The student had a grade of seventy-five percent (75%) in our district's school earned in the remaining thirty (30) days of the grading period. Ten (10) days is twenty-five percent (25%) of forty (40) days while thirty (30) days is seventy-five percent (75%) of forty (40) days. Thus the final grade would be (0.25 X 83) + (0.75 X 75) = 77%.

Date Adopted: April 12, 2004
Last Revised: April 21, 2011
May 9, 2016
June 13, 2019; June 16, 2025

30.3.1 GRADING, REPORTING, AND SEMESTER EXAMS
Report cards are issued at the end of each of the four (4) nine week grading periods. At the end of the semester grading periods the student is given a cumulative grade determined by averaging the two (2) nine-week periods, and the semester exam. This grade is recorded on the student's permanent record. The grades at the end of the first and third nine-week periods are progress reports. Interested parents/guardians may call the school at any time for a grade check.

MMS and MHS have an on-line grade checking system available. Parents may check grades via the Internet whenever they wish with the student ID number and a password. With this system, parents may request email notification if their student's grade falls below a certain percentage.

Semester Exams

Comprehensive semester exams are given at the end of each semester. ALL 7th thru 10th grade students will be required to take semester exams first semester. Juniors and seniors may be exempt from 1st semester exams provided they meet the requirements for exemptions below. All 7th - 12 grade students may be exempt from 2nd semester exams provided they meet the requirements for exemptions listed below. Exam schedules will be posted two weeks prior to the testing event. Students must remain in the classroom until the bell rings at the end of the period. All exams must be taken during scheduled exam times, unless approved by administration. Exemptions for Second Semester Exam A student with an "A", "B", or "C" average will be exempt from second semester exams with no more than three (3) absences during the semester. School business and medical documented days will not be counted as an absence. Virtual students are not exempt from semester exams. The cumulative exam for virtual courses will be counted as part of the grade. Students that transfer from virtual to on-campus learning after the 1st nine weeks of either semester may be required to take the semester exam pending progress and grade of each course.

All other absences from class (court appearances, ISS, suspension, etc…) will be counted in the three (3) days for exemption. Students that transfer to Malvern during the course of the semester must have semester attendance records. Absences and discipline will be counted as a combination of the two schools and exemptions will be given according to Malvern policy stated above. Students who do not provide attendance records will not be eligible for exemption. Legal References: A.C.A. § 6-15-902 State Board of Education: Standards of Accreditation 12.02 Arkansas Department of Education Rules and Regulations Governing Uniform Grading Scales for Public Secondary Schools

30.3.2 GRADUATION

Only students who have completed all graduation requirements (or an individual education plan for special education students) may participate in the graduation ceremony.

Our diploma acknowledges individual proficiency and bestows a significant distinction on the student who earns it. The diploma will not be issued until all requirements are completed.

Should circumstances warrant the withdrawal of a student from school, he/she may earn credit to graduate with his/her class by taking correspondence work and/or attending summer school, provided the deficiency does not exceed 2 units. If the withdrawal from school occurs in the second semester of the senior year, the student will not participate in the graduation exercises but will receive his/her diploma from the principal when he/she has completed the necessary work.

Students who participate in the Cooperative College Program described in this handbook will be eligible to participate in the graduation ceremony provided all requirements have been met prior to the ceremony. They will be designated as honor graduates if all criteria for honors are met. Accelerated grades will not be permitted for college courses except in cases where course descriptions clearly indicate a degree of difficulty commensurate with MHS advanced courses.

Special education students may have a disability, which makes participation in a course required for graduation inappropriate, unduly difficult or meaningless. In such cases, the student's IEP team may recommend a substitute course. The IEP will then serve as a graduation plan for the handicapped student. Students with disabilities will receive a high school diploma if they fulfill these individual education plans.

Graduation ceremonies are formal ceremonies designed to recognize the accomplishments of the graduating seniors. Graduating seniors will be expected to act in a respectful manner and **adhere to the MHS handbook Dress Code (policy 4.25) for the graduation ceremony. Failure to comply with the dress code, and standards set for the graduation ceremony may result in removal from the event.**

Suggested dress:

Young Men - dark slacks, white shirt, tie, and dress shoes

Young Women – dark slacks and light blouse/dark dress, and dress shoes

30.30.3 STUDENT CLASSIFICATIONS

Freshman – Promoted from 8th grade; 1st year high school student
Sophomore – Must have earned 5.5 credits
Junior – Must have earned 11 credits
Senior – Must have earned 16.5 credits

**** All graduates with a 2.75 or higher GPA at the time of graduation will receive an Arkansas State Department of Education seal on his/her diploma.**

Legal Reference: State Board of Education; Standards of Accreditation 14.03

30.4 HONOR GRADUATES AND HONOR ROLL (5.17)

To be classified as an **honor graduate**, students must satisfy the following requirements:
a. Minimum weighted GPA of 3.50
b. Minimum of six Pre-AP or AP courses, three of which must be at AP level and must include either AP English Language or AP English Literature
c. Pre-Calculus or AP Statistics
d. Physics
e. Two years of the same foreign language
f. Additional Smart Core graduation requirements as determined by the Arkansas Department of Education
Malvern High School shall recognize honor graduates in one of three categories:

- **Summa Cum Laude** (cumulative weighted GPA of 4.00 or above) will be recognized with a stole and a white ribbon with a medal.
- **Magna Cum Laude** (cumulative weighted GPA of 3.75 – 3.99) will be recognized with an orange ribbon with a medal.
- **Cum Laude** (cumulative weighted GPA of 3.50 – 3.74) will be recognized with a black ribbon with a medal.

Honor Roll

The Honor Roll is made up at the end of each semester and is based solely on the grade point average (GPA) in general and advanced academic subjects with no academic grade below a 3.00. The roll is made up of two groups as follows:
1) Students with a 4.00 or better
2) Students with a 3.50 to 4.00.
In grades 7 – 8 to be on the Honor Roll for each nine (9) weeks, a student must have:

1. All A's or
2. All A's and B's (with at least one A)

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

Legal References: A.C.A. § 6-18-101 (a) (1)A.C.A. § 6-18-101 (a) (2)A.C.A. § 6-18-101 (b)A.C.A. § 6-18-101 (e) A.C.A. § 6-61-217 (a)

Date Adopted: October 11, 2004; Last Revised: July 13, 2006; May 18, 2015; June 28, 2016

31.0 GUIDANCE AND COUNSELING

The guidance department of each school strives to aid in the implementation of the philosophy and objectives of the total school program. Guidance and counseling services are provided to all students in the Malvern School District, to their parents, to alumni, to dropouts, and to the community. The purpose of the guidance program is to help as many students as possible to maintain their grade and achieve success according to their own personal ability.

In addition to education and vocational concerns, guidance is involved in serving students who have personal problems.

COUNSELING IS THE HEART OF THE GUIDANCE PROGRAM. Students may receive help in analyzing problems and in formulating acceptable patterns of behavior, with the assurance that the counselor will hold such information in strict confidence. Any parent not wishing his/her child to take advantage of these services shall notify in writing the building principal.

Parents are welcome and encouraged to visit the guidance office at any time.

32.0 HEALTH SERVICES (5.18)

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

The District shall develop an age-appropriate seizure education program for the District's students consistent with training programs and guidelines developed by the Epilepsy Foundation of America.

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

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

Legal References: A.C.A. § 6-18-709; A.C.A. § 6-18-720
Date Adopted: October 11, 2004
Last Revised: June 13, 2019; June 14, 2021, June 12, 2023

33.0 HOMELESS STUDENTS (4.40)

The Malvern School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational agency (LEA) liaison for homeless children and youth whose responsibilities shall include, but are not limited to: Receive appropriate time and training in order to carry out the duties required by law and this policy;

- coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensure that school personnel receive professional development and other support regarding their duties and responsibilities for homeless youths;
- Ensure that unaccompanied homeless youths:
  - Are enrolled in school;
  - Have opportunities to meet the same challenging State academic standards as other children and youths; and
  - Are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid;
- Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.

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

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

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

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

The District shall do one of the following according to what is in the best interests of a homeless child: Continue the child's or youth's education in the school of origin for the duration of homelessness:

- In any case in which a family becomes homeless between academic years or during an academic year; and
- For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

1. Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

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

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

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

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

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

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

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

A. Are:
   - 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

A. 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;

B. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

C. 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. § 6-18-11; 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: April 12, 2004
Last Revised: May 21, 2012; March 14, 2016; July 11, 2016; June 11, 2018; June 12, 2023

34.0 HOMEWORK (5.14)

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

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

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

Legal Reference: State Board of Education Rules & Regulations: Accreditation Standards 10.07.
Date Adopted: April 12, 2004

35.0 HOME SCHOOLING (4.6)

Enrollment in Home School

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

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

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

- Electronically, including without limitation by:
    - Use of the Division of Elementary and Secondary Education's (DESE) online system;
    - Email; or
    - Facsimile;
- By mail; or
- In person.

The notice shall include:

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

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

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

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

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

Enrollment or Re-Enrollment in Public School

A home-schooled student who wishes to enroll or re-enroll in a District school shall submit:

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

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

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

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

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

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

Legal References: A.C.A. § 6-15-503; A.C.A. § 6-15-504; A.C.A. § 6-41-103
DESE Rules Governing Home Schools

Date Adopted: April 12, 2004
Last Revised: May 21, 2012; June 29, 2017; June 30, 2020; June 14, 2021

35.1 EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS (4.56.2)

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

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

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

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

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

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

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

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

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

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

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

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

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

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

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

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

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

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

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

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

Date Adopted: September 9, 2013
Last Revised: June 16, 2025

35.2 HOME SCHOOL STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT RESIDENT DISTRICT (4.56.2F)

Student's Name (Please Print) _____
Parent or Guardian's Resident Address
Street _____ Apartment _____
City _____ State _____ Zip Code_____
Student's date of birth __/__/__ Last grade level the student completed _____
Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test approved by the State Board of Education._____

Name of test, Date taken, and score achieved_____
Extracurricular activity(ies) the student requests to participate in _____
Course(s) the student requests to take at the school _____
Proof of identity ____
Date Submitted __/__/__
Parent's Signature _____
Date Adopted: June 29, 2017
Last Revised:

35.3 HOME SCHOOLED STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT NON-RESIDENT DISTRICT (4.56.2F2)

Student's Name (Please Print) _____
Parent or Guardian's Resident Address
Street _____ Apartment _____
City _____ State _____ Zip Code_____
Student's date of birth __/__/__ Last grade level the student completed _____

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test approved by the State Board of Education._____

Name of test, Date taken, and score achieved_____
Extracurricular activity(ies) the student requests to participate in _____
Course(s) the student requests to take at the school_____
Proof of identity ____
Date Submitted __/__/__
Parent's Signature _____

As the superintendent of the above student's resident district, I agree that the above student may participate in extracurricular activities at _____ School District.
Resident Superintendent's Signature: _____
As the superintendent of the _____ School district, where the above student desires to participate in extracurricular activities, I agree to allow the student to participate in extracurricular activities at _____ School District.
Non-resident Superintendent's Signature: _____
Date Adopted:
Last Revised:

36.0 HSE

HSE is an acronym for High School Equivalency. The State of Arkansas, for demonstrated competence in required educational areas, awards it. It is the equivalent of a high school diploma.

Students between the age of 16 and 18, when recommended by the placement committee or building principal may be placed in the HSE program as part of an alternative learning opportunity.

37.0 INCLEMENT WEATHER

Due to sleet and snow, schools have had to close for several days. The decision as to whether or not to close schools is very difficult and several factors must be considered. When the decision is made, it is not pleasing to everyone, but the safety of the students has been and will continue to be the main concern on days when the weather is extremely bad.

Usually the decision is made during the early morning hours. During that time, roads are driven and information is obtained from county and city police concerning road conditions in the school district that is 443 square miles.

A decision is attempted by 6:30 am and area television stations are notified. Malvern School District uses the parent notification system –*E-Notes Voice*– that allows the school district to send important

information quickly via phone and/or an e-mail account, to parents and guardians of students about emergency situations and school delays or cancellations due to inclement weather. No announcement will be made when the schools will be open as usual.

38.0 INTERNET SAFETY and ELECTRONIC DEVICE USE POLICY (4.29)

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;
- Cyber bullying awareness; and
- Cyber bullying 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: June 9, 2008
Last Revised: June 11, 2009; May 21, 2012; May 12, 2014

38.1 INTERNET SAFETY and ELECTRONIC DEVICE USE AGREEMENT (4.29F)

Student's Name (Please Print)_____ Grade Level_____
School_____ Date_____

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

1. Conditional Privilege: The Student's use of the district's access to the Internet is a privilege conditioned on the Student's abiding to this agreement. No student may use the district's access to the Internet whether through a District or student owned electronic device unless the Student and his/her parent or guardian have read and signed this agreement.
2. Acceptable Use: The Student agrees that he/she will use the District's Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal laws and regulations and any State laws and rules. The Student also agrees to abide by any Internet use rules instituted at the Student's school or class, whether those rules are written or oral.
3. Penalties for Improper Use: If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action.
4. "Misuse of the District's access to the Internet" includes, but is not limited to, the following:
    a. Using the Internet for other than educational purposes;
    b. Gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
    c. Using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
    d. Making unauthorized copies of computer software;
    e. Accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
    f. Using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
    g. Posting anonymous messages on the system;
    h. Using encryption software;
    i. Wasteful use of limited resources provided by the school including paper;
    j. Causing congestion of the network through lengthy downloads of files;
    k. Vandalizing data of another user;
    l. Obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
    m. Gaining or attempting to gain unauthorized access to resources or files;
    n. Identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
    o. Invading the privacy of individuals;
    p. Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
    q. Using the network for financial or commercial gain without district permission;
    r. Theft or vandalism of data, equipment, or intellectual property;
    s. Attempting to gain access or gaining access to student records, grades, or files;
    t. Introducing a virus to, or otherwise improperly tampering with the system;
    u. Degrading or disrupting equipment or system performance;
    v. Creating a web page or associating a web page with the school or school district without proper authorization;
    w. Providing access to the District's Internet Access to unauthorized individuals;
    x. Failing to obey school or classroom Internet use rules;
    y. Taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools.; or

z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

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

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

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

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

Student's Signature: _____Date _____
Parent/Legal Guardian Signature: _____Date_____
Date Adopted: October 11, 2004
Last Revised: May 21, 2012; May 12, 2014; June 13, 2019

39.0 LIBRARY

An excellent library is maintained for the benefit of the students; it is a place for reading and study and shall be considered and treated as such by all students. Abuse of the library regulations may result in the student being denied the use of the library.

40.0 LOST AND FOUND

A "Lost and Found" will be maintained in the office. Students finding lost items shall report them to the nearest teacher. Students will be informed when lost and found items are to be discarded. Unclaimed articles will be donated to a charitable organization.

41.0 MALVERN SCHOOL DISTRICT LEP (LIMITED ENGLISH PROFICIENT) IDENTIFICATION AND PROCEDURES

Federal Law requires that all school districts identify and assess all Limited English Proficient (LEP) students enrolled in the district and provide them with adequate and appropriate educational programs. These students have problems speaking, understanding, and reading or writing English, due to a home language background other than English. It is the intention of the Malvern School District to identify all LEP students and insure an appropriate educational plan for those students.

A two-phase approach will be used. First, the parents are asked, through a Home Language Survey, whether a language other than English is utilized in the child's home. If the answer is affirmative, then the second phase is triggered. In the second phase, those students identified through the Home Language Survey are given an oral language proficiency test and assessment of their reading and writing skills.

If it is determined that a student is deficient and needs special help, the teacher will assist the students until such time it is determined that the student will be able to successfully compete with their peers without a lingering language disability.

The student will be monitored as to (1) they are making reasonable progress toward learning English and (2) that the program is providing the students with substantive instruction comparable to English proficient pupils. An assessment of the program will include a system to monitor the progress of the student after they leave the program.

41.1 ENGLISH LEARNERS (5.27)

The district shall utilize the special needs funding it receives for identified English Language Learners (ELL) on activities, and materials listed in the DESE Rules Governing Student Special Needs Funding

The expenditures of ELL supplemental funding shall be evaluated at least annually to determine their overall effectiveness. The evaluation shall specifically address how the use of ELL funds is in alignment with the district's district strategic plan in addressing identified achievement gaps and student performance deficiencies.

Date Adopted: December 20, 2004; August 13, 2018
Last Revised: June 14, 2021; June 12, 2023; June 16, 2025

42.0 MARKETING OF PERSONAL INFORMATION (5.25)

The Malvern School District shall not collect, disclose, or use personal information for the purpose of marketing or for selling that information or to otherwise provide that information to others for that purpose.

Personal information is defined, **for the purposes of this policy only**, as individually identifiable information including:

1. The first and last name of a student or a student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis;
2. A home or other physical address (including street name and the name of the city or town);
3. Telephone number; and
4. Social security identification number.

The district may collect, disclose, or use personal information that is collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions such as the following:

a. College or other postsecondary education recruitment, or military recruitment;
b. Book clubs, magazines, and programs providing access to low cost literary products;
c. Curriculum and instructional materials used by elementary schools and secondary schools;
d. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
e. The sale by students of products or services to raise funds for school related or education related activities; and
f. Student recognition programs.

Legal Reference: 20 USC § 1232h(c)

Date Adopted: October 11, 2004
Last Revised: July 27, 2024

43.0 MATERIALS AND SUPPLIES

Malvern Public Schools do not charge fees for any course. However, some courses and activities require students to provide their own materials and supplies. Examples of such courses and activities are: Art, Band, FACS, Physical Education, Athletics, Keyboarding and Computer Technology.

44.0 Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents of eligible students shall submit to the School principal {or appropriate school official} a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the School to amend a record shall write the School principal {or appropriate school official}, clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for the amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent the FERPA authorizes disclosure with consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials to another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Malvern School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

45.0 Notification of Rights under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) –

1. Political affiliation or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex, behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Malvern School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information

surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Malvern School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Malvern School District will also directly notify parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Malvern School District will make this notification to parents at the beginning of the school year if the District has identified the specific and approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and will be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

46.0 PARENT AND FAMILY ENGAGEMENT

Malvern Middle School and Malvern High School believe that students perform better when parents and schools work together. The school recognizes the shared responsibility of the school and family during the time the student spends in school. Therefore, parents are encouraged to participate in the education of their student. According to information provided by the Arkansas Department of Education, students whose parents are active participants in the students' education:

- tend to make higher grades
- pass their courses
- are better behaved
- graduate from school.

Recommended Roles

Parent's Role

Let your student know how important school is. Monitor your student's attendance. Attendance directly affects engagement and success. Daily interaction between the parent and the student is essential. Talk with your student about what he/she is studying in class, read all notices sent from the school or district and respond as appropriate, know what skills are covered in your student's grade, work on skills the student needs help with, check to make sure homework is completed, attend parent/teacher conferences, contact teachers if your child seems to be having difficulty, and volunteer at school when possible and serve to the extent possible on policy advisory groups.. Monitor your student's screen time and content being viewed and sent. Continue to encourage your child to be respectful of themselves, teachers, and classmates. Be your child's cheerleader at home and give continual motivation and support.

Student's Role

Be aware of the expectations of each class. Attend class regularly and come prepared to learn with assigned work completed. Communicate with the teacher problems or concerns he/she is having in class. Discuss with parents daily what is occurring in the classroom. Show respect for yourself, teachers, and classmates, as well as school property.

Teacher's Role

Provide a classroom that is welcoming to the students. Make students aware of classroom expectations. Provide information concerning material to be mastered in a relevant and meaningful way to the student. Inform parents of the classroom goals and how they can help reinforce skills taught.

School's Role

Provide a safe and secure environment for learning. Provide learning resources needed to maximize learning. Challenge students by having high expectations. Be proactive by communicating early a list of school expectations and possible upcoming school events so that parents are aware and have the opportunity to participate. Make the school an open and welcoming environment for parents.

Malvern Public Schools employs highly qualified teachers. You, as a parent, have the right to review the educational qualifications of your child's (children's) teacher(s). You may contact Velda Keeney at Malvern

Middle School, Jennifer Shnaekel at Malvern High School, or Lillian Harper at the superintendent's office of Malvern Public Schools for information about your student's teacher(s).

Involved Parents

Malvern Middle School and Malvern High School encourage parents to become involved in all events in which they are able to participate. The following is a partial list of activities in which parents may participate in through the Malvern School District:

- Academic Foundation
- Athletic Events
- Handbook Committee
- Open House
- Parent/Teacher Conferences
- Red Ribbon Week
- Strategic Planning Committees.

Other ways in which parents can be involved are as follows;

- Chaperoning dances or other activities at the school
- Supervising students on field trips
- Assisting in beautification projects around the school
- Assisting teachers at the school by running off papers
- Producing bulletin boards
- Tutoring students who need extra help
- Guests speaking in classrooms about professions or hobbies.

Our website (malvernleopards.org) will keep parents informed of upcoming events. We also have a calling system that will also advise parents of current events.

The volunteer information sheet included in the back to school packet should be completed and returned to the office during the first week of school. This will help identify your hobbies, interests, and talents and your availability to volunteer at our school.

Date Adopted: June 27, 2013
Last Revised: March 12, 2014; May 13, 2015; July 15, 2019

46.1 PARENT CENTERS

Parent Centers are available at every building where parents may view and check out materials. Materials are available in different areas including academics, behavior, and social issues. The Parent Center Coordinator at the building is available to assist you in selecting appropriate materials

46.2 PARENT-TEACHER COMMUNICATION (3.27)

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

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

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

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

Note: A.C.A. § 9-28-113(b)(6) provides that when the court transfers custody of a child to the Department of Human Services, the court shall issue an order stating whether the parent or legal guardian may participate in parent/teacher conferences.

Course credit has been added to align with language in policy 4.55—STUDENT PROMOTION AND RETENTION.

Legal References: State Board of Education Standards of Accreditation 12.04.1, 12.04.2, and 12.04.3

A.C.A. § 6-15-1702(b)(3)(B)(ii)
Date Adopted: June 9, 2005
Last Revised: April 13, 2015

46.3 VOLUNTEERS (6.4)

Enlisting the support of volunteers is a way the District can expand the scope of resources and knowledge available to enrich the students' educational experiences, while strengthening the relationship between the school and the community. Volunteers can also perform non-instructional tasks that allow licensed personnel more time to devote to instruction.

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

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

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

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

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

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

Background Checks for Volunteers

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

- A background check was performed on the potential school volunteer in accordance with A.C.A. §§ 12-12-1601 et seq.;
- The potential school volunteer has not committed any of the crimes or offenses contained in A.C.A. §§ 6-17-410, 6-17-411 or 6-17-414 according to both the National and Arkansas background checks;
- The potential school volunteer's name was not found on the Child Abuse Central Registry; and
- The Arkansas Educator Licensure System does not indicate the potential volunteer to:
  - Have a currently suspended or revoked educator's license; or
  - Be the recipient of a current Level 3 or Level 4 public notification of ethics violation.

A person wishing to volunteer in a capacity that requires a background check may not perform volunteer services requiring a background check until a clear background check is received by the District. Once received, a clear background check is good for ___5_ years; a background check renewal must be applied for and a clear background check received prior to the time of renewal or an interruption of permitted volunteer service could occur. A clear background check will be accepted of any individual wishing to volunteer provided it was conducted within the timeframe provided for in this policy.

Option A: The Application for an initial background check may be made through the District administrative office. The District may charge the potential volunteer the same fee charged by the State of Arkansas for

performing the check. For a volunteer who has passed his/her previous background check, the District will incur the fee charged by the State of Arkansas for performing a renewal background check.

A person who failed a previous background check may petition the Board for a waiver from this policy's requirement. The petition shall be accompanied by a signed authorization for disclosure of the individual's entire criminal and child abuse registry history. In deciding whether to grant a waiver, the board may take into consideration: the circumstance or circumstances surrounding the act or omission that lead to the conviction, Child Abuse Registry true finding, or the receipt of the Level 3 or Level 4 Public Notification of Ethics Violation; the age of the person at the time of the act or omission; the length of time that has passed without reoffending; and other relevant circumstances. If the Superintendent recommends a waiver be granted, the Board may adopt a resolution by majority vote providing an exception to this policy's requirement for a time period not to exceed five (5) years. The board must consider this matter in open session, and may not confer or deliberate in closed or executive session.

The board shall not have the authority to waive the application of this policy to any potential volunteer who is a Registered Sex Offender or whose educator license has been revoked or is currently suspended.

Clear background checks for school volunteers are required for those individuals who are required to be or who seek to become Registered Volunteers, as defined in A.C.A. § 6-22-102 et seq. In addition to volunteers wishing to participate in the registered volunteers program, clear background checks are required for:

Option 1: School volunteers who wish to accompany students on overnight school trips.

Option 2: School volunteers who wish to volunteer to work one-on-one or in small groups of five (5) or fewer students, such as a tutor or a mentor.

No information relating to the application for or receipt of a criminal background check, including that a background check has or has not been applied for, shall be subject to disclosure under the Arkansas Freedom of Information Act, as provided by A.C.A. §§ 12-12-1601 et seq. Requests for background checks and reports on background checks obtained under this policy shall be retained by the district for a minimum of three (3) years.

The superintendent or a third-party vendor shall report to the state board the name of any person working as a registered volunteer in an athletic coaching capacity who:

1. Has pleaded guilty or nolo contendere to or has been found guilty of any felony or misdemeanor listed in A.C.A. § 6-17-410(b);
2. Has been arrested or charged with any felony or misdemeanor listed in A.C.A. § 6-17-410(b);
3. Has intentionally compromised the validity or security of any student test or testing program administered or required by the Division of Elementary and Secondary Education (DESE);
4. Has knowingly submitted falsified information or failed to submit information requested or required by law to DESE, the State Board, or Arkansas Legislative Audit; or
5. Has a true report in the Child Maltreatment Central Registry.

The District shall maintain the following information on volunteers:

a. The total number, location, and duties of all volunteers;
b. The total number of annual hours of service provided by volunteers; and
c. Any reimbursements made to volunteers for expenses, transportation, or other costs incurred in connection with volunteer services.

Volunteers who are mandated reporters will be made aware of their status as mandated reporters of child maltreatment and will receive training on the responsibilities of a mandated reporter.[7]

Registered volunteers who will be working with students in an athletic coaching capacity or are in the process of obtaining a coaching certificate through the Arkansas Activities Association shall be informed that they are bound by the Code of Ethics for Arkansas Educators and shall receive training on the Code of Ethics.

At least once every three (3) years, registered volunteer coaches shall receive training related to the recognition and management of concussions, dehydration, or other health emergencies; students' health and safety issues related to environmental issues; communicable diseases; and sudden cardian arrest. The training may include a component on best practices for a coach to educate parents of students involved in athletics on sports safety. Registered volunteer coaches shall maintain a Basic Life Support certification in cardiopulmonary resuscitation and automated external defibrillation.

Date Adopted: October 11, 2004
Last Revised: July 13, 2017; June 11, 2018; June 14, 2021; July 20, 2023; June 16, 2025

47.0 PERMANENT RECORDS (4.38)

Permanent school records, as required by the Arkansas Department of Education, shall be maintained for each student enrolled in the District until the student receives a high school diploma or its equivalent or is beyond the age of compulsory school attendance. A copy of the student's permanent record shall be provided to the receiving school district within ten (10) school days after the date of request from the receiving school district is received.
Legal References: A.C.A. § 6-18-901, ADE Rule *Student Permanent Records*
Date Adopted: April 12, 2004

48.0 PHYSICAL EXAMINATIONS AND SCREENINGS (4.41)

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

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

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

For the purposes of this policy, "Invasive Physical Examination" is defined as any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

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

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

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

Legal Reference: A.C.A. § 6-18-701 (b), (c), (f) 20 USC § 1232h (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(D), (2)(A)(i)(ii)(B)(C)(iii)(I)(II)(III), (4)(B)(ii), (5)(B), (6)(B)(C)]
Date Adopted: April 12, 2004

48.1 OBJECTION TO PHYSICAL EXAMINATIONS OR SCREENINGS (4.41F)

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby

note my objection to the physical examination or screening of the student named below.

Physical examination or screening being objected to:

____ Vision test

____ Hearing test

____ Scoliosis test

____ Other, please specify

_____

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

Comments:

_____

_____

_____

Name of student (Printed)

_____

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

_____

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

Last Revised: April 12, 2004

49.0 PLACEMENT OF MULTIPLE BIRTH SIBLINGS (4.53)

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

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

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

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

Legal Reference: A.C.A. § 6-18-106

Date Adopted: June 9, 2011

50.0 PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE (4.46)

The Pledge of Allegiance shall be recited:

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

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

Students shall not be compelled to recite the Pledge, but students who choose not to recite the Pledge shall not disrupt those students choosing to recite the Pledge. Students choosing not to recite the

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

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

Legal References: A.C.A. § 6-10-115; A.C.A. § 6-16-108
Date Adopted: November 14, 2005
Last Revised: June 14, 2021

50.1 NATIONAL ANTHEM (4.44)

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

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

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

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

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

Legal Reference: A.C.A. § 6-10-135; DESE Rules Governing the Star-Bangled Banner Act
Date Adopted: June 14, 2021
Last Revised: June 30, 2022

51.0 PRIVACY OF STUDENTS' RECORDS/DIRECTORY INFORMATION (4.13)

Except when a court order regarding a student has been presented to the district to the contrary, all students' education records are available for inspection and copying by the parent of his/her student who is under the age of eighteen (18). At the age of eighteen (18), the right to inspect and copy a student's records transfers to the student. A student's parent or the student, if over the age of 18, requesting to review the student's education records will be allowed to do so within no more than forty five (45) days of the request. The district forwards education records, including disciplinary records, to schools that have requested them and in which the student seeks or intends to enroll, or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

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

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

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

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

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

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

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

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

For purposes of this policy, the Malvern School District does not distinguish between a custodial and noncustodial parent, or a non-parent such as a person acting in loco parentis or a foster parent with respect to gaining access to a student's records. Unless a court order restricting such access has been presented to the district to the contrary, the fact of a person's status as parent or guardian, alone, enables that parent or guardian to review and copy his child's records.

If there exists a court order which directs that a parent not have access to a student or his/her records, the parent, guardian, person acting in loco parentis, or an agent of the Department of Human Services must present a file-marked copy of such order to the building principal and the superintendent. The school will make good-faith efforts to act in accordance with such court order, but the failure to do so does not impose legal liability upon the school. The actual responsibility for enforcement of such court orders rests with the parents or guardians, their attorneys and the court which issued the order.

A parent or guardian does not have the right to remove any material from a student's records, but such parent or guardian may challenge the accuracy of a record. The right to challenge the accuracy of a record does not include the right to dispute a grade, disciplinary rulings, disability placements, or other such determinations, which must be done only through the appropriate teacher and/or administrator, the decision of whom is final. A challenge to the accuracy of material contained in a student's file must be initiated with the building principal, with an appeal available to the Superintendent or his/her designee. The challenge shall clearly identify the part of the student's record the parent wants changed and specify why he/she believes it is inaccurate or misleading. If the school determines not to amend the record as requested, the school will notify the requesting parent or student of the decision and inform them of their right to a hearing regarding the request for amending the record. The parent or eligible student will be provided information regarding the hearing procedure when notified of the right to a hearing.

Unless the parent or guardian of a student (or student, if above the age of eighteen [18]) objects, "directory information" about a student may be made available to the public, military recruiters, post-secondary educational institutions, prospective employers of those students, as well as school publications such as annual yearbooks and graduation announcements. "Directory information" includes, but is not limited to, a student's name, address, telephone number, electronic mail address, photograph, date and place of birth, dates of attendance, his/her placement on the honor role (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic

activities), the publication of such information will be beyond the control of the District. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user.

A student's name and photograph will only be displayed on the district or school's web page(s) after receiving the written permission from the student's parent or student if over the age of 18.

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

The right to opt out of the disclosure of directory information under Family Educational Rights and Privacy Act (FERPA) does not prevent the District from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled.[6]

Parents and students over the age of 18 who believe the district has failed to comply with the requirements for the lawful release of student records may file a complaint with the U.S. Department of Education (DOE) at:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

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

Cross References: 4.34—Communicable Diseases and Parasites; 5.20—District Web Site
5.20.1—Web Site Privacy Policy; 5.20F1—Permission to Display Photo of Student on Web Site

Legal References: A.C.A. § 6-18-2601 et seq.; A.C.A. § 9-28-113(b)(6); 20 U.S.C. § 1232g; 20 U.S.C. § 7908 34 CFR §§ 99.3, 99.7, 99.21, 99.22, 99.30, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37, 99.63, 99.64; A.C.A. § 9-28 -113(b)(6); 20 U.S.C. § 1232g; 20 U.S.C. § 7908; 34 CFR 99.3, 99.7, 99.21, 99.22, 99.30, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37, 99.63, 99.64

Date Adopted: June 14, 2004
Last Revised: June 11, 2009; June 28, 2010; June 9, 2011; May 21, 2012; April 13, 2015; May 11, 2020, June 12, 2023

51.1 OBJECTION TO PUBLICATION OF DIRECTORY INFORMATION (4.13F)

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

I, the undersigned, being a parent of a student, or a student eighteen (18) years of age or older, hereby note my objection to the disclosure or publication by the Malvern School District of directory information, as defined in Policy No. 4.13 (Privacy of Students' Records), concerning the student named below. The district is required to continue to honor any signed opt-out form for any student no longer in attendance at the district.

I understand that the participation by the below-named student in any interscholastic activity, including athletics and school clubs, may make the publication of some directory information unavoidable,

and the publication of such information in other forms, such as telephone directories, church directories, *etc.*, is not within the control of the District.

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

I object and wish to deny the disclosure or publication of directory information as follows:

Deny disclosure to military recruiters ____
Deny disclosure to Institutions of postsecondary education ____
Deny disclosure to Potential employers ____
Deny disclosure to all public and school sources ____

Selecting this option will prohibit the release of directory information to the three categories listed above along with all other public sources (such as newspapers), **AND** result in the student's directory information **not** being included in the school's yearbook and other school publications.

Deny disclosure to all public sources ____

Selecting this option will prohibit the release of directory information to the first three categories listed above along with all other public sources (such as newspapers), but permit the student's directory information **to be included** in the school's yearbook and other school publications.

_____
Name of student (Printed)

_____
Signature of parent (or student, if eighteen (18) or older)

_____
Date form was filed (To be filled in by office personnel)
Last Revised: June 9, 2011

52.0 PROMOTION/RETENTION/COURSE CREDIT FOR 7-12 SCHOOLS (4.55)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

and be qualified for admission to a postsecondary educational institution or to enter the workforce. After each review, the student's SSP shall be signed by the student; student's parent, legal guardian, or person standing in loco parentis to the student; and the school counselor.

An SSP shall be created:

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

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

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

Cross References: 3.30—PARENT-TEACHER COMMUNICATION
4.56—EXTRACURRICULAR ACTIVITIES - SECONDARY SCHOOLS
4.56.1—EXTRACURRICULAR ACTIVITIES – ELEMENTARY
5.13—STUDENT INTERVENTION SERVICES AND SUMMER SCHOOL

Legal References: A.C.A. § 6-15-2001; A.C.A. § 6-15-2005; A.C.A. § 6-15-2006; A.C.A. § 6-15-2907; A.C.A. § 6-15-2911; A.C.A. § 6-17-429; A.C.A. § 6-17-431; A.C.A. § 9-28-205; DESE Rules Governing the Arkansas Educational Support and Accountability Act DESE Rules Governing Grading and Course Credit; Murphy v. State of Ark., 852 F.2d 1039 (8th Cir. 1988)

Date Adopted: May 12, 2014
Last Revised: April 13, 2015; May 18, 2015; June 29, 2017; June 13, 2019; May 11,2020; June 12, 2023

52.1 SUMMER LEARNING PROGRAM

The Malvern School District Summer Learning Program provides opportunities for students to receive academic interventions and credit recovery for grades 7-12.

Any Malvern School District student who does not meet the criteria for promotion to the next grade level may attend the extended year program provided by the district in applicable content areas. A student who attends at least 80 percent of the extended year program days in the applicable content areas shall be promoted to the next grade level at the beginning of the school year but only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. Students who are required to attend the Summer Learning Program and do not make sufficient progress or do not attend shall be retained.

PROMOTION CRITERIA GRADES 7-12	
Grade 7	Promotion to the next grade shall be based on assessment progress on IXL,

PROMOTION CRITERIA GRADES 7-12	
	and nine week grade reports in core subject areas.
Grade 8	Promotion to the next grade shall be based on assessment progress on IXL, and nine week grade reports in core subject areas.
Grade 9-12	Credits will be based on nine week grade reports. Summer Learning will consist of credit recovery, and additional assistance for those who do not meet progress on State Assessments and IXL assessments.

Summer Learning Program 7-8

The Malvern School District Summer Learning Program provides opportunities for students to receive academic interventions and credit recovery for grades K-12.

Any Malvern School District student who does not meet the criteria for promotion to the next grade level may attend the extended year program provided by the district in applicable content areas. A student who attends at least 80 percent of the extended year program days in the applicable content areas shall be promoted to the next grade level at the beginning of the school year but only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. Students who are required to attend the Summer Learning Program and do not make sufficient progress or do not attend shall be retained.

Student	**Scenario**	**Retention Candidate**	**May Attend (Optional) Summer School Program**	**Must Attend (Required) Summer School Program**
Grade 7	**Failed English and/or Math**	**Y**		**Y**
	Passed English and Math and Scored 50th percentile or lower on IXL Reading and/or Math	**N**	**Y**	**Y (or placed in a reading course AND/OR attends mandatory math tutoring)**
	Scored between the 51st and 60th percentile on IXL Reading and/or Math	**N**	**Y**	
Student	**Scenario**	**Retention Candidate**	**May Attend (Optional) Summer School Program**	**Must Attend (Required) Summer School Program**

Grade 8	**Failed English and/or Math**	**Y**		**Y**
	Passed English and Math and Scored 50th percentile or lower on IXL Reading and/or Math	**N**	**Y**	**Y(or placed in a reading course AND/OR attends mandatory math tutoring)**
	Passed English and Math and scored between the 51st and 60th percentile on IXL Reading and/or Math	**N**	**Y**	

Students must attend 80% of the extended year program and must demonstrate proficiency of the subject matter taught in order to be considered for promotion.

May Attend – means that a student is NOT REQUIRED to attend Summer School but is highly encouraged to ensure success at the next grade level.

Must Attend – means that a student IS REQUIRED to attend Summer School in order to have more time to gain the necessary skills for successful completion of the next grade level. Students who do not attend shall be retained.

Summer Learning Program 9-12

The Malvern School District Summer Learning Program provides opportunities for students to receive academic interventions and credit recovery for grades K-12.

Any Malvern School District student who does not meet the criteria for promotion to the next grade level may attend the extended year program provided by the district in applicable content areas. A student who attends at least 80 percent of the extended year program days in the applicable content areas shall be promoted to the next grade level at the beginning of the school year but only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. Students who are required to attend the Summer Learning Program and do not make sufficient progress or do not attend shall be retained or lose credit for the class.

Student	**Scenario**	**Retention Candidate**	**May Attend (Optional) Summer School Program**	**Must Attend (Required) Summer School Program**
Grade 9	**Failed Math or English**	**Y (Credit Recovery) Unless Algebra 1***		**Y (In order to receive credit) Unless Algebra 1***
	Scored 50th percentile or lower on IXL Reading and/or Math and ACT Aspire Reading and/or Math	**N**		**Y, OR may be scheduled into Critical Reading 10 and/or scheduled for RTI Math**

	Scored 60th percentile or lower on IXL Reading or Math	**N**	**Y**	**N – Recommend enrollment into Online Summer Learning****

- Algebra 1 students will be required to repeat failed semesters

Student	**Scenario**	**Retention Candidate**	**May Attend (Optional) Summer School Program**	**Must Attend (Required) Summer School Program**	
Grade 10	**Failed Math or English**	**Y (Credit Recovery)**			
				Scored 50th percentile or lower on IXL Reading and/or Math and ACT Aspire Reading or Math or Science	**N**
				Y (to receive credit)	
	Scored 60th percentile or lower on IXL Reading or Math	**N**	**Y**	**N Recommend enrollment into Online Summer Learning****	

** Learning Path for Online Summer Learning will be determined through Program Administrator

Students must attend 80% of the extended year program and must demonstrate proficiency of the subject matter taught in order to be considered for promotion.

May Attend – means that a student is NOT REQUIRED to attend Summer School but is highly encouraged to ensure success at the next grade level.

Must Attend – means that a student IS REQUIRED to attend Summer School or participate in the RTI period, ACT Success Lab or Online Summer Learning in order to have more time to gain the necessary skills for successful completion of the next grade level. Students who do not attend or participate in the required remediation will not receive credit.

53.0 RESIDENCE REQUIREMENTS (4.1)

Definitions

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

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

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

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

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

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

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

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

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

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

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: April 12, 2004
Last Revised: June 11, 2009, June 9, 2011, June 29, 2017, June 13, 2019, June 12, 2023

54.0 SCHOOL CHOICE (4.5)

Exemption

The District is under an enforceable desegregation court order/court-approved desegregation plan that explicitly limits the transfer of students between school districts and has submitted the appropriate documentation to the Division of Elementary and Secondary Education (DESE). As a result of the desegregation order/desegregation plan[1], the District is exempt from the provisions of the Public School Choice Act of 2015 (Standard School Choice) and the Arkansas Opportunity Public School Choice Act (Opportunity School Choice). The District shall notify the superintendents of each of its geographically contiguous school districts of its exemption. The exemption prohibits the District from accepting any school choice applications from students wishing to transfer into or out of the District through standard School Choice or Opportunity School Choice.

Definitions

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

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

Standard School Choice

Transfers into or Within the District

Capacity Determination and Public Pronouncement

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

The District shall advertise in appropriate broadcast media and either print media or on the internet to inform students and parents in the District and adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline; the requirements and procedures for participation in the program; and include contact information for the primary point of contact at the District for school choice questions. Such pronouncements shall be made no later than January 1.

Application Process

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

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

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

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

- For transfers within the District, the student’s parent; or

o For transfers into the District, the student's parent and the student's resident district.

Accepted Applications

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

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

The written notice of acceptance shall inform the student that the student has ten (10) school days[7] from when the notice is received to either:

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

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

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

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

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

Rejected Applications

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

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

An application may be provisionally rejected if it is for an opening that was included in the District's capacity resolution, but was provisionally filled by an earlier applicant. A provisionally

rejected applicant could be provisionally approved and would have to meet the acceptance requirements to be eligible to enroll in the District or another district school if: A provisionally approved applicant subsequently does not enroll in the District;

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

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

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

Transfers Out of the District

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

Annual Reporting

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

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

<u>Facilities Distress School Choice Applications</u>

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

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

<u>Opportunity School Choice</u>

Transfers Into or Within the District

Unless there is a lack of capacity[5] at the District's school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student may transfer from the student's assigned school to another school in the District[9] or from the student's resident district into the District if:

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

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

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

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

Except for students who are transferring under Uniformed Service Member Dependent School Choice, a student's transfer under Opportunity School choice is effective at the beginning of the next school year and the student's enrollment is irrevocable for the duration of the school year and is renewable until the student completes high school or is beyond the legal age of enrollment. This provision for continuing eligibility under Opportunity School Choice does not negate the student's right to apply for transfer to a district other than the student's assigned school or resident district under the Standard School Choice provisions of this policy.

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

Transfers out of, or within, the District

If a District school receives a rating of "F" or the District has been classified by the State Board as in need of Level 5 Intensive Support, the District shall timely notify parents, guardians, or students, if over eighteen (18) years of age, as soon as practicable after the school or district

designation is made of all options available under Opportunity School Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to submit an application to enroll the student in:

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

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

Uniformed Service Member Dependent School Choice

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

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

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

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

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

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

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

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

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

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

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

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

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

Unsafe School Choice Program

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

Date Adopted: June 11, 2013 Last Revised: June 16, 2025

54.1 SCHOOL CHOICE CAPACITY RESOLUTION (4.5F)

Whereas

- The Board of Directors of the Malvern School District has approved by a vote of the Board, the following capacity resolution for school choice applicants for the 2025-2026 school choice cycle under the provisions of policy 4.5—SCHOOL CHOICE and applicable Arkansas law.

- Applicants, whose applications meet the provisions of policy 4.5—SCHOOL CHOICE, will be sent a provisional acceptance notification letter which will give instructions on the necessary steps and timelines to enroll in the District or a District school other than the student's assigned school. Provisional acceptance shall be determined, and notice provided, within fifteen (15) calendar days and shall be based on the district's available capacity for each academic program, class, grade level, and individual school. While provisional rejections shall be provided within fifteen (15) days of the receipt of the school choice application, the District shall finalize all rejections by July 1 to account for any changes in capacity between the day the application is received and the end of the school year.

- Applications will not be accepted if the applications:
  - Are received, electronically timestamped, or postmarked before January 1, unless the application is from a student who is transferring under Uniformed Service Member Dependent School Choice;
  - Are received, electronically timestamped, or postmarked after June 1, unless the application is postmarked before June 1 or is from a student who is transferring under Uniformed Service Member Dependent School Choice;

- o Are from a student whose resident district has been determined by the Division of Elementary and Secondary Education to be exempt due to an existing desegregation order; or
- o The student is transferring under Uniformed Service Member Dependent School Choice and the application is not accompanied by relevant documentation.

- The district reserves to itself the ability to determine, based on an examination of student records obtained from the student's assigned school or the student's prior district, and other information, whether any student would require a different class, course or courses, program of instruction, or special services than originally applied for. If such an examination determines that capacity has been reached in the appropriate class, course or program of instruction, or that additional teaching staff would have to be hired for the applicant, the District shall rescind the original provisional acceptance letter and deny the Choice transfer for that student.

- The district reserves to itself the ability to decline to accept under school choice any student whose acceptance would require the district to add additional staff to exceed the maximum student to teacher ratio in any of the District's current grade, program, or building capacity.

THEREFORE, let it be resolved that these shall constitute the School Choice openings at the beginning of the School Choice enrollment period for the 25-26 choice cycle:

_____	_____
Board President	**Board Secretary**
_____	_____
Date	**Date**

54.2 SCHOOL CHOICE PROVISIONAL ACCEPTANCE LETTER (4.5F2)

Dear Parent's name,

The application you submitted for the student's name has been provisionally accepted. While the school's name looks forward to welcoming the student's name as a student, to further the application process and to better assist the district in determining the proper placement of student's name, please submit the information listed below to district or school's address by enter date. Failure to submit the information requested by the date specified shall void and nullify this letter's provisional acceptance. In addition to the information you submit, records may be requested from the student's current district/school, and final acceptance may depend on the content of those records as to appropriate grade placement, program placement or services required. A student who has not previously attended an Arkansas public school or did not attend an Arkansas public school in the previous academic year may be evaluated by the district prior to final acceptance, and the results of that evaluation could impact final acceptance.

1. For students applying to enroll in first grade or higher: a copy of the student's transcript from the school where the student is currently enrolled. The student's permanent record, including the original transcript, will be requested from the school immediately following the student's actual enrollment in our district.

2. Proof of the student's age; This can be done by providing one of the following:
   A. Birth certificate
   B. A statement by the local registrar or a county recorder certifying the child's date of birth;
   C. An Attested baptismal certificate;
   D. A passport;
   E. An affidavit of the date and place of birth by the child's parent or guardian;
   F. United States military identification; or

G. Previous school records

3. The student's health care needs at school.

4. Student's name, age appropriate immunization record or an exemption granted for the previous school-year and a statement of whether or not the parent is intending to continue the exemption for the upcoming school year.

After reviewing the submitted documentation the District will determine if the applicant meets the District's capacity standards and notify you of its decision by insert date.

Respectfully,
Janet Blair, Superintendent

54.3 SCHOOL CHOICE ACCEPTANCE LETTER (4.5F3)

Dear Parent's name,

The application you submitted for the student's name has been provisionally accepted. While the school's name looks forward to welcoming the student's name as a student, to further the application process and to better assist the district in determining the proper placement of student's name, please submit the information listed below to district or school's address by enter date. Failure to submit the information requested by the date specified shall void and nullify this letter's provisional acceptance. In addition to the information you submit, records may be requested from the student's current district/school, and final acceptance may depend on the content of those records as to appropriate grade placement, program placement or services required. A student who has not previously attended an Arkansas public school or did not attend an Arkansas public school in the previous academic year may be evaluated by the district prior to final acceptance, and the results of that evaluation could impact final acceptance.

1. For students applying to enroll in first grade or higher: a copy of the student's transcript from the school where the student is currently enrolled. The student's permanent record, including the original transcript, will be requested from the school immediately following the student's actual enrollment in our district.
2. Proof of the student's age; This can be a 1) birth certificate; 2) A statement by the local registrar or a county recorder certifying the child's date of birth; 3) An attested baptismal certificate; 4) A passport; 5) An affidavit of the date and place of birth by the child's parent or guardian; 6) United States military identification; or 7) Previous school records.
3. The student's health care needs at school.
4. Student's name, age appropriate immunization record or an exemption granted for the previous school-year and a statement of whether or not the parent is intending to continue the exemption for the upcoming school year.

After reviewing the submitted documentation the District will determine if the applicant meets the District's capacity standards and notify you of its decision by insert date.

Respectfully,
Janet Blair, Superintendent

54.4 SCHOOL CHOICE REJECTION LETTER (4.5F5)

Dear *Parent's Name*,

I am sorry, but the application you submitted for *Student's Name* has been rejected for the following reason(s):

____ Your child's resident district has been determined by the Division of Elementary and Secondary Education to be exempt from the provisions of the School Choice Law due to it being under an enforceable desegregation order/plan.

____ Your child does not meet the openings identified for the coming school year identified in the Board of Directors Resolution adopted on *June 16, 2025,* due to the District having a lack of capacity by having reached at least ninety-five percent (95%) of the maximum teacher-to-student ratio in your student's grade, program, or building that is allowed under the Standards for Accreditation; State law and rules; or Federal law and regulations.

As noted in your original application, you have ten (10) days from receipt of this notice in which to submit a written appeal of this decision to the State Board of Education.

Respectfully,
Janet Blair, Superintendent

Revised: June 16, 2025

55.0 SCHOOL DANCES

School dances or parties sponsored by school groups must be approved by the principal and placed on the MMS or MHS activity calendar. The student group requesting such an event must submit the name of the faculty sponsor. The sponsoring organization is responsible for securing appropriate adult chaperones and School Resource Officer(s). The selection of a band or DJ will be made jointly by the principal, sponsor and a student committee. Middle School dances may only be attended by Malvern Middle School students.

High School dances will be placed on the activity calendar. The selection of the band/DJ will be made jointly by the principal, sponsor, and a student committee.

All school rules will apply and the following regulations for dances are as follows:

1. No one is allowed but students from Malvern High School and their approved dates. Students must register their out of school dates in the office, secure a date form and return it prior to 2:30 p.m., the day before most dances. Out of school dates for the junior-senior prom must be turned in two weeks prior to the event. Dates must be at least grade 9 and <u>under</u> 21 years of age.
2. School dances will be held from 8:00-11:00 p.m. EXCEPTION: Homecoming Dance--9:45-11:30 p.m. and the Junior- Senior Prom –8:00 – 11:30.
3. Two policemen will be employed. All tickets for the prom must be bought one (1) week in advance of the dance. A list of all people going must be presented to the principal's office two (2) weeks prior to the dance. This includes the guest list.
4. <u>No one may leave the dance, or dance boundaries, and return</u>.
5. Any student who brings a guest will be held responsible for the guest's behavior.
6. Dates who do not attend MHS must submit a completed prom date form from the dates administrator, college instructor, or employer. The form must be submitted by the deadline requested.

<u>Prom Dress Code</u>

All dresses should be tasteful. The following guidelines should be followed. Anyone wearing a dress that does not adhere to the Prom Dress Code will risk not being allowed to enter the prom. Putting on a jacket or shawl does NOT make a dress appropriate. No alterations will be done on site. You should come to the prom properly attired.

1. The three B's should be covered. No boobs, butts, or bellies should be exposed.
2. No slits above mid thigh.
3. No cutouts below the waist – the natural waist not the hip bones.
4. Dress length should be no shorter than mid thigh.

56.0 SCHOOL FUNCTIONS

Students are subject to school authority at school functions on and off the campus. As an example, a student who breaks school rules at an out of town football game is subject to punishment as prescribed in the handbook.

57.0 SCHOOL MEAL MODIFICATIONS (4.50)

Except for requests to receive "lactose free" milk, the district only provides modified meal components on menus to accommodate students with a disability. A parent/guardian wishing to request dietary

accommodations for their student with a disability must submit to the district's Director of Child Nutrition a medical statement completed by a State licensed healthcare professional, which includes:

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

The medical statement should include:

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

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

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

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

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

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

Date Adopted: June 11, 2009 Last Revised: June 28, 2010; March 14, 2016; June 29, 2017, March 10, 2025

58.0 SELECTION, INSPECTION, AND CHALLENGE OF MATERIALS (5.5, 5.6, 5.7)

58.1 SELECTION/INSPECTION OF INSTRUCTIONAL MATERIALS (5.5)

Definitions

"Curriculum" means the sequences of public school student learning expectations, pacing, materials, and resources that are used to teach the Arkansas academic standards and the processes for evaluating mastery of the Arkansas academic standards at particular points in time throughout the kindergarten through grade twelve (K-12) educational program.

"Gender identity" means the same as is used in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, which defines it as a category of social identity and refers to an individual's identification as male, female, or, occasionally, some category other than male or female.

"Instructional material" means instructional content that is provided to a public school student, regardless of its format, that includes without limitation printed or representational materials, audio-visual materials, and materials in electronic or digital format, such as materials accessible through the internet; however, Instructional material does not include academic tests or academic assessments.

"Sexual orientation" means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual.

The use of instructional materials, including classroom events or activities associated with classroom instruction, beyond those approved as part of the curriculum/textbook program must be compatible with school and district policies. If there is uncertainty concerning the appropriateness of supplemental materials,

the personnel desiring to use the materials shall get approval from the school's principal prior to putting the materials into use.

All instructional materials, including classroom events or activities associated with classroom instruction, used as part of the educational curriculum of a student shall be available for inspection by the parents or guardians of the student.

Parents or guardians wishing to inspect instructional materials used as part of the educational curriculum for their child may schedule an appointment with the student's teacher at a mutually agreeable time. Parents/guardians wishing to challenge the appropriateness of any instructional materials shall follow the procedures outlined in Policy 5.6—CHALLENGE OF INSTRUCTIONAL/SUPPLEMENTAL MATERIALS.

In addition to all other inspection rights under this policy, the following shall be made available for inspection regardless of whether any of the listed items are offered as part of a sex education class or program or as part of any other class, activity, or program:

a. Curricula;
b. Materials;
c. Tests;
d. Surveys;
e. Questionnaires;
f. Activities; and
g. Instruction of any kind.

Except when directly related to a requirement under the Arkansas academic standards; a District employee responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or a District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary context in relation to a topic of instruction, the District shall provide written notification to parents and legal guardians of their ability to exercise their rights under this policy to review items A-G above or to challenge and/or opt their student out of items under A-G above as permitted under Policy 5.6. The District's notification method shall ensure that the District receives a confirmation of the written notification receipt from parents and legal guardians.

The same notification requirements and opt out options as above for gender identity and sexual orientation shall apply to the sexual abuse and assault and human trafficking prevention education the District provides to students.

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

Cross Reference:5.6—CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS

Legal References: 20 USC § 1232h
A.C.A. § 6-16-155
A.C.A. § 6-16-157
A.C.A. § 6-16-1006

Date Adopted: Last Revised: June 12, 2023

58.2 CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS (5.6)

Definitions

"Curriculum" means the sequences of public school student learning expectations, pacing, materials, and resources that are used to teach the Arkansas academic standards and the processes for evaluating mastery of the Arkansas academic standards at particular points in time throughout the kindergarten through grade twelve (K-12) educational program.

"Gender identity" means the same as is used in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, which defines it as a category of social identity and refers to an individual's identification as male, female, or, occasionally, some category other than male or female.

"Instructional material" means instructional content that is provided to a public school student, regardless of its format, that includes without limitation printed or representational materials, audio-visual materials, and materials in electronic or digital format, such as materials accessible through the internet; however, Instructional material does not include academic tests or academic assessments.

"Sexual orientation" means an individual's actual or perceived orientation as heterosexual, homosexual, or bisexual.

Instructional and supplemental materials, including classroom events or activities associated with classroom instruction, are selected for their compatibility with the District's educational program and their ability to help fulfill the District's educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials, including classroom events or activities associated with classroom instruction, may do so by filling out a *Challenge to Instructional Material* form available in the school's office.

The contesting individual may present a copy of the form to the principal and request a conference be held at a time of mutual convenience. Prior to the conference, the principal shall consult with the teacher regarding the contested material. In the conference, the principal shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the principal shall have five (5) working days to submit a summary of the concerns expressed by the individual and the principal's response to those concerns to the Superintendent.

If the contesting individual is not satisfied with the principal's response, the individual may, after the five (5) working day period, request a meeting with the Superintendent where the individual shall present the same *Challenge to Instructional Material* form previously presented to the principal. The Superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the Superintendent shall have five (5) working days to write a summary of the concerns expressed by the individual and the Superintendent's response to those concerns. The Superintendent shall create a file of his/her response along with a copy of the principal's response and a copy of the contesting individual's *Challenge to Instructional Material* form.

If, after meeting with the Superintendent, the contesting individual is not satisfied with the Superintendent's response regarding the appropriateness of the instructional or supplemental material, he/she may appeal the Superintendent's decision to the Board. The Superintendent shall present the contesting individual's *Challenge to Instructional Material* form to the Board at the next regularly scheduled meeting along with the written responses to the challenge. The Board may elect, if it so chooses, to hear brief verbal presentations from the parties involved in the challenge.

The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be if the instructional and supplemental materials, including classroom events or activities associated with classroom instruction, are:

- Misleading;
- Factually inaccurate; or
- Otherwise inappropriate for the intended educational use.

In addition to the notification requirements under Policy 5.5 and all other challenge rights under this policy, parents and legal guardians may opt their students out of any of the following by submission of form 5.6F2 regardless of whether any of the listed items are offered as part of a sex education class or program or as part of any other class, activity, or program except when the item is directly related to a requirement under the Arkansas academic standards; a District employee is responding to questions posed by students during class regarding sex education, sexual orientation, or gender identity as it relates to a topic of instruction; or a District employee refers to the sexual orientation or gender identity of a historical person, group, or public figure when such information provides necessary context in relation to a topic of instruction:

a. Curricula;
b. Materials;
c. Tests;
d. Surveys;
e. Questionnaires;
f. Activities; and
g. Instruction of any kind.

Students who are excused under this policy from participating in any or all portions of items A-G above shall not be penalized for grading purposes if the student satisfactorily performs alternative lessons related to health.

The same notification requirements and opt out options as above for gender identity and sexual orientation shall apply to the sexual abuse and assault and human trafficking prevention education the District provides to students.

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

Legal References: 20 USC 1232h; A.C.A. § 6-16-155; A.C.A. § 6-16-157; A.C.A. § 6-16-1006
Date Adopted: October 11, 2004 Last Revised: June 12, 2023

58.3 SELECTION OF LIBRARY/MEDIA CENTER MATERIALS (5.7 October 11, 2004)

The ultimate authority for the selection and retention of materials for the schools' media centers rests with the Board of Education, which shall serve as a final arbiter in resolving a challenge to any media center materials. Licensed media center personnel shall make the initial selections in consultation with school and district licensed staff. Materials selected shall be in accordance with the guidelines of this policy.

The purpose of the schools' libraries/media centers is to supplement and enrich the curriculum and instruction offered by the District. Promoting the dialogue characteristic of a healthy democracy necessitates the maintenance of a broad range of materials and information representing varied points of view on current and historical issues. In the selection of the materials and resources to be available in each library/media center consideration will be given to their age appropriateness. Materials should be available to challenge the different interests, learning styles, and reading levels of the school's students and that will help them attain the District's educational goals.

Selection Criteria

The criteria used in the selection of media center materials shall be that the materials:

1. Support and enhance the curricular and educational goals of the district;
2. Are appropriate for the ages, learning styles, interests, and maturity of the schools' students, or parents in the case of parenting literature;
3. Contribute to the examination of issues from varying points of view and help to broaden students understanding of their rights and responsibilities in our society;
4. Help develop critical thinking skills;
5. Are factually and/or historically accurate, in the case of non-fiction works and/or serve a pedagogical purpose;
6. Have literary merit as perceived by the educational community; and
7. Are technically well produced, physically sound (to the extent appropriate), and represent a reasonably sound economic value.

Retention and Continuous Evaluation

Media center materials shall be reviewed regularly to ensure the continued appropriateness of the center's collection to the school's curriculum and to maintain the collection in good repair. Those materials no longer meeting the selection criteria, have not been used for a long period of time, or are too worn to be economically repaired shall be withdrawn from the collection and disposed of. A record of withdrawn media materials including the manner of their disposal shall be maintained for a period of three (3) years.

Gifts

Gifts to the media centers shall be evaluated to determine their appropriateness before they are placed in any media center. The evaluation shall use the same criteria as for all other materials considered for inclusion in the media centers. Any items determined to be unacceptable shall be returned to the donor or disposed of at the discretion of the media specialist. The media centers shall have a list of desired items to give to prospective donors to aid them in their selection of materials to donate.

Challenges:

The parent, legal guardian, person having lawful control of a student, or person acting in loco parentis of a student affected by a media selection, or a District employee may formally challenge the appropriateness

of a media center selection by following the procedure outlined in this policy. The challenged material shall remain available throughout the challenge process.

Before any formal challenge can be filed, the individual contesting (hereinafter complainant) the appropriateness of the specified item shall request a conference through the principal's office with a licensed media center employee. The complainant shall be given a copy of this policy and the *Request for Formal Reconsideration Form* prior to the conference. The meeting shall take place at the earliest possible time of mutual convenience, but in no case later than five (5) working days from the date of the request unless it is by the choice of the complainant.

In the meeting, the media specialist shall explain the selection criteria and how the challenged material fits the criteria. The complainant shall explain the complainant's reasons for objecting to the selected material. If, at the completion of the meeting, the complainant wishes to make a formal challenge to the selected material, the complainant may do so by completing the *Request for Formal Reconsideration Form* and submitting it to the principal's office.

To review the contested media, the principal shall select a committee of five (5) or seven (7) licensed personnel consisting of the principal as chair and at least one media specialist. The remaining committee members shall be licensed personnel with curriculum knowledge appropriate for the material being contested and representative of diverse viewpoints. The task of the committee shall be to determine if the challenged material meets the criteria of selection. No material shall be withdrawn solely for the viewpoints expressed within it and shall be reviewed in its entirety and not selected portions taken out of context.

The principal shall convene a meeting after a reasonable time for the committee members to adequately review the contested material and the *Request for Formal Reconsideration Form* submitted by the complainant. All meetings of the committee shall be open to the public. The complainant shall be allowed to present the complaint to the committee after which time the committee shall meet to discuss the material. The committee shall vote ~~by secret ballot~~ to determine whether the contested material shall be relocated within the media center's collection to an area that is not accessible to minors. A member from the voting majority shall write a summary of the reasons for their decision. A notice of the committee's decision and the summary shall be given (by hand or certified mail) to the complainant.

If the decision is to not relocate the material, the complainant may appeal the committee's decision to the district Board of Directors by filing a written appeal to the Superintendent within five (5) working days of the committee's decision or of written receipt of the decision. The Superintendent shall present the original complaint and the committee's decision along with the summary of its reasons for its position plus a recommendation of the administration, if so desired, to the Board within fifteen (15) days of the committee's decision. The Board shall review the material submitted to them by the Superintendent and make a decision within thirty (30) days of receipt of the information. The Board's decision is final.

Date Adopted: October 11, 2004
Last Revised: June 16, 2025

58.4 CURRICULUM DEVELOPMENT (5.3)

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

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

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

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

No curriculum or classroom instruction shall be provided on the following topics before grade five (5):

- Sexually explicit materials;
- Sexual reproduction;
- Sexual intercourse;
- Gender identity; or
- Sexual orientation.

Date Adopted: October 11, 2004
Last Revised: June 13, 2019; May 13, 2020; June 12, 2023

59.0 SMARTCORE CURRICULUM AND GRADUATION REQUIREMENTS
59.1 MHS GRADUATION PLANS

59.1 MHS Graduation Plans for the Class of 2017 and Beyond		
Honor Graduate	**Smart Core**	**Core**
24 Total Credits 3.50 GPA at time of graduation Minimum of 6 Pre-AP or AP courses, three of which must be AP and must include AP English Language or AP English Literature.	**24 Total Credits**	**24 Total Credits**
***English* – 4 credits**	***English* – 4 credits**	***English* – 4 credits**
English 9 English 10 English 11 or AP English Language English 12, Composition, or AP English Literature	English 9 English 10 English 11 or AP English Language English 12, Composition, or AP English Literature	English 9 English 10 English 11 or AP English Language English 12, Composition , or AP English Literature
***Mathematics* – 4 credits**	***Mathematics* – 4 credits**	***Mathematics* – 4 credits**
Algebra I Geometry Algebra II Pre-Calculus or AP Statistics	Algebra I Geometry Algebra II Math beyond Algebra II	Algebra I Geometry Algebra II Math beyond Algebra II
***Science* – 3 credits**	***Science* – 3 credits**	***Science* – 3 credits**
Biology Chemistry Physics	Physical Science or Physics Biology Chemistry	Physical Science Biology Science elective
***Social Studies* – 3 credits**	***Social Studies* – 3 credits**	***Social Studies* – 3 credits**
Civics (½ credit) World History U.S. History Economics (½ credit)	Civics (½ credit) World History U.S. History Economics (½ credit)	Civics (½ credit) World History U.S. History Economics (½ credit)
***Foreign Language* – 2 credits**		

Foreign Language I Foreign Language II		
***Other requirements* – 2 credits**	***Other requirements* – 2 credits**	***Other requirements* – 2 credits**
Phys. Ed. or Personal Fitness (½ credit) Health (½ credit) Oral Communication or Debate (½ credit) Fine Arts (½ credit)	Phys. Ed. or Personal Fitness (½ credit) Health (½ credit) Oral Communication or Debate (½ credit) Fine Arts (½ credit)	Phys. Ed. or Personal Fitness (½ credit) Health (½ credit) Oral Communication or Debate (½ credit) Fine Arts (½ credit)
***Electives* – 6 career focus* credits**	***Electives* – 8 credits (6 career focus*)**	***Electives* – 8 credits (6 career focus*)**
Elective Elective Elective Elective Elective Elective	Elective Elective Elective 1/2 Elective Elective Elective Elective Elective Keystone ½ local elective credit (taken freshman year)	Elective Elective Elective 1/2 Elective Elective Elective Elective Elective Keystone ½ local elective credit (taken freshman year)

Career Focus Electives are defined as any ADE-approved elective course beginning with a course code of 4 or 5. Act 1280 of 2013 requires all students in the Class of 2018 and beyond to complete one digital learning course. Courses that meet this requirement are listed in the Malvern High School Registration Catalog.
Graduation requirements are subject to change based on ADE updates.

59.2 SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASSES OF 2026 (4.45)

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

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

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

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

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

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

GRADUATION REQUIREMENTS

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 2 units to graduate for a total of 24 units. The additional required units may be taken from any electives offered by the district.[4] Accelerated learning courses or career education courses that are determined by DESE to be eligible for use in the place of a listed course may be substituted for the course as designated by DESE.

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

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

Personal and Family Finance

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

Computer Science

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

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

Oral Communications: one-half (½) unit

Mathematics: four (4) units

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

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

Science: three (3) units

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

Social Studies: three (3) units

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

Physical Education: one-half (½) unit

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

Health and Safety: one-half (½) unit

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.[5]

Fine Arts: one-half (½) unit

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

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

a student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.[86]

Date Adopted: June 14, 2021
Last Revised: June 16, 2025

59.4 SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2027 AND THEREAFTER (4.45.1)

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

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

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

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

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

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

GRADUATION REQUIREMENTS

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 4 units to graduate for a total of 26 units. The additional required units may be taken from any electives offered by the district.[4] Accelerated learning courses or career education courses that are determined by DESE to be eligible for use in the place of a listed course may be substituted for the course as designated by DESE.

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

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

Personal and Family Finance

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

Computer Science

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

Community Service

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

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

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

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

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

Oral Communications: one-half (½) unit

Mathematics: four (4) units

- Algebra or its equivalent***** - 1 unit

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

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

Science: three (3) units

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

Social Studies: three (3) units

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

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

Health and Safety: one-half (½) unit

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.[5]

Fine Arts: one-half (½) unit

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

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

Date Adopted: June 12, 2023
Last Revised: June 16, 2025

61.0 STATE ASSESSMENTS AND STUDENT PROGRESS MONITORING

ACT Aspire State Assessments will be given to students grades 3-11.

Student progress monitoring will take place in the forms IXL assessments. Students will take three IXL assessments during the school year that will assess student growth in Math, Reading, and Language Usage.

61.1 COLLEGE AND CAREER READINESS PREP CLASS

Incoming students in grades 7 - 8 not scoring at or above the College or Career Benchmark in **either reading or math** on the Arkansas State-Wide Assessment will be required as part of their Student Success Plan to successfully complete a College and Career Prep class, *Vocabulary and Numeracy,* unless the student is receiving another approved Tier III intervention. This class will be scheduled during the school year following the assessment. Students will be scheduled based on Spring NWEA or interim scores. Final scheduling will be done based on the statewide assessment results.

Incoming students in grades 9 -10 not scoring at or above the College or Career Benchmark in **either reading or math** on the Arkansas State-Wide Assessment will be required as part of their graduation plan and Student Success Plan to successfully complete College and Career Prep Class, *Accelerated Literacy*, unless the student is receiving another approved Tier III Intervention. This Class will be scheduled during the school year following the assessment. A local credit will be awarded upon successful completion. Students will be scheduled based on Spring NWEA or Interim Scores, then final scheduling will be done based on the statewide assessment results.

61.2 PLANNING FOR EDUCATIONAL IMPROVEMENT (5.2)

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

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

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

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

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

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

The District shall annually submit a District Strategic Plan (DSP) to the Division of Elementary and Secondary Education by June 30 for review for the upcoming school year. The DSP shall include, without limitation:

- A literacy and mathematics plan that addresses student supports and acceleration opportunities based on student data and outcomes;
- Information regarding the prioritization and intended use of funding, including, without limitation, Enhanced Student Achievement Funding;
- The support the District will provide to the District's schools identified as in need of targeted support, comprehensive support, or both; and
- Health and wellness goals.

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

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

Date Adopted: October 11, 2004
Last Revised: June 30, 2020June 30, 2022; June 16, 2025

61.3 ENHANCED STUDENT ACHIEVEMENT FUNDING EXPENDITURES (5.28)
Funding received from the state based on the number of students eligible for free and reduced-priced meals under the National Student Lunch Act shall be expended in accordance with guidelines outlined in the Division of Elementary and Secondary Education (DESE) Rules Governing Student Special Needs Funding.

Using District specific data, the District shall conduct the DESE developed needs assessment to identify areas where Enhanced Student Achievement (ESA) funds need to be directed. The District shall include the use of the District's ESA funds in the District's District Strategic Plan.

Date Adopted: December 20, 2004
Last Revised: June 13, 2019, June 14, 2021; June 30, 2022; June 16, 2025

62.0 STUDENT HANDBOOK (4.42)

It shall be the policy of the Malvern 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 is 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 ADE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, the Principal and/or Counselor shall notify the Superintendent and Curriculum Coordinator immediately, so that corrections may be made and notice of the requirements given to students and parents.
Date adopted: June 14, 2004
Last Revised: May 21, 2012; June 11, 2013

63.0 STUDENT IDENTIFICATION CARDS

Each student may be issued a student identification card at the beginning of the school year. Students may be required to have in their possession their student identification card while at school. Student identification cards may be used for tardy passes, the cafeteria, and the library. Students are responsible for keeping up with their identification card if cards are issued. There will be a replacement cost of $3.

64.0 STUDENT ILLNESS/ACCIDENT (4.36)

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 or transporting of the student. When available, current, and applicable, the student's emergency contact numbers and medical information will be utilized. Parents are strongly encouraged to keep this information up to date.

Date Adopted: April 12, 2004

64.1 IMMUNIZATIONS (4.57)

Definitions

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

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

General Requirements

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

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

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

A. Licensed physician;
B. Health department;
C. Military service;
D. Official record from another educational institution in Arkansas~~.~~; or
E. An immunization record printed off of the statewide immunization registry with the Official Seal of the State of Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating "up-to-date", "complete", "adequate", and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted as a history of varicella disease must be documented by a licensed physician, advanced practice nurse, doctor of osteopathy, or physician assistant. Valid proof of immunization and of immunity based on serological testing shall be entered into the student's record.

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

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

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

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

Temporary Admittance

While students who are not fully age appropriately immunized or have not yet submitted an immunization waiver may be enrolled to attend school, such students shall be allowed to attend school on a temporary basis only. Students admitted on a temporary basis may be admitted for a maximum of thirty (30) days (or until October 1st of the current school year for the tetanus, diphtheria, pertussis, and meningococcal vaccinations required at ages eleven (11) and sixteen (16) respectively if October 1st is later in the current school year than the thirty (30) days following the student's admittance). No student shall be withdrawn and readmitted in order to extend the thirty (30) day period. Students may be allowed to continue attending beyond the thirty (30) day period if the student submits a copy of either number 2 or number 4 above.

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

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

Exclusion From School

In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak. Students may be excluded for no fewer than twenty-one (21) days or even longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

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

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

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

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

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

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

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

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

Legal References: A.C.A. § 6-18-702; DESE Rules Governing Immunization Requirements in Arkansas Public Schools; ADH Rules Pertaining to Immunization Requirements
Date Adopted: April 13, 2015
Last Revised: June 13, 2019; June 30, 2020

65.0 STUDENT MEDICATIONS (4.35)

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 that 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.[3] 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.

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 inhaler; auto-injectable or nasal spray epinephrine; diabetes medication; stress dose medication or combination does not require the student to have such on the student's person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler; auto-injectable or nasal spray epinephrine; diabetes medication; stress dose medication; or any combination on the student's person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

Students may possess and use a topical sunscreen that is approved by the United States Food and Drug Administration for OTC use to avoid overexposure to the sun without written authorization from a parent, legal guardian, or healthcare professional while the student is on school property or at a school-related event or activity. The parent or guardian of a student may provide written documentation authorizing specifically named District employee(s), in addition to the school nurse, to assist a student in the

application of sunscreen. The District employee(s) named in the parent or legal guardian's written authorization shall not be required to assist the student in the application of sunscreen.

Emergency Administration of Glucagon and Insulin

Students may be administered Glucagon, insulin, or both in emergency situations by the school nurse or, in the absence of the school nurse, a trained volunteer school employee designated as a care provider, provided the student has:

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

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

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

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

Emergency Administration of Epinephrine

The school nurse or other trained school employees designated by the school nurse as a care provider who have been certified by a licensed physician may administer ~~an~~ epinephrine, either through an auto-injector or nasal spray, in emergency situations to students who have an IHP that provides for the administration of ~~an~~ epinephrine in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained[6] school employee(s) certified to administer epinephrine to administer auto-injector or nasal spray epinephrine to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

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

The school nurse for each District school shall keep epinephrine on hand that 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[6] 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[6] 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;

1. 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.

Date Adopted: April 12, 2004
Last Revised: June 16, 2025

65.1 MEDICATION ADMINISTRATION CONSENT FORM (4.35F)

Student's Name (Please Print) _____

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

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

I hereby authorize the school nurse, or designee, to administer the following medication to my student::

Name of medication _____

Name of prescribing health-care provider _____

Dosage _____
Instructions for administering the medication _____
_____
Other instructions _____

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

I authorize the school nurse to take a photograph of my student to be used to verify my student's identification before the school nurse or an authorized individual administers medications to my student.

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

Parent or legal guardian signature _____ Date _____

Date Adopted: April 12, 2004
Last Revised: May 18, 2015, June 13, 2019

65.2 MEDICATION SELF-ADMINISTRATION CONSENT FORM (4.35F2)

Student's Name (Please Print) _____

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

The following must be provided for the student to be eligible to self-administer rescue inhalers and/or auto-injectable epinephrine. Eligibility is **only** valid for this school for the current academic year.

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

If the school nurse is available, the student shall demonstrate the student's skill level in using the rescue inhaler~~s~~,auto-injectable epinephrine, and/or nasal spray epinephrine to the nurse.

Rescue inhalers, auto-injectable epinephrine, and/or nasal spray epinephrine for a student's self-administration shall be supplied by the student's parent or guardian and be in the original container properly labeled with the student's name, the ordering provider's name, the name of the medication, the dosage, frequency, and instructions for the administration of the medication (including times). Additional information accompanying the medication shall state the purpose for the medication, its possible side effects, and any other pertinent instructions (such as special storage requirements) or warnings.

Students who self-carry a rescue inhaler, an epinephrine auto-injector, or nasal spray epinephrine shall also provide the school nurse with a rescue inhaler, an epinephrine auto-injector, and/or nasal spray epinephrine to be used in emergency situations.

I understand this form authorizes my student to possess and use the medication(s) included on this form while on school grounds and at school sponsored events but that distribution of the medication(s) included on this form to other students may lead to disciplinary action against my student.

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

Parent or legal guardian signature _____

Date _____

Date Adopted: June 13, 2019
Last Revised: June 16, 2025

65.3 GLUCAGON AND/OR INSULIN ADMINISTRATION CONSENT FORM (4.35F3)

Student's Name (Please Print) _____

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

The school has developed an individual health plan (IHP) acknowledging that my child has been diagnosed as suffering from diabetes. The IHP authorizes the school nurse to administer Glucagon or insulin to my child in an emergency situation.

In the absence of the nurse, trained volunteer district personnel may administer to my child in an emergency situation:

Glucagon_____
Insulin_____

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

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

Parent or legal guardian signature _____

Date _____

Date Adopted: May 21, 2012
Last Revised: May 18, 2015

65.3.1 EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM (4.35F4)

Student's Name (Please Print) _____

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

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

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

Date of health care provider's order _____

Circumstances under which Epinephrine may be administered _____

_____

Other instructions _____

_____

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

Parent or legal guardian signature _____

Date _____

Date Adopted: June 13, 2019

65.3.2 ALBUTEROL EMERGENCY ADMINISTRATION CONSENT FORM (4.35F5)

Student's Name (Please Print) _____

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

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

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

Date of health care provider's order _____

Circumstances under which albuterol may be administered _____

Other instructions _____

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

Parent or legal guardian signature _____

Date _____

65.3.3 STRESS/EMERGENCY DOSE MEDICATION ADMINISTRATION CONSENT FORM

Student's Name (Please Print) _____

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

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

Date of health-care provider's order _____

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

_____

Other instructions _____

_____

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

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

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

Parent or legal guardian signature _____Date _____

Date Adopted: June 14, 2021
Last Revised:

65.3.4 STRESS DOSE MEDICATION SELF-ADMINISTRATION CONSENT FORM

Student's Name (Please Print) _____

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

The following must be provided for the student to be eligible to self-administer a stress dose medication. Eligibility is **only** valid for this school for the current academic year.

- a written statement from a licensed health-care provider who has prescriptive privileges that he/she has prescribed the stress dose medication for the student and that the student needs to carry the medication on his/her person due to a medical condition;
- the specific medications prescribed for the student;
- an individualized health care plan developed by the prescribing health-care provider containing the treatment plan for managing adrenal insufficiency of the student and for medication use by the student during school hours; and
- A statement from the prescribing health-care provider that the student:
    - Possesses the skill and responsibility necessary to use and administer the stress dose medication; and
    - Has been instructed on the details of his or her medical condition and the events that may lead to an adrenal crisis.

If the school nurse is available, the student shall demonstrate his/her skill level in administering the stress dose medication to the nurse.

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

Students who self-carry stress dose medication shall also provide the school nurse with a dose of the stress dose medication to be used in emergency situations.

I understand this form authorizes my student to possess and use the medication included on this form while on school grounds and at school sponsored events but that distribution of the medication included on this form to other students may lead to disciplinary action against my student.

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

Parent or legal guardian signature _____Date _____

Date Adopted: June 14, 2021 Last Revised:

66.0 STUDENT ORGANIZATIONS/EQUAL ACCESS (4.12)

Non-curriculum-related secondary school student organizations wishing to conduct meetings on school premises during non-instructional time shall not be denied equal access on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Such meetings must meet the following criteria.

1. The meeting is to be voluntary and student initiated;
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
3. The meeting must occur during non-instructional time;
4. Employees or agents of the school are present at religious meetings only in a non-participatory capacity;
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and

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

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

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

Legal References: A.C.A. § 6-5-201 et seq.; A.C.A. § 6-21-201 et seq.; 20 U.S.C. 4071 Equal Access Act; Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990); A.C.A. § 6-18-601 et seq.

Date Adopted: June 14, 2004

Last Revised: June 9, 2011; May 18, 2015

66.1 STUDENT ORGANIZATIONS AND ACTIVITIES

*Not all organizations listed are available at both campus'

Athletics
Band
Beta Club
Cheerleaders
Choir
Family, Career, and Community Leaders of America (FCCLA)
Fellowship of Christian Athletes (FCA)
Fishing Club
Foreign Language (International) Club
4-H Club
Future Business Leaders of America (FBLA)
JROTC
National Honor Society
Quiz Bowl
Science Club
Skills USA - ASUTR
Student Council

Legal references: A.C.A. § 6-21-201 et seq., 20 USC. 4071 Equal Access Act
Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990), A.C.A. § 6-18-601 et seq.

66.2 JOBS FOR AMERICA'S GRADUATES (JAG)

JAG is a school-to-career program. JAG's mission is to keep young people in school through graduation and provide work-based learning experiences that will lead to career advancement opportunities or to enroll in a postsecondary institution that leads to a rewarding career. Services provided include: Classroom instruction; Employability Skills; Adult Mentoring; Advisement and Support; Summer Employment Training; Student-Led Leadership Development; Job and Postsecondary Education Placement Services; Linkages to School and Community-Based Services; 12-Month Follow-up Services; and Motivation.

- **Students, who are not in compliance with the attendance policy, will not be eligible for early release**.

67.0 STUDENT PARTICIPATION IN SURVEYS (5.24)

No student shall be required to submit to a survey, analysis, or evaluation that is administered or distributed by a school, and is funded in whole or in part by any program administered by the U.S. Department of Education without the prior written consent of the student's parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis that reveals information concerning the following:

1. Political affiliations;
2. Mental and psychological problems potentially embarrassing to the student or the student's family;
3. Sex behavior and attitudes;
4. Illegal, anti-social, self-incriminating, and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or student's parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

No surveys, analyses, or evaluations shall be administered without the prior approval of the school principal.

The school shall take reasonable precautions to protect students' privacy during their participation in the administration of any survey, analysis, or evaluation containing one or more of the eight (8) categories listed above.

Any survey created by a third party, or funded, in whole or in part, as part of any US Department of Education administered program, containing one or more of the eight (8) categories listed above shall be available to be inspected by a student's parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis before the survey is administered or distributed by a school to a student. Parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis wishing to inspect a survey, analysis, or evaluation shall be able to do so in the administrative office of the administering school where the survey, analysis, or evaluation shall be available for inspection for a period of ten (10)[1] business days after the notice of intent to administer the survey, analysis, or evaluation is sent. The notice shall include information regarding how the survey, analysis, or evaluation will be administered; how it will be utilized; and the persons or entities that will have access to the results of the completed survey, analysis, or evaluation. Parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis may refuse to allow their student to participate before or after reviewing the survey, analysis, or evaluation. The school shall not penalize or otherwise retaliate against a student whose Parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis exercised their right to refuse to allow their student to participate in the survey, analysis, or evaluation.

The above requirements of this policy do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

Except for assessments mandated by State or Federal law; State Rule; or Federal regulation and standardized scholastic achievement tests, prior written permission from a student's Parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis is required before any survey, analysis, or evaluation is administered to a student if the survey, analysis, or evaluation: Responses are to be provided to a person or entity other than another public school, school district, or any branch of the Federal Government; and

A. Requests or requires a student to provide any of the eight (8) categories of information listed above; and/or

B. Requests or requires a student to provide any of the following:
   - A student's name;
   - The name of the student's parents, legal guardians, persons having lawful control of the student, person standing in loco parentis, or other member of the student's family;
   - The address, telephone number, or email address of a student or a member of a student's family;

- A personal identification number, such as a social security number, driver's license number, or student identification number of a student or a member of the student's family;
- Any information, the disclosure of which is regulated, or prohibited by any other State or federal law; State rule; or Federal regulation.

The rights provided to parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis under this policy transfer to the student when ~~he/she~~ the student turns eighteen (18) years old.

Legal References: 20 USC § 1232h
A.C.A. § 6-18-1301 et seq.
Date Adopted: October 11, 2004
Last Revised: June 27, 2024

68.0 STUDENT Media AND THE DISTRIBUTION OF LITERATURE (4.14)

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

Definitions

"School-sponsored media" means all student media that are:
- Supported financially by the school;
- Supported by the use of school facilities; or
- Produced in conjunction with a class.

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

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

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

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

Student Media

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

1. Advertising may be accepted for media that does not condone or promote products that are inappropriate for the age and maturity of the audience or that endorses such things as tobacco, alcohol, or drugs.
2. Media may be regulated to prohibit communications determined by the appropriate teacher, student media advisor, and/or administrator, to be ungrammatical; poorly written; inadequately researched- biased or prejudiced; vulgar or profane; or unsuitable for immature audiences.
3. Media may be regulated to prohibit the dissemination of material that may reasonably be perceived to advocate drug or alcohol use; irresponsible sex; conduct that is otherwise

inconsistent with the shared values of a civilized social order; or to associate the school with any position other than neutrality on matters of political controversy.

4. Prohibited media includes those that:
    a. Are obscene as to minors;
    b. Are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, and made with knowledge of their falsity or a reckless disregard of the truth;
    c. Constitute an unwarranted invasion of privacy as defined by state law;
    d. Suggest or urge the commission of unlawful acts on the school premises;
    e. Suggest or urge the violation of lawful school regulations;
    f. Attacks ethnic, religious, or racial groups; or
    g. Harass, threaten, or intimidate a student.

Student Media on School Web Pages

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

1. Not contain any non-educational advertisements;
2. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using a student's photograph when associated with the student's name unless written permission has been received from the student's parent or student if over the age of eighteen (18);
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

Student Distribution of Nonschool 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-sponsored 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-sponsored materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Material may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution. Concerns related to any denial of distribution by the principal shall be heard by the superintendent, whose decision shall be final.

The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of non-school-sponsored materials. The regulations shall:

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

Students shall be responsible for the removal of excess literature that is left at the distribution point for more than days.

Cross References: 1.9—POLICY Formulation
4.13—PRIVACY OF STUDENTS' RECORDS/ DIRECTORY INFORMATION
4.43—BULLYING

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) *HazelwoodSchool District v. Kuhlmeier*, 484 U.S. 260 (1988)

Date Adopted: June 14, 2004

Last Revised: May, 2008; June 13, 2019; May 11, 2020

69.0 STUDENT TRANSFERS (4.4)

The superintendent is authorized to accept transfer applications on behalf of the Board. At least five (5) days before a school board meeting, the superintendent shall notify the Board regarding:

- *All transfer applications the superintendent has accepted since the last meeting; and*
- *All transfer applications the District has received since the last meeting that the superintendent intends to recommend be denied.*

Each transfer application[3] the superintendent intends to recommend for denial shall be considered individually and receive a separate vote by the Board. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a student who submits a transfer application shall be given at least five (5) minutes to present the student's case for a transfer to the Board.

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

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

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

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

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

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

Except as otherwise required or permitted by law,[6] the responsibility for transportation of any nonresident student admitted to a school in this District shall be borne by the student or the student's parents. The District and the resident district may enter into a written agreement with the student or student's parents to provide transportation to or from the District, or both.

Date Adopted: June 11, 2009
Last Revised: June 16, 2025

70.0 STUDENTS' (MOTOR) VEHICLES (4.33)

A student who has presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive his/her vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. Parking on school property is a privilege which may be denied to a student

for any disciplinary violation, at the discretion of the student's building principal. Students must purchase a parking permit to park on campus. Students must provide a copy of their license and proof of insurance in order to receive a parking permit.

Students are not permitted to loiter in parking areas and are not to return to their vehicles during the school day for any reason unless given permission to do so by school personnel.

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

Date Adopted: June 9, 2008
Last Revised: May 21, 2012

71.0 VISITORS

71.1 STUDENT VISITORS (4.16)

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

Note: For adult visits see Policy —CONTACT WITH STUDENTS WHILE AT SCHOOL and Policy —VISITORS TO THE SCHOOLS.

Date Adopted: June 14, 2004

71.2. VISITORS TO THE SCHOOLS (6.5)

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

Parents and legal guardians are encouraged to participate in regularly scheduled visitation events such as school open houses and parent/teacher conferences. Additional conferences are best when scheduled in advance. Conferences shall be scheduled at a time and place to accommodate those participating in the conference. Visits to individual classrooms during class time are permitted on a limited basis with the principal's prior approval and the teacher's knowledge.

Visitors, including parents, wishing to speak with students during the school day shall register first with the office.

Visitors to the school are directed to not use a device to:

- Record audio or video or to take photographs in areas where a general expectation of personal privacy exists, including but not limited to locker rooms and bathrooms; or
- Create, send, share, capture, or post audio, video, or photographs of District students unless the visitor:
  - Has received permission to do so by someone authorized to grant such permission on behalf of the student or the student if the student is eighteen (18 years old);
  - Received authorization from the District to do so on behalf of the District; or
  - Is required to do so as part of the individual's job duties, including as a member of the media.

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

Date Adopted: October 11, 2004

Last Revised: June 28, 2010
April 13, 2015
June 27, 2024

72.0 STUDENTS WHO ARE FOSTER CHILDREN (4.52)

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

The Superintendent or the superintendent's designee shall appoint an appropriate staff person to be the local educational liaison for foster children and youth whose responsibilities shall include ensuring the timely school enrollment of each foster child and assisting foster children who transfer between schools by expediting the transfer of relevant educational records.1

The District, working with other individuals and agencies shall, unless the presiding court rules otherwise or DHS grants a request to transfer under Foster Child School Choice, ensure that the foster child remains in the foster child's school of origin, even if a change in the foster child's placement results in a residency that is outside the district. In such a situation, the District will work with DHS to arrange for transportation to and from school for the foster child to the extent it is reasonable and practical.2

Upon notification to the District's foster care liaison by a foster child's caseworker that a foster child's school enrollment is being changed to one of the District's schools, the school receiving the child must immediately enroll the foster child. Immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.3

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

Any course work completed by the foster child prior to a school enrollment change shall be accepted as academic credit so long as the child has satisfactorily completed the appropriate academic placement assessment.4

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

Foster Child School Choice

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

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

The District shall only reject a Foster Child School Choice application if:[5]

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

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

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

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

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

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

Additional guidance documents and training materials on students in foster care may be found on the DESE website at:
https://dese.ade.arkansas.gov/Offices/public-school-accountability/federal-programs/Foster%20Care%20Liaison.

Date Adopted: June 9, 2011
Last Revised: June 16, 2025

73.0 TEACHER'S AIDES

A student may be assigned to a teacher, office, library, or guidance office one period a day as an aide provided he/she is enrolled in seven (7) academic courses.

74.0 TEXTBOOKS

State owned textbooks are issued free of charge to students. Students are responsible for the proper care of textbooks. Students must compensate for abused or lost books. Students will be charged $1.00 or more for slightly abused books and up to the entire cost of books, which must be replaced due to abuse. Lost books must be paid for at the replacement price. Students/parents need to be aware that some book replacement cost may be in excess of $100. Books are not to be written in or on. Students are not to borrow textbooks from other students. Possession of another student's book without prior approval will be considered stealing. Students will be issued books to take home, while a classroom set will be available at school.

75.0 TRANSPORTATION POLICY

The Malvern School District will provide the best transportation program for the greatest number of students. The district only transports those students residing in the school district and who are attending school. Each student will receive the school district's transportation policy forms as they begin to be transported. The policy forms provide information that includes expectations, safety regulations, and consequences to inappropriate behavior. The director of transportation (Gerald Hatley 332-7500) for the Malvern School District handles all inquiries and discipline that pertains to school bus transportation.

76.0 VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING (4.48)

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[1], automatic identification technology, data compilation devices, and technology capable of tracking the physical location of district equipment, students, and/or personnel.

The placement of video surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as rest rooms or dressing areas where an expectation of bodily privacy is reasonable and customary[2].

Signs shall be posted on campus buildings and in district vehicles to notify students, staff, and visitors that video cameras may be in use[3]. 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[4]. Students will be held responsible for any violations of school discipline rules caught by the cameras and other technologies authorized in this policy.

The district shall retain copies of video recordings until they are erased[5] 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 according to the system's capability.

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**;**[2] 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.

Date Adopted: June 9, 2008;
Last Revised: June 16, 2025

77.0 VOLUNTEERS IN MALVERN SCHOOLS

Enlisting the support of volunteers is a way in which the District can expand the scope of resources and knowledge available to enrich the students' educational experiences, while strengthening the relationship between the school and the community. Volunteers can also perform non-instructional tasks that allow certified personnel more time to devote to instruction. In order for volunteers to best utilize their time, other family members shall not be brought.

78.0 WEB SITE PRIVACY POLICY (5.20.1)

The Malvern School District operates and maintains a web site for the purpose of informing the citizens of the district about its activities. The web site does not use "cookies" or ISP addresses to collect or retain personally identifying information about visitors to its web site nor is any such information given to "third parties." Any data collected is used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

The site serves no commercial purpose and does not collect any information from individuals for such purpose. Photographs of students, when associated with the student's name, shall not be displayed on any page of the district's web site without prior written consent of the parent (or the student if 18 or older).

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password protected communication between the District and its staff.

Legal Reference: 15 U.S.C. § 6501 (COPPA)
Date Adopted: October 11, 2004

5.29—WELLNESS POLICY

WELLNESS POLICY (5.29)

The Malvern School district is committed to the optimal development of every student. The MSD understands that the health and physical well-being of students directly affects their ability to learn and every student needs a positive, safe and health-promoting learning environment that fosters personal, academic, developmental and social success.

Childhood obesity increases the incidence of adult diseases occurring in children and adolescents such as heart disease, high blood pressure and diabetes. The increased risk carries forward into their adulthood. Research indicates that a healthy diet and regular physical activity can help prevent obesity and the diseases resulting from it. It is understood that the eating habits and exercise patterns of students cannot be magically changed overnight, but at the same time, the Board of Directors believes it is necessary to strive to create a culture in our schools that consistently promotes good nutrition and physical activity.

The problem of obesity and inactivity is a public health issue. The Board of Directors is keenly aware that it has taken years for this problem to reach its present level and will similarly take years to correct. The responsibility for addressing the problem lies not only with the schools and the Division of Elementary and Secondary Education (DESE), but with the community and its residents, organizations and agencies. Therefore, the District shall enlist the support of the larger community to find solutions that improve the health and physical activity of our students.

Wellness Committee

To enhance the district's efforts to improve the health of our students, a wellness committee shall be formed. It shall be structured in a way to ensure age-appropriate recommendations are made that correlate to the District's grade configurations. The wellness committee shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference. The overarching goal of the wellness committee shall be to promote student wellness by monitoring how well the District is doing at implementing this policy. The wellness committee shall use modules 1, 2, 3, 4, 10, and 11 of the Centers For Disease Control' (CDC) School Health Index as a basis for annually assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in the District's district strategic plan (DSP), provided to each school's principal, and reported to the board. Goals and objectives for nutrition and physical activity shall also be included in the DSP.

The wellness committee shall be made up of Individuals from the following groups to the extent interested persons from each group desire to be included in the development, implementation, and periodic review of the District's wellness policy:

- Members of the District's Board of Directors;
- School administrators;
- School nutrition personnel;
- Teacher organizations;
- Teachers of physical education;
- Parents;
- Students;
- Professional groups (such as nurses);
- School health professionals (such as school nurses, school counselors, and social workers); and
- Community members.

The wellness committee shall provide written recommendations to the District's Child Nutrition Director concerning menus and other foods sold in the school cafeteria. Such recommendations shall be based, at least in part, on the information the Committee receives from the District on the requirements and standards of the National School Lunch Program and from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.

The wellness committee will meet at least quarterly. Meeting dates for the SNPAAC will be placed on the District's calendar.

School Health Coordinator

To assist the wellness committee in ensuring that the District fulfills the requirements of this policy, a District level School Health Coordinator (Designated District Official) shall be appointed. In addition, a school level School Health Coordinator shall be appointed who shall be responsible for assisting the District level School Health Coordinator in ensuring that each school fulfills the requirements of this policy.

Goals

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the District will adhere to the DESE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index For Age Assessment Protocols. To promote nutrition, physical activity, and other school based activities that will improve student wellness, the District, working with the wellness committee, has established the following goals:

1. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
2. Engage students in healthy levels of vigorous physical activity;
3. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
4. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
5. Not use food or beverages as rewards for academic, classroom, or sports performances;
6. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
7. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
8. Abide by the current allowable food and beverage portion standards;
9. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's (USDA) Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;[7]
10. Restrict access to competitive foods as required by law and Rule;
11. Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce district dependence on profits from the sale of competitive foods.
12. Provide professional development to all district staff on the topics of nutrition and/or physical activity;
13. Utilize the School Health Index available from the CDC to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students.

Food and Beverages Outside of the District's Food Service Programs

The District will ensure that drinking water is available without charge to all students throughout the school including, but not limited to, in the District's food service areas and from water bottle filling stations. Students are allowed to drink water from water bottles at their teacher's discretion

All food and beverages sold to students on school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum. These restrictions include, but are not limited to, food and beverages sold in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

All food and beverages provided, but not sold, to students on the school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum. These restrictions include, but are not limited to, food and beverages provided in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

Up to a maximum of nine (9) times per school year, school administration may schedule school wide events where food and beverages provided to students are not required to meet the Federal Smart Snacks standards during the scheduled time. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar.

Food and beverages outside of the District's food service programs may not be sold, served, or provided to students in the District's food service areas during meal times.

Elementary students shall not have in-school access to vending machines.

The District does not place nutrition restrictions on food or beverages brought from home that are intended for personal consumption only.

Nutrition Education

The District will teach, model, encourage, and support healthy eating for all students. Schools will provide age appropriate nutrition education and engage in nutrition education that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes but also integrates into other classroom instruction;
- Promotes fruits, vegetables, whole grain products, low-fat and fat free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure, promoting physical activity/exercise;
- Links with school meal programs, cafeteria nutrition promotion activities, other school foods and nutrition-related community services, and the Fresh Fruits and Vegetables Program;
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention
- Food guidance from MyPlate
- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits and vegetables
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain *trans* fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks on unhealthy weight control practices
- Accepting body size differences
- Food Safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family. Peers, and culture
- How to find valid information on services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resist peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

Advertising

In accordance with the USDA regulations, oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product that are made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product shall only be permitted on school campus during the school day if they meet or exceed the Federal Smart Snacks standards. This restriction does not apply to:

- Materials used for educational purposes in the classroom, including, but not limited to:
  - The use of advertisements as a media education tool; or
  - Designing and implementing the health or nutrition curriculum;
- Clothing, apparel, or other personal items used by students and staff;
- The packaging of products brought from home for personal consumption; and
- Currently existing advertisements on school property, including but not limited to, the exterior of vending machines, posters, menu boards, coolers, trash cans, cups used for beverage dispensing, and

other food service equipment; however, all future contracts and replacement items shall meet the Federal Smart Snacks standards.

Adoption Awareness Instruction

The District shall provide any information provided to students on the District's adoption awareness instruction that was in written form to the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to a pregnant student who is enrolled in the District.

Breast Feeding

In addition to providing age-appropriate education for students regarding the nutritional benefits of breastmilk and breastfeeding practices, the District shall provide: Space in the District's school facilities for District employees, students, and volunteers who are breastfeeding mothers that is a private, secure, and sanitary room or other location, other than a toilet stall, that contains Access to a power source for a breast pump or any other equipment used to express breast milk where an employee, student, or volunteer can express breast milk;

- Space in the District's school facilities for District employees, students, and volunteers who are breastfeeding mothers that is a private, secure, and sanitary room or other location, other than a toilet stall, that contains access to a power source for a breast pump or any other equipment used to express breast milk where an employee, student, or volunteer can express breast milk;
- Space in the District's school facilities for District students who are breastfeeding mothers that is a private , secure and sanitary room or other location other than a toilet stall, where a student can breastfeed the student's child;
- Permission to bring a breast pump and any other equipment used to express breast milk to school;
- Access to a place to safely store breast milk, which shall include, but not be limited to, a refrigerator or cooler in:
  - A nurse's office;
  - A teachers' lounge; or
  - Another private location or location with limited accessibility in which the breast milk may be safely secured;
- Access to a location to clean a breast pump and any other equipment used to express breast milk at school.
- Break time:
  - To an employee or volunteer for the purpose of expressing breast milk that, to the extent possible, shall run concurrently with existing break times; and
  - To a student that is a reasonable amount of time to accommodate the student's need to express breast milk or to breastfeed the student's child on the District's campus;
- That a student shall not incur an academic penalty for expressing breast milk or for breastfeeding the student's child on the District's campus; and
- A student the opportunity to make up any work missed due to expressing breast milk or for breastfeeding the student's child on the District's campus.

Child Care

The District shall provide student mothers and fathers information regarding available child care services.[12]

Physical Activity

Children and adolescents should participate in some type of physical activity every day. Schools will ensure that varied physical activity opportunities are available, but do not substitute for physical education.

Physical Education

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts and support essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

- All District elementary students in each grade will receive physical education for a minimum of 40 minutes per week throughout the school year.
- All District middle school students in each grade will receive physical education for the equivalent of no less than 40 minutes per week.
- All District high school students are required to take the equivalent of a ½ credit Health Education and a ½ credit of physical education.

Essential Physical Activity Topics in Health Education

Health education is required in all grades in elementary, intermediate and middle schools. High school students are required to pass at least one health education course. The District will include in the health education curriculum a minimum of 12 of the following essential topics on physical activity:

- They physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for other to engage in physical activity
- How to resist peer pressures that discourages physical activity

Physical Activity (Elementary)

All elementary schools will offer at least 40 minutes of physical activity on all days during the school year. *This policy may be waived on early dismissal or late arrival days*. If physical activity is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built into the physical activity transition period/time frame before students enter the cafeteria.

Outdoor physical activity will be offered when weather is feasible for outdoor play. In the event that the school or district must conduct **indoor physical activity**, teachers and staff will follow the indoor physical activity guidelines that promote physical activity for students, to the extent practicable.

physical activity will complement, not substitute, physical education class. Physical activity monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible.

Classroom Physical Activity Breaks (Elementary and Secondary)

The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered **periodic opportunities**

to be active or to stretch throughout the day on all or most days during a typical school week. The District recommends teachers provide short (3-5 minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will compliment, not substitute, for physical education class, physical activity, and class transition periods. The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through the Alliance for a Healthier Generation, USDA, and GoNoodle.

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into "core" subject instruction when possible and do their part to limit sedentary behavior during the school day.

The District will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school by: Little Rockers, Pee Wee football, basketball and volleyball; Boys' and Girls' Club after school programs and sports programs; and community organized leagues. Our School District offers Arkansas Activities Association (AAA) sports throughout the year, including (but not limited to) football, volleyball, basketball, baseball, softball, golf, tennis, track, and soccer.

Active Transport

The District will support active transport to and from school, such as walking and biking. The district will encourage this behavior by engaging in six or more of the activities listed below, including but not limited to:

- Designated safe or preferred routes to school
- Secure storage facilities for bicycles and helmets (bike rack)
- Promotes safe routes program to students, staff, and parents via newsletters, websites, local news paper
- Use crossing guards
- Document the number of children walking and or biking to and from school
- Create and post maps of the school environment (e.g. sidewalks, crosswalks, roads, pathways, bike racks, etc.)

Other Activities that Promote Student Wellness

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development, and strong educational outcomes.

All efforts related to obtaining federal, state, or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC/SWC.

Staff Wellness and Health Promotion

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. Examples of strategies schools will use, as well as specific actions staff members can take, including Health and Wellness checkups during summer, CPR and First Aid training provided by a certified CPR instructor and/or the school nurse, weight loss challenges, and monthly self-care challenges. The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Community Engagement

The District will work with the wellness committee to:

a. Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
b. Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
c. Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
d. Encourage the development of and participation in family-oriented community-based physical activity programs.

The District will annually inform the public:

- Of the web address where the policy is located;
- Of any changes made to this policy since the previous year;
- Of the health and wellness priority goals in the District's DSP;
- That a printed copy of the policy may be picked up at the District's central office; and
- The amounts and specific sources of funds received and expenditures made from competitive food and beverage contracts.

Assessment of District's Wellness Policy

At least once every three years, with input from the wellness committee, the District shall assess both the District as a whole and individual schools' status in regards to the implementation and compliance of the goals of this policy, including the health and wellness goals in the District's DSP. The assessment shall be based, at least in part, on:

- The extent to which District schools are in compliance with this policy;
- The extent to which this policy compares to other model local school wellness policies;
- The annual reviews of this policy based on modules 1, 2, 3, 4, 10, and 11 of the CDC's School Health Index; and
- A description of the progress made in attaining the goals of this policy.

On the years the assessment occurs, the assessment results shall be reported to the public, including parents, students, and other members of the community as part of the District's annual report to the public.

The District will update the wellness policy based on the results from the three (3) year assessment.

District Website

The District will place on its website:

- The name, District phone number, and District email address for the District Level School Health Coordinator;
- The names, district phone numbers, and district email addresses for the School Level School Health Coordinators;
- The names of the members of the wellness committee;
- Meeting dates for the wellness committee;
- Information on how community members may get involved with the wellness committee.
- A copy of this policy;
- A copy of the annual review of this policy based on modules 1, 2, 3, 4, 10, and 11 of the CDC's School Health Index; and
- A copy of the most recent three (3) year assessment of this policy.

Date Adopted: August 14, 2006
Last Revised: June 16, 2025