Fort Smith Public Schools

Student Handbook

Adopted by the Board of Education
June 25, 2012

Today... and ...

Fort Smith Public Schools

in the **Future**

Today... and ...

Fort Smith Public Schools

in the Future

Fort Smith Public Schools

3205 Jenny Lind • P.O. Box 1948
Fort Smith, Arkansas 72902-1948
479-785-2501
Fax: 479-785-1722

Dear Parent:

This is your copy of the **STUDENT HANDBOOK** of the Fort Smith Public Schools.

Please sign and return this sheet to your child's school as soon as possible.

This is to confirm that I have received a copy of the **STUDENT HANDBOOK** of the Fort Smith Public Schools.

_____
Printed Student Name

_____ _____
Student Signature Birth Date

_____ _____
School Grade

_____ _____
Parent/Guardian Signature Date

Yes ☐ **No** ☐ I give permission for the School District to publicize my child's grade point average for honor roll or recognition roll purposes.

Yes ☐ **No** ☐ I give permission for the School District to use photos or video footage of my child in educational or promotional materials.

Yes ☐ **No** ☐ I give permission for my ***elementary school*** child to participate in fund-raising programs approved by his/her ***elementary school***.

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Office of the Superintendent

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To Students and Parents:

The student policies governing enrollment, attendance, and conduct which are included in this document have been approved by the Fort Smith Board of Education for use by all elementary and secondary schools. I would encourage you to familiarize yourself with these policies and to retain this document for future reference. Also included is information regarding certain academic requirements as adopted by the Arkansas General Assembly.

Specific guidelines regarding electronic communication are also included in this document. Measures to facilitate responsible use of the internet and the many devices which can assist students in their learning are outlined along with the parameters which control computer use.

A safe and orderly school environment is essential for the academic and personal development of students to be realized. Controlled substances, weapons, violence and all types of bullying are inconsistent with such an environment and are not acceptable on any school campus or in association with school activities. Your cooperation is essential in order for a positive and productive school climate to be maintained.

If there are questions concerning any of these policies or other matters associated with enrollment, attendance, or conduct, please do not hesitate to contact the building principal or the Director of Student Services.

Benny L. Gooden, Ed.D.
Superintendent of Schools

In compliance with federal nondiscrimination laws the Fort Smith Public Schools do not discriminate in employment and education practices relative to race or national origin (Title VI of the Civil Rights Act of 1964), disability (Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act), sex (Title IX of the Education Amendments of 1972), or age (The Age Discrimination Act of 1975). The coordinator and contact person for all the above civil rights areas is the Associate Superintendent for Human Resources and Support Services, Fort Smith Public Schools, P. O. Box 1948, Fort Smith, AR 72902-1948, phone, (479) 785-2501.

INTRODUCTION

Discipline, attendance, and effort form the foundation of successful learning and teaching. Students and parents must have a clear understanding of school operations, and educators must clearly communicate expectations for satisfactory performance.

With this goal as its primary focus, the Fort Smith Public Schools Handbook Revision Committee, comprised of students, parents, teachers, assistant principals, and other administrators and community representatives, has reviewed the Fort Smith Public Schools Student Handbook. The committee has worked diligently to ensure that this discipline code complies with appropriate federal and state statutes and that the discipline code complies with the community's belief in a positive learning environment. Recommendations for changes in these policies may be submitted in writing to the Director of Student Services by the last Monday in March each year. Those recommendations will be presented to the committee for their consideration. Parents, students, and educators form a partnership that contributes to each student's academic achievement by establishing, communicating, and applying fair and consistent discipline policies. In fact, the hallmark of disciplinary policies is fairness. Both faculty members and administrators attempt to resolve problems and reinforce successes through the cooperative efforts of district resources and parents or guardians. Students and their parents receive copies of this handbook so that positive expectations for student conduct are communicated clearly. A variety of methods may be used to adequately and effectively address violations of this code. These intervention methods may include conferences with parents, verbal or written warnings, detention, suspension, expulsion, counseling, training in conflict resolution, or placement in an alternative learning environment.

The items in this Student Handbook are applicable to all schools in the Fort Smith Public Schools. Each individual school may adopt additional guidelines so long as they are not in conflict with these provisions.

This document attempts to balance the rights of students with the responsibility of educators to maintain a safe and orderly school environment, essentially to form a community whose goal is to increase both knowledge and performance both as learners and as citizens.

This handbook was adopted by the Board of Education 6/25/2012

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NOTICE

TO: Employees, Parents, and Students of the Fort Smith Public School District

FROM: Benny L. Gooden, Superintendent of Schools BLG

DATE: July 1, 2012

SUBJECT: *Civil Rights* Compliance

In accordance with the requirements of Title VI, Section 601, Civil Rights Act of 1964; Title IX, Section 901, Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; and the Educational Equity Guidelines for Arkansas School Districts as required by Standard XV of Accreditation Standards for Arkansas Schools, the Fort Smith Public School District assures that no person in the School District will, on the basis of race, color, national origin, religion, age, sex, or disability, be excluded from the participation in, be denied the benefit of, or be subjected to discrimination under any program or activity of the Fort Smith Public School District.

Questions concerning temporary student disabilities and accommodations should be brought to the attention of the school principal. A form will be completed by school personnel and the parent to assess reasonable accommodations for the student. Questions concerning permanent student disabilities and accommodations should be brought to the attention of the school principal and the school 504 coordinator to be handled in a 504 conference with the parent.

Questions concerning compliance with Title VI (race), Title IX (sex), Section 504 (disability), or Standard XV Guidelines (education equity), should be submitted to:

District Equity Coordinator
Fort Smith Public Schools
P. O. Box 1948
Fort Smith, AR 72902-1948
(479) 785-2501

BLG/kd

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NOTICE

TO: Employees, Parents, and Students of the Fort Smith Public School District

FROM: Benny L. Gooden, Superintendent of Schools BLG

DATE: July 1, 2012

SUBJECT: *SEXUAL HARASSMENT* OF STUDENTS OR STAFF MEMBERS

1. It is the policy of the School District to maintain a learning and working environment that is free from sexual harassment. Sexual harassment is deemed unacceptable conduct in the educational and employment environment and will not be tolerated. Sexual harassment is against the law. All principals and supervisors within this District are responsible for ensuring that all personnel (students and staff members) are afforded the opportunity to work and study in an environment free from sexual harassment. I expect all principals, supervisors, and staff members to actively support this policy and will hold them accountable for ensuring that sexual harassment is not tolerated and for reporting alleged incidents to appropriate supervisors.

2. Sexual harassment is defined as unwelcome or unwanted sexual advances, requests for sexual favors, and other inappropriate oral, written, or physical conduct of a sexual nature, occurring on school property or at a school-sponsored event, when:

   A. Submission to that conduct is explicitly made a *condition* of the individual's employment or education; or
   B. Such conduct has the purpose or effect of substantially and unreasonably interfering with the individual's employment or education by creating an intimidating, hostile or offensive *environment*; or
   C. The unwelcome and offensive written or printed communication is of a sexual nature.

3. Sexual harassment is unacceptable behavior and will not be allowed. Sexual harassment will be actively opposed and will not be condoned within this School District. It is no defense to a claim of sexual harassment that the alleged harasser did not intend to harass. The School District Sexual Harassment Complaint Resolution Procedure may be utilized if a formal complaint is filed.

4. Complaints may be made to the employee's supervisor, the student's principal or to the:

   District Sexual Harassment Coordinator
   P. O. Box 1948
   Fort Smith, AR 72902-1948
   (479) 785-2501

BLG/kd

FORT SMITH PUBLIC SCHOOLS

Student Handbook

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Student Handbook

Approved June 25, 2012

I. Attendance Policies

A. Eligibility for Enrollment

Children who are legal residents of Fort Smith School District, between the ages of five and twenty-one, and otherwise meet the entrance requirements as established by state law shall be eligible to enroll in the Fort Smith School District.

For the purpose of this section, residence shall be determined by the child's residence and the congruent residence of the parent, guardian, court appointed guardian of his/her body, or a person *in loco parentis* to the child.

No student shall, as prohibited by law, be eligible for attendance if they are living separate and apart from the parent/guardian for the primary purpose of school attendance except as provided for those age eighteen to twenty-one.

Students residing within the Fort Smith Public School District must attend the school in the attendance area within which they reside unless otherwise assigned by the Superintendent or the Superintendent's designee.

Nonresident students may attend Fort Smith Public Schools only by means of an approved application under the Arkansas School Choice Program or by means of a tuition agreement between districts. Students approved for attendance in the District will be assigned, based on guidelines developed by the school administration, to a school for attendance purposes.

Adults, who are not parents or legal guardians but have students living with them, must obtain a valid *loco parentis* form from the Student Services Department prior to enrollment. A notarized power of attorney from the parent or legal guardian must be presented when applying for the *loco parentis*. A *loco parentis* cannot be used solely for the purposes of attending a particular school. The *loco parentis* may be revoked by either party.

Affidavits for resident students whose parent(s) live outside the Fort Smith District shall be submitted to the Director of Student Services, subject to final review by the Board of Education. Each affidavit shall be submitted in the designated form required by the school administration.

Exchange students and I-20 students may attend one of the two Fort Smith Public Schools high schools with the permission of the District and principal for an educational experience in the United States. They will be issued certificates but not diplomas.

Students entering the Fort Smith Public School District from another school must be in good standing and eligible to continue enrollment in the former school. Students on suspension from another school district in any state will not be eligible to enroll in the Fort Smith Public Schools until the full terms of the suspension have been completed. A student who has been expelled from another school district is prohibited from enrolling in the Fort Smith Public School District until the specified expulsion has expired (ACA 6-18-510).

B. Enrollment Documentation

Parents must provide proper documentation to the school in order to enroll a student. The student's age must be established using one of the following documents: a birth certificate, a statement by the local registrar or a county recorder certifying the child's date of birth, an attested baptismal certificate,

a passport, an affidavit of the date and place of birth by the child's parent or guardian, previous school records, or a United States military identification (ACA 6-18-208). A social security card and updated immunization card is also required. All enrolling kindergarten students are required to provide proof of a physical examination.

The following are legal exemptions to the documentation normally required for enrollment of a student:

1. Homelessness

   Students enrolled and classified as homeless are not required to provide all of the enrollment documents at the time of enrollment. However, schools must obtain the required documentation as soon as possible. To obtain these documents, schools and families may need the assistance of the homeless liaison. The office for homeless educational services is located at Parker Center, 811 North T Street or call 784-8182, Ext. 3529.

2. Immunizations Exemptions

   A parent may apply for a medical or non-medical exemption for immunizations by contacting the Arkansas Department of Health at (501) 661-2169. Application must be made within 30 days of enrollment. A copy of the application must be provided to the school nurse.

3. Assigned Student ID Number

   If a parent does not want his/her student's social security number used, a student ID number will be assigned by the Student Services Department, 3205 Jenny Lind Road, (479) 785-2501. This number must be requested prior to registration.

4. Foster Children

   Students assigned to foster care by the Department of Human Services are not required to provide all of the enrollment documents at the time of enrollment. However, the schools will work closely with the Department of Human Services and the foster parent(s) to obtain the needed documents as soon as possible after enrollment.

C. Student Classroom Assignments - Multiple Birth Siblings

Classroom assignments are made by the school principal or designee. A parent of multiple birth siblings in prekindergarten through sixth grade may request in writing to the principal that the school place the siblings in the same classroom or in separate classrooms. The request must be made within the first 30 days of enrollment. If the school determines that the placement is detrimental to the educational achievement of one or more of the siblings, the school may make a placement different than the parent's request. The parent may appeal the school's decision to the Director of Elementary Instruction. All provisions of ACA 6-18-106 shall apply.

D. Compulsory School Attendance

Arkansas Code 6-18-201, amended, mandates as follows:

Every parent, guardian or other person residing within the State of Arkansas having custody or charge of any child or children age five (5) through seventeen (17) years on or before August 1 of that year, both inclusive, shall enroll and send the child or children to a public, private or parochial school, or provide a home school for the child or children as described in 6-15-501 et seq. Under such penalty for noncompliance as shall be set by law with the following exceptions:

1. Any student who has received a high school diploma, or its equivalent as determined by the State Board of Education, is not subject to this attendance requirement.

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

   Any parent, guardian or other person residing within the state and having custody or charge of any child or children may elect for the child or children not to attend kindergarten if the child or children will not be age six (6) on September 15 of that particular school year. If such an election is made, the parent, guardian or other person having custody or charge of the child must file a signed Kindergarten waiver form with the local district administrative office. Such form shall be prescribed by regulation of the State Department of Education. Upon filing the Kindergarten waiver form, the child or children shall not be required to attend kindergarten in that school year.

3. Any child age sixteen (16) or above enrolled in a post-secondary vocational-technical institution, a community college or a two-year or four-year institution of higher education is not subject to the attendance requirement.

   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 agrees with placement in the first grade; otherwise the child shall be placed in kindergarten.

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

Parents electing to waive the kindergarten requirement must file a kindergarten waiver with the Superintendent of Schools or the District's Director of Student Services.

The Fort Smith School District recognizes its responsibility to meet the legal requirements as set forth by state law regarding attendance, curriculum, and the general welfare of the student.

Students within the compulsory attendance age, as defined above, and not yet eighteen (18) years of age shall not be dropped from the roll of any school unless they have:

1. Moved from the Fort Smith Public School District.
2. Died.
3. Received a high school diploma or its equivalent as determined by the State Board of Education.
4. Entered private, parochial, or home school.
5. Been committed to an institution.
6. Been recommended to be dropped by the Superintendent of Schools.

Records shall be maintained on all students in Grades 7-12 leaving school prior to the completion of the high school graduation. Records shall show, as required by Statute 6-18-214, the following:

1. School site.
2. Gender.

3. Date of birth.

4. Racial or ethnic identification.

5. Educational handicapping condition, if any.

6. Reason for leaving. Reporting forms shall include, but not be limited to the following reasons for leaving school:

    a. Enrollment in another accredited public, private, or parochial school program leading to a high school diploma.

    b. Failing grades.

    c. Lack of interest.

    d. Conflict with school.

    e. Suspension or expulsion.

    f. Economic hardship.

    g. Pregnancy or marriage.

    h. Peer conflict.

    i. Incarceration.

    j. Alternative plans other than those listed.

    k. Did not return after end of previous semester and none of the reasons listed herein is known to apply.

Data shall also be maintained for those students entering home school programs and students who have run away and their location is unknown.

E. Guidelines for Excused and Unexcused Absences

The Board of Education of the Fort Smith School District recognizes that prompt, regular attendance in school is extremely important. Excessive absenteeism not only adversely affects the learning process of students but may impede the normal progression of a student through the grades. The Board expects each student to attend all scheduled classes and daily activities except when a student has been excused by the principal or principal's designee. Students who report to school but fail to attend all scheduled classes and activities, except where officially excused, are contributing to the potential disruption of the instructional program. A parent/guardian or persons in *loco parentis* have the responsibility to require of his/her students prompt, regular school attendance. A parent/guardian should be familiar with the educational program of the school and rules regarding attendance and student behavior. Unless a student has an excused absence from school, he/she should be in attendance. Excessive absences may result in a denial of promotion or graduation (ACA 6-18-222). Excessive unexcused absences may result in the filing of a Family in Need of Services (FINS) petition with the juvenile court.

ATTENDANCE

Types of absences: Excused, Parental Permission, and Unexcused

A. ABSENCES

1. Excused - An absence is excused in the following instances:

    a. Personal illness of a student or the student's child with official written verification.
    b. Official school sponsored activity.
    c. Court appearances with official written verification.
    d. Medical/Dental appointments with official written verification. (Parents/guardians are

urged to schedule medical or dental appointments after school hours. When this is not possible, the appointment should be scheduled during a study hall or scheduled so that the student will not miss the same class(es) repeatedly.)

e. Death or serious illness in the immediate or extended family. (Official written verification may be required.)

An excused absence shall afford the student the privilege of making up all assignments and/or class activities as the teachers direct.

Official written verification includes signed doctor, dentist, court or legal documents identifying the office and/or the name of the professional who provided the service.

2. Parental Permission

   a. Parental permission may be granted for any reason, including personal illness without written verification, provided the parent has contacted the attendance office, by note or phone call, the day the absence occurs.
   b. The student may not exceed five (5) parental permission absence days for the school year. If a student exceeds five (5) days of parental permission absence in any class for the school year, all parental permission days thereafter are classified as unexcused.
   c. Parental permission shall afford the student the privilege of making up all assignments and/or class activities as the teachers direct.
   d. Absences for parental permission shall not be granted in conflict with semester examination schedules.

3. Unexcused

   a. An unexcused absence shall be considered to be a willful absence (truant) from school if it is without the knowledge of the student's parent/guardian.
   b. Any other absence not considered excused in the two preceding sections will be counted as unexcused.
   c. Any student who is truant or has an unexcused absence forfeits the right to make up any work for credit.
   d. Students on short-term suspension from school (not to exceed ten days) shall be considered absent but excused for the purpose of absenteeism. These students will be expected to make up their school work and may receive full credit upon satisfactory completion. The sole responsibility for completing assigned work rests with the student. All make-up work should be returned to the appropriate teacher upon the student's return to school.
   e. A student with four (4) or more unexcused absences per semester may be assigned consequences. Minimum – reprimand; Maximum – suspension.

B. PARENT/GUARDIAN CONTACT

The parent/guardian should contact the school by 9:00 a.m. any day that a student will be absent. In addition to assisting the school with the attendance record, parent/guardian notification to the school is a security measure to verify the locations of all students.

Upon the 7th absence in any semester a letter will be sent to the parent/guardian notifying him/her that upon the 15th absence of the same semester the student may be denied promotion or credit. Before a student accumulates the 15th day of absence for the semester the student, the student's parents, or guardian, may petition the school principal for a conference to address the student's absences. (Act 1223 of 2011)

Students with long-term, medically documented illness or injury may be allowed to make up work and may be given assistance in obtaining credit for courses in which they are enrolled.

C. LEGAL NOTIFICATION

Upon notification by the School District that a student of mandatory school age is no longer attending school or has 10 consecutive absences in any class, the County Prosecuting Attorney or City Prosecuting Attorney will be notified that the student is no longer attending school. Students with unexcused absences in excess of 4 total days in any one semester may be considered delinquent, and appropriate notification to the County Prosecuting Attorney or City Prosecuting Attorney may be made subject to the directions of the Superintendent or his/her designee.

The Fort Smith School District shall notify the Arkansas Department of Finance and Administration whenever a student 14 years of age or older is no longer attending school, and the Department of Finance and Administration shall suspend the student's learner permit or driver's license until the student re-enrolls and is successfully attending school.

D. COURSE CREDIT

Credit may be denied to a student Grades 9–12 enrolled in credit courses when a student has more than 15 days of total absence in a semester.

E. DENIAL OF PROMOTION

Excessive absences (15 days per semester) may be a basis for denial for promotion or graduation. Before a student reaches 15 days of absence in a semester, the parent or guardian may petition the principal for a conference to address the student's absences. The plan to address the absence problem will be formalized into a written agreement to include the conditions of the agreement and the consequences for failing to fulfill the requirements of the agreement.

F. GRADING

A student who is absent from any given class will be permitted to make up major tests and major assignments if the student has an excused absence. The student must make arrangements with the teacher(s) on the first day the student returns to class to complete work missed because of an excused absence. A student will be given an "O" or "F" if the assignment(s) missed is the result of "unexcused" absence.

II. Child Custody Situations

A. The parent or guardian shall provide authorization, by note or phone call, for other persons to take a child from school during the school day.

B. In order for a student to be released to law enforcement officers, one of the following is required:

1. The officer has a warrant.
2. The officer places a student under arrest.
3. The parent or guardian accompanies the officer.
4. The officer has written permission from the parent or guardian.
5. The principal or his/her designee obtains oral permission from the parent or guardian by telephone. The oral permission shall be documented by the principal or designee.

C. Anytime a student is released from school, the parent or guardian is to be notified as soon as possible.

D. The parent or guardian must be contacted, if possible, when law enforcement officers request to question a student at school regarding a criminal offense the student may have witnessed

or in which he/she may have participated. If the parent or guardian cannot be contacted, a school official shall act in *loco parentis* and observe the interrogation.

E. Parents or guardian will not be notified when law enforcement or social service officials or designated employees of the Department of Human Services ask to interview a student about suspected neglect or abuse in the student's family. A school official shall be present during the interview. The school official delegated to be present should be the person with whom the student will be most at ease and least threatened.

F. Any agency other than law enforcement agencies or the Department of Human Services must have a written administrative or court order directing the school district to give custody to that agency. Parents should be notified as soon as possible.

G. Both parents of a student are assumed to have equal custodial rights unless a court order stating otherwise has been presented to school officials. When in doubt, school enrollment records may be used, as the parents have the burden of furnishing school with accurate, up-to-date information.

H. A non-custodial parent with visitation rights has the same right to obtain student information as the custodial parent. Any restriction on this right would have to be documented in a court order.

I. Student information and school records will be released to law enforcement officials, agents of the court, or Department of Human Services employees if such information is part of an open case or a current investigation.

J. If testimony by staff members is sought by parents or attorneys, a subpoena shall be required.

K. The transfer of a student between the student's custodial parent or guardian and non-custodial parent or guardian is prohibited from taking place on a school campus during normal hours of school operation (ACA 9-13-104).

III. Student Health

A. Student Health Guidelines

1. It is the parent's/guardian's responsibility to notify the nursing staff or school personnel in writing of any serious medical condition his/her child may have. Notification should be made in a timely manner.

2. Parents should not send a student to school who has a fever of 100 degrees or greater. The student should remain at home until he/she has been free of fever, without the use of fever reducing medication, for 24 hours. Most fever is lowest in the morning, rises in the afternoon, and is highest in the evening.

3. Parents should not send a student to school who is vomiting or has diarrhea in the morning or the previous evening due to the contagious nature of these conditions.

4. Due to the possibility of choking, no hard candy will be allowed in school.

B. Head Lice Policy

1. When a student is found to have head lice the student will be sent home for treatment that day. The parent will treat the child and return the child to school <u>the same day</u> or the next day.

2. Students returning to school after being sent home with lice must be accompanied by their parent/guardian. The student will be checked for lice by the principal or his/her designee prior to returning to his/her class.

3. Siblings of the student with lice will be checked by the teacher, school nurse, or someone designated by the principal.

4. Depending on the severity of the lice problem, the principal, in consultation with the school nurse, may decide it is necessary to check an entire classroom or group of classrooms.

5. The principal or his/her designee will notify parents of children in the affected classroom of the problem when:

   a. three or more children are found to have lice within any two-week period in classrooms with more that 15 students, or

   b. there is one case in a classroom of 15 or fewer students.

6. The principal or his/her designee shall notify the bus driver and/or the transportation department if the student is transported.

C. Medication Policy

Medications are generally administered by an Unlicensed Assistive Personnel under the supervision or direction of a school nurse. Medications are given at school as a courtesy to parents. Medications not necessary for attendance may be refused and some prescribed medications may be refused at the nurse's discretion due to safety issues. The following requirements are to be met before medication is administered at school:

1. All medications must be stored and administered from the original containers with the most current, dated labels. The student's name must be on the prescription label. The medication label is not to be changed in any way. (Name of child, dosage, and time given.) Parents are responsible for getting the medications to and from school.

2. A parent must sign medication forms giving school personnel permission for administering medications to their child. The dosage on the medication container and the dosage on the medication permission form must be identical.

3. No medication will be given unless it is specifically ordered by the child's physician to be given during school hours. Medication ordered to be given 1, 2, or 3 times a day will be given at home unless specifically ordered to be given during the school day.

4. All pills should be administered with water. The student must swallow the oral medication in the presence of the adult administering the medication.

5. For PAR and PASS, medication(s) will be transported by the parent, principal, or designee in the prescription bottle with the signed medication form(s) for administration during the school day. The parent, principal, or designee will be responsible for transporting the medication(s) and form(s) back to the home school.

6. Medications such as inhalers and auto-injectable epinephrine may be kept with the student provided that all requirements are met as stated in the inhaler and auto-injectable policies. Non-prescription inhalers will not be allowed at school without a written doctor's order. Medications will not be given if expired.

7. If morning medication, usually given at home, is forgotten – there must be verbal consent from the parent before being given at school.

8. The school system is not responsible for reactions caused by medications which are properly administered.

9. If questions concerning a medication arise, school personnel have the right to call the doctor/pharmacist regarding medications. The parent/guardian will be notified.

10. Due to the possibility of choking hazards, no cough drops, throat lozenges, or medicated suckers will be given at school.

11. Narcotic medications such as cough syrups with codeine and pain medications will not be given at school. With a written doctor's order, non-aspirin products may be given for pain management. The doctor's order must be for a specified and appropriate length of time.

12. All medications should be kept in a locking cabinet in the office to be administered by the Unlicensed Assistive Personnel or School Nurse.

13. All unused medication may be sent home with the student or collected by the parent/ guardian at the end of the school year. Any medication remaining on the last day of school will be destroyed.

D. Growth and Maturity

The school nurses will present a growth and development program for 4th grade girls and 5th grade boys and girls. The growth and development program for 4th grade girls includes information regarding menstruation and personal hygiene. The 5th grade program will cover growth and development which will include a discussion of the reproductive systems of both boys and girls. During this program the boys and girls will be separated. These programs are all abstinence based. Please contact your school nurse for further information.

E. Immunization Requirements for Kindergarten Through Grade Twelve

1. Except as otherwise provided in these regulations, no child shall be admitted to a public or private school of this state who has not been immunized against poliomyelitis, diptheria, tetanus, pertussis, red (rubeola) measles, rubella, mumps, hepatitis B and varicella as evidenced by a certificate of a licensed physician or a public health department acknowledging the immunization.

2. The requirements for entry into school are:

   Kindergarten: At least four doses of Diphtheria/Tetanus/Acellular Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), Diphtheria/Tetanus (DT pediatric), at least three doses of Polio vaccine; two doses of MMR (measles, mumps, and rubella) vaccine; three doses of Hepatitis B vaccine and two doses of Varicella (chickenpox) vaccine without accepting history of disease in lieu of receiving Varicella vaccine. Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before January 1, 2010, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

   1st through 12th grade: At least three doses of Diphtheria/Tetanus/Acellular Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), Diphtheria/Tetanus (DT pediatric), or Tetanus/ Diphtheria (Td Adult), at least three doses of polio vaccine; two doses of MMR (measles, mumps, and rubella) vaccine, one dose of Mumps vaccine. Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before January 1, 2010, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

   Transfer students: (Students not in your school district last year): At least three doses of Diphtheria/Tetanus/Acellular Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), Diphtheria/Tetanus (DT pediatric), or Tetanus/Diphtheria (Td Adult), at least three doses

of polio vaccine; two doses of Rubeola (measles) vaccine, one dose of Rubella (German measles) vaccine, one dose of Mumps vaccine, and an appropriate series of Hepatitis B vaccine.

7th grade: In addition to the vaccines requirements listed under 1st through 12th grade, one dose of Tdap vaccine if applicable, one or two doses of varicella (chickenpox) vaccine. A parent/guardian or physician history of disease may be accepted in lieu of receiving Varicella vaccine.

3. A facility may temporarily admit a child provided that the child becomes appropriately immunized, is in-process of receiving the needed doses of vaccine, or shows proof that they have applied for an exemption for those vaccines he/she has not received within thirty (30) program days after the child's original admission.

4. School officials are required to evaluate the immunization status of all children in their facilities.

F. Kindergarten Physicals

All enrolling Kindergarten students must furnish evidence of a physical performed within the last 2 years administered by a licensed physician or a registered nurse qualified to conduct screening examinations. (ACA 6-15-202 and ACA 6-18-701)

G. Vision Screening

All children in prekindergarten (pre K), kindergarten (K), grades one (1), two (2), four (4), six (6), and eight (8) and all transfer students shall receive an eye and vision screening. If a student fails the screening, a rescreening will be done. If the student fails the second screening the parent/guardian will be notified of the possible need for further evaluation. (ACA 6-18-1501)

H. Body Mass Index

All children in kindergarten and even-numbered grades up through 10th grade will have a body mass index screening. A report of this screening will be made available to the parent/guardian during the year the child was screened. Any parent/guardian may refuse to have his or her child's body mass index screened by providing a written refusal to the school.
(ACA 20-7-135)

I. Scoliosis

All girls in 6th grade and all boys and girls in 8th grade will be screened for scoliosis. If the student fails the screening a report will be sent home to the parent/guardian for follow-up with their physician or an orthopedic physician. A child may only be excluded from the screening if it is against their religious beliefs and the parent sends a written statement to the school prior to the screening. (ACA 20-15-801 & ACA 20-15-803)

IV. Nutritional Guidelines

The Arkansas Department of Education has enacted rules related to nutrition standards for Arkansas Public Schools. These rules limit the availability of certain foods and practices on school campus during the school day.

PROHIBITED PRACTICES:

A. Elementary Schools may not serve or provide access to food other than meals provided by the school-lunch program.

B. Secondary Schools may not serve or provide access to food other than meals provided by the school-lunch program until thirty minutes after the last lunch period. (Current beverage vending contracts are exempt to this rule.)

C. Schools may not use food as a reward.

D. Schools are limited in the sale of extra food to students; extra foods that may be purchased include: milk, fresh fruit, vegetables or a complete extra meal.

E. Schools may not sell or give away extra servings of dessert, french fries and/or ice cream.

F. **Parents may not provide food/beverage items to other children at school.** This means that it is not permissible for parents to provide birthday or other treats for their children's classroom.

ALLOWABLE PRACTICES:

A. Schools can provide snacks in pre-K and in Kindergarten as long as the snacks meet nutrition guidelines.

B. **Parents have the right to provide any food or beverage they desire for their child only.**

C. Food can be used during a lesson when it has an instructional purpose and value; for example, using cubes of cheese to teach fractions.

D. Schools may provide special food and/or beverage for up to nine different school events each school year as determined and approved by the school officials.

Note: The nutrition guidelines do not apply to students with special needs when indicated in the student's IEP. Nor do these guidelines apply to school nurses when providing health care to students.

You may contact the school office or access the Arkansas Department of Education website **http://www.arkedu.state.us** for a complete set of the rules related to nutrition standards.

Special Dietary Needs/Food Substitutions

Students with special dietary needs will be accommodated based on a physician's diet prescription. Food substitutions are available for medical reasons only. If school menus fail to offer choices consistent with personal dietary preferences, parents should assume responsibility for preparing the student's meals. Special dietary needs forms are available at school offices and on the child nutrition department web site at www.fortsmithschools.org.

Meal Accounts and Refunds

Meal accounts can be managed with a convenient, secure EZSchoolPay account. To open an EZSchoolPay account, request your student I.D. number at the school office, then go to ezschoolpay.com.

Meal accounts have a $10.00 credit limit. Account balances at the end of the school year will be carried forward to the next school year. Account refunds are available to seniors, and students no longer enrolled at FSPS.

Free or reduced price meal applications are always available in the school office.

V. **Parental Involvement** (ACA 6-15-1702)

The District acknowledges that parents play an integral role in assisting student learning and that the parent is a full partner in the decisions that affect his or her child and family. Each public school district and each public school within its boundaries, in collaboration with parents, will establish a parental involvement plan, including programs and practices that enhance parental involvement and reflect the specific needs of students and their families.

The parental involvement program in each school will involve parents of students at all grade levels in a variety of roles, be comprehensive and coordinated in nature, and recognize that communication between home and school should be regular, two-way, and meaningful. To encourage communication with parents, the school shall prepare an informational packet to be distributed annually to the parent of each child in the school, appropriate for the age and grade of the child. The school may plan and engage in other activities determined by the school to be beneficial to encourage communication with parents. The school will make efforts to promote and support responsible parenting.

Parents who have concerns about the school and/or their student's education should conference with the classroom teacher to try to address solutions. If a solution is not forthcoming, the parent should conference with the building principal or assistant principal to work toward a solution.

The Board of Education believes that all students benefit when the relationship between the home and school is strengthened. Therefore, the Board encourages families to participate in PTA activities and other school functions that strengthen those bonds.

If you have questions regarding the professional qualifications of your child's teachers or paraprofessionals, you are encouraged to ask the Associate Superintendent for Human Resources and Support Services.

Le invitamos a que hable con la si usted tiene alguna pregunta sobre las capacitaciones profesionales de los maestros o asistentes de maestros de sus hijos.

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ວຽກງານ ຂອງນາຍຄູ ຫຼື ນາຍຄູຊ່ວຍ ຂອງລູກທ່ານແລ້ວ ໃຫ້ທ່ານສອບ
ຖາມນຳຜູ້ອຳນວຍການໂຮງຮຽນ ຝ່າຍການບໍ່ຣິການ ແລະ ພນັກງານເຈົ້າໜ້າທີ່.

"Nếu như quý vị có điều gì thắc mắc về những khả năng chuyên nghiệp của các thầy/cô giáo hoặc của các vị trợ giáo của con em mình, xin quý vị vui lòng liên lạc với vị Phụ Tá Trưởng Ty Giáo Dục, Phụ Trách Về Dân Sự."

VI. Academic Policies

A. Grading System

The issuance of grades on a regular basis serves to promote a process of continuous evaluation of student performance to inform the student, his or her parent/guardian and counselor of progress toward established educational goals.

Letter grades will be used to denote academic achievement except at kindergarten where a check mark system will be employed. At Grades 1-12, the letters "A, B, C, D, and F " will be used according to the following numerical percentage equivalents:

A = 90-100
B = 80-89
C = 70-79
D = 60-69
F = 0-59

These grade assignment standards shall be used in all regular classes in all District schools. Special symbols and terms appropriate to special programs may be used to indicate student progress. Exceptional students shall be graded in accordance with their Individualized Education Program and current guidelines.

Permanent grades will be issued on a yearly basis at the elementary level and on a semester basis at the secondary level. Grades assigned to students for performance in a course shall reflect only the extent to which a student has achieved the expressed academic objectives of the course. Grades that reflect other educational objectives may also be given.

Student progress is reported to parent/guardian 4 times each year. These reports are distributed a few days after the close of each 9-week period. Supplementary notes of commendation, suggestions for improvement, parental conferences, meetings and similar means of keeping in touch with a parent/guardian are emphasized.

B. Smart Core Curriculum and Course of Study

In order to ensure that every child has access to a rigorous curriculum, the Smart Core curriculum and Core curriculum will be standard components of the required course of study to graduate from Arkansas public schools.

All students will participate in the Smart Core curriculum unless the parent or guardian waives a student's right to participate. In order to waive a student's right to participate in the Smart Core curriculum, the parent must sign the separate Smart Core Waiver Form. In the case of a waiver, the student will be required to participate in Core curriculum.

Each spring, all 6th grade students in Fort Smith Public Schools and their parents will be provided the Smart Core curriculum, as well as the option of waiving Smart Core and thus electing the Core curriculum. When appropriate, these curricular provisions will be reviewed and revised through Grade 12.

Parents may be informed of their curricular choices through counselor meetings, parent teacher conferences, PTA, newsletters, student handbooks, etc.

Upon receipt of the Arkansas Department of Education's Smart Core Informed Consent Form, parents will be required to sign and return their choice of curriculum for their child to the school. Returned Informed Consent Forms become a part of the student's permanent record and are attached to the transcript. Students transferring to other schools and/or districts will have transferred, as a part of their permanent record, the signed Informed Consent Form.

Parents will be provided the option of changing the Informed Consent Form by contacting the building principal in writing. Requests will be honored only if the student can complete the newly selected course of study by the end of their senior year.

Appropriate school personnel including teachers, counselors, and administrators will be informed and trained about the provisions of this policy.

The following course of study is consistent with Smart Core Curriculum.

CORE CURRICULUM COURSE OF STUDY
CLASSES OF 2012 and 2013

English – 4 units
English 9th grade
English 10th grade
English 11th grade
English 12th grade

Mathematics – 4 units
Algebra I or its equivalent
Geometry or its equivalent
All math units must build on the base of algebra and geometry knowledge and skills.

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

Science – 3 units
At least one unit of Biology
At least one unit of a physical science

Social Studies – 3 units
Civics – ½ unit
World History – 1 unit
U.S. History – 1 unit

Oral Communications – ½ unit
Physical Education – ½ unit
Health and Safety – ½ unit
Fine Arts – ½ unit
Career Focus – 6 units

SMART CORE CURRICULUM COURSE OF STUDY
CLASSES OF 2012 and 2013

English – 4 units
English 9th grade
English 10th grade
English 11th grade
English 12th grade
Mathematics – 4 units
Algebra I or Algebra A & B (Grades 7-8 or 8-9)
Geometry or Investigating Geometry or Geometry A & B (Grades 8-9 or 9-10)
Algebra II
Fourth Math Choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III or an Advanced Placement mathematics.

(Comparable concurrent credit college courses may be substituted where applicable.)

Natural Science – 3 units with lab experience chosen from:
Physical Science
Biology or Applied Biology/Chemistry
Chemistry
Physics or Principles of Technology I & II or PIC Physics

Social Studies – 3 units
Civics or Civics/American Government – 1 unit
World History – 1 unit
U.S. History – 1 unit

Oral Communications – ½ unit
Physical Education – ½ unit
Health and Safety – ½ unit
Fine Arts – ½ unit
Career Focus – 6 units

CORE CURRICULUM COURSE OF STUDY
CLASSES OF 2014 and AFTER

English – 4 units
English 9th grade
English 10th grade
English 11th grade
English 12th grade

Mathematics – 4 units
Algebra I or its equivalent
Geometry or its equivalent
All math units must build on the base of algebra and geometry knowledge and skills.

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

Science – 3 units
At least one unit of Biology
At least one unit of a physical science

Social Studies – 3 units
Civics – ½ unit
World History – 1 unit
U.S. History – 1 unit

Oral Communications – ½ unit
Physical Education – ½ unit
Health and Safety – ½ unit
Economics – ½ unit (may be counted toward Social Studies or Career Focus)
Fine Arts – ½ unit
Career Focus – 6 units

SMART CORE CURRICULUM COURSE OF STUDY
CLASSES OF 2014 and AFTER

English – 4 units
English 9th grade
English 10th grade
English 11th grade
English 12th grade

Mathematics – 4 units

Algebra I or Algebra A & B (Grades 7-8 or 8-9)
Geometry or Investigating Geometry or Geometry A & B (Grades 8-9 or 9-10)
Algebra II
Fourth Math Choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III or an Advanced Placement mathematics

(Comparable concurrent credit college courses may be substituted where applicable.)

Natural Science – 3 units with lab experience chosen from:

Physical Science
Biology or Applied Biology/Chemistry
Chemistry
Physics or Principles of Technology I & II or PIC Physics

Social Studies – 3 units

Civics – ½ unit
World History – 1 unit
U.S. History – 1 unit

Oral Communications – ½ unit
Physical Education – ½ unit
Health and Safety – ½ unit
Economics – ½ unit (may be counted toward Social Studies or Career Focus)
Fine Arts – ½ unit
Career Focus – 6 units

C. Homework and Independent Study Skills

Parent/guardian and teachers should be partners in the education of children. Their joint efforts in assigning and monitoring homework can provide an excellent opportunity to strengthen the home-school relationship and to help the student feel that home and school are working together for his/her best interest.

Homework shall be assigned and used as an integral part of the teaching/learning experience of students. Specific homework assignments shall be made by the teacher, provided each school may adopt guidelines to assure balance in homework assigned to each student. The type of homework assignment and the time to do such homework should give consideration to the grade level or subject area. As general guidelines, homework for Grades 1-3 should average from 30-45 minutes per day, for Grades 4-6, 45-90 minutes per day, for Grades 7-12, 1-2 1/2 hours per day. As a general rule, homework is rarely given to kindergarten students.

Homework should be assigned regularly, clearly stated, regularly collected, checked and returned to students. Each teacher should advise students how and the extent to which homework will be used in determining final grades. To develop students' independent study skills the teacher should:

1. Discuss the skills needed to accomplish homework assignments;

2. Demonstrate a simple step-by-step process of completing a homework assignment;

3. Model the techniques of listening, following instructions, note taking, reading for comprehension, preparing papers and locating materials in the library;

4. Have students demonstrate their knowledge of independent study skills; and

5. Teach the students how to organize materials and to work independently.

D. School Reporting of Students' Performance

Teachers shall communicate personally during the school year with the parent/guardian of students to discuss academic progress. Elementary school teachers shall meet with the parent/guardian at least once a semester through a face-to-face parent/teacher conference or a telephone conference. Secondary school teachers shall meet with the parent/guardian of each student at least once during the school year through a face-to-face parent/teacher conference or telephone conference. Teachers will communicate more frequently with the parent/guardian of students not performing at the level expected for their grade. If a student is to be retained at any grade level, notice of retention and the reasons for retention shall be communicated promptly in a conference.

The school shall document parent/guardian participation or nonparticipation in required conferences.

E. State Mandated Testing and Student Academic Improvement Plans

The State of Arkansas requires that each student in grades three (3) through eight (8) shall participate in criterion-referenced (Benchmark) exams. Each student identified as not meeting the satisfactory pass levels in their immediate previously administered benchmark assessment shall have an Individual Academic Improvement Plan (AIP) developed and shall participate in remediation activities as required in the plan.

Any student who fails to pass the benchmark assessment and who fails to participate in the subsequent academic improvement plan shall not be promoted to the next appropriate grade until:

1. The student is deemed to have participated in an academic improvement plan/ or

2. The student passes the benchmark assessment for the current grade level in which the student is retained.

Beginning with the 2009-2010 school year, a student required to take a general end-of-course assessment (biology, Algebra I, Algebra II, geometry, 11th Grade English) who is identified as not meeting the requisite scale score for a particular assessment shall participate in the remediation activities as required in the student's individualized AIP in the school year that the assessment results are reported and shall not receive academic credit on his or her transcript for the course related to the end-of-course (EOC) assessment. Academic credit will not be granted until the participation in the student's individualized AIP has been completed.

Beginning with the 2009-2010 school year, an initial high stakes end-of-course assessment for Algebra I, shall be administered to students by grade ten (10). A student who does not meet the requisite scale score on this assessment shall participate in an individualized AIP. An individualized AIP shall include remediation activities and multiple opportunities for the student to take and pass subsequent high-stakes EOC assessments as long as the student remains enrolled and has not reached twenty-one (21) years of age.

If, after two subsequent high-stakes EOC assessments, a student does not meet the passing score on the high-stakes EOC assessment, the student shall participate in remediation provided and supported by the Arkansas Department of Education before taking a third or subsequent high-stakes EOC. A student identified as not passing an initial high-stakes EOC assessment shall not receive academic credit on his or her transcript for the course related to the EOC assessment and is not entitled to graduate from an Arkansas public high school or charter school until:

1. The student is identified as meeting the requisite scale score on a subsequent high-stakes EOC assessment; or

2. The student is identified as meeting the requisite score established by the State Board of Education on an alternative assessment.

If a student does not meet the requisite scale score on the general EOC and/or high-stakes assessments and/or subsequently does not satisfy the remedial requirement or take and pass a subsequent assessment as outlined above, the student shall not be entitled to graduate with a high school diploma from an Arkansas public high school or public charter school.

The Arkansas Department of Education may determine that an individualized education program (IEP) for a student with disabilities identified under the Individuals with Disabilities Education Act, meets the requirements of the individualized AIP that addresses one (1) or more academic areas in which the student is not proficient on state-mandated exams. If a student with disabilities, due to the nature of his/her disabilities, is unable to meet the requirements associated with EOC assessments, the student may graduate from high school by demonstrating alternative competencies or alternative levels of competency under the student's IEP.

VII. Student Records

A. Rights to Privacy

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (eligible students) certain rights with respect to the student's education records. The student's right to privacy regarding school records will be protected, and any disclosure of information from a student's permanent record shall serve legal and/or educational needs. Access to a student's records is available to authorized school officials, parent/guardian(s) and officials of other schools in which the student seeks or intends to enroll. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member; a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

A parent/guardian(s) or eligible student has the right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent of eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedure will be provided to the parent or eligible student when notified of the right to a hearing.

Access to transcripts of a student's record may be made available to persons or agencies outside the school provided written consent is given by a parent/guardian or eligible student. Student records will be furnished in compliance with judicial orders or pursuant to any lawfully issued subpoena. A written record will be kept of all persons requesting and seeing student records.

The Fort Smith School District maintains written and electronic student records. The principal is the person in charge of each building and has a copy of this policy which a parent/guardian may examine.

Comments found on records which are inaccurate, misleading or inappropriate may be removed from the file. School officials will not change grades, test scores, attendance records or other objective data.

It is the right of the parent(s) to file a complaint with the U.S. Department of Education concerning alleged failures by the *School District* to comply with the requirements of FERPA. The website for FERPA is ferpa@ed.gov. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

B. Directory Information

The Fort Smith School District has designated certain personally identifiable information contained in student records which would not generally be considered harmful or an invasion of privacy, if disclosed as directory information. High schools routinely disclose directory information to military recruiters upon request. Directory information may be released without prior notice unless a written refusal has been given to the building principal or the Director of Student Services objecting to such release.

Directory information shall include, but is not limited to, student's name, address, telephone listing, parent/guardian, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received, dates of attendance, last school attended and grade level classification.

Written objection to directory information release must be made within the first ten days of each academic year or within ten days of enrollment, whichever is later.

C. Non-Custodial Parent Access to Records

Under Arkansas law a non-custodial parent with visitation rights has the right to access all student records that are available to the custodial parent unless the right is specifically limited by the court. Both parents are assumed to have equal custodial rights unless a court order stating otherwise has been presented to school officials. The parents have the burden of furnishing the school with current court orders.

D. Student Surveys

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):

    a. Political affiliations or beliefs of the student or student's parent;
    b. Mental or psychological problems of the student or student's family;
    c. Sex behavior or attitudes;
    d. Illegal, anti-social, self-incriminating, or demeaning behavior;
    e. Critical appraisals of others with whom respondents have close family relationships;
    f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
    g. Religious practices, affiliations, or beliefs of the student or parents; or
    h. Income, other than as required by law to determine program eligibility.

2. Receive notice and an opportunity to opt a student out of:

   a. Any other protected information survey, regardless of funding;
   b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
   c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

3. Inspect, upon request and before administration or use:

   a. Protected information surveys of students;
   b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
   c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901

E. Destruction of Records

No school records of a permanent nature shall be destroyed by the principal, teacher, or other employee unless permission has been received from the Superintendent of Schools.

Students' transcripts, permanent records, immunization records, and students' cumulative records are to be considered in this category. Teachers' record books and teachers' nine-weeks reports are considered of a semi-permanent nature and should be preserved for a period of five years.

VIII. Co-Curricular and Extracurricular Activities

The Board of Education believes that student activities sponsored by the Fort Smith School District are a vital part of the total educational program and should be used as a means of developing wholesome attitudes and good human relations, as well as knowledge and skills. The Board further recognizes that not all of the District's goals and objectives can be met in formal classroom study. Therefore, the District's program of co-curricular and extracurricular programs will provide opportunities for student participation in activities designed to meet their leisure, recreational, social and emotional interests and needs. Co-curricular and extracurricular activities will be defined as those organized, supervised and conducted under the auspices of the School District or any element thereof which primarily involve students in other than a classroom situation and which are not part of a course of study. These activities will provide for individual, small group and/or student body participation. Activities in this classification may include, but will not be limited to, intramural sports, clubs, athletic teams, spirit groups and interscholastic adjuncts to music or academic courses conducted outside the classroom. The following are examples of activities governed by this policy:

- Student government and its related activities and organizations;
- Musical festivals or contests, speech contests, debates or drama activities;
- Organized activities which are part of intramural or interscholastic athletics;

- All types of interscholastic competition; and
- Special interest clubs or service organizations.

Any K-12 student is eligible for, or may participate in, extracurricular activities, including field trips, unless excluded for disciplinary or attendance reasons or for failure to meet designated activity qualifications.

The Board further believes that any program of student activities should be governed by the following guideposts:

- Although student participation is on a voluntary basis, all students should be encouraged to participate in one or more student activities in order to realize the benefits of involvement and participation;
- Student participation will be based upon interest and qualifications without regard to race, sex, religion, disability or national origin;
- Financial support for student activities will be provided utilizing the resources which may include fund raising, parent organizations, gate receipts or other available resources; and
- Participation in student activity programs is designed to develop a sense of involvement, pride, responsibility and teamwork consistent with the mission of the Fort Smith School District.
- Student activities will be scheduled so as to minimize interference with the academic program of each school. Each principal will monitor student activities in order to avoid excessive encroachment upon instructional time.

Responsibility for oversight of student activities will rest with the Superintendent of Schools and other administrative and teaching personnel who are assigned to coordinate the various programs. The Director of Athletics and Student Activities will provide District-level coordination in cooperation with building principals with regard to allocation of resources, scheduling and administrative policy application.

IX. Eligibility For Athletic Competition

A student's eligibility for interscholastic athletics shall be in the public school district of the parent's residence in accordance with applicable residence rules. Eligibility for specific Fort Smith school attendance zones will be governed by the current attendance and transfer policies of the Fort Smith School District.

In District Transfers

A student who chooses to transfer schools within the district and who is entering the eighth, ninth, eleventh, or twelfth grade will lose athletic eligibility for that school year unless the student attended that school the entire previous year. If a ninth grade student entering the tenth grade desires to transfer out of his attendance zone, that student must inform the Fort Smith Public Schools' Director of Athletics and Student Activities no later than July 1.

Hardship Exceptions: Upon petition from a student's then current principal, the District's athletic director is authorized to waive the requirements of the specified eligibility rules. The principal must present evidence of a true hardship. A hardship is defined as an extreme and unusual circumstance beyond the control of the student or parent.

Out of District Transfers

All students transferring from outside of the district are subject to the rules and regulations established by the Arkansas Activities Association.

X. School Organizations and Activities

A. Definition

1. School organizations and/or school activities shall include any and all student groups or functions that are identified by or exist by virtue of a particular school or school district.
2. Any activity or function planned by a school organization shall be considered a school activity.
3. Activities planned by patrons or support groups will be considered non-school functions.

B. School Activity Requirements

1. Every activity must have a school employee as a sponsor who shall be designated by the principal.
2. All activities must have the approval of the principal in advance of the activity.
3. Local district membership fees may not be charged. Regional, state and national dues may be collected when the organization is an affiliate of these groups. Students may be asked to share the cost of a particular activity.
4. The principal shall file, or cause to be filed, with the Superintendent an annual report for each organization which shall include, but not be limited to:
   a. A list of activities for the year.
   b. All revenue, including contributions, and the source(s) of the revenue.
   c. All expenditures.
5. All fund-raising activities must have the approval of the principal in advance of the activity. Door-to-door fund-raising projects are prohibited. Lotteries or selling of chances as a means of raising funds are prohibited.
6. All expenditures must be approved by the principal.
7. All receipts and expenditures must be processed through the District Activity Fund Account. All receipts will be credited to the designated account of the designated school.
8. Funds may be used for organizational activities, reimbursement to students, and/or sponsors, for personal expenses incurred as part of the activity.
9. Membership of any organization shall be open to all students who meet the written criteria for that organization. Written criteria will comply with existing civil rights laws and regulations.
10. The sponsor may discipline or drop students from the organization with the approval of the principal. Parents shall be notified and afforded an opportunity for a conference to discuss the reasons for suspension or dropping of the student.
11. The principal shall have the authority on interpretation of any rules and regulations pertaining to organizations or activities, whether or not they are stated in these policies.
12. Final authority on interpretation of any rules and regulations shall rest with the School Board.

C. Solicitation of Funds

Fort Smith Board of Education Policy JLC states:

"Students are not to be used for solicitation of funds or drives for school-sponsored organizations unless such solicitation or drive is specifically approved by the principal. No door-to-door sales or solicitations by students for school purposes shall be approved."

This policy applies to both elementary and secondary students.

Pursuant to Arkansas Code Annotated 6-18-1104, parents of all elementary students who participate in fund-raising programs are hereby notified:

1. Student participation in fund-raising programs is voluntary.
2. Students who do not participate will not forfeit any school privileges.

3. Students may not participate in fund-raising programs without written parental permission returned to school authorities.
4. An elementary school student who sells fund-raising merchandise door-to-door must be accompanied by a parent or an adult.*
5. Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

*PLEASE NOTE: Even though the state statute permits schools to allow door-to-door fund-raising with supervision, the Fort Smith Board of Education has prohibited door-to-door sales or solicitations by any student in the Fort Smith Public Schools.

XI. Student Publications

A. Statement of Policy

1. The First Amendment to the Constitution protects the rights of students to freedom of expression. Educators have the obligation to teach the responsibilities that accompany this freedom. First Amendment rights of students may be limited when the exercise of those rights interferes with the educational objectives of the school.
2. Student publications shall serve as educational tools; as means of expression for students; as forums for discourse on issues; and as sources of entertainment and enlightenment.
3. School publications are not a public forum and, therefore, are not open to indiscriminate use by the public. School officials retain the right and the duty to exercise supervision and final judgement over the content of all school publications.

B. Official School Publications

1. School publications will offer students opportunities to inform, to investigate, to interpret, and to evaluate—all being accepted, responsible functions of the traditional democratic press. All students, through the editorial pages, will have the opportunity to express their views.
2. The criteria for the inclusion of a story, illustration, advertisement, or other materials in any school publication will be those of accepted journalistic practice. As an integral part of the school curriculum, all school publications are under the direction of school officials.
3. It is recognized that a school publication should be prepared and published by students rather than professionally compensated journalists and it thus becomes necessary to provide the students with a journalism advisor who has proper journalism training and whose duties include:
   a. Teaching and implementing accepted, responsible journalism.
   b. Advising and counseling students in the implementation of the criteria for the inclusion of stories and other materials in the publication.

C. Student Responsibilities

Truth, fairness, accuracy and responsibility are essential to the practice of journalism.

1. Student journalists have an obligation to learn and observe the legal and ethical responsibilities expected of professional journalists, as discussed in the Code of Ethics of Professional Journalists, including accuracy and fairness.
2. Student journalists have the responsibility to know and observe applicable laws including libel, slander, obscenity, privacy, copyright, and disruption of school activities, and should consider accepted community standards of decency and good taste.
3. In keeping with the above statements, the following types of publications by students are not authorized:
   a. Publications that are obscene as to minors, as defined by state law.
   b. Publications that are libelous or slanderous, as defined by state law.

c. Publications that constitute an unwarranted invasion of privacy, as defined by state law.
d. Publications that so incite students as to create a clear and present danger of the commission of unlawful acts on school premises or the violations of lawful school regulations or the disruption of the orderly operation of the school.

XII. Fort Smith Public Schools Network/Internet Acceptable Use Guidelines

A. Acceptable Use

The Fort Smith Public Schools' digital devices, networks and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. This policy and the accompanying rules also apply to digital devices issued directly to students, whether in use at school or off school premises.

Students are allowed to use privately-owned devices at school with prior authorization by school officials, provided that they comply with this policy and the accompanying rules.

B. Unacceptable Use (ACA 6-21-107)

The District has established and will maintain an Internet filtering system to prevent computer users from accessing harmful material. The use of the network is a privilege, not a right, which may be revoked at any time for inappropriate conduct as determined by the Fort Smith Public School District. Such conduct would include, but not be limited to, the placing or viewing of unauthorized or unlawful information (data or graphics) on a system, messages/data, the sending of messages/data that are likely to result in the loss of a recipient's work or systems, and the sending of "chain letters," or "broadcast" messages to lists or individuals. District computing resources cannot be used to intimidate or create an atmosphere of harassment based upon gender, race, religion, ethnic origin, creed, or sexual orientation. The unauthorized disclosure, use, and/or dissemination of personal identification information regarding students or staff is strictly prohibited. Any unauthorized access to District, staff, or student information by any individual is prohibited.

It is essential for each user on the network to recognize his/her responsibility in having access to vast services, sites, systems, and people. The user is ultimately responsible for his/her actions in accessing network services. Users must also observe the acceptable use of policy of other networks. What is acceptable use on the District network may not be acceptable on outside networks.

An account assigned to an individual, including Student Use Accounts, may not be used by others. Faculty, students, staff, and associates are individually responsible for the proper use of their accounts, including proper password protection and appropriate use of Internet resources. It is not acceptable to use the network to interfere with or disrupt network users, services, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation or computer worms or viruses, and using the network to make unauthorized entry to any other machine/service accessible via the network. No one should deliberately attempt to degrade the performance of a computer system (including network resources) or to deprive authorized users of resources or access. Use of the network for recreational games is not acceptable.

C. Behavior in Use

All faculty, students, staff, and associates are responsible for use of district computing resources in an effective, efficient, ethical, and lawful manner even in the absence of reminders or enforcement. Users are expected to follow normal standards of polite conduct in their use of the computing resources. Responsible behavior includes consideration for other users, as well as efficient use of the computing time and materials. Annually every user will be required to successfully complete training as defined by the School District in order to be eligible to access network services.

The District cannot be held liable for any losses, including lost revenues, or for any claims or demands against the user by another party. Users are personally monetarily responsible for their unauthorized access to any "pay" service. The District cannot be held responsible for any damages due to the loss of output, loss of data, time delay, system performance, software performance, incorrect advice from a consultant, or any other damages arising from the use of the District's computer facilities.

Faculty cannot be held liable for the student's use of the network. Students may access the network for individual work, in the context of another class, at a location other than on campus. The faculty is responsible for instructing and supervising students on acceptable use of the network, network etiquette, electronic mail, chat rooms, and other forms of electronic communication. **Students have no expectation of privacy in their use of school digital devices.**

D. Plagiarism

Copying a student's computer assignment takes little effort; as does detecting and proving such plagiarism. The standard academic penalties for this are severe. Systems staff will cooperate with instructors in verifying plagiarism. Guilty users will lose computing privileges. Students may be subject to receiving a failure for the assignment and possible failure for the course. This includes students who have completed a course and shared their old work with those in a subsequent semester.

E. Use of Copyrighted/Licensed Materials

Unauthorized copying, transmittal of, or use of licensed or copyrighted media (example: software) is considered theft and a violation of copyright laws. Placement of media (example: software onto an on-site user's computer hard disk) onto School District information systems equipment should not be done without prior authorization. Final responsibility of management of a given piece of equipment and the media placed on it is held by the assigned user or on-site lab supervisor.

F. Violations Statement

Violations of the guidelines set forth in this policy shall constitute a violation of school rules and will result in punishment of the student with a minimum penalty of a reprimand to a maximum penalty of expulsion.

Violations of some of the guidelines set forth in this policy may constitute a criminal offense. Transmission or use of any material in violation of any international, U.S., or state laws or regulations is prohibited. Systems staff and district administrators will cooperate fully with law enforcement agencies in correcting any violations.

G. Online Safety Pledge

The student's signature on the District's Student Handbook signature page indicates she/he will uphold all aspects of the following pledge.

I want to use the computer and the Internet. I understand that there are certain rules about what I should do online. I agree to follow these rules:

1. I will not give my name, address, telephone number, school, or my teachers'/parents' names, addresses, or telephone number to anyone I meet on the Internet.

2. I will not give out my email password to anyone (even my best friends) other than my teachers/parents.

3. I will not send a picture of myself or others over the Internet.

4. I will not fill out any form or request online that asks me for any information about my school, my family, or me.

5. I will tell my teachers/parents if I see any bad language or pictures on the Internet, or if anyone makes me feel nervous or uncomfortable online.

6. I will never agree to get together with someone I "meet" online.

7. I will not use any articles, stories, or other works I find online and pretend it is my own.

8. I will not use bad language online.

9. I will practice safe computing, and check for viruses whenever I borrow a disk from someone, download something from the Internet, or receive an attachment.

10. I will be a good online citizen and not participate in any activity that hurts others or is against the law or my school's policy.

11. **I have no expectation of privacy in my use of school digital devices.**

H. Additional Rules for Digital Devices Issued to Students for Classroom Use

1. Digital devices are loaned to students as an educational tool and are only authorized for use in completing school assignments.

2. Students are responsible for the proper care of digital devices at all times, whether on or off school property, including costs associated with repairing or replacing the digital device.

3. If a digital device is lost or stolen, this must be reported to the schools administrators immediately. If a digital device is stolen, a report should be made to the local police and to district administrators immediately.

4. The Board's policy and rules concerning computer and internet use apply to use of digital devices at any time or place, on or off school property.

5. Students are responsible for obeying any additional rules concerning care of digital devices issued by school staff.

6. Violation of policies or rules governing the use of digital devices, or any careless use of a digital device may result in a student's digital device being confiscated and/or a student only being allowed to use the digital device under the direct supervision of school staff. The student will also be subject to disciplinary action for any violations of Board policies or school rules.

7. Parents will be informed of their child's login password. Parents are responsible for supervising their child's use of the digital device and Internet access when in use at home.

8. Digital devices must be returned in acceptable working order at the end of each use, or whenever requested by school staff.

I. Additional Rules for Bring Your Own Device (BYOD)

1. Students are expected to use these devices only for educational purposes during school hours. Teachers have the right to require a student not to use the device if they believe that it is being used for anything other than educational purposes.

2. Students must login with their assigned unique username and password before accessing the wireless network.

3. Students have no expectation of privacy in their use of a privately-owned device while at school. The school unit reserves the right to search a student's privately-owned devices if there is reasonable suspicion that the student has violated Board policies, administrative procedures or school rules, or engaged in other misconduct while using the device.

4. Whether or not student-owned devices are permitted to be used in the classroom during instructional time will be determined by the individual teacher.

5. If a student is caught violating the acceptable use policy, his or her access may be revoked temporarily or as decided by the building principal or administrator.

6. The Fort Smith School District will not be held financially or legally responsible for lost, stolen, or damaged devices.

7. Support will not be provided by the Technology Department or Technology Liaisons for student-owned devices if they are unable to connect. **Students have no expectation of privacy in their use of a privately-owned device while at school.**

8. The school unit may confiscate any privately-owned device used by a student in school without authorization as required by these rules. The contents of the device may be searched in accordance with applicable laws and policies.

J. Internet Safety and Web Filtering Policy

The Fort Smith Public School District has developed a set of policies and guidelines to address the Internet safety of both students and staff members. These guidelines follow security guidelines as recommended by the Department of Information Systems of the State of Arkansas and the Arkansas Public School Computer Network Division. They are also in compliance with the Child Internet Protection Act.

1. Web filtering servers will be employed, updated and maintained to prevent access by minors to inappropriate subject matter on the Internet and the Web.

2. The use of electronic mail, chat rooms, or any other form of direct electronic communications by students will be prohibited unless monitored by a staff member to protect the students' safety and security.

3. A network firewall will be employed, updated, and maintained to prevent unlawful or unauthorized access, including "hacking", from the outside or from within the computer network.

4. Information security access rules and secure password policies will be employed to prevent the unauthorized disclosure, use, or dissemination of personal identification information regarding students and staff members.

5. Student access to materials harmful to them will be restricted through the implementation of web filtering servers, a network firewall, and anti-malware software.

XIII. Distribution of Literature

Students may not possess or distribute any literature that causes disruption of school, is in violation of School Board policy, or is obscene.

XIV. Student Dress Code

Students will be expected to be dressed and groomed so as to present a respectable image in keeping with good taste, neatness, cleanliness, and decency. Students will not be permitted to wear clothing or accessories that denote membership in a fraternity, sorority or other secret organization or society. Students are prohibited from wearing clothing that exposes underwear, buttocks, or the breast of a female while on school campus or at a school sponsored activity.

This provision does not apply to an authorized costume or uniform worn by a student while participating in a school sponsored activity or event (ACA 6-18-605).). NOTE: Each school handbook has additional guidelines.

Minimum Penalty – Reprimand
Maximum Penalty- Expulsion

XV. Search, Seizure, and Monitoring

Search and seizure are permissible when there is reasonable belief that a controlled substance, weapon, or items in violation of school policy are present (ACA 6-21-608). Student lockers are to be used to protect personal items and books and are not to be used to store or conceal illegal or prohibited items or material. Lockers remain the property of the Fort Smith Public School District and are subject to inspection by school officials for reasonable cause.

Privately-owned automobiles parked on school property may be searched by a school administrator if there is reasonable suspicion that the search would produce evidence indicating the student has violated the law or school rules.

School buildings and campuses (including parking lots) are subject to periodic search by the canine unit of the Fort Smith Police Department in an effort to reduce the presence of illegal and prohibited items on the campus.

The District uses video surveillance to assist in security and investigations.

XVI. Anti-Bullying Administrative Policy

The District is committed to providing a safe learning environment for each of its students. Student achievement is best attained in an atmosphere that is free from the fear of emotional and physical intimidation and threats. Bullying is a destructive behavior that will erode the foundational principles on which a school is built. Bullying is prohibited while in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school sponsored activities, at school sanctioned events; or by an electronic act that results in the substantial disruption of the orderly operation of the school or educational environment. This will apply to an electronic act whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose. The District will not tolerate any behavior that is classified as bullying and will take steps to eliminate such behavior.

The District offers training and materials regarding policy compliance, the nature of bullying, its consequences, and the procedures for reporting bullying behavior to district employees responsible

for reporting or investigating bullying. School employees and volunteers who have witnessed or have reliable information that a student has been a victim of bullying shall report the incident to the building principal or designee.

Students who believe they have been a victim of bullying or parents who believe their child has been victimized by a bully, should file a complaint by contacting a school counselor, teacher, or principal. After an investigation of a complaint has been completed, and a record is made of the investigation, a student found to be in violation of this policy will be subject to disciplinary action that is appropriate to the degree of seriousness of the bully behavior, the age of the offending student, and the frequency of the behavior. The person who files the complaint will not be subject to retaliation or reprisal in any form.

For the purposes of this policy, bullying means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that may address an attribute of the other student, public school employee, or person with whom the other student or public school employee is associated and that causes or creates actual or reasonably foreseeable: physical harm to a public school employee or student or damage to the public school employee's or student's property; substantial interference with a student's education or with a public school employee's role in education; a hostile educational environment for one 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. Whereas "attribute" means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation. Bullying behavior will generally be established when an individual has endured a pattern of offensive behavior or when a single serious act is committed depending on the surrounding circumstances (ACA 6-18-514).

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of a student for the purposes of bullying, shall be subject to disciplinary action.

XVII. Transportation Rules for Students

Student misbehavior could result in losing the privilege of riding the bus. Any student causing damage to a bus will be required to pay for the damage. The driver of a bus has the same authority over bus passengers that a teacher has over students in the classroom. Drivers have the responsibility to maintain conduct on their bus and will identify students who cause trouble to the students' building principal. The district believes all students can behave appropriately and safely while riding on a school bus. No tolerance will be shown for student behavior that stop drivers from doing their jobs or which prevent students from having safe transportation. Students must ride the bus they are assigned to ride. Each driver will review the rules of conduct on the bus with the students riding the bus. Physical or verbal abuse of the driver by a student will result in suspension.

Bus Rules

1. Students are to comply with the authority of the driver.
2. Students are to give their correct name and/or produce their student ID card.
3. Students are to remain seated while the bus is in motion and must be in their assigned seat.
4. Students are to keep all parts of their body inside the bus.
5. Students are not to push, shove, fight, or throw objects at any time.
6. Students are not to eat, drink, smoke, spit, litter, use obscene language or gestures, play radios, tape/CD/DVD/MP3 players, video games, or band instruments at any time.
7. Students should be at the bus stop ten minutes before the bus is scheduled to arrive, no earlier. Do not litter or destroy any property at the bus stop.
8. Students are to stand back at least ten feet from the bus stop and are not to approach the bus until it has come to a complete stop, and the door is opened.

9. Students are to enter and leave the bus quickly and in an orderly manner. Do not enter or exit the bus through the back door except in an emergency or unless directed to do so by the driver.
10. If a student must cross the street after leaving the bus in the afternoon, go to a point on the shoulder of the street ten feet in front of the bus and wait until the driver has signaled for you to cross. If a student drops an object while leaving the bus, he/she should not attempt to retrieve it until the bus has left the scene, and the street is clear of vehicles. Never cross behind the bus.

The school district encourages any person who observes an incident jeopardizing the safety of a student on a school bus to report the incident to the Transportation Department. It is most helpful when a person can identify the bus by its number when making a report. Any recommendations that will assist the department in its operation are also encouraged (785-2501, Ext. 1256 or 1238).

XVIII. Student Conduct not Permitted on School Premises or at any Activity Related to School

A. Disregard of Directions or Commands

A student shall comply with reasonable directions or commands of teachers, interns, substitute teachers, paraprofessionals, principals, administrative personnel, the Superintendent, transportation staff, school security officers, or 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.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

B. Disruption and Interference With School

No student shall:

1. Block the doorway or corridor.
2. Prevent students from attending a class or school activity.
3. Block normal pedestrian or vehicular traffic.
4. Use violence, force, noise, coercion, threat, intimidation, harassment, fear, passive resistance or any other conduct intentionally to cause a disruption.
5. Refuse to identify themselves to a staff member upon request.
6. Encourage other students to violate any rule or School Board policy.
7. Engage in conduct disruptive to educational objectives.
8. Engage in reckless, negligent, or malicious conduct that might cause physical harm to the student or others.
9. Use any form of bullying or intimidation that may include, but is not limited to teasing, taunting, threatening, frightening, and/or hurting other students physically or emotionally, or influencing others to use such practices (see Anti-Bullying Policy, p. 26).
10. Urge or induce others to violate school policies.
11. Participate in hazing in any form including initiation into an organization, extra curricular activity, or sports program.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

C. Immorality

A student shall abstain from indecent and immoral acts. A student may not possess any material which depicts or otherwise describes any indecent or immoral acts.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

D. Fireworks, Explosives, and Other Incendiary Devices

A student shall not possess, handle or store matches, cigarette lighters, firecrackers, smoke bombs, or any other kind of fireworks and/or explosive or incendiary devices that could cause injury to persons or damage to school property or that could be disruptive to the learning climate of the school. Neither shall a student possess any device resembling any of the above items.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

E. Gambling

A student shall not participate in any activity that may be termed gambling or wagering where the stakes are money or any other object or objects of value.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

F. Abuse or Assault of School Staff (Act 1046 of 2001)

1. A student shall not assault, threaten to assault, or physically or verbally abuse a school employee, or any other individual. Communicating a death threat in any manner is prohibited.
2. Any teacher, who in the line of duty and in compliance with school policy, who is the recipient of abuse (physical or other) from any student shall file a written report of the incident. Teachers shall have the right to ask for an investigation and hearing relative to the incident and action taken with those involved.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

G. The Possession of any Firearm or Other Weapon Prohibited on School Property or at School Functions (ACA 5-73-122, 6-18-502 & 6-21-608)

1. A student shall not possess, handle or transmit any object that can be considered a weapon or dangerous instrument including, but not limited to, firearms, knives, throwing stars, and air guns, or any device designed to resemble a weapon.
2. A student shall not possess, handle or store contraband materials while on school property or at school-sponsored events.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

H. Using, Offering for Sale or Selling Beer, Alcoholic Beverages, Other Intoxicants or Mood-Altering Substances of any Kind on School Property or at School Functions (ACA 5-64-101 & 6-18-502)

1. A student shall not possess, sell, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, beverage containing alcohol, other intoxicant or mood-altering substance of any kind, or other controlled

substances, as defined in the State of Arkansas Uniform Controlled Substances Act 5-64-101. The student may not possess any substance represented to be a controlled substance. The student may not possess any drug or alcohol paraphernalia while on school property or at any school function (see Controlled Substances Discipline Procedures, p. 32).

2. All medications for students, both prescription and non-prescription, are required to be stored and administered as outlined in the Fort Smith Public Schools Medication Policy, Section III. C. This policy is available for review in the office of all schools.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

I. Damage or Destruction of School Property (ACA 6-18-502)

1. A student shall not cause or attempt to cause damage to school property or steal or attempt to steal school property.
2. The student shall make restitution for damages and/or theft of school property.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

J. Possession of Tobacco Products (ACA 6-21-609)

All Fort Smith Public School property and all school activities are smoke free. A student shall not possess or use tobacco products including electronic cigarettes in any form on school property or at school functions.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

K. Providing False Information

Students shall provide to the District valid information regarding identity, address, telephone number and other relevant data requested by the school. Students providing invalid or false information shall be in violation of this policy.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

L. Fraternities, Sororities, or Other Secret Organizations or Societies (ACA 6-18-601 through 6-18-607)

No student shall participate in, recruit for, or display the symbols of a fraternity, sorority, or other secret organization or society which fosters undemocratic practices and seeks to perpetuate itself by taking in additional members from the students enrolled in that school or local school system on the basis of the decision of its membership.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

M. False Alarms (ACA 5-71-210)

No student shall communicate a false emergency alarm. False alarms shall include, but not be limited to, fire alarms, bomb threats, 911 emergency calls, and severe weather alarms.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

N. Electronic Devices

No student shall possess any unauthorized electronic devices such as pagers, laser pointers, two-way radios, CD/MP3 players, radios, televisions, electronic games, or any other electronic device that might interfere with the educational process of the school during school hours. No student shall make any audio and/or video recording (including still photography) on a school campus or at a school activity which might interfere with the educational process of the school.

Digital devices such as smart phones, electronic notebooks, or laptops may be used in a classroom if the teacher has granted permission for their use under the Internet Acceptable Use Policy, Section XII.

Elementary students may not operate cellular telephones on campus during school or at school supervised activities.

Secondary students may not operate cellular telephones on campus from the sounding of the first bell in the morning to the sounding of the last bell in the afternoon.

Secondary students may use cellular telephones outside school hours and at extracurricular activities as long as such use does not interfere with or disturb the activity.
Schools will not be responsible for lost or stolen cell phones or for the loss of or damage to confiscated items.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

O. Pets on Campus

No pets of any kind are allowed on school property or at any school activity without the express permission of the building principal.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

P. Behavior not Covered Above (ACA 6-18-502)

1. The School District reserves the right to discipline student behavior that occurs on or in reasonable proximity to school property which is not conducive to good order and discipline in the schools, even though such behavior is not specified in the preceding written rules.

2. Students shall make restitution of any property stolen by them and shall be subject to other disciplinary measures.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

Q. Sexual Harassment

1. Policy

   It is the policy of the Fort Smith School District to maintain a school environment that is free from sexual harassment. Sexual harassment is against the law, deemed unacceptable conduct in the school environment and will not be tolerated. It shall be a violation of this policy for any student to harass another student, an employee, or agent of the District through conduct or communications of a sexual nature as defined below.

   For the purposes of this policy, “sexual harassment” is defined as any unwelcome sexual advances, requests for sexual advances, requests for sexual favors, and/or other inappropriate verbal, visual, written, or physical conduct of a sexual nature, whenever such harassment occurs on School District property or at a school-sponsored event.

2. Behaviors that Constitute Sexual Harassment

   Sexual harassing behaviors may include, but are not limited to, the following actions:

   a. Verbal harassment or abuse

   b. Pressure for sexual activity.

   c. Repeated remarks to a person with sexual or demeaning implications.

   d. Unwelcome touching.

   e. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, honors, programs, or activities available at or through the school.

   f. Non-verbal harassment (gifts, pictures, drawings, cartoons).

3. Retaliation Prohibited

   a. The District will discipline any student who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who assists in an investigation or proceeding relating to a sexual harassment complaint.

   b. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

   c. Punishments for retaliation include, but may not be limited to, a warning, transfer, suspension, or expulsion.

4. Reporting and Investigation

   a. Alleged violations of this policy should be reported to the building principal or assistant principal. In the event the administrator is the suspected harasser, the student can report to the school counselor or to the District Sexual Harassment Coordinator. Any investigation will be conducted expeditiously and will be impartial. Investigations will be conducted in accordance with the District's Sexual Harassment Complaint Procedures.

   b. School District employees and agents are responsible for reporting alleged violations of this policy in accordance with the District's Sexual Harassment Complaint Procedures.

5. Punishment

   Punishment can include, but may not be limited to, written warning, suspension, or expulsion.

Minimum Penalty—**Reprimand**
Maximum Penalty—**Expulsion**

XIX. Controlled Substance Discipline Procedures

A. Controlled Substance – General Student Population

A student shall not possess, sell, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, beverage containing alcohol

or intoxicant of any kind, or other controlled substance as defined in the State of Arkansas Uniform Controlled Substances Act 5-64-101. The student may not possess any substance represented to be a controlled substance.

The safety of students and patrons attending on-site and away school activities is of paramount concern. Similarly, it is important that students comply with existing laws regulating the use and possession of intoxicants and controlled substances. Accordingly, the meaning of the term "use" should be deemed to include, but not necessarily be limited to, the consumption in any amount, of alcoholic beverages, controlled substances, or other intoxicants, prior to or during the travel to and from on-site and away student activities. The manifestation of use by such factors as detectable odor; physical appearance, e.g., bloodshot eyes or slurred speech; or other articulable observations may implicate the application of this policy and its accompanying consequences.

1. **Disciplinary Action Taken Toward any Student who is Involved with Controlled Substances at School**

   The possession, use, sale, or distribution of any controlled substance or paraphernalia shall be prohibited on school grounds or at any school activity while a student is enrolled in Fort Smith Public Schools.

   a. *First Violation: The student will be subject to disciplinary action which may include suspension from school and/or possible recommendation for expulsion, and the police will be notified.

   b. Second Violation: The student shall be suspended for a minimum of ten (10) days with a possible recommendation for expulsion. The police will be notified.

B. Controlled Substance – Activity Program

The Activity Program acts as an extension of the school curriculum and is an integral part of the educational program. Participation in activities helps prepare students for responsible roles in society, allows students the privilege of representing their school, and affords these students the opportunity to set good examples for others to follow.

Students who involve themselves with illegal, controlled substances (including alcohol) and participate in school activities are not appropriately fulfilling their responsibilities to properly represent their school and set good examples for others. Therefore, the following policy has been developed for school administrators to follow when controlled substance problems are encountered:

1. **Disciplinary Action Taken Toward Students who are Involved with Controlled Substances at School or while Participating in a School Activity and are Involved in Extra-Curricular Activities**

   a. *First Violation: The student shall be removed from that said activity until ALL the requirements are met in Section XIX.A.1.a., First Violation.

   b. Second Violation: The student will be automatically removed from ALL extra-curricular activities and shall not be allowed to participate in any school activities for the remainder of that school year. Also see Section XIX.A.1.b., Second Violation.

2. **Disciplinary Action Taken Toward Students who are Involved with Controlled Substances but not at School or while Participating in a School Activity and are Involved in Extra-Curricular Activities**

a. *First Violation: Allow the coach or sponsor to handle individually. Student will not be suspended from school but may be suspended from the activity for a period of time or suspended for a certain number of games or activities. Parents will be notified.

b. Second Violation: The student will be dropped from the activity for the balance of the year. Parents will be notified.

c. Disciplinary action may be appealed to the principal or his/her designee.

C. Controlled Substance – Attempted Suicide

School administrators who determine that a student has attempted suicide using controlled substances or non-prescription medications should require appropriate professional assistance for the student.

1. Disciplinary Action Taken Toward Students who have Attempted Suicide with Controlled Substances or Non-Prescription Medications at School or while Participating in a School Activity

A professional evaluation to assess suicide risk and the student's capability of functioning in the unsecured environment of a public school is required before the student returns to school. (Utilize Suicide Prevention Form, SP-1, for this purpose.)

* The administration reserves the right to recommend expulsion when the offense is serious enough to warrant the more severe penalty.

XX. Discipline for Students with Disabilities

A. Students with disabilities who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to a free appropriate public education (FAPE).

B. The Individualized Education Program (IEP) Committee for a student with disabilities should consider whether particular disciplinary procedures should be adopted for that student and be included in the IEP.

C. After removing a student for more than 10 school days in a school year, the District will convene a meeting of the student's IEP Committee to address behavior.

XXI. Student Control – Corporal Punishment

The Board of Education of the Fort Smith School District recognizes the need for firmness in dispensing with disciplinary problems. All disciplinary action should contribute to the general welfare of the school or class as a whole and should be directed toward the positive improvement of citizenship of the group or individual involved.

The Arkansas General Assembly has authorized corporal punishment through the enactment of ACA 6-18-503. The Fort Smith Board of Education directs that physical punishment be administered only when other disciplinary measures have failed and prescribes the following requirements for its administration.

A. Any corporal punishment must be administered by the principal, assistant principal, or someone designated by the principal. All corporal punishment must be administered in the office in the presence of another adult.

B. Corporal punishment may only be administered to the student's lower posterior (buttocks).

C. Each incident of corporal punishment must be reported to the parents or guardian by phone or mail on the day it occurs.

D. A written record will be filed in the individual school office of each occurrence of corporal punishment.

E. The corporal punishment must be administered only for cause, be reasonable, and follow warnings that the behavior will not be tolerated.

XXII. Suspension of Students

Students may be suspended from school for a violation of the District's discipline policies or other conduct that would tend to impair the discipline of the school, or harm the other students, but such suspension shall not extend beyond the current term (ACA 6-18-507). In the Fort Smith Public Schools, authority to suspend a student is delegated to the school principal or designee. At the time of suspension, the student should be informed of the reasons for suspension and the procedures for readmittance. The student should also be advised and allowed to make a statement relative to the situation or on his/her behalf at the time of suspension.

Upon suspension of a student, the school shall immediately contact the student's parent or legal guardian to notify him/her of the suspension. Contact will be attempted in the following order: a telephone call, voice mail, email, or first class mail. Standardized suspension forms will be utilized. Notification of suspension shall include the reasons for suspension, the manner in which the student may be readmitted to school, and the student's right to appeal.

Secondary students who are suspended are required to attend the Program to Assist Suspended Students (PASS). Failure to attend PASS may result in additional sanctions. Elementary students may be assigned to the Positive Attitude Renewal (PAR) program in lieu of a suspension. Students are expected to make up class work during the suspension and may receive full credit upon satisfactory completion. All make-up work should be returned to the appropriate teacher upon the student's return to school. The sole responsibility for completing assigned work rests with the student.

In some incidences where the nature of the infraction or misconduct is deemed disruptive to the extent that the student should not be in school, the suspension shall be followed by a recommendation for expulsion. In such cases, the policy for expulsion shall be followed.

Any suspension that has previously been reviewed by the principal, at the request of the parent, will be reviewed by the Department of Student Services. All such cases must be reported to the Superintendent.

Suspension Procedures

A. A teacher may temporarily dismiss any student from class for disciplinary reasons.

B. The teacher shall, when feasible, accompany the student to the office of the principal or designee and shall, as soon as practical, file with the principal a written statement about the student's dismissal from class.

C. After a conference, which will include at least the principal or assistant principal, the teacher and the student, the principal or designee shall determine whether to reinstate the student in class, reassign the student, or take other disciplinary action.

D. The principal or designee of any school is authorized to suspend students from school for disciplinary reasons up to ten school days, including the day upon which the suspension was initially imposed.

E. Prior to such suspension, the principal or designee shall inform the student either orally or in writing about the infraction.

F. If the student denies the charges, the principal shall explain to the student the evidence that forms a basis of the charges and shall permit the student to present his/her side of the story.

G. When the principal considers that a suspension is proper, he/she shall send the student home with a Suspension Notice requesting a student/parent/principal conference prior to admission.

H. The parent will be provided a copy of the Suspension Notice that shall include the reasons for the suspension, its duration, the manner in which the student may be readmitted to school, and the procedure for review of the suspension.

I. The principal or designee may require the attendance of the student involved at the said conference as a condition of considering reinstatement.

J. When students have been notified that they are suspended from school, they shall remain away from all school district premises and any school district activities until the principal or designee reinstates them. Suspended students may return to school premises when accompanied by their parent or guardian for a student/parent/principal conference.

K. If no decision is reached during the conference by the principal for a reinstatement of the student or if any suspended student or a parent or guardian (when the student is a minor) requests a review of the suspension by the Superintendent, the principal or designee shall advise the person of the review procedure.

L. Suspensions of five days or less will be reviewed by the Superintendent or designee upon parent request; the decision reached in the review is final. All reviews must be requested within the term of the suspension. The Superintendent of Schools or designee shall have the authority to revoke, terminate or otherwise modify the suspension and will notify the principal and parents of his/her actions as soon as possible.

M. A suspension of more than five days will be reviewed by the Superintendent or designee upon parent request; the decision reached in the review may be appealed to the Student Affairs Committee of the School Board. The Superintendent or designee or the Student Affairs Committee shall have the authority to revoke, terminate or otherwise modify the suspension and will notify the principal and parties of the actions. All appeals must be filed within the term of the suspension.

N. A suspended student will not be readmitted to school until the suspension is completed or the appeal process, if applicable, is completed.

O. If the school is undergoing a violent upheaval or if orderly educational processes have otherwise been substantially disrupted, students may be suspended indefinitely without notice, hearing, and the other rights provided herein having been first given. In all such cases, written notices, hearings, and other rights shall be provided in accordance with the normal provisions at the earliest practical date after order is restored.

P. A student may request that hearings with the Board or Student Affairs Committee of the Board be private. The Board or Student Affairs Committee may consider its decision in executive session without the presence of anyone other than the Board or Committee. The Board or Committee shall reconvene in public session to vote on the matter.

XXIII. Student Control – Restraint

School officials will only use restraint when the student is in danger of hurting himself/herself or others.

XXIV. Expulsion

The Board of Education is authorized to expel a student for conduct it deems to be inappropriate or disruptive to the educational program.

It is anticipated that the procedure leading to expulsion will be preceded by suspension and will be covered by the policy on suspension of students.

The Superintendent or his/her designee shall give written notice to the parent or guardian that he/she has recommended to the Board of Education that a student be expelled. The Recommendation for Expulsion shall contain a statement or reasons for this recommendation. Upon request of the parent or guardian, the Superintendent or designee shall schedule a hearing with the Student Affairs Committee of the School Board. Notice of time and place of such hearing shall be given to the parent following the request for hearing.

ACA 6-18-507 provides that the directors of a school district may exclude students for a violation of the District's discipline policies or other conduct that would tend to impair the discipline of the school, or harm other students. Prior to readmission a parent, guardian, or person serving in loco parentis of a student who is expelled for a weapons violation will sign a statement acknowledging that the parents have read and understand the current laws regarding the possibility of parental responsibility for allowing a child possess weapon on school property.

Expulsion Procedures

A. The principal of the school may recommend that a student be expelled from school with loss of credit. A written recommendation for expulsion, which includes a statement of the charge against the student, will be discussed with the parent or guardian if the student is a minor, or discussed with the student if the student is an adult. A copy of the Recommendation for Expulsion will be sent to the Superintendent.

B. If the Superintendent or his/her designee concurs with the recommendation and the parent or guardian requests a hearing before the School Board, a hearing will be scheduled. The request for a hearing must be made within 30 calendar days of the recommendation for expulsion.

C. In every case of a hearing held by the Student Affairs Committee or the School Board regarding the expulsion of a student, the President of the Board or another member, selected by the Board, shall preside at the hearing. The student shall be entitled to representation by a lawyer or lay counsel.

D. The Superintendent or designee shall present evidence and may present witnesses or statements of those persons who have personal knowledge of the events or circumstance that give rise to the expulsion recommendation at the hearing.

E. The student or representative may then present witnesses or statements by witnesses with personal knowledge of events or circumstances relevant to the issues.

F. Cross-examination should ordinarily be limited to the question or questions on which the credibility of the witnesses has become an issue.

G. Students may observe all evidence offered against them.

H. Members of the committee or the Board may question any witness.

I. At the conclusion of the hearing, the Board may discuss the matter and dispose of it by vote.

J. The School Board may expel a student for the remainder of the semester, for the remainder of the school year, or for 365 days in the event of a weapons violation. (ACA 6-18-502)

K. If the Board does not expel the student with loss of credit, it may impose less severe disciplinary actions, such as long-term suspension, which may be without opportunity for make up of schoolwork. The Board shall briefly state its findings at the end of the hearing.

L. The Board shall make a record of the evidence taken at the proceedings.

M. If the student wishes, the record will be furnished to the student. Copies of all statements used as evidence will be included with the record.

N. The President of the Board or the presiding officer has the authority to limit unproductively long or irrelevant questioning.

O. A student or the student's parents or guardian may request that hearings with the Board or the Student Affairs Committee of the Board be private. The Board or Student Affairs Committee may consider its decision in executive session without the presence of anyone other than the Board or Committee. The Board or Committee shall reconvene in public session to vote on the matter.

XXV. Group Hearings for Suspension or Expulsion

When two or more students are charged with violating the same rule and have acted in concert and the facts are basically the same for all such students, a group hearing may be conducted for them if the Board believes the following conditions exists:

1. A group hearing will not likely result in confusion.
2. A student will not have his/her interest substantially prejudiced by a group hearing.

If during the hearing, the Board finds that a student's interest will be substantially prejudiced by the group hearing, a separate hearing may be ordered for that student. A student or student's parent or guardian may request that hearing with the Board or committee of the Board be private.

XXVI. Complaint Resolution Procedures

A. Educational Equity or Sexual Harassment

1. PURPOSE:

The purpose of the Educational Equity or Sexual Harassment Complaint Procedure is to afford individuals an opportunity to seek redress for any real or perceived problem in the area of:

Title VI (Race) of the Civil Rights Act of 1964
Title IX (Sex) of the Educational Amendment of 1972
Section 504 (Disability) of the Rehabilitation Act of 1973
Sexual Harassment

2. WHO MAY REGISTER A COMPLAINT?

Complaints concerning equity or harassment, as indicated in Section I, may be made by students, parents, legal guardians, employees and any concerned citizen.

3. WHEN IS A COMPLAINT REGISTERED?

A complaint may be registered by anyone listed in Section II when a question concerning equity or harassment relative to the areas listed in Section I cannot be resolved at the individual school level.

4. PROCEDURE FOR REGISTERING A COMPLAINT:

An equity or harassment complaint by anyone listed in Section II when a question concerning equity or harassment relative to the areas listed in Section I cannot be resolved at the individual school level.

Fort Smith Public School District
Equity and Sexual Harassment Coordinator
P. O. Box 1948
Fort Smith, AR 72902-1948

Written complaints must be signed and dated. Taped complaints must include the date, and the name and identification of the complaining individual.

5. PROCEDURE FOR HANDLING COMPLAINTS:

Within seven (7) working days after receipt of a complaint, the Equity and Sexual Harassment Coordinator will appoint a committee composed of a parent, a principal, a teacher a central office administrator, and a student when appropriate. The central office administrator will act as the chairperson of the Hearing Committee. The chairperson may conduct the hearing or ask another committee member to do so.

The Committee will hold a hearing with the complaining party within fourteen (14) working days of the receipt of the complaint. The hearing will be limited to involved parties only. The chairperson of the Hearing Committee may rule for an open meeting when appropriate.

The complaining party and the Committee shall have an opportunity to present evidence, question parties involved, and bring in witnesses. The Committee will make a written report of their findings to the Superintendent. The Superintendent will make a decision based on the findings of the Committee.

The decision will be in writing, and copies will be sent to the complaining party, the President of the Board of Education, the appropriate school principal, and the Equity and Sexual Harassment Coordinator within thirty (30) working days of receipt of the complaint.

6. APPEAL:

The complaining party shall have the right to appeal the decision of the Superintendent to the Board of Education by notifying the President. The appeal must be submitted in writing or on tape within fifteen (15) working days of receipt of the Superintendent's decision. Written appeals must be dated and signed. Taped appeals must include date taped and the identification of the appealing party.

The President of the Board of Education will convene a meeting of the Board within fifteen (15) working days of receipt of the appeal. At least four (4) members of the Board must be present at the meeting. The appealing party and the Board each have the right to present evidence, question parties involved and bring in witnesses. The Board will make a decision based on the evidence presented at the meeting. The decision will be in writing, and copies will be sent to the appealing party, the Superintendent, the appropriate principal, and the Equity and Sexual Harassment Coordinator within ten (10) working days of the hearing.

7. SUBSEQUENT APPEALS:

The complaining party has a right to appeal the decision of the Board of Education. Further appeals must be submitted to the State or Federal agency charged with responsibility in the area covered by the complaint.

8. ADDRESSES AND PHONE NUMBERS:

Fort Smith Public School District
Equity and Sexual Harassment Coordinator
P. O. Box 1948
Fort Smith, AR 72902-1948
(479) 785-2501, Ext. 1207/1208

Arkansas Equity Assistance Center
#4 Capitol Mall – Room 402A
Little Rock, AR 72202-1071
(501) 682-4213

B. Federal Funds

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

Complaints related to use of federal funds shall be addressed in the following manner:

1. The complaint shall be referred to the Director of Student Achievement and Accountability, who shall assemble a team of not less than three people (the Director, one administrator, and one teacher) to investigate the complaint.

2. Throughout the investigation, sufficient notes and records will be taken and maintained to substantiate the findings of the investigation.

3. The team will interview the complainant and others as necessary to enable the team to make a determination of the validity of the complaint. The team may consult with individuals with knowledge or expertise in the matter which is the subject of the complaint to include legal counsel.

4. The investigation of complaints referred by the ADE shall be completed within 30 working days of receipt of the complaint unless a longer time period has been approved by the ADE.

5. The investigation of complaints made directly to the district shall be completed within 40 working days unless there are extenuating circumstances; in such case, a preliminary report shall be made within 40 working days of receipt of the complaint, which shall include an explanation of the unusual circumstances requiring additional time to complete the investigation.

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

Respect
Responsibility
& Character

The mission of the Fort Smith Public Schools is to ensure academic and personal success for each student — today and in the future.

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