

# **Elkins Primary Student Handbook 2025-2026**



**Elkins School District # 10  
Elkins Primary School**

**Student Handbook Revised for 2024-25 School Year**  
**Board Approved: 7/23/24**

**To Families and Students:**

On behalf of the staff at Elkins Primary School, I welcome you to the 2024-25 school year. As we begin another year, we remain committed to making our school the best that it can be.

The staff holds high expectations for all students. Striving to provide them with opportunities for growth in academic achievement and social adjustment is an integral component of our daily activity. Our goal is to help students acquire the knowledge and skills needed to be successful and productive students.

The purpose of this handbook is to promote understanding between home and school. Please read it carefully.. These regulations and rules are needed for only one purpose, to guarantee your son/daughter the best opportunity for securing a quality education. We are hopeful that it will answer any questions you may have concerning policies in the Elkins Primary School. If questions arise, we want to help. Please feel free to contact the Primary School at 479-643-3380.

Our students are challenged daily to keep up in an ever changing world. We look forward to engaging in a unified effort with our families and community to provide our students with a superior education.

With this vision and your involvement, support, and cooperation, I am certain that this school year will be a productive one.

Sincerely,

Nicky Anderson  
Primary Principal

## **Vision and Mission Statement**

### **District Vision Statement**

The vision of Elkins School District in partnership with the community through collaboration is to enrich students with the academic, social, ethical, and critical problem solving skills to be successful in a changing world.

### **Primary Mission Statement**

The mission of Elkins Primary School is to develop independent and responsible life-long learners through a partnership with family, community and a safe learning environment to ensure students are academically and socially prepared to contribute to our changing society.

### **Elkins School District Telephone Numbers**

Administration Office	479-643-2172
Primary Office	479-643-3380
Bus Garage	479-643-2628



## Elkins School District

### Alternative Hours Calendar 2025-2026 School Calendar Board APPROVED 4-15-2025



July 2025						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		
August 2025						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
September 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				
October 2025						
S	M	T	W	T	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	
November 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						
December 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Aug 4	New Teacher Orientation
Aug 5-7 & 11	Professional Development (No School)
Aug 13	First Day of School (Begin 1st Qtr)
Sept 1	Labor Day (No School)
Sept 19	Teacher PLC Work Day (no school)
Oct 13	End of 1st Qtr.
Oct. 14	Begin 2nd Qtr.
Oct 21/23	Parent Teacher Conferences
Oct 24	Teacher PLC Work Day (no school)
Nov 24-28	Thanksgiving Break (No School)
Dec 18	End of 2nd Qtr.
Dec 19	Teacher PLC Work Day (No School)
Dec 22-Jan 2	Winter Break (No School)
Jan 5	Professional Development (No School)
Jan 6	Begin 3rd Qtr.
Jan 19	MLK Day (No School)
Feb 16	President's Day (No School)
Feb 24/26	Parent Teacher Conferences
Feb 27	Teacher PLC Work Day (No School)
Mar 12	End of 3rd Qtr
Mar 13	Begin 4th Qtr
Mar 20	Teacher PLC Work Day (No School)
Mar 23-27	Spring Break (No School)
Apr 3	Good Friday (No School)
Apr 6	Professional Development (No School)
May 1	Professional Development (No School)
May 15	High School Graduation
May 22	Last Day of School (End of 4th Qtr)
May 25	Memorial Day (No School)
May 26	Teacher PLC Work Day (No School)

Quarters	
1st Quarter - Aug 13 - Oct 13	42 days
2nd Quarter - Oct 14 - Dec 18	42 days
3rd Quarter - Jan 6 - Mar 12	45 days
4th Quarter - Mar 13 - May 22	42 days
Total Student Interaction days	171 days
Total Instructional Hours (388/day)	1,105.8 hours
Teacher Contracted Days	
Total Student Days =	171
PD Days (7 days June-Aug + Jan 5, Apr 6, May 1) =	10
Parent/Community Engagement Day =	1
Parent/Teacher Conferences =	2
Teacher PLC Work days =	6
Total Contracted Days	190

January 2026						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
February 2026						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
March 2026						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
April 2026						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		
May 2026						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						
June 2026						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Primary/Elementary Hours: 7:55-3:05      Middle School Hours: 7:55 - 3:17      High School Hours: 7:55-3:22

**Notes**

Five Inclement Weather Days are included in the calendar.  
In case of excessive inclement weather, please schedule vacations after June 5th.  
The Superintendent and School Board shall have the authority to amend this calendar in the event of excessive days missed.

<span style="background-color: #f0f0f0; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> No School	<span style="background-color: #e0e0e0; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Professional Development (No School for students)	<span style="background-color: #c0c0c0; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> High School Graduation
<span style="background-color: #d0d0d0; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> New Employee Orientation	<span style="background-color: #a0a0a0; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Parent Teacher Conferences grades K-12	<span style="border: 2px solid red; border-radius: 50%; display: inline-block; width: 15px; height: 10px;"></span> First & Last Day of School
<span style="background-color: #808080; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Teacher PLC Day (No School for students)	<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Possible XDY - Inclement Weather Make-Up Day (Feb 16, Feb 27, Mar 20, Apr 6, May 1)	

### **Preface**

The Constitution of the United States, through the Bill of Rights and subsequent amendments, gives all people's certain rights. The United States Supreme Court has declared that students do not shed these constitutional rights by walking through the school door. Students are protected by the Constitution and that responsibility for protection applies to boards of education as it does to other individuals and agencies. The state legislature gives school boards rule-making authority regarding student behavior, but such authority is balanced by the Constitution and the courts.

No Student in the Elkins School District shall, on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participation in or denied the benefits of or subjected to discrimination under any educational program or activity sponsored by the District. All programs offered by schools within Elkins School District shall be open to all students in compliance with statutory and judicial requirements. The district has a limited open forum granting equal access to the Boy Scouts of America and other youth groups.

#### **Students Have the Right to:**

- Pursue, through study and self-application, a quality education at public expense and to attain personal goals through participation in the entire school program.
- Participation in school activities without being subject to unlawful discrimination on any basis. Where access to participation in programs of activities is on a competitive basis, each student has the right to compete on an equal basis.
- Express views or protest symbolically, so long as the manner of expression does not interfere with the orderly operation of the school or the rights of others.
- Participate in patriotic exercises or refrain from participating.
- Be secure in their persons, papers, and effects against unreasonable searches and seizures; have privacy in regard to their personal possessions, unless there is reasonable suspicion that the student is concealing materials prohibited by the law.
- Determine their own dress, except where such dress is unsafe or unclean, or is so distracting as to clearly interfere with the learning and teaching process.

#### **Students Have the Responsibility to:**

- Attend classes daily, be on time to all classes, and obey school rules.
- Foster good human relations within the school by practicing courtesy and tolerance in their dealings with each other and members of the school staff, and to respect the dignity and worth of other individuals.
- Refrain from libel, slanderous remarks, and obscenity in verbal and written expression.
- Develop tolerance of the viewpoint and opinions of others: recognize the right of other individuals to form different points of view and to dissent in an orderly and respectful manner.
- Respect the rights, property, and privacy of other students and school personnel; carry only those materials which are acceptable under the law and which are not hazardous to any person or property and accept the consequences for the articles stored in their lockers.
- Observe the basic standards of cleanliness, modesty, and grooming, and wear clothing that contributes to their own health and safety, as well as that of others.

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## SECTION 1 – ACADEMICS

### **ALTERNATIVE LEARNING ENVIRONMENTS**

The district shall have an alternative learning environment (ALE) which 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 and are in grades K-2.

The superintendent or his/her designee shall appoint an Alternative Education Placement Team which shall have the responsibility of determining student placement in the ALE. The team should consist of at least a school counselor, the ALE director or principal, a parent or legal guardian, person having lawful control of the student, or person standing in loco parentis and a regular classroom teacher.

The District's Alternative Learning Environment (ALE) program shall be evaluated at least annually to determine its overall effectiveness at providing a non-punitive environment that:-

- Is conducive to learning;
- Eliminates traditional barriers to learning; and
- Is in 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 school district support plan in addressing identified achievement gaps and student performance deficiencies.

### **BOOKS**

Library and textbooks are furnished without charge for each student's use. They are to be used and not abused. If a book is lost, worn excessively, or damaged beyond reasonable use, parents or guardians will be charged the full price to replace the book. All books must be turned in at the end of the school year or at the time of withdrawal from school.

### **GRADING**

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, if applicable, for each grading period to keep parents/guardians informed of their student's progress.

Student achievement will be measured against learning standards appropriate for the grade level. A score of 1-4 will be assigned to students in Kindergarten through 2<sup>nd</sup> grade based on performance of meeting grade level skills and Arkansas State Standards.

### **MARKETING OF PERSONAL INFORMATION**

The Elkins 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.<sup>1</sup>

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.

### **PROMOTION AND RETENTION**

The District shall, at a minimum, evaluate each student annually in an effort to help each student who is not performing at grade level. Parents or guardians shall be kept informed concerning the progress of their student(s). Notice of a student's possible retention or required retaking of a course shall be included with the student's grades sent home to each parent/guardian. Parent-teacher conferences are encouraged and may be held as necessary in an effort to improve a student's academic success.

Each time a student is assessed by use of a high-quality literacy screener, with results at least once each semester, the parents, legal guardians, persons having lawful control of the student or persons acting in loco parentis, and teacher(s) of a student in kindergarten through eighth (8th) 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:

- The building principal or designee;
- The student's teacher(s);
- School counselor
- A 504/special education representative (if applicable); and
- The student's parents, legal guardians, persons having lawful control of the student or persons acting 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.

### **RETENTION PROCEDURES**

#### **Kindergarten-Second Grade**

- Failure to meet standards in all academic areas
- Well-below basic or below basic mastery of Arkansas Curriculum Frameworks combined with state assessments and other test information
- Teacher recommendation on other subjects and/or other factors for retention

#### **Other Factors for Retention**

- Maturity
- Peer Interaction
- Age
- Work habits
- Responsibility
- Attitude
- Ability to master school objectives
- Learning or emotional problems that can be identified

- Serious illness
- The advisability of other remediation methods
- Test scores from the State and achievement scores of the school
- Below ability level work

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

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

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

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

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

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

By no later than October 1 of each year, or as soon as practicable if a student's reading need is identified after October 1:

- Of their student's eligibility to participate in the literacy tutoring grant program;
- The process for applying for the literacy tutoring grant program; and
- Other information provided by DESE.

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

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

- Deemed to be a high-performing teacher as defined by a Master Professional Educator designation.
- c. Provide parents, legal guardians, or persons standing in loco parentis to students with a “read-at home” plan to support student early literacy growth, which shall include evidence-based science of reading strategies and tools that are aligned to a student’s individual reading plan for parents, legal guardians, or persons standing in loco parentis to use with their student;
- d. Notify parents, legal guardians, or persons standing in loco parentis to a student regarding their student’s eligibility for a literacy tutoring grant;
- e. Be given priority to receive a literacy tutoring grant; and
- f. Be given the option to participate in additional intensive, evidence-based literacy intervention programs aligned to the science of reading.

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

- 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;
- 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.

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

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

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

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

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

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

An SSP shall be created:

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

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

Any student who either 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 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 mandated 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.

### **SPECIAL EDUCATION**

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

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

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

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

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

### **STUDENT ACCELERATION**

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

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade

based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 time span. Either form of acceleration can be triggered by either a parent/guardian, student, or community member's request or by the referral of school personnel. In either case, the process of determining the appropriateness of the request shall be under the direction of the district/school<sup>1</sup> Gifted and Talented Program Coordinator. The district/school Gifted and Talented Program Coordinator shall convene the Acceleration Placement Committee<sup>2</sup> 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 District's 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.

#### **STUDENT HANDBOOK**

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

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

#### **STUDENT PARTICIPATION IN SURVEYS**

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)<sup>1</sup> 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:

- A. 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
- B. Requests or requires a student to provide any of the eight (8) categories of information listed above; and/or
- C. 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 the student turns eighteen (18) years old.

Notes: This policy is to be developed in conjunction with parents, legal guardians, persons having lawful control of the student, or person standing in loco parentis to students.

Parents, legal guardians, persons having lawful control of the student, and persons standing in loco parentis must be "directly" notified of this policy, at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in the policy. The notice must include the specific or approximate dates (to the extent known) during the school year when these activities are scheduled.

### **STUDENT RELIGIOUS EXPRESSION**

The Elkins 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.<sup>1</sup>

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

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 through the use of digital bulletin boards and/or distribution through student emails.

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: class president or other class members determined by a majority vote of the senior class.

## **RELIGIOUS RIGHTS IN PUBLIC SCHOOLS**

Full text of this law can be found here: <https://5il.co/3fhyi>

## **SECTION 2 – ADMISSIONS**

### **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; a score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and
- A portfolio of indicator 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 level in the home school:

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

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

- Award of course credits earned in the home school;
- Placement in the proper grade level and promotion to the next grade level;
- Participation in any academic or extracurricular activity;

- Membership in school-sponsored clubs, associations, or organizations;
- A diploma or graduation, so long as the student has enrolled or re-enrolled in the District to attend classes for at least the nine (9) months immediately prior to graduation; or
- Scholarships.

### **Academic Course Attendance by Private School and Home Schooled Students**

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

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

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

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

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

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

The District may reject a private schooled or home school 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'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.

### **ENTRANCE AGE**

It is the policy of the Elkins School Board in accordance with state statutes, that all children who are ages five (5) through seventeen (17) on or by August 1st are required to be in school that school year with the exception of five-year-old children for whom kindergarten has been waived by the parent, guardian, or person having custody or charge; students who have received a high school diploma or its equivalent; or students who are enrolled in a postsecondary vocational-technical institution, a community college, or a two-year or four-year institution of higher education. In addition, the public schools of any school district in this state shall be open and free through completion of the secondary program to all persons between the ages of five (5) and twenty-one (21) years, whose parents or legal guardians are domiciled in 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 domicile separate and apart from his or her parents or guardians for school attendance purposes.

### **ENTRANCE REQUIREMENTS**

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

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

A student may enter kindergarten if the student:

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

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

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

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

attendance may be enrolled in the first grade.

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

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

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

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

### **Uniformed Services Member's Children**

For the purposes of this policy:

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

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

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

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

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

“Eligible child” means the children of:

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

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

“Transition” means the:

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

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

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

The superintendent shall designate an individual as the District’s military education coordinator, who shall serve as the primary point of contact for an eligible child and for the eligible child’s parent, legal guardian, person having lawful control of the eligible child, or person standing in loco parentis. The individual the superintendent designates as the District’s military education coordinator shall possess specialized knowledge regarding the educational 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 ~~his/her~~ 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;

- a. Provide the uniformed services family with information regarding: 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.<sup>6</sup>

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.

Notes:

All districts are required to appoint a military liaison and DESE must be notified annually by September 15 of the appointment. In addition to other duties, the military liaison is also responsible to serve as a navigator for uniformed services families by:

- Connecting the uniformed services families to appropriate public school resources; and
- Connecting families with other uniformed services families in the public school upon request.

A.C.A. § 6-28-108 allows districts to provide this information directly to the military family or it can be placed on the district website on a page titled "Military Families". A.C.A. § 6-28-301 requires the information to be placed on the "Military Families" page on the district website if the district has twenty (20) or more dependents of Uniformed Service Members enrolled in the district or a general student body of three thousand (3,000) or more.

**Residential Requirements:**

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 coop to which the district belongs may enroll in the district even though the employee and the employee's child or ward reside outside the district.

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

**EQUAL EDUCATIONAL OPPORTUNITY**

No student in the Elkins School District 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 nondiscrimination may be directed to the equity coordinator, who may be reached at (479) 643-2172 or at 349 N. Center Street, Elkins, AR 72727.

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.

### **FOSTER CHILDREN**

The District will afford the same services and educational opportunities to foster children that are afforded other children and youth. The District shall work with the Department of Human Services (DHS), the Division of Elementary and Secondary Education (DESE), and individuals involved with each foster child to ensure that the foster child is able to maintain the foster child's continuity of educational services to the fullest extent that is practical and reasonable.

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

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

Upon notification to the District's foster care liaison by a foster child's caseworker that a foster child's school enrollment is being changed to one of the District's schools, the school receiving the child must immediately enroll the foster child. Immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.

A foster child's grades shall not be lowered due to absence from school that is caused by a change in the child's school enrollment, the child's attendance at dependency-neglect court proceedings, or other court-ordered counseling or treatment.

Any course work completed by the foster child prior to a school enrollment change shall be accepted as academic credit so long as the child has satisfactorily completed the appropriate academic placement assessment.

If a foster child was enrolled in a District school immediately prior to completing the foster child's graduation requirements while detained in a juvenile detention facility or while committed to the Division of Youth Services of DHS, the District shall issue the child a diploma.

### **Foster Child School Choice**

If DHS approves a request from a foster parent, or the foster child if the foster child is eighteen (18) years of age, to transfer to another school in the District or into the district as being in the best interest of the foster child, the District shall allow the foster child to transfer to another school in the District or into the District if the foster parent, or the foster child if the foster child is eighteen (18) years of age, submits a request to transfer on a form approved by DESE that is postmarked by no later than June 1 of the year the student seeks to begin the fall

semester at another school in the District or in the District.

By July 1 of the school year in which the student seeks to transfer under this section, the superintendent shall notify the foster parent, or the foster child if the foster child is eighteen (18) years of age, in writing whether the application has been accepted or rejected. If the application is accepted, the superintendent shall state in the notification letter a reasonable deadline for the foster child to enroll in the new school or the District and that failure to enroll by the date shall void the school choice acceptance. If the application is rejected, the superintendent shall state in the notification letter the reason for the rejection and that the foster parent, or the foster child if the foster child is eighteen (18) years of age, may submit a written appeal of the rejection to the State board within ten (10) days of receiving the notification letter.

The District shall only reject a Foster Child School Choice application if:

1. The public school or District has reached the maximum student-to-teacher ratio allowed under federal law; state law; the standards for accreditation; or other applicable State rule or Federal regulation; or
2. Approving the transfer would conflict with a provision of an enforceable desegregation court order or a public school district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment.

A foster child whose application is rejected by the District may submit a written request within ten (10) days following the receipt of the rejection letter from the superintendent to the State Board of Education for the State Board to reconsider the transfer.

A Foster Child School Choice transfer shall remain in effect until the foster child:

- Graduates from high school; or
- Transfers to another school or school district under:
  - The Foster Child School Choice Act;
  - Opportunity Public School Choice Act of 2004;
  - The Public School Choice Act of 2015; or
  - Any other law that allows a transfer.

The District shall accept credits toward graduation that were awarded by another public school district.

When a foster child transfers from the foster child's school of origin to another school in the District or into the District, the foster child or the foster parent is responsible for the foster child's transportation to and from the school the foster child transferred to. The District and the foster parent, or the foster child if the foster child is eighteen (18) years of age, may enter into a written agreement for the District to provide the transportation to and from the school the foster child transferred to.

If a foster child application is denied due to the district's enforceable desegregation court order or court-approved desegregation plan, the law requires that the district immediately submit proof from a federal court to ADE that the public school district has a genuine conflict under an active desegregation order or active court-approved desegregation plan with the provisions of A.C.A. § 6-18-233.

### **HOMELESS STUDENTS**

The Elkins 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.

It is the responsibility of the District's LEA liaison for homeless children and youth to carry out the dispute resolution process. 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
- 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.

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

## **HOME SCHOOL**

### **Enrollment in Home School**

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

- At the beginning of each school year, but no later than August 15;
- 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 unexcused absences) and at the beginning of each school year thereafter; or
- 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 email;
- 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.

## **RELEASE OF STUDENT INFORMATION/PRIVACY OF RECORDS/DIRECTORY INFORMATION**

Elkins Primary School will not release the phone numbers, addresses, or social security numbers of its students to anyone other than school-related organizations, local, county, state or federal agencies as required by law. 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 parents 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.

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 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.

**Directory Information: A student's name and photograph will be displayed on the district or school's web page(s) unless the school receives written notification from the student's parent or student if over the age of 18.**

## **SCHOOL CHOICE**

### **Standard School Choice**

#### **Exemption**

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

#### **Definitions**

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

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

### **Standard School Choice**

#### **Transfers into or Within the District**

#### **Capacity Determination and Public Pronouncement**

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

The District shall advertise in appropriate broadcast media and either print media or on the Internet to inform students and parents in the District and adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline; the requirements and procedures for participation in the program; and include contact information for the primary point of contact at the District for school choice questions. Such pronouncements shall be made no later than January 1.

#### **Application Process**

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

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

Except for students who are transferring under Uniformed Service Member Dependent School Choice, the transfer application must be postmarked, emailed, or hand delivered between January 1 and June 1. The District shall date and time stamp all applications the District receives as both the resident and nonresident district as they are received in the District's central office. Except for applications from students who are transferring under Uniformed Service Member Dependent School Choice, applications postmarked, emailed, or hand delivered on or after ~~May~~ 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<sup>th</sup>) 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 into the District, the student's parent and the student's resident district.

### **Accepted Applications**

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

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

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

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

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

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

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

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

### **Facilities Distress School Choice Applications**

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

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

### **Opportunity School Choice**

#### **Transfers Into or Within the District**

Unless there is a lack of capacity at the District's school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student may transfer from the student's assigned school to another school in the District<sup>9</sup> 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.

### **SCHOOL CHOICE CAPACITY RESOLUTION**

Whereas:

- The Board of Directors of the Elkins School District has approved by a vote of the Board, the following capacity resolution for school choice applicants for 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 ~~May~~ 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;
  - Are ~~to~~ 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
  - ⊖ 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.

#### **SCHOOL CHOICE REJECTION LETTER**

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 *insert date* 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,

*Insert name*

*Insert position/title*

#### **STUDENT NAME, TITLE, OR PRONOUN**

Unless a District employee has the written permission of the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student or the student if the student is an emancipated

minor or over eighteen (18) years of age, a District employee shall not address a student with a:

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

A student shall not be subject to discipline for declining to address a person using a: a. Name other than that listed on the student's birth certificate, except for a derivative of the name; or b. Pronoun or title that is inconsistent with the person's biological sex.

### **STUDENT TRANSFERS**

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

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

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

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

Any student transferring from a school accredited by the Division of Elementary and Secondary Education (DESE) to a school in this district shall be placed into the same grade the student would have been in had the student remained at the former school. Any grades, course credits, and/or promotions received by a student while enrolled in the Division of Youth Services system of education shall be considered transferable in the same manner as those grades, course credits, and promotions from other accredited Arkansas public educational entities.

Any student transferring from a school that is not accredited by the DESE to a district school shall be evaluated by district staff to determine the student's appropriate grade placement. A student transferring from homeschool will be placed in accordance with Policy 4.6—HOME SCHOOLING.

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

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

### **WITHDRAWALS**

Parents who wish to withdraw their children must follow these steps:

- Inform the office at least one day prior to leaving.
- Make sure all school property is returned.
- Make sure all charges are paid.
- Leave a forwarding mailing address, if possible.

### SECTION 3 - ATTENDANCE

#### **ABSENCES: EXCUSED AND UNEXCUSED**

**In the Primary, students not in their classroom at 7:55 a.m. will be considered tardy, and students leaving after 2:50 p.m. will be considered checked out early. For attendance purposes, students checking in after 8:10 a.m. or leaving before 2:50 p.m. will be marked absent for the hour(s) of the day.**

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

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

#### **Excused Absences**

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

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of six (6) such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal.
2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, FHA, or 4-H sanctioned activity;
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
11. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.
12. Absences due to conditions related to pregnancy or parenting, including without limitation:
  - Labor, delivery, and recovery;
  - Prenatal and postnatal medical appointments and other medically necessary, pregnancy-related absences;

- The illness or medical appointment of a child belonging to a parent who is enrolled at a District school;
- A legal appointment related to pregnancy or parenting, including without limitation:
  - Adoption;
  - Custody; and
  - Visitation;
- A reasonable amount of time to accommodate a lactating student's need to express breast milk or to breastfeed the student's child on the District's campus; and
- At least ten (10) school days of absences for both a parenting mother and a parenting father after the birth of a child.

13. Absences for a student who is the child of a fallen service member or fallen first responder:

- Due to a mental health concern; or
- To attend an event from a sponsoring organization that provides support to families of fallen service members or first responders or provides support for traumatic loss, grief, or resiliency.

14. Upon the written consent of a student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to the student, the District shall grant an excused absence for the following purposes:

- Social or public policy advocacy; or
- Attempts to influence legislation or other governmental policy-making at the local, state, or federal level.

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

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

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

- 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
  - a. 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.

Excessive absences may, however, be the basis for the denial of course credit, promotion, or graduation.

### **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 six (6) 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 three (3) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. Notification shall be by telephone by regular mail with a return address or by notification sent with student required to be returned with parent or guardian signature.

Whenever a student exceeds six (6) unexcused absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law.

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

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

Days missed due to out-of-school suspension shall be unexcused absences, but do not count toward the allowable number of unexcused absences.

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

### **ARRIVAL AND DISMISSAL**

The school does not have anyone responsible for duty before 7:30 a.m. or after 3:30 p.m. Therefore, students who are dropped off at school prior to or who stay after this time are not supervised, and the school is not responsible. Students should come after 7:30 a.m., not later than 7:55 a.m., and will be counted as tardy **if not in the classroom at 7:55 a.m. If students arrive at school past 7:55am, parents MUST come in the building and check the student in.**

Dismissal begins at 3:05 p.m.

Sometimes it is necessary for school to be dismissed early without warning. Please make arrangements with your child as to where he/she should go and what he/she should do at those times. It would be very helpful if information were written on the enrollment sheet and communicated to your child's teacher.

If someone other than a parent is to pick your child up, a dated note to the office and to your child's teacher is necessary. Children will not be dismissed to anyone without parental permission on file.

If you are picking students up after school, a note must be sent to your child's teacher. Otherwise, we are required to put them on the bus.

**For safety, we discourage contacting the school to change regular arrangements for students after school care after 2:30 pm. This procedure needs to be followed except in extreme emergencies to provide safe situations for your child and fewer interruptions while he/she is in class.**

When a student leaves the campus for any reason, he/she needs to be signed out in the principal's office by his/her parent or guardian.

Students should not be checked out early from school unless there is a family emergency, or you have proof of a doctor appointment. This interferes with classroom instruction which we feel is a valuable part of academic school day.

### **ATTENDANCE REQUIREMENTS**

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

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

### **CAR RIDER DISMISSAL POLICY**

All car riders will come to the front hall as their classes are dismissed each day. If your child will be a car rider, please send a note to the child's teacher stating which day or days he/she is to be picked up. If your child is a car rider daily, the person who picks up the child must have a car tag. If the person picking up the child does not present the car tag to the person on duty, they will have to park and come into the building to check the child out, no exceptions. Every child will be issued a car tag. Extra car tags can be purchased in the office.

**For safety, we discourage phone messages changing regular arrangements for students' after school care. This procedure needs to be followed except in extreme emergencies to provide safe situations for your child and fewer interruptions while he/she is in class. Students may bring a note from parents or guardians to give to the teacher that indicates a change in transportation for that day, however, teachers will not be able to take any other form of communication during the school day in regards to transportation. All changes in transportation must be called into the front office if a note is not sent.**

### **COMPULSORY ATENDANCE REQUIREMENTS**

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

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

### **TARDIES**

**In the Primary, students not in their classroom at 7:55 a.m. will be considered tardy. Students checking in between 7:55 and 8:10 will be considered tardy, after 8:10 students will be marked absent. Students leaving after 2:50 p.m. will be considered checked out early. Students will be marked absent for that hour when checking out before 2:50 p.m.**

Excused Tardies/early check outs are defined as:

- Occasional (not frequent) unavoidable and unforeseen delays in transportation, such as failure of the auto, unusual congestion or delay or traffic due to accidents, storms and roads, etc.
- An occasional emergency, which demands the services of the student before school, doctor/dentist visits, fires, accidents, recovery of escaped livestock, etc.

Unexcused Tardies and early check outs:

- 4-5 infractions: Letter of Notice sent home
- 6-9 infractions: Letter of Notice sent home; parent/guardian may have to meet with an administrator to develop a plan for correction.
- 10 or more infractions: Parent/guardian could be subject to penalties as set by law.

## **SECTION 4 – DISCIPLINE**

### **CONDUCT AND PROHIBITED CONDUCT**

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

- Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
- Disruptive behavior that interferes with orderly school operations;
- Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
- Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
- Possession or use of tobacco in any form on any property owned or leased by any public school;
- Willfully or intentionally damaging, destroying, or stealing school property;
- Possession and use of a personal electronic device except as authorized by Policy 4.47 or by the student's IEP or 504 Plan;
- 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;
- Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
- Inappropriate public displays of affection;
- Cheating, copying, or claiming another person's work to be his/her own;
- Gambling;
- Inappropriate student dress;
- Use of vulgar, profane, or obscene language or gestures;
- Truancy;
- Excessive tardiness;
- 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;
- 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;
- Hazing, or aiding in the hazing of another student;
- 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;
- sexual harassment;
- Bullying;
- Operating a vehicle on school grounds while using a wireless communication device; and
- Theft of another individual’s personal property and;
- 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.

## **DISCIPLINE POLICIES**

### **Student Behavior Penalties for Infraction of Student Discipline Policies**

All students are expected to conduct themselves at all times in a manner that will contribute to the best interest of the school system and not infringe on the rights of others. **Disciplinary consequences may range from a minimum of a conference to a maximum of expulsion.** The following activities are considered improper conduct and will subject the student to disciplinary action.

Listed below each rule is a set of disciplinary actions to be taken. Under normal circumstances, this list will be adhered to in the order shown. However, the gravity and severity of the rule infraction may cause the initial punishment to be implemented at some point other than the beginnings of the list of consequences as determined by the school official. (Privileges may be revoked entirely.) Law enforcement must be consulted when a serious crime has been alleged. A copy of Arkansas Code 6-17- 113 is available for public inspection in the school office during school hours.

### **Infraction of the following will result in the following due process:**

#### **Alcohol and Drugs**

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 Elkins School District shall possess, attempt to possess, consume, use, distribute, sell, attempt to sell, 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.

- Alcohol, or any alcoholic beverage;
- Inhalants or any ingestible matter that alter a student’s ability to act, think, or respond;
- LSD or any other hallucinogen;
- Marijuana;

- Cocaine, heroin, or any other narcotic drug;
- PCP;
- Amphetamines;
- Steroids;
- “Designer drugs”;
- Look-alike drugs; or
- Any controlled substance.

Prohibited substances shall include, but are not limited to:

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

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

### **Antisemitism Prohibited**

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

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

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

- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis;
- Drawing comparisons of contemporary Israeli policy to that of the Nazis; or
- Holding Jews collectively responsible for actions of the state of Israel.

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

Discrimination and harassment based on antisemitism is expressly prohibited.

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

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

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

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

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

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

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

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

### **Bomb Threats**

No student shall issue or communicate a bomb threat.

#### **Consequences:**

- Parent contact, three to ten-day suspension from school, and notification of proper authorities
- Recommendation to expel, and notification of proper authorities

### **Bullying**

#### **Definitions**

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

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

electronic, or physical act that:

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.

“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<sup>th</sup>) school day following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student who was the alleged victim in a credible report of bullying whether the investigation found the credible report or complaint of bullying to be true and the availability of counseling and other intervention services.
4. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of the student, or person acting in loco parentis of the student who is alleged to have been the perpetrator of the incident of bullying:
  - a. That a credible report or complaint of bullying against their student exists;
  - b. Whether the investigation found the credible report or complaint of bullying to be true;
  - c. Whether action was taken against their student upon the conclusion of the investigation of the alleged incident of bullying; and
  - d. Information regarding the reporting of another alleged incident of bullying, including potential consequences of continued incidents of bullying;

5. Make a written record of the investigation, which shall include:
  - a. A detailed description of the alleged incident of bullying, including without limitation a detailed summary of the statements from all material witnesses to the alleged incident of bullying;
  - b. Any action taken as a result of the investigation; and
6. Discuss, as appropriate, the availability of counseling and other intervention services with students involved in the incident of bullying.

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

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

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

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

Copies of this policy shall be available upon request.

**Consequences:**

- Warning and/or detention.
- Parent contact and/or detention and /or ISS.
- Three to ten-day suspension from school.
- Recommendation to expel.

**Calls to 911/ False Fire Alarms**

No student shall call 911, pull a fire alarm unless there is an immediate medical, or fire emergency.

**Consequences:**

- Parent contact,
- ISS for three to ten days
- Suspension

**Cheating**

Cheating on homework, class work, and tests cannot be tolerated if each student is to be evaluated and graded according to his/her own abilities and efforts. Any student who allows another student to look on or copy his/her work shall be deemed to be cheating. Any student who has in his/her possession a "cheat sheet", looks on or copies another student's work, uses any unauthorized device to acquire correct responses, talks after being told not to, or otherwise gains an unfair advantage over other students shall be deemed to be cheating.

**Consequences:**

- The first time a student is caught, he/she will receive a zero for that paper, project, assignment, or test, a disciplinary referral, the parent/guardian will be notified and any reasonable punishment prescribed by the teacher or principal will be enforced.
- The second time a student is caught cheating during the school year he/she will receive an "F" grade in that class for that grading period, a "U" will be assigned in conduct, and the parent will be notified.
- The third offense may result in receiving an "F" grade and "U" conduct grade in that class for the grading period and/or ISS.
- A fourth offense may result in suspension from school for three to ten days.

## Computer Network Use Agreement

The use of the Elkins Computer Network is a privilege, not a right. The smooth operation of the network relies upon the proper conduct of the users who must adhere to strict guidelines. These guidelines are provided so that all users are aware of the responsibilities they are about to acquire. Please read the Elkins School District Computer Network Policy. We strictly follow this policy, and it is important that you know the procedures and expectations.

Students who use technology to violate other policies will be subject to discipline for misuse of technology as well as the policy violation. Example: A student sends a threatening email to another student. This student would be disciplined for misusing technology as well as threatening another student. Please note, the gravity, and severity of the rule infraction may cause the initial discipline to be implemented at some point other than the beginning of the list of consequences as determined by the school officials.

Misuse of the Elkins School District Computer Network, (ESDCN) includes, but is not limited to, the following:

- **Threatening or Harassing Messages**

No student is permitted to express an intention to inflict evil, injury, or damage (see discipline policy rule # 1). Students should not intentionally harass in any way using network resources, including the usage of abusive or profane language.

- **Sexual Oriented Material**

A student shall not deliberately obtain, create, or transfer any sexually oriented material. Only one accidental incident will be accepted for the school year.

- **Chain Letters**

No student shall send a letter to several persons requesting that each send copies of the letter to a number of persons.

- **Downloading Information/Software Installations**

No student shall transfer data from or to the Elkins School District Computer Network from the Internet or any other source without faculty or administrative permission. (i.e. screen savers, music, etc.) Software will be installed by the technology department for license compliance and network compatibility.

- **Chat rooms/Social Networks (Facebook, Twitter, etc.)**

No student shall access or participate in social networking without permission from the supervising teacher or administrator.

- **Network/Online Games**

Online games are strictly prohibited. These types of games congest the network and waste valuable resources, and may degrade the overall performance of the network. Generally, the only games that will be accessible will be educational.

- **Email**

All 8th – 12th grade students will be given a school email account. Other students will be given a school email account as requested by faculty for Business Education classes, scholarship applications, etc. Students are not permitted to use Internet email accounts, (Hotmail, Yahoo mail, AOL mail, etc.) Inappropriate messages will not be tolerated. Email may not be printed unless used for a class assignment and has been approved by an instructor. A student's email account may be suspended upon a teacher or administrator's request.

- **Printing**

Do not print personal information (i.e. email, web pages, documents, etc.).

### Consequences of Infractions # 1-8:

First Offense: Loss of ESDCN usage (including email) for 20 school days, and detention.

Second Offense: Loss of ESDCN usage (including email) for 90 school days, and ISS.

Third Offense: Loss of ESDCN usage until reinstated by the technology team, and ISS.

- **Password / Username**

Allowing another student to use your log-on identification or using another person's log-on identification is prohibited. Each student is responsible for the confidentiality of their password. Consequences of infractions of rules for **students who do not have** ESDCN accounts:

First Offense: Detention Second Offense: ISS

Third Offense: 3-10 day suspension from school

- **On-line Shopping**

Personal Internet buying or selling is not allowed; including E-Bay or other shopping applications.

○ **Subscriptions**

Personal subscriptions are not permitted (i.e. ‘Joke of the Day’, newsletters, etc.) An instructor must approve educational subscriptions.

○ **Streaming Media**

Do not connect with any type of streaming media unless authorized by an instructor (i.e. YouTube, Sonicnet, Pandora, etc.) Streaming media (radio, music, weather, video, etc.) congest the network and degrade the overall performance of the Internet connection.

○ **Instant Messenger Software**

Do not install any type of messenger software (i.e. AOL Instant Messenger)

○ **Bypassing Internet Filter**

Attempting to defeat or bypass the Internet filtering software (8e6 Technologies) is strictly prohibited. (i.e. circumventor websites, software, etc.)

**Consequences of Infractions # 10-14**

First Offense: Loss of ESDCN usage for 90 school days, and detention.

Second Offense: Loss of ESDCN usage until reinstated by the technology team, and iMPact.

○ **Files/ Directories/Records**

Intentionally changing, deleting, accessing or altering any file or directory other than your own is prohibited (i.e. unauthorized access- “hacking”) Attempting to access school or student records is an invasion of privacy and is strictly prohibited.

○ **Security**

Any attempt to introduce a virus, bypass, or disable the Elkins School District Computer Network security or using encryption software is prohibited. Using technology to perform, obtain, or send information which could be used in any illegal activity is prohibited. (i.e. guns, weapons, bombs, explosives, fireworks, etc.) The Elkins School District will cooperate fully with appropriate law enforcement agencies.

○ **Copyrighted Material**

Copying licensed software from the district or network equipment is theft and may result in criminal charges being filed. Using the Internet for any illegal copyright or intellectual property law violations is prohibited.

**Consequences of Infractions # 15-17:**

3-10 day suspension from school and /or loss of ESDCN usage until reinstated by the Elkins School District Technology Team.

**Courting/Public Display of Affection**

The public display of affection is not appropriate behavior at school. Failure to comply with reasonable expectations of the school staff will lead to disciplinary action. Once a student arrives on campus any behavior of this nature beyond holding hands will not be considered acceptable in grades K-12.

**Consequences:**

- Verbal reprimand and/or warning with detention.
- Documented parent/guardian contact / Detention
- ISS and/or detention.

**Destruction/ Damage/Vandalism of School and Student Property**

No student shall cause or attempt to cause willful or malicious destructions or defacement of school property. If a student should accidentally damage property, they should report the damage to a teacher or the principal immediately.

**Consequences:**

- Restitution by the student or parent/guardians of the student(s), and ISS, or any reasonable punishment prescribed by the teacher or principal.
- Intentional damage or destruction of a serious nature will result in automatic suspension from school for 3 to 10 days.
- Damage or destruction of a serious or extensive nature will result in recommended expulsion and notification of the proper authorities for prosecution plus restitution.

### **Discipline: "Persons with Disabilities"**

The Elkins School Board recognizes that there are some students who have observable and/or diagnosed discipline conditions that require special considerations. All such students that are part of the special education program will be subjected to discipline according to the Individuals with Disabilities Act and the individual education plan of the student.

All other disabled students with a discipline problem will be disciplined on an individual basis.

### **Disorderly Conduct**

A student shall not engage in behavior which produces situations in which instruction or activities of other students are adversely affected in the classroom, hallway, or other areas.

#### **Consequences:**

- Warning and/or detention.
- Parent contact and/ or ISS
- Three to ten-day suspension from school

### **Drug Paraphernalia**

Possession of any drug paraphernalia is prohibited on the school campus, school property, or any school activity, whether on or off campus.

#### **Consequences:**

- Confiscation / contact of parent/guardian and ISS / notification of proper authorities.
- Three to ten-day suspension from school.

### **E-Cigarettes and Similar Devices**

According to Arkansas Code § 6-21-609, a student shall not possess or use e-cigarettes and similar devices on school property, including buses and school events. A person who violates this law commits a violation punishable by a fine of not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00).

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-pips, or under any other name or descriptor.

#### **Consequences:**

- Contact of parent/guardian and ISS for four days
- Three-day suspension from school
- Five-day suspension from school
- Ten-day suspension from school
- Recommendation to expel

### **Fighting**

Fighting among students is unacceptable behavior. Students will not fight while at school, on school buses, or at any school-sponsored event regardless of where or when that event takes place. All students involved shall be disciplined fairly and equally, as determined by the teachers and/or principal.

#### **Consequences:**

- If it is determined that the fight is of a serious nature, the student(s) at fault will automatically be suspended for a minimum of three school days. If the fight is not of a flagrant nature, the student(s) at fault will be punished accordingly and the parent notified.
- If a student is involved in a fight more than once during a school year, he/she will be suspended for a minimum of three days.
- If it is determined that the safety of other persons on campus is in jeopardy, the offending student may be recommended for expulsion.
- If a student injures another student(s), the proper authorities will be notified for possible prosecution.

### **Firearms, Weapons, and Dangerous Instruments**

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

“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.

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 not less than one year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The mandatory expulsion requirement 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.

Consequences:

- Confiscation, reprimand, and or disciplinary report with proper punishment for minor first offenses, and/or ISS.
- Confiscation, ISS, and/or three to ten-day suspension.
- Confiscation, automatic three to ten-day suspension from school.
- Confiscation, recommendation to expel and referral to the proper authorities for possible

prosecution.

### **Food/Drink in School**

A student shall not bring to or consume in any teaching station or classroom, food, candy, chewing gum, drinks, or other products that might be classified as food. (Bottled water in its original container is allowed and activities involving food pre-approved by teacher or principal.) The building principal will previously sanction exceptions to this policy. No glass containers are allowed at school.

#### **Consequences:**

- Warning
- Detention

### **Indecent Exposure**

A student shall not deliberately commit any act of indecent exposure, while at school, on school property, or at any school-sponsored event anywhere.

#### **Consequences:**

- Three to ten-day suspension from school
- Instances of a sufficiently serious nature will result in recommended expulsion and/or notification of the proper authorities for prosecution.

### **Insubordination or Disrespect for Authority**

All students shall comply respectfully with reasonable directions or commands of teachers, student teachers, substitute teachers, teacher aides, principals, administrative personnel, superintendents, school bus drivers, and other authorized school personnel. Students will be considered insubordinate when they refuse to obey any rule or regulation of the school or school district, or the reasonable instructions of school district personnel. Common courtesy and respect is expected in all situations and interactions. All students must comply.

#### **Consequences:**

- Warning/detention for a minor offense
- Parent contact and/or ISS
- Three to ten-day suspension from school
- Recommendation to expel

### **Leaving Campus without Permission**

Once a student arrives at school, he/she may not leave campus for any reason unless the specific procedures spelled out elsewhere are followed. Also, students may not check out to "go to lunch" and then come back unless they go with their parent/guardian.

#### **Consequences:**

- Documented parent contact and ISS.

### **Leaving Designated Area without Permission**

After arriving at school, every student has a designated area (place) to be in at all times during the school day. Students are required to be in their designated place unless they are given specific permission to be elsewhere. If permission is given, said student must have a hall pass in his/her possession. Students who are more than five minutes tardy to a class are out of their designated area. Students more than fifteen minutes late are truant and will be disciplined accordingly.

#### **Consequences:**

- Detention
- Parent contact
- ISS

### **Loitering by Suspended Student(s)**

Students who have been suspended/expelled from school are not allowed to return to any school sponsored events, regardless of where the event takes place, until their suspension is completed. This applies to before, during, and after school hours.

#### **Consequences:**

- Warning to leave campus or school-related activity.
- Student will be arrested and charged in accordance with Arkansas law.

### **Medication Policy Authorized Prescriptions Medications and Over-the-Counter Medications**

No student in the Elkins school District shall sell, distribute, or attempt to sell or distribute, receive or use over-the counter (OTC) medication not in accordance with the recommended dosage. In addition, no student shall have in their possession any authorized prescription medication. 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 campus for any reason and returns to campus, is en route to or from any school sponsored activity. Also, no student in the Elkins School District shall share, divert, transfer, apply to others (such as needles or lancets), or in any way misuse medication or any medical supplies in their possession.

#### **Consequences:**

- Parent contact, confiscation, and /or ISS.
- Three to ten-day suspension from school
- Recommendation to expel

### **Physical Abuse or Assault or Battery of Another Student**

A student may not physically assault another student, or intentionally attempt to cause another student to be severely injured.

#### **Consequences:**

- Three to ten day ISS/suspension from school, and/or notification of the proper authorities for prosecution.
- Recommendation to expel and/or notification of the proper authorities for prosecution.

### **Physical Abuse or Assault of School Staff**

A student shall not cause or attempt to cause physical harm to any employee of the Elkins School District.

#### **Consequences:**

Recommendation to expel and notification of the proper authorities for prosecution.

### **Playground Infractions**

- No wrestling, tackling, tripping, karate, or other such actions. (i.e. playing chicken)
- Throwing of rocks, gravel or other harmful material will not be permissible.
- Slide on your seat, one at a time, don't run up slides.
- No jumping out of swings.
- Stay on the backside of the school building in the fenced area.
- Only one at a time on the overhand bars.
- Students are to play in assigned areas of the playground and stay out of the building at recess time.
- Students should not bring items to school to be used on the playground unless given permission by the classroom teacher.

#### **Consequences:**

- Staff will follow the school's program for recess infractions which can include walking the remainder of the recess, sitting for a period during recess, and a conference with the teacher and/or parent.

Exceptions: Fighting or insubordination to a teacher will result in the student being sent to the office for discipline.

### **Possession and Use of Personal Electronic Devices**

#### **Definitions**

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

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

“Personal electronic device” means without limitation a:

- a. Cellular telephone;
- b. Paging device;

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

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

### **Possession of Personal Electronic Device**

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

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

A student shall be deemed to not be in possession of a personal electronic device if the device is powered off and is located inside the student’s:

1. Backpack
2. Locker; or
3. Personal vehicle

### **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 an administrator approved 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;<sup>3</sup> 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.<sup>4</sup>

### **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.<sup>2</sup> 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:

1. Detention;
2. In-school suspension;
3. Out-of-school suspension; or
4. Expulsion

Severity of disciplinary consequences will increase with repeated violations of this policy.

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.

### **Profanity-Verbal or Written, Verbal Abuse, Obscene Gestures or Inappropriate Pictures**

A student shall not use profane, violent, vulgar, or insulting language at any time to or in the presence of

another person. A student shall not use physical gestures that connote obscene or disrespectful acts, infringe upon the rights of others, or disrupt the educational process.

**Consequences:**

- Warning and/or detention
- Documented parent contact and/or detention, and/or ISS.
- Three to ten-day suspension from school
- Recommendation to expel

**Skateboards/Scooters**

No skateboards are allowed on campus between the hours of 7:00 a.m. and 4:00 p.m. and during school-sponsored events.

Bicycles should not be ridden in any such manner as to interfere with or endanger pedestrians or others.

The utilization of school property, other than asphalt or curbs, will result in immediate barring from skateboarding on campus.

**Consequences:**

- Warning and/or confiscation of the skateboard. The parent will have to come to school to get the skateboard.
- Confiscation of the skateboard until the end of the school year.

**Suspension**

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 Elkins School 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. 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:

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

Out-of-school suspension (OSS) shall not be used to discipline a student the Primary grades unless the student's behavior:

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

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

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

- The student shall be given written notice or advise orally of the charges against him/her;
- If the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts;
- 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 eighteen (18) or older prior to the suspension. Such notice shall be handed 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 eighteen (18) or older mailed to the last addressed reflected in the records of the Elkins School District.

Generally, notice and conference should precede the student's removal from school, unless the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school. The notice and conference should then follow as soon as possible.

It is the responsibility of a student's parents', or legal guardians', person having lawful control of the student, person standing in loco parentis to provide current contact information to the Elkins School District which the school shall use to immediately notify the parent or legal guardian, person having lawful control of the student, person standing in loco parentis upon the suspension of a student. The notification shall be 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 e-mail address.
- A regular first class letter to the last known mailing address.

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

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

During the period of their suspension, students serving OSS are not permitted on campus and shall not attend any school-sponsored activities including on-campus and off-campus events during the imposed suspension 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 including on-campus and off-campus events during the imposed suspension nor shall the student participate in any school-sponsored activities.

Recognizing that there are limits to the number of times conduct of an undesirable nature can be tolerated, any student who has been suspended from school three times in any given school year may be recommended to the Elkins School Board for expulsion at the time of the third suspension.

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

### **Theft**

A student shall not steal school property, or property belonging to others while under the jurisdiction of the school.

#### **Consequences:**

- Conference with principal, restitution, accompanied by a disciplinary report and other appropriate punishments if necessary.
- Restitution and ISS.
- Three to ten-day suspension from school.
- Recommendation to expel and possible referral to the proper authorities.

### **Threats**

Willful verbal or written threats to the health and safety of students and employees of Elkins School District will not be tolerated and reported to local law enforcement.

#### **Consequences:**

- ISS
- Three to ten-day suspension from school
- Recommendation to expel

### **Tobacco, Electronic Nicotine Delivery Systems, and Related Products**

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes,

cigars, chewing tobacco, and snuff) in or on any real property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

**Consequences:**

- Contact of parent/guardian and ISS
- Three-day suspension from school
- Five-day suspension from school
- Ten-day suspension from school
- Recommendation to expel

**Truancy**

Truancy is unexcused and is defined as a student who is absent from school without the consent and/or knowledge of the parent and/or without permission of the principal.

**Consequences:**

- Documented parent contact and ISS.
- Contact proper Authorities.

**DISRUPTION OF SCHOOL**

**Definitions**

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

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

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

"Violent or abusive behavior" means, without limitation:

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

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

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

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

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

A student who is removed from class shall:

- Be sent to the office of the principal or the principal's designee;
- Be escorted from the classroom by the school administration if the student refuses to leave the classroom voluntarily;

- Not be returned to the teacher's class until a conference is held; and
- Be placed in another appropriate classroom learning environment until the conference is completed.

The conference shall be held for the purpose of:

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

The following individuals shall be present at the conference:

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

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

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

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

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

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

### **STUDENT ASSAULT OR BATTERY**

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

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

- Cause a breach of the peace;
- Materially and substantially interfere with the operation of the school; or
- 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.

### **STUDENT BEHAVIORAL INTERVENTION AND RESTRAINT**

#### **Definitions**

"Aversive behavioral intervention" means a physical or sensory intervention program that is intended to modify behavior through the use of a substance or stimulus that the intervention implementer knows will cause physical trauma, emotional trauma, or both, to a student, even when the substance or stimulus appears to be pleasant or neutral to others.

Examples of aversive behavioral interventions include, but are not limited to:

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

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

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

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

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

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

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

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

- Disrespect;

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

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

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

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

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

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

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

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

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

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

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

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

### **Multi-Tiered Behavioral Interventions**

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

### **Behavior Intervention Team**

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

A student's BIT shall:

- a. Work with the teachers of a student to complete a FBA of the student and an assessment of any problematic situations involving the student;

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

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

### **Physical Restraint**

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

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

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

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

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

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

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

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

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

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

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

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

A complaint by a parent shall be handled by the appropriate District staff in the same manner as a debrief following the use of physical restraint on a student.<sup>1</sup>

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:<sup>2</sup>

- 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.

## **STUDENT DISCIPLINE**

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

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

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

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

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

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

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

### **STUDENT SEXUAL HARRASSMENT**

The Elkins 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;<sup>1</sup>
- 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;<sup>2</sup> or
  - b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;<sup>2</sup>
2. The conduct is:
  - a. Unwelcome; and
  - b. Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or
3. Constitutes:
  - a. Sexual assault;
  - b. Dating violence
  - c. Domestic violence; or
  - d. Stalking.

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

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

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

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

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

member or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

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

### **Supportive Measures**

The District shall offer supportive measures to the complainant and make supportive measures available to the respondent that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party before or after the filing of a formal complaint or where no formal complaint has been filed. The District shall provide individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary 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)<sup>3</sup> 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)<sup>3</sup> 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.<sup>4</sup>

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<sup>5</sup> 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.<sup>5</sup>

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<sup>6</sup>**

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<sup>7</sup> 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.

Notes: <sup>1</sup> 34 C.F.R. § 106.44 requires that a district have procedures governing the grievance process and the appeals process to accompany this policy. The procedures are required to cover all of the following:

- Direct that complainants and respondents shall be treated equitably by:
  - Offering supportive measures to the complainant;
  - Completing the District’s grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.
  - Providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent that are designed to restore or preserve equal access to the District’s education program or activity, which may include the same individualized supportive measures;
  - Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence;
  - Provide that credibility determinations may not be based on a person’s status as a complainant, respondent, or witness;
  - Require that any individual designated by the District as a Title IX Coordinator, investigator, or decision-maker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
- Indicate that individuals selected by the District as Title IX Coordinators, investigators, and decision-makers have received training on:
  - The definition of sexual harassment;
  - The scope of the District’s education program or activity;
  - How to conduct an investigation and the grievance process, including appeals;
  - How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
  - Issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant; and
  - Issues of relevance to create an investigative report that fairly summarizes relevant evidence;
- Provide the District webpage where the materials used to train the District’s Title IX Coordinators, investigators, and decision-makers is located;
- Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process;
- Include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals;<sup>3</sup>
- A process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action, which may include:
  - The absence of a party, a party’s advisor, or a witness;
  - Concurrent law enforcement activity; or
  - The need for language assistance or accommodation of disabilities;
- Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the District may implement following any determination of responsibility;
- State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard;<sup>7</sup>

- Include the procedures and permissible bases for the complainant and respondent to appeal;
- Describe the range of supportive measures available to complainants and respondents; and
- Indicate that the District shall 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 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.

## **SECTION 5 – HEALTH/WELLNESS**

### **COMMUNICABLE DISEASES**

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.

### **HEALTH**

Students are to be immunized in accordance with the Arkansas Department of Health immunization schedule (i.e. poliomyelitis, diphtheria, tetanus, pertussis, red measles (rubella), and German measles).

As recommended by the Arkansas State Health Department, wild or domestic animals are not to be brought on school grounds unless approved by the principal.

Due to outbreaks of hepatitis **no home-baked goods** are to be brought to the classroom for parties or gatherings. To help decrease the spread of infections in our school - please do not send your child to school if he/she has diarrhea, is vomiting, or has a temperature of 100 or greater within the past 24 hours. If your child comes to school under these circumstances, the school nurse will contact you and your child will be sent home.

### **HEALTH NURSE**

The school health nurse will provide routine medical care to students at Elkins Schools. He/she will also provide emergency care for students injured at school. If an accident indicates the need for medical care, a parent will be contacted and asked to take the child to the family physician. In extreme emergencies, the school principal or a school employee will call 911 and have the child transported to the nearest emergency room or clinic. A qualified staff member will provide first aid care, if necessary, in the absence of the school nurse.

### **HEALTH SCREENINGS**

The school district will conduct annual health screenings in the following areas as required by the Department of Education and the Department of Health:

- Vision screening
- Hearing screening
- Scoliosis screening
- Body Mass Index (BMI).

School nurses will make the necessary arrangements for these screenings.

NOTE: Arkansas Medicaid/ARKids First will be billed, where applicable, for vision and hearing screenings conducted at school. If the parent, legal guardian, or eligible student wishes to deny billing for vision and hearing screenings, written notification must be received by the school nurse Office within thirty (30) calendar days of receipt of this notice.

### **HUMAN HOST PARASITES**

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 up their child when the human host parasite is discovered. 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.

## **HYGIENE**

For health reasons personal hygiene is expected. Student hygiene is especially necessary due to the close proximity of all persons. The following can be accomplished at home on a daily basis:

- Comb Hair
- Brush teeth
- Bathe daily
- Use Deodorant
- Hands should be washed prior to eating and after use of the restroom

## **IMMUNIZATIONS**

### **Definitions**

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

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

### **General Requirements**

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

- Poliomyelitis;
- Diphtheria;
- Tetanus;
- Pertussis;
- Red (rubella) measles;
- Rubella;
- Mumps;
- Hepatitis A;
- Hepatitis B;
- Meningococcal disease;
- Varicella (chickenpox); and
- Any other immunization required by the Arkansas Department of Health (ADH).

The District administration has the responsibility to evaluate the immunization status of District students. The District shall maintain a list of all students who are not fully age appropriately immunized or who have an exemption provided by ADH to the immunization requirements based on medical, religious, or philosophical grounds. Students who are not fully age appropriately immunized when seeking admittance shall be referred to a medical authority for consultation.

The only types of proof of immunization the District will accept are immunization records provided by a:

- Licensed physician;
- Health department;
- Military service; or
- Official record from another educational institution in Arkansas.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating "up-to-date", "complete", "adequate", and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted. Valid proof of immunization and of immunity based on serological testing shall be entered into the student's record.

In order to continue attending classes in the District, the student must have submitted:

- Proof of immunization showing the student to be fully age appropriately vaccinated;
- 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;

- A copy of a letter from ADH indicating immunity based on serologic testing; and/or
- 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 twenty-one (21) days or longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

Students who are excluded from school are not eligible to receive homebound instruction unless the excluded student had a pre-existing IEP or 504 Plan and the IEP/504 team determines homebound instruction to be in the best interest of the student. To the extent possible, the student's teacher(s) shall place in the principal's office a copy of the student's assignments:

- for the remainder of the week by the end of the initial school day of the student's exclusion; and
- by the end of each school's calendar week for the upcoming week until the student returns to school. It is the responsibility of the student or the student's parent/legal guardian to make sure that the student's assignments are collected.

Students excluded from school shall have five (5) school days from the day the student returns to school to submit any homework and to make up any examinations. State mandated assessments are not included in "examinations" and the District has no control over administering state mandated make-up assessments outside of the state's schedule. Students shall receive a grade of zero for any assignment or examination not completed or submitted on time.

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; and
- The percentage of a population that must receive an immunization for herd immunity to exist.

### **LICE**

Students found to have head lice or nits will be referred to the school nurse or appropriate school personnel.

#### **First Occurrence Procedure:**

- Parents are notified to pick up the student from school.
- Parents are instructed in treatment options and given treatment handout.
- Parents treat the child.
- Parent returns the child to school and waits until the child is checked for effective treatment.
- Parents are responsible to follow instructions to correctly treat house contents.

#### **Second Occurrence Procedure** (within any three-month period):

- School nurse and parent complete resource checklist.
- If resources are lacking parents are given resources from the task force to ensure proper treatment of the child and home.

#### **Third Occurrence Procedure** (within any three-month period):

Same as above with addition of:

- Nurse observes parent-treating child
- Washington County Health Department is notified.

#### **Fourth Occurrence Procedure** (within any three-month period): Same as above with addition of:

- School nurse files FINS petition.

Task force is made of local police, school nurse, Health Department, DCFS, school administration, and community partnership.

### **STUDENT MEDICATIONS**

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

Unless authorized to self-administer or otherwise authorized by this policy, students are not allowed to carry any medications, including over-the-counter (OTC) medications or any dietary supplement or other perceived health remedy not regulated by the US Food and Drug Administration, while at school. The parent or legal guardian shall bring the student's medication to the school nurse. The student may bring the medication if accompanied by a written authorization from the parent or legal guardian. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, the quantity of the medication(s). If the medications are brought by a student, the school nurse shall ask another school employee to verify, in the presence of the student, the quantity of the medication(s). Each person present shall sign a form verifying the quantity of the medication(s).

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

Nonprescription medications may be given to students upon the decision of the principal or the nurse or their designee(s). Such medications must be in the original container, clearly labeled and accompanied by a written authorization form signed by the parents or legal guardians that include the student's name, the name of the medication, the dosage, and instructions for the administration of the medication (including times).

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

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

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

### **Schedule II Medications**

Students taking Schedule II medications methylphenidate (e.g. Ritalin or closely related medications as determined by the school nurse), dextroamphetamine (Dexedrine), and amphetamine sulfate (e.g. Adderall or closely related medications as determined by the school nurse) shall be allowed to attend school.

Students taking Schedule II medications not included in the previous sentence shall be allowed to bring them to school under the provisions of this policy and shall be permitted to attend and participate in classes only to the extent the student's doctor has specifically authorized such attendance and participation. A doctor's prescription for a student's Schedule II medication is not an authorization. Attendance authorization shall specifically state the degree and potential danger of physical exertion the student is permitted to undertake in the student's classes and extracurricular activities. Without a doctor's written authorization and school nurse approval of this written authorization, a student taking Schedule II medications, other than those specifically authorized in this policy, shall not be eligible to attend classes, but shall be eligible for homebound instruction if provided for in their IEP or 504 plans.

### **Self-Administration of Medication**

Students who have written permission from their parent or guardian and a licensed health care practitioner on file with the District may:

1. Self-administer either a:
  - Rescue inhaler; or
  - Auto-injectable or nasal spray epinephrine;
2. Perform the student's own blood glucose checks;
3. Administer insulin through the insulin delivery system the student uses;
4. Treat the student's own hypoglycemia and hyperglycemia; or
5. Possess on the student's person:
  - A. A rescue inhaler;
  - B. Auto-injectable or nasal spray epinephrine; or
  - C. The necessary supplies and equipment to perform his/her 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 his/her 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 epinephrine in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained school employee(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 ~~auto-injector~~ epinephrine, in good faith professionally believes the student is having a life-threatening anaphylactic reaction and the student is either not self-carrying 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 other trained school employees designated by the school nurse as a care provider who have been trained and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol in emergency situations to students who have an IHP that provides for the administration of albuterol in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained school employee(s) certified to administer albuterol to administer albuterol to the student when the employee believes the student is in perceived respiratory distress.

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

#### **Emergency Administration of Anti-opioid**

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

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

#### **Emergency Administration of Emergency Adrenal Insufficiency Medication**

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

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained school employee(s) certified to administer an injectable emergency dose medication to administer an injectable emergency dose medication to the student when the employee believes the student is having an adrenal crisis due to adrenal insufficiency.

Students who have met the requirements to be authorized to self-administer a stress dose medication under this policy shall provide the school nurse an emergency injectable dose of the student's medication. This emergency injectable dose will be used in the event the school nurse, or other school employee certified to administer an injectable emergency dose medication, in good faith professionally believes the student is having an adrenal crisis due to adrenal insufficiency.

#### **Seizure Disorder Medications**

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

of the creation of the student’s seizure action plan, the student’s Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall:

1. Provide the school with written authorization to administer the seizure medication at school;
2. Provide a written statement from the student’s healthcare provider that shall contain the following information:
  - The student’s name;
  - The name and purpose of the medication;
  - The prescribed dosage;
  - The route of administration;
  - The frequency that the medication should be administered; and
  - The circumstances under which the medication should be administered;
3. Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact, which shall be stored in a safe and secure location accessible only by District personnel or volunteers with training to administer seizure medication.

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

## **SECTION 6 – PARENTAL INVOLVEMENT**

### **CONTACT WITH STUDENTS WHILE AT SCHOOL**

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

#### **Contact By Non-custodial Parent**

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. 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.

#### **PARENT-TEACHER COMMUNICATION**

The Elkins School 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 teachers. Teachers are required to communicate during the school year with the parent(s) or legal guardians(s) of each of their students to discuss their academic progress. 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 guardians(s) for each conference.

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

#### **PARENTAL INVOLVEMENT**

To help promote an understanding of each party's role in improving student learning, Elkins Primary shall develop a compact that outlines the responsibilities of parents, students, and the school staff in raising student academic achievement and in building the partnerships that will enable students to meet the State's Academic Standards. We shall convene an annual meeting, or several meetings at varying times if necessary to adequately reach parents of participating students, to inform parents of the school's participation in requirements regarding parental involvement, and the parent's right to be involved in the education of their child. The school shall, at least annually, involve parents in reviewing the school's parental involvement policy in order to help ensure their continued improvement. Elkins Schools promotes and supports Parental Involvement with the following:

- A building Parental Involvement Committee
- Family Kits provided for each family annually
- Two Parent-Teacher Conferences per school year
- Parent Center with parenting resources
- A staff member who serves as Parent Involvement Facilitator
- Two "Parent's Make the Difference" meetings per school year
- Open House for parents

- Opportunities for parents to serve as volunteers

Information provided on the district website: <http://elkinsdistrict.org>

### **PROCESS FOR RESOLVING PARENTAL CONCERNS**

Although Elkins School District strives to maintain an excellent schooling process for district students, sometimes situations arise where parents may have concerns with schooling issues. Problematic situations may be defined as a misunderstanding concerning laws, regulations, policies, and/or practices implemented by school faculty and staff; or any parental concern involving student- student, student- parent, student-school, parent-school, school-community, or other school-related relationships between persons or groups.

Recognizing that the parent-teacher relationship is the best source of communication concerning resolving misunderstandings, the Elkins School District suggests that when problems arise, parents should first contact their child's teacher(s) to assist in solving problems and concerns.

If circumstances arise that create the need for additional interaction, parents should contact the building principal or his/her designee to assist in developing a solution. Elkins School District faculty, staff, and administration will work to resolve concerns through collaboration and maintaining consistency with federal law, federal case law, state laws, state rules and regulations, local school board policy, and administrative rules/policies/practices.

### **VOLUNTEERS**

Elkins Primary encourages and welcomes parents and other family or community members to volunteer in the building. We have multiple opportunities throughout the school year to volunteer for various events and activities. All persons wanting to volunteer must follow these procedures before being approved to volunteer:

- scanned drivers license in the front office
- participate in and complete all required training with school counselor
- fill out volunteer information form to be kept on file in the school building

## **SECTION 7 – SCHOOL DAY PROCEDURES**

### **CLASSROOM PARTIES**

Three parties are permitted in the classroom during the year. These are determined by the teachers and building principal. Cakes, cupcakes, or any other items sent to recognize a student's birthday are not permitted.

### **CLOSED CAMPUS**

All schools in Elkins School District shall operate closed campuses. Students are required to stay on campus from their arrival until dismissal at the end of the regular school day. Any violation of this policy is considered as truancy from school. Students may be given permission to leave the campus by following the proper checkout procedures in the principal's office before their departure.

No student is released from the school during school hours to anyone other than their guardian unless the office receives written permission from the guardian. Telephone messages will only be accepted in cases of illness or extreme emergencies. Only requests by written note and signature of the guardian will be honored for granting permission to leave campus.

The request must be considered an absolute necessity. A student leaving campus must sign out in the office. Upon return to school, the student must sign in. **NO EXCEPTIONS.**

### **COUNSELOR**

Our school counselor serves as a resource person for students, parents, teachers, and administration. The primary goal is to provide students with the assistance they need in securing maximum social, emotional, and academic development. Our school counselor is always ready to help you with your problems. If you feel that you must talk to the counselor, you must get a pass from your teacher. Students should not visit the counselor's office between classes. This normally results in tardiness to the next class.

Our counselor is available to the pupils and parents for the following services:

- Individual counseling
- Group counseling
- Conferences with parents

### **DRESS CODE AND GROOMING**

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

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

Clothing will be considered to be inappropriate for school if students do not observe the following guidelines: Students are to wear clothing, which reflects non-provocative styling and is appropriate in a co-educational classroom.

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.

Shirts, Tops, or Dresses Must:

- Have sleeves or a strap with a minimum of 2" width. No muscle shirts or revealing tank tops.
- Have no revealing front or back neckline.
- Be long enough to cover the lower back and/or midriff.
- Be of a solid material free of holes or cutouts.
- Not be of any see through material or transparent material.
- Not have any insignia, writing, or design that concerns tobacco, alcohol, drugs, profanities, obscenities, suggestive wording, or gang symbols.
- No pajama tops

Lower Garments Must:

- Be free of holes or cutouts above mid-thigh.
- Have a hemline that is no higher than mid-thigh.
- Not have a slit higher than mid-thigh.
- Not be of any see-through, transparent, or suggestive material.
- Pants should be the correct size and fit appropriately at the waist. (No excessive bagginess)
- No pajama bottoms

Headwear:

- Bandanas and headbands are not to be worn on campus during school hours.
- No sunglasses may be worn in the building without written notice from a doctor.
- Caps may be worn with special permission from the building principals.

Accessories:

- No large chains, dog collars, or stud bracelets.
- No shoes with wheels

Exceptions to the dress code may be granted by the principal.

Consequences:

- Detention

In addition, students wearing inappropriate clothing will be asked to put on a jacket or to change clothes. Those wearing shirts with inappropriate slogans or pictures will be asked to turn those shirts inside out. All caps or hats will be left in the office. The first time a cap is taken from a student, the cap may be picked up at the end of the day. All additional cap or hat offenses will result in loss of the hat or cap for the remainder of the school year.

## **EMERGENCY DRILLS**

All schools in the District shall conduct fire drills at least monthly. Tornado drills shall also be conducted not fewer than three (3) times per year with at least one each in the months of September, October, January, and February. Students who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct an active shooter lockdown drill and school safety assessment for 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 the use of the District's emergency communication method with law enforcement. Students will be included in the drills to the extent that is developmentally appropriate to the age of both the students and grade configuration of the school.

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

Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of an earthquake or terrorist attack that might include the use of biological or chemical agents. Students shall be included in the drills to the extent practicable.

## **FIELD TRIPS**

School-sponsored field trips are a part of the school program. Parental release forms are required for participation. No class will be permitted to take a school-sponsored trip without prior approval of the principal.

## **FLOWERS/BALLOONS**

Elkins Primary School will accept delivery of flowers, corsages, and balloons for individual students. These deliveries will be kept in the office until the end of the day at which time the student will be given their items. However, balloons and/or glass vases are not allowed on the bus and arrangements must be made for the parents to pick the balloons/glass from school.

## **FREE AND REDUCED MEALS**

In order to receive free or reduced meals, each student will need an approved application on file. Applications for free and reduced meals are available in the Primary front office as well as online at [elkinsdistrict.org](http://elkinsdistrict.org).

## **INCLEMENT WEATHER (SNOW DAYS/SCHOOL CANCELLATIONS)**

The School Messenger System, local radio and television stations will make announcements regarding the closing of school for inclement weather. School may occasionally close early if bad weather develops during the day. Days that are missed due to weather are added to the school calendar.

We ask that you NOT call the school numbers to inquire about closings or cancellations as this ties up the school phone lines in the event an emergency call should need to be placed. Please be considerate of school personnel and not contact them at their home number to inquire about school closings/cancellations.

### **Inclement Weather Stations**

We ask that you listen to the following stations listed below for closings or cancellations:

- KFSM - Channel 5
- KHOG - Channel 29
- KEZA 107.9
- KOFC – 1250
- KARK – Channel 4
- KNWA – Channel 24/51
- KIX – 103.9
- KATV – Channel 7

## **LOITERING**

It is not acceptable for any person to loiter on or near public or private school grounds. Visitors must check in through the office and have permission from the principal's office to be on the grounds or inside the building.

## **LUNCH/BREAKFAST**

Students are to enter and leave the lunchroom in an orderly manner. After eating, students are to carry their trays

to the proper place and dispose of uneaten food. Milk cartons, napkins, etc., are also to be disposed of in the proper container. Please help to keep the lunchroom neat and clean, as it is essential to a pleasant dining atmosphere.

Lunch money is to be paid to the classroom teacher. The teacher then sends the money to the cafeteria. Students may bring their lunch, but they will be required to eat in the cafeteria.

Breakfast: a student shall be provided one (1) breakfast at no cost during each school day upon the student's request regardless of whether the student qualifies for a federally funded free or reduced-price meal.

Lunch cost for the school year will be:

K-5: \$3.25;

6-12: \$3.50

### **Meal Modifications**

Except for requests to receive "lactose free" milk, the district only provides modified meal components on menus to accommodate students with a disability. A parent/guardian wishing to request dietary accommodations for their student with a disability must submit to the district's Director of Child Nutrition a medical statement completed by a State licensed healthcare professional, which includes:

- Physicians, including those licensed by:
  - The Arkansas State Medical Board;
  - The Arkansas State Board of Chiropractic Examiners (Chiropractors);
  - The Arkansas Board of Podiatric Medicine (Podiatrists);
- Nurse Practitioners (APRNs in family or pediatric practice with prescriptive authority);
- Physician Assistants (PAs who work in collaborative practice with a physician); and
- Dentists.

The medical statement should include:

1. A description of the student's disability that is sufficient to understand how the disability restricts the student's diet;
2. An explanation of what must be done to accommodate the disability, which may include:
  - a. Food(s) to avoid or restrict;
  - b. Food(s) to substitute;
  - c. Caloric modifications; or
  - d. The substitution of a liquid nutritive formula.

If the information provided in the medical statement is unclear, or lacks sufficient detail, the district's Director of Child Nutrition shall request additional information so that a proper and safe meal can be provided.

When choosing an appropriate approach to accommodate a student's disability, the District will consider the expense and efficiency of the requested accommodations. The District will offer a reasonable modification that effectively accommodates the child's disability and provides equal opportunity to participate in or benefit from the program, which may include a generic version of a product.

Parents may submit a written request for their student to be provided "lactose free" milk. The parent's request is not required to be accompanied by a medical statement in order for it to be granted.

Parents may file a grievance regarding the request for modifications with the District's 504 Coordinator, who will schedule a hearing on the grievance to be held as soon as possible. The 504 coordinator shall provide a copy of the procedures governing the hearing, including that the parent has the right to be accompanied by counsel, and the appeal process upon request.

Except for requests to receive "lactose free" milk, the district will not prepare meals outside the normal menu to accommodate a family's religious or personal health beliefs.

### Food Service Repayment

The district does not provide credit for students to charge for meals, a la carte, or other food and beverage items available for purchase in the school food service areas. Meals, a la carte, or other food and beverage items may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the District that may be charged for the items. Parents, or students choosing to do so, may pay in advance for meals, a la carte, or other food and beverage items through any of the following methods:

- Submitting cash or check payment to Elkins School District to be turned into the food service department in each building;
- Depositing funds through the District's online service, EZSchoolPay website <http://www.ezschooldpay.com>, which includes a service fee;

A student's parents will be contacted by authorized District personnel regarding a student's prepaid account balance at the following times:

A student's parents will be contacted by authorized District personnel regarding a student's prepaid account balance when the account drops below zero and becomes a negative balance.

### Free Breakfast

In accordance with A.C.A. § 6-18-722, a student shall be provided one (1) breakfast at no cost during each school day upon the student's request regardless of whether the student qualifies for a federally funded free or reduced-price meal.

### Unpaid Meal Access

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

- 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.

### LUNCH VISITORS

- You will need to let the teacher or the office know if you plan to eat lunch with your student. You can send a note each morning in your student's folder or call the office at 479-643-3380.
- You will need to let us know if you are bringing an outside lunch to your student. Restaurant meals or lunch from home is fine. This will help us with our meal count in the cafeteria. **Please do not bring or give food to any other student except your child.** We have students with food allergies that could be at risk.
- Please do not arrive any earlier than 5-10 minutes prior to your student's lunch time. All visitors will be required to check with a driver's license in the office when you arrive. You will then be directed to the lunchroom to meet your student.
- We will have a designated area for you to sit with your student. No outside visitors are allowed to sit at student tables. **You may only have your student join you at the guest lunch table. If you have family members (such as cousins, etc) in the same grade, the office must receive permission from that student's parents before they will be allowed to sit with you and your child.**
- Once students begin throwing away their trash at the end of their lunch period and are getting ready for dismissal, please return directly back to the office to check out. Students will be going back to their classrooms for instruction.
- If you planned on meeting your child for lunch and have to cancel, please let us know in advance so we can tell your child. This is also very important if you had planned to bring an outside lunch.

## **NATIONAL ANTHEM**

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

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

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

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

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

## **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

The Pledge of Allegiance shall be recited:

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

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

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

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

## **SCHOOL INSURANCE**

All students are covered under a limited accidental insurance policy. However, this is a secondary insurance policy that pays only after the primary insurance policy has paid. Claims on the school policy are strictly limited. All students participating in athletics should have primary accident insurance with a company selected by their parents. The Elkins School Board reserves the right to require accident insurance on all students that participate in athletics.

## **SEARCH AND SEIZURE AND INTERROGATIONS**

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

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

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

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

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

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Department of Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse.

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

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

### **SPORTSMANSHIP CODE**

Good sportsmanship reflects the quality of the Elkins student body, the school program, and the community as a whole. Therefore, all participants and spectators are asked to adhere to the Elkins Public Schools Sportsmanship Code:

- Accept all decisions of officials without questions.
- Do unto others, as we would have others do unto us.
- Should not hiss or boo.
- Never utter abusive remarks from the sidelines.
- Applaud opponents who make good plays.
- Seek to win by fair and lawful means, according to the rules.
- Try to win without boasting, and lose without excuses.
- Ask every player and fan to live up to this code.

### **STAYING INSIDE**

Students must have a dated and signed note from their parents to stay inside during recess. The note is to state the reason such as illness or a doctor's note with orders. A doctor's note is required for students who are required to stay inside for extended periods of time.

### **STUDENT BRINGING MONEY TO SCHOOL**

When it is necessary to send money to school, please send the correct change, a check if possible. **All money must be sent in an envelope with the child's name, name of their teacher and the reason for sending the money.** If a check is sent to include more than one child, please indicate this information on the envelope. Because different monies go into different accounts and change is not readily available, we require separate

monies for each activity (i.e. lunch/ breakfast account, book orders, etc.)

### **STUDENT ORGANIZATIONS/EQUAL ACCESS**

Non-Curriculum-related 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. 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. The meeting must have a leader present during all meeting times or events and should be pre-approved by the building administrator.

### **STUDENT USE OF MULTIPLE OCCUPANCY ROOM**

#### **Definitions**

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

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

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

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

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

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

### **VISITORS TO THE SCHOOL**

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.

## **SECTION 8 - TECHNOLOGY**

### **BYOD – BRING YOUR OWN DEVICE**

Availability of Access: Access to the Elkins School District wireless network, whether with school provided or personal devices, is filtered in compliance with the Children's Internet Protection Act (CIPA).

Access to the district's wireless network, including the Internet, shall be made available to students and employees primarily for instructional and administrative purposes and in accordance with the Computer Use Agreement and the Acceptable Use Policy Use must:

- Comply with the district's Acceptable Use Policy and the Computer Network Use Agreement
- Impose no tangible cost to the district
- Not unduly burden the district's computer or network resources
- Have no adverse effect on an employee's job performance or on a student's academic performance
- Not cause a substantial disruption to the educational environment and as long as the device:
- Has an updated web browser
- Current antivirus software
- Supported, up to date operating system

Access to the district's electronic communications system is a privilege, not a right. No student will be granted ESDCN access until a computer-use agreement, signed by both the student and the parent or legal guardian, is on file. The use of the wireless network also allows Technology Department staff to conduct investigations regarding inappropriate Internet use at any time, by an administrator or teacher request. Violations of law may result in criminal prosecution as well as disciplinary action by the district.

#### **Guidelines for use:**

- Use of personal devices during the school day is at the discretion of teachers and staff
- Students must use devices as directed by their teacher
- The primary purpose of the use of personal devices at school is educational
- The use of personal devices falls under the Elkins School District Acceptable Use Policy found in the student handbook.
- Students may not use any device to record, transmit or post photos or video of a person without their knowledge and consent
- Images, video, and audio files recorded at school may not be transmitted or posted at any time without the expressed permission of a district faculty member.
- The student is responsible for keeping his or her device in their possession or securing it at all times.

Software:

- School owned software cannot be installed on personal devices

- Personal devices must have up to date antivirus software installed
- Personal devices must have up to date antivirus software installed

#### Printing:

Printing from personal devices is not allowed. Users can use a school owned computer if printing is necessary for educational purposes.

#### School Liability:

Students bring their devices to use at Elkins School District at their own risk. The protection and upkeep of their devices is their responsibility.

Elkins School District is in no way responsible for:

- Personal devices that are broken while at school or during school-sponsored activities
- Personal devices that are lost or stolen at school or during school-sponsored activities
- Maintenance or upkeep of any device (keeping it charged, installing updates or upgrades, fixing any software or hardware issues)

### **CHROMEBOOKS**

All K-2nd grade students are assigned a Chromebook for use at school during the school day or when Digital Learning is in place.

Chromebook Damages: Students in Grades K-6

Students are responsible for protecting the Chromebook from loss or damage, but if an accident or loss does occur the costs associated with the incident are outlined below. The technology department handles repairs, the estimated cost of the part is shown.

- Broken Screen – \$40
- Keyboard – \$42
- Replacement - approximately \$250
- Power Adapter - \$30
- School headphones - \$25

### **ELKINS SCHOOL DISTRICT COMPUTER NETWORK (ESDCN)**

**Acceptable use:** The Elkins School District (ESD) makes computers and/or computer Internet access available to students, to permit students to perform research and to allow students to learn how to use computer technology. Use of district computers is for educational and/or instructional purposes only. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. No student will be granted ESDCN access until and unless a computer-use agreement, signed by the parent or legal guardian, is on file. The current version of the computer use agreement is incorporated by reference into board policy and is considered part of the student handbook.

**CIPA:** The Children’s Internet Protection Act (CIPA) was enacted by Congress in 2000 to address concerns about children’s access to obscene or harmful content over the Internet. To the extent practical, steps will be taken to promote the safety and security of users of the ESDCN when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. In an effort to help protect student welfare when they navigate the Internet, ESD will provide age- appropriate training for students who use ESD Internet facilities. The training provided will be designed to promote ESD’s commitment to:

- The standards and acceptable use of Internet services as set forth in the Internet Use Agreement;
- Student safety with regard to:
- Safety on the Internet
- Appropriate behavior while online, on social networking sites, and in chat rooms; and Cyberbullying awareness and response.
- Compliance with the Erate requirements of CIPA.

**Privileges:** The student’s use of ESDCN is a privilege conditioned on the student’s abiding to this agreement. Each student who receives an account will take part in a discussion with an ESD faculty member pertaining to the proper use of the network. Any user who violates the ESD Electronic Device and Internet Use Agreement will be subject to loss of privileges and/or possible consequences as designated in the Agreement.

**Network Etiquette (Netiquette):** You are expected to abide by the generally accepted rules of network etiquette. These include but are not limited to the following: Be polite, use appropriate language, do not reveal your (or others) full name, personal address, or phone number, use the network in a manner that does not disrupt the use of the network by others, assume that all communications and information accessible via the network are private property, note that electronic mail (email) is **not** private.

**Warranties:** The Elkins School District makes no warranties of any kind, whether express or implied, for the service it is providing. ESD will not be responsible for any damage you suffer. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by negligence, errors, or omissions. Use of any information obtained via the ESDCN is at your own risk. The ESD specifically denies any responsibility for the accuracy or quality of information obtained through its Internet services.

**Security:** Security on any computer system is a high priority, especially when the system involves many users. If you feel that you can identify a security problem on the ESDCN, you must notify a system administrator either in person or by email. Do not demonstrate the problem to other users. Do not use another individual's account. Attempts to login to the system as any other user may result in cancellation of user privileges.

**Vandalism:** Vandalism is defined as any malicious attempt to harm or destroy data of another user, the ESDCN, APSCN or eSchool. This includes, but is not limited to, the uploading or creation of computer viruses. Any attempt to disable or bypass network security measures may result in criminal charges being filed. Violators may also be held accountable for any expenses incurred for repair and/or replacement of network hardware, computers, or services.

**Privacy:** Students are advised that they enjoy no expectation of privacy in any aspect of their computer use, and that monitoring of student computer use is continuous. (i.e. Email, voice, and video transmissions, Internet access)

### **GOOGLE WORKSPACE FOR EDUCATION**

Elkins School District uses Google Workspace for Education, a set of education productivity tools from Google including Gmail, Calendar, Docs, Classroom, and more. An account is created and maintained for each student. Elkins students will use their Google Workspace for Education accounts to complete assignments, communicate with their teachers, and learn 21st century digital citizenship skills.

### **PERSONAL MUSIC DEVICES, CAMERAS, LASER POINTERS, AND ELECTRONIC GAMES**

No cameras, laser pointers, or electronic games will be permitted on campus without approval of the principal's office. Students will not be permitted to use these items in the classrooms during class time or in the lunchroom during lunch period. These items will be confiscated, and a detention may be issued. Personal music devices, such as MP3 players, iPods, and CD players, will be permitted at the teacher's discretion.

### **PUBLICATIONS, VIDEO, WEBSITE CONSENT AND RELEASE AGREEMENT**

Publications, video, and website material has become an integral part of education to engage our students in college and career readiness programs. Student names, pictures, art, written work, voice or verbal statements, or images (video or still) may appear in the school publicly, district publications, videos or on the district/school website. Elkins School District agrees these items and/or articles shall only be used for public relations, public information, school or district promotion, publicity, and/or instruction. If a student wishes to not participate in school publications, the parent/guardian must notify the building principal in writing, which will exclude the student from the school yearbook, school newspapers, school website, athletic videos, or any other school related publication or promotion. The written notification must be 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.

### **STUDENT USE OF ARTIFICIAL INTELLIGENCE**

#### **Definitions**

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

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

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

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

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

When a student uses AI tools, a student shall:

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

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

The following actions regarding AI tools are strictly prohibited:

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

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

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

## **VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING**

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

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

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

The district shall retain copies of video recordings until they are erased which may be accomplished by either deletion or copying over with a new recording. Other than video recordings being retained under the provisions of this policy's following paragraph, the district's video recordings may be erased any time greater than 5 days after they were created.

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

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

## **WEBSITE PRIVACY POLICY**

The Elkins School District operates and maintains a website for the purpose of informing the citizens of the district about its activities. The website does not use "cookies" or ISP addresses to collect or retain personally identifying information about visitors to its website 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.

Publications, video, and website material has become an integral part of education to engage our students in college and career readiness programs. Student names, pictures, art, written work, voice or verbal statements, or images (video or still) may appear in the school publicly, district publications, videos or on the district/school website. Elkins School District agrees these items and/or articles shall only be used for public relations, public information, school or district promotion, publicity, and/or instruction. If a student wishes to not participate in school publications, please have the parent/guardian or student (if student is over eighteen (18) notify the building principal in writing, which will exclude the student from the school yearbook, school newspapers, school website, athletic videos, or any other school related publication or promotion.)

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.

## SECTION 9 - TRANSPORTATION

### **TRANSPORTATION**

The Elkins School District shall provide the best transportation program possible for the greatest number of students and maintain that this transportation should be regarded as a privilege and not a right. Only those students residing in the school district or those who have transferred into the district and a bus that goes through or by their bus stop are eligible for bus transportation.

All students will be assigned a seat on the bus in which to sit, beginning with Primary students in the first rows, followed by Elementary, Middle School and High School in that order. The first couple of rows on the bus may be used to assign seats to students requiring close supervision from any school.

The driver of a school bus is charged with the responsibility of maintaining order on the bus and also has the authority to temporarily suspend a student from riding the bus in case of misconduct.

Any student who needs to ride a different bus other than their own for any specific reason or a student that does not ride a bus regularly must have a written note signed by his/her guardian and appropriate school official before he/she will be allowed to ride a bus other than their regular bus. Students will not be let off the bus at any place other than their regular stop without a note.

All students will be expected to follow all transportation rules and guidelines while riding. Any infraction of the rules or guidelines will be reported to the appropriate building principal. Then parents will be notified when their child misbehaves by a "Bus Conduct Form". A student who becomes a serious discipline problem on the bus will have his/her bus privileges suspended.

In such cases, the parents of the students involved shall become responsible for seeing that their children get to and from school.

### **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.
- The school bus is an extension of the classroom and all classroom rules of conduct apply.
- 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.
- If you miss the bus, do not hitchhike to school.
- Enter and leave the bus quickly and orderly.
- No weapons such as knives, guns, razor blades or any type of ammunition will be allowed on the bus.
- No drugs, alcohol, or tobacco products will be allowed on the bus.
- No matches, lighters, or other flammable materials will be allowed on the bus.
- Students may not bring on the bus: balloons, glass, live/dead animals, water guns, rubber bands, or any homemade shooting devices, or any object too large to hold in their lap or put under the seat.
- Skate boards and laser lights will not be allowed on the bus and will be confiscated.
- Cell phones, Pagers, iPods or any other electronic devices will not be allowed on the bus.
- While riding the bus:
  - All students are to follow the directions of the bus driver at all times.
  - 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.
  - Respect the rights of other riders – No bullying or sexual harassment will be allowed.
  - Find your assigned seat and remain seated and facing forward at all times.
  - Keep the bus aisle and rear door clear of books, bags, feet, legs, etc. at all times.
  - Speak softly, no loud or distracting noises are allowed.
  - No food, drinks, candy, gum or suckers will be out or consumed on the bus.
  - Do not hang hands, arms, or head out the windows or doors at any time.
  - Do not throw objects or spit on other students in the bus or out the windows of the bus.
  - Do not tamper with emergency windows, doors, and other safety equipment on the bus.
  - 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 \$5000.00.
  - Bus drivers will not let students in grades K-3 off the bus unless there is a parent/guardian present. This is according to state law.

**\*Students will not be allowed to get off of the bus once they are on it until they get to their designated stop. Therefore, students cannot get on at the Primary building and get off of the bus at the middle school, gym, football field or high school.**

### **TRANSPORTATION DISCIPLINARY PROCEDURES**

Discipline problems on the bus will be reported to and handled by the Transportation Director and notification given to the Principals of the appropriate buildings.

- **First Offense**..... Warning - Transportation Director will contact parents, notify the building Principal, and send home a written notice with the student.
  - **Second Offense**..... 3-5 days - Student will be denied transportation privileges from three to five days. Transportation Director will contact parents, notify the building Principal, and send home a written notice with the student.
  - **Third Offense**..... Student will be denied transportation privileges for the remainder of the school semester. Transportation Director will contact parents, notify the building Principal, and send home a written notice with the student.
- \*For offenses determined severe in nature, the District has the right to surpass the First and Second Disciplinary Procedure and immediately deny a student bus privileges due to the severity of the act.

### **Bus Video Surveillance**

The Elkins School District may utilize video surveillance to monitor student behavior on buses. Please refer to Elkins School District policy concerning "Video Surveillance".

## Elkins School District Student Handbook Acknowledgement

Parent or Guardians:

The Elkins School District, in compliance with state guidelines, assures that students and parents/guardians will be given a copy of school board disciplinary policies. These policies include prohibited conduct and the possible penalties as stated in the Elkins Primary Handbook. A statement acknowledging the receipt of the Elkins School District Student Discipline Policies is required.

This signed statement will be on file at the Elkins Primary School. The students and parents/guardians are requested to sign and date this sheet in the appropriate spaces, and return it to the Elkins Primary School within ten (10) days. You are urged to call the school at the Primary Building 479-643-3380 if you have any questions.

Students and parents shall acknowledge receipt of discipline policies, the parental involvement plan, and the parent engagement plan summary by a signed statement. The parent engagement plan can be found at: [https://www.elkinsdistrict.org/32148\\_2](https://www.elkinsdistrict.org/32148_2)

As the below named, we hereby acknowledge having received the Elkins School District Primary Student Handbook and the included discipline and other policies and procedures contained.

Student Name (Print): \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent Name (Print): \_\_\_\_\_

Parent Signature \_\_\_\_\_ Date: \_\_\_\_\_

Student Grade

**Please return this page signed and dated within 10 days.**

## Student Electronic Device and Internet Usage Agreement

(This form can also be signed electronically online on the district website.)

Student's Name: (Please Print) \_\_\_\_\_ Grade Level: \_\_\_\_\_

School: \_\_\_\_\_

Date: \_\_\_\_\_

The Elkins 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 and the Elkins School District Acceptable Use Policy. 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. Devices may be denied access to the network at the discretion of the Technology Department.

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. **CIPA:** The Children's Internet Protection Act (CIPA) was enacted by Congress in 2000 to address concerns about children's access to obscene or harmful content over the Internet. In an effort to help protect student welfare when they navigate the Internet, ESD will work to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber-bullying awareness and response

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

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

- Using the Internet for other than educational purposes;
- Gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
- Using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- Making unauthorized copies of computer software;
- Accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
- Using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
- Posting anonymous messages on the system;
- Using encryption software;
- Wasteful use of limited resources provided by the school including paper;
- Causing congestion of the network through lengthy downloads of files;
- Vandalizing data of another user;
- Obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- Gaining or attempting to gain unauthorized access to resources or files;
- Identifying oneself with another person's name or password or using an account or password of another user without proper authorization;

- Invading the privacy of individuals;
- 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.
- Using the network for financial or commercial gain without district permission;
- Theft or vandalism of data, equipment, or intellectual property;
- Attempting to gain access or gaining access to student records, grades, or files;
- Introducing a virus to, or otherwise improperly tampering with the system;
- Degrading or disrupting equipment or system performance;
- Creating a web page or associating a web page with the school or school district without proper authorization;
- Providing access to the District's Internet Access to unauthorized individuals;
- Failing to obey school or classroom Internet use rules;
- 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
- Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

6. 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.

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

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

9. Student Laptop/Chromebook Expectations:

- Students in K-6 grade are assigned a Chromebook for use during the school day. Students in grades 7th - 12th will check out a laptop or Chromebook for use at school and at home for the school year. Students are expected to treat their device with care and respect.
- I agree to return the district laptop or Chromebook in good working condition at the end of the school year or when my child leaves Elkins School District.

10. Parent Laptop/Chromebook Expectations:

- Remember that while the school provides Internet content filtering parents should monitor laptop or Chromebook usage at home.
- I will take full responsibility for any damage that occurs to the device while it is in my child's possession. Review the computer and Internet use policy with your student. Students and parents are responsible for any harmful or illegal content on the laptop or Chromebook.
- I will file a police report in case of theft, vandalism, and other acts covered by insurance.
- I give my permission to allow my child to check out a laptop or Chromebook for the current school year.

11. Signatures: We, the persons who have signed below, acknowledge receipt of this agreement and agree to be bound by the terms and conditions of this agreement.

Student's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Legal Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## MEDICATION SELF-ADMINISTRATION CONSENT FORM

Student's Name (Please Print) \_\_\_\_\_

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

The 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, 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 inhalers, 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 \_\_\_\_\_

## EPINEPHRINE EMERGENCY ADMINISTRATION CONSENT FORM

Student's Name (Please Print) \_\_\_\_\_

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

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 physician'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 \_\_\_\_\_