

<p>NONDISCRIMINATION COMPLIANCE</p>
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All schools within the Fort Smith School District will comply with the following Civil Rights regulations as stated:

- A. Title VI, Section 601, of the Civil Rights Act of 1964

No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity.

- B. Title IX, Section 901, of the Education Amendment of 1972

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subject to discrimination under any education program or activity.

- C. Section 504 of the Rehabilitation Act of 1973

No otherwise qualified, individual with disabilities in the United States.....shall, solely by reason of disability, be excluded from the participation in, be denied the benefit of or be subjected to discrimination under any program or activity.

The Assistant Superintendent for Personnel and Support Services will serve as or appoint the grievance officer for all areas specified in this policy.

COMPULSORY SCHOOL ATTENDANCE

A.C.A. 6-18-201 mandates as follows:

Every parent/guardian or other person residing within the state of Arkansas having custody or charge of any child/children age 5-17 years on or before September 15 of that year, both inclusive, shall enroll and send the child/children to a public, private or parochial school or provide a home school for the child/children as described in Section 6-15-601 et seq. Under such penalty for noncompliance as shall be set by law with the following exceptions:

- A. Any student who has received a high school diploma or its equivalent as determined by the State Board of Education is not subject to attendance requirement;
- B. Students may enter kindergarten in the public schools of this state if they will attain the age of 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 or country or at least 60 days, who will become 5 years old during the year in which he/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/children may elect for the child/children not to attend kindergarten if the child/children will not be age 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/children must file a signed kindergarten waiver form with the local District administrative office. Such form shall be prescribed by regulation of the Arkansas Department of Education. Upon filing the kindergarten waiver form, the child/children shall not be required to attend kindergarten in that school year; and

- C. Any student age 16 or above enrolled in a post-secondary vocational/technical institution, a community college or a 2-year or 4-year institution of higher education is not subject to this attendance requirement.

Any child who will be 6 years of age on or before September 15 of the school year of enrollment and who has not completed a state-accredited kindergarten program shall be evaluated by the District and placed either in the first grade or kindergarten, depending upon the results of the evaluation.

A parent/guardian 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 18 years of age shall not be dropped from the roll of any school unless they have:

1. Moved from the Fort Smith 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; and/or
6. Been recommended to be dropped by the Superintendent of Schools.

D. 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 disabling condition, if any; and
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; and/or
 - a. 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.

Approved 7-22-13

Supersedes JEA dated 6-23-11

Supersedes JEA dated 5-24-99

Supersedes JEA dated 2-17-92

ELIGIBILITY FOR ENROLLMENT

Children who are legal residents of Fort Smith School District, ages 5–20 inclusive, and otherwise meet the entrance requirement 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 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 18–20. All persons ages 18–20 must have a parent/guardian or person over 21 years of age living within the Fort Smith School District to serve as the responsible party for school purposes.

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

Nonresident students may attend Fort Smith Schools only by means of an approved application under the Public School Choice Act of 2013 (ACA 6-18-901) or by means of a tuition agreement between districts. School Choice applications must be submitted annually to the Department of Student Services prior to June 1. 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* 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/guardian lives outside the Fort Smith School 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.

A student exempted by age from the compulsory school attendance laws will not be permitted to enroll after the fifteenth day of the first semester or the fifteenth day of the second semester unless determined by the Superintendent or his/her designee to be eligible for enrollment or

JEC (2)

re-enrollment due to extreme extenuating circumstances. Exceptions may be made only for students who were in good standing (not suspended or expelled) at the last school of

Students entering the Fort Smith 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 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 School District until the specified expulsion has expired (A.C.A. 6-18-510).

Parents must provide proper documentation to the school in order to enroll a student. This includes a social security card, an updated immunization card, and one of the following forms of identification:

1. Birth certificate (government-issued);
2. Statement by the local registrar or county recorder certifying the child's date of birth;
3. Attested baptismal certificate;
4. Passport;
5. Affidavit of the date and place of birth by the child's parent or guardian;
6. Previous school records; or
7. United States military identification card.

Additionally, kindergarten students must provide documentation of a physical examination by a medical doctor.

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

A. 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.

B. 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.

JEC (3)

C. Assigned Student ID Number

If a parent does not want his or her student's social security number used, a student ID number will be assigned by the Fort Smith Public Schools' Student Services Department. This number must be requested prior to registration.

D. 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.

Approved 7-22-13

Supersedes JEC dated 7-23-12

Supersedes JEC dated 6-22-09

Supersedes JEC dated 7-25-05

Supersedes JEC dated 3-28-05

ADMISSION

Arkansas Laws 6-18-208 and 6-18-702 require all students entering in a public or private school within the state of Arkansas to have been immunized for diphtheria, pertussis, tetanus (DPT), polio, rubeola (hard, red 3-week measles), rubella (German 3-day measles), to present a state-issued birth certificate and a Social Security Card.

A. KINDERGARTEN AND ELEMENTARY SCHOOL

Admission to kindergarten and/or elementary school shall be accomplished in accordance with Arkansas statutes.

1. 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 15 of the year in which they are seeking enrollment. A student who will attain the age of five (5) years between the dates of August 2 and September 15 of 2010 (inclusive) and has attended at least 100 days at a state approved pre-kindergarten program during the 2008-2009 and 2009-10 school years may enroll for the 2010-2011 school year as a kindergarten student. Parents should provide proper documentation of pre-kindergarten attendance (ACA 6-18-207). Any student who has been enrolled in a state-accredited or approved kindergarten program in another state for at least 60 days, who will become 5 years old during the year in which he/she is enrolled in kindergarten and who meets the basic residency requirement for school attendance may be enrolled in kindergarten upon written request.
2. Students may enter the first grade in the public schools of this state if they will attain the age of 6 years on or before September 15 of the school year in which they are seeking enrollment. Any student who has been enrolled in first grade in a state-accredited or approved elementary school in another state for a period of at least 60 days, who will become age 6 years during the school year in which he/she is enrolled in first grade and who meets the basic residency requirement for school attendance may be enrolled in first grade.

B. JUNIOR HIGH SCHOOL

A student may enter the seventh grade of the junior high school who has successfully completed the sixth grade of an approved elementary school here or elsewhere.

C. SENIOR HIGH SCHOOL

To enter the Fort Smith senior high schools, students must complete 1 year in the ninth grade in an approved secondary school and earn 3 units of credit.

Approved 6-21-10

Supersedes JECA dated 6-22-09

Supersedes JECA dated 5-24-99

Supersedes JECA dated 2-17-92

STUDENT CLASSROOM ASSIGNMENT OF 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.

Approved 6-23-11
New Policy

TRANSFER CREDIT AND PLACEMENT OF STUDENTS
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The following procedures are used by the Fort Smith School District for placement of students transferring from other districts or schools:

- A. Any student transferring from a school accredited by the Arkansas Department of Education, the North Central Association of Colleges and Schools, Arkansas Nonpublic Schools Accrediting Association (ANSAA), other comparable nationally recognized regional independent accrediting agencies or other state education agency shall be placed in the same grade to which the student would have been assigned had the student remained at the former school;
- B. Extension or correspondence courses offered for high school credit by an institution of higher education with North Central Association accreditation (or its regional counterpart) or state accreditation standards will be accepted for credit;
- C. Correspondence courses offered by private schools accredited by the North Central Association (or its regional counterpart) will be accepted for credit; and
- D. A student transferring from any type school, including a home school, which is not accredited by the North Central Association, an NCA regional counterpart, the Arkansas Department of Education or other accredited state educational agency shall be placed utilizing the following steps:
 - 1. The student's records will be reviewed by appropriate staff members;
 - 2. The student will be interviewed by the counselor and/or other appropriate staff members;
 - 3. Secondary students earning credit from a non-accredited school may have the credit accepted by demonstrating mastery. Mastery will be determined by the student's successfully completing a comprehensive examination for each course the student is seeking to transfer. The Fort Smith School District will select or design and administer the examination; and
 - 4. Elementary students will be placed in a grade or class on a trial basis. If the trial placement is unsuccessful, an alternative placement will be made based on a thorough evaluation. The evaluation may include, but not be limited to, a program of formal testing, an interview by the counselor and/or other staff members and other procedures as determined by the principal.

Approved 12-20-04

Supersedes JECB dated 7-28-03

<p style="text-align: center;">SCHOOL CHOICE – INTERDISTRICT–</p>
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(Transfer from one school district to another)

A. PURPOSE

Students in Arkansas' public schools and their parent/guardian will become more informed and involved in the public education system if students and their parent/guardian are provided greater freedom to determine the most effective school for meeting individual educational needs.

B. ESTABLISHMENT

A public school choice program is hereby established to enable any student to attend a school district in which the student does not reside, subject to the restrictions in this policy. The Fort Smith Board of Education hereby resolves to participate in the School Choice Program.

C. APPLICATION PROCEDURES

A nonresident student's parent/guardian must submit an application to the Director of Student Services of the Fort Smith School District. This application must be submitted in accordance with the Arkansas Department of Education guidelines.

D. BASIS FOR ADMISSION DECISIONS

The Board of Education has adopted specific guidelines for acceptance and rejection of applications. The Fort Smith School District reserves the right to assign a transferring student to an appropriate school within the District in compliance with these standards. Transferring secondary students will be assigned to Kimmons Junior High, Darby Junior High or Northside High School. Transferring elementary students will be assigned to schools with available space. Nothing in this policy requires the School District to add teachers or classrooms or in any way exceed the requirements and standards established by existing law or regulations.

E. NOTICE TO APPLICANTS

Within 60 days of the receipt of an application from a nonresident student seeking admission under the terms of this policy, the Fort Smith School District shall notify the parent/guardian and the resident district in writing as to whether the student's application has been accepted or rejected. If an application is rejected, the nonresident district must state in the notification letter the reason(s) for rejection.

F. TRANSPORTATION

The responsibility for transportation for a nonresident student shall be borne by the student. The Fort Smith School District shall assume no responsibility for any transportation.

G. GRADUATION CREDITS

The Fort Smith School District shall accept credits toward graduation that were awarded by another accredited school district. The Fort Smith School District shall award a diploma to a nonresident student if the student meets the graduation requirements of the Fort Smith School District.

H. LIMITATIONS

The provisions of this policy and all student choice options created hereby shall in no way negatively affect the racial balance of any school district. No student may transfer to a nonresident district where the percentage of enrollment for the student's race exceeds that percentage in his/her resident district.

The Arkansas Department of Education will publish a listing of the school districts and their racial compositions each year. The racial composition will be determined from the October 1 enrollment reports.

CLASSIFICATION OF STUDENTS

Students presenting themselves for enrollment not having the proper credentials with them at the time of registration may be conditionally enrolled. These students will be classified and enrolled temporarily upon filing a formal request for Social Security Card, state-issued birth certificate, immunization record and official school records from the school of last attendance. Upon receipt of the official school records and other documentation, the school shall determine the formal classification and status of the student.

TRANSFER OF STUDENTS

- A. A student legitimately enrolled in and attending an elementary or a secondary school for 20 or more school days of the school year may have the option of staying in his/her present school in the event his/her parent/guardian move their place of residence to another attendance area within the Fort Smith School District.

A parent/guardian exercising this option must transfer their student to the school which serves the attendance area where his/her family resides at the beginning of the fall term of the following school year.

- B. Students legitimately enrolled in a Fort Smith Public School whose parent/guardian is in the process of building or renting a new residence within the District may elect to transfer to the school within the new attendance area by providing proof that the new residence will be completed within 60 days after the beginning of the new school year. Accepted proof may be in the form of a letter from a real estate firm, owner of a rental unit, or a contractor stating the approximate completion date of the new residence or the time the rental unit is expected to be occupied.
- C. A student legally enrolled and in senior status at the beginning of the fall school term whose parent/guardian moves to a place of residence outside the Fort Smith School District may have the option of completing the current semester at his/her present Fort Smith school if the following conditions are met:
1. The student must have been legitimately enrolled in a Fort Smith school for a period of 20 or more school days of the current school year;
 2. The student must furnish a letter from the school board, superintendent or principal of the district of the new place of residence that he/she cannot receive the same or similar courses of instruction in that district. The letter should be addressed to the Superintendent of Schools, Fort Smith Public Schools, P.O. Box 1948, Fort Smith, AR 72902; and
 3. A legal, mutually approved Petition of Transfer is executed between the resident Arkansas school district and the Fort Smith School District.
- D. All arrangements to attend a school other than the one assigned must be made through the Superintendent or Director of Student Services. Changes made under these provisions will be reported to the Board of Education and shall be final unless the Board votes to change any recommendation.
- E. Assignments of students to schools other than their home attendance area will be made by the Director of Student Services or his/her designee in accordance with, but not limited to, class size, attendance area exception, school choice or other guidelines.

Any attendance area exception transfer is approved for the current school year and must be approved in accordance with application schedules specified by the Director of Student Services.

- F. Senior high school students may transfer to a school in an attendance area outside the area in which the student lives for the purpose of taking a course or courses not offered at the school within the home attendance area. Space must be available in said course at the time of the transfer. No course of less than 1-year duration may be considered for an attendance area exception. Applications must be submitted to and approved by the Director of Student Services. Students withdrawing from this program will be required to return to the home attendance area.
- G. Assignments are made to special education classes without regard to the student's attendance area. The school assignment of students with disabilities shall be made to special education classes in attendance area locations where appropriate educational programming is available.

Approved 5-19-08

Supersedes JECC dated 5-24-99

Supersedes JECC dated 2-17-92

GUIDELINES FOR EXCUSED AND UNEXCUSED ABSENCES
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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 person in loco parentis has the responsibility to require of his/her student 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 (*A.C.A. 6-18-222*). Excessive unexcused absences may result in the filing of a Family in Need 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 the 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.)
 - f. Participation in basic combat training for the Arkansas National Guard between the 11th and 12th grade. The student must supply his/her principal with written verification.

An excused absence will 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 will afford the student the privilege of making up all assignments and/or class activities as the teachers direct.
 - d. Absences for parental permission will not be granted in conflict with semester examination schedules.

3. Unexcused
 - a. An unexcused absence will 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) will 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 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 5th unexcused absence in any semester a letter will be sent to the parent/guardian notifying him/her that upon the 10th unexcused absence of the same semester the student may be denied promotion or credit. Before a student accumulates the 10th day of unexcused 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 ten 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 four 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 unexcused absences (10 days per semester) may be a basis for denial for promotion, credit, or graduation. Before a student reaches 10 days of unexcused 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.

Approved 7-22-13

Supersedes JED dated 7-23-12

Supersedes JED dated 6-23-11

Supersedes JED dated 6-21-10

Supersedes JED dated 6-22-09

Supersedes JED dated 6-26-06

Supersedes JED dated 5-24-99

STUDENT RIGHTS AND RESPONSIBILITIES
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Students have rights which should be recognized and respected. Every right carries with it certain responsibilities. Among these rights and responsibilities are the following:

- A. The right to attend free public schools—the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
- B. The right to a quality education—the responsibility to put forth best efforts during the educational process;
- C. Civil rights—including the rights to equal educational opportunity and freedom from discrimination and the responsibility not to discriminate against others;
- D. The right to due process of law with respect to suspension and expulsion; and
- E. The right to privacy which includes privacy in respect to the student's school records.

As part of the educational process, students should be made aware of their legal rights and of the legal authority of the Board of Education to make and delegate authority to its staff to make rules regarding the orderly operation of the schools. If the policy guidelines adopted by the Board are to be successful, it must be understood that school officials and teachers have the authority to interpret and apply them in a given situation. Students must obey any such interpretation subject to an appeal.

Petitions may not be circulated in school buildings without the approval of the principal or Superintendent of Schools. Prevention of disruption in the educational process is paramount in ensuring a continuous, positive learning environment.

When the rights and responsibilities of individuals are clearly understood, the elements of respect and cooperation will result in the harmonious and constructive education of the student.

STUDENT HANDBOOKS

The Board hereby authorizes and approves student handbooks developed by individual school sites to the extent that the contents of the handbooks do not contradict the Fort Smith Public Schools Student Handbook.

Approved 7-26-04
New Policy

**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, student teachers, 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 Board of Education policy;
7. Engage in conduct disruptive to educational objectives;
8. Engage in reckless, negligent or malicious conduct which might cause physical harm to the student or others; and/or
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.
10. Urge or induce others to violate school policies.
11. Participation in hazing in any form including initiation into an organization, extracurricular activity, or sports program.
12. Interfere with or distract another student during the period of silence. Students are to remain silent during this time period (ACT 576 of 2013).

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 which 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 (*A.C.A. 6-18-502 & 6-17-106*)

1. A student shall not assault, threaten to assault or physically or verbally abuse a school employee or any other individual.
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 (*A.C.A. 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, air guns, or any device designed to resemble a weapon. Pursuant to federal law, the Board has the right to expel a student for 365 calendar days for a weapons violation unless modified by the superintendent (Gun Free Schools Act of 2002).
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
(A.C.A. 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.
2. All medications for students, both prescription and non-prescription, are required to be stored and administered as outlined in the Fort Smith School District 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 (A.C.A. 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 (A.C.A. 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 (A.C.A. 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 district on the basis of the decision of its membership.

Minimum Penalty—Reprimand
Maximum Penalty—Expulsion

M. FALSE ALARMS (A.C.A. 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 (A.C.A. 5-71-227)

No student shall possess any unauthorized electronic devices such as pagers, laser pointers, 2-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 extra-curricular activities as long as such use does not interfere with or disturb the activity.

Schools will not be responsible for lost or stolen cellular telephones 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.

P. BEHAVIOR NOT COVERED ABOVE (A.C.A. 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 school-sponsored events.

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; and/or
- 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.
- d. 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, a warning, transfer, suspension or expulsion.

Minimum Penalty—Reprimand

Maximum Penalty—Expulsion

Approved 7-22-13

Supersedes JFC dated 7-23-12

Supersedes JFC dated 6-23-11

Supersedes JFC dated 6-21-10

Supersedes JFC dated 6-22-09

Supersedes JFC dated 6-25-07

Supersedes JFC dated 7-24-06

<p>STUDENT DRESS CODE</p>

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 which denote membership in a fraternity, sorority or other secret organization or society (A.C.A. 6-18-605).

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). Each school handbook has additional guidelines.

Minimum Penalty—Reprimand
Maximum Penalty—Expulsion

Approved 6-23-11
Supersedes JFCA dated 8-28-95
Supersedes 6510 dated 9-23-85

DISTRIBUTION OF LITERATURE

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

Approved 9-23-85
New Policy

TOBACCO-FREE ENVIRONMENT

RATIONALE

A tobacco-free facility will provide a healthier, cleaner, and safer environment for employees, students, visitors, and patrons. Use of tobacco products at school facilities conflicts with the schools' goals of setting high standards and providing good role models for students.

CONTENT

In recognition of repeated warnings from the Surgeon General that being in close proximity to a smoke-filled environment can create potential health hazards, effective immediately smoking or use of tobacco or products containing tobacco in any form in or on any property owned or leased by the Fort Smith School District, including school buses, is prohibited. A student shall not possess or use tobacco products in any form on school property or at school functions (*A.C.A. 6-21-609*).

PREVENTION EDUCATION

The school district has available to staff members or students information on tobacco use cessation programs and products.

MARKETING/SPONSORSHIP PROHIBITION

All forms of tobacco advertising on school premises are strictly prohibited, including brand name tobacco gear, paraphernalia, and clothing. Acceptance of gifts or funds from any representative of the tobacco industry is strictly prohibited.

ENFORCEMENT

Arkansas State Law prohibits smoking of tobacco or products containing tobacco in any form in a public school. Legal action may be taken on any violations in accordance with *A.C.A. 6-21-609*. This includes a possible fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00).

For students the provisions of the Fort Smith Public Schools' Student Conduct and Discipline Handbook specify the minimum and maximum penalties for noncompliance. Alleged violations are to be reported to the building principal or assistant principal who has primary enforcement responsibility.

SUPPORT

As an alternative to suspension, school authorities may offer access to tobacco education classes or other incentives which encourage students not to use tobacco. Information on voluntary cessation will also be provided.

COMMUNICATION MECHANISM

The Fort Smith Board of Education policy regarding tobacco-free schools will be made available to all district administrators and/or teachers. Students will be provided similar information via the FSPS Student Conduct and Discipline Handbook. A copy of *A.C.A. 6-21-609* will be posted in a conspicuous location at every entrance to each building owned or leased by the Fort Smith School District and on every school bus used to transport public school students. Sufficient tobacco-free signs will be posted throughout the campuses, at entrances, in gyms, and on bleachers.

Tobacco-free policies will be explained at new student orientations for junior high, high school, and alternative school students. The tobacco policy will be advertised in student newspapers and announced for athletic events, plays, dances, and concerts.

Attention will be directed to the tobacco-free policy in the employee hiring or contracting process.

PROCEDURES

This policy will be enforced by the principal or assistant principal at each school location and by the district safety and security officer at athletic fields and gymnasiums during games. Teachers will also supervise cafeterias or other areas where students gather and identify any violations. All staff members and students will be provided the rules and expectations of the Board of Education's school policy as it pertains to them. School district guidelines and regulations will be included in employee handbooks and student discipline and conduct handbooks.

This policy will be reviewed on a periodic basis and revised as appropriate. All schools will be expected to conform to the provisions of the Board of Education school district-wide policy.

Secondary student assistance support groups will be utilized at each secondary school to assist in resolving major problems which develop regarding this policy. All students and staff members will be made aware of the school district policies and expectations regarding a tobacco-free environment.

SEARCH, SEIZURE, AND MONITORING
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Search and seizure are permissible when there is reasonable belief that a controlled substance, weapon or items in violation of school policy are present (A.C.A. 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 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.

Fort Smith schools use video surveillance to assist in security and investigations.

Approved 7-23-12

Supersedes 6529 dated 8-28-95

Supersedes 6529 dated 9-23-85

STUDENT CONTROL-RESTRAINT

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

Approved 6-21-10
New Policy

SUSPENSION OF STUDENTS

Students may be suspended from school for immorality, refractory conduct, insubordination, infectious disease, habitual uncleanliness or other conduct that would tend to impair the discipline of the school or harm the other students, but such suspension will not extend beyond the current term (*A.C.A. 6-18-507*). In the Fort Smith 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 re-admittance. 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 will 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 will 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. 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 will be followed by a Recommendation for Expulsion. In such cases, the policy for expulsion will be followed.

Any suspension that has previously been reviewed by the principal at the request of the parent/guardian will be reviewed by the Department of Student Services.

All such cases must be reported to the superintendent.

Approved 7-23-12

Supersedes JGD dated 6-25-07

Supersedes JGD dated 8-28-95

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 10 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 which 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 or guardian/principal conference within 24 hours if possible.
- H. The parent/guardian will be provided a copy of the Suspension Notice which 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/guardian for a student/parent or guardian/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/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 5 days or less will be reviewed by the Superintendent or designee upon parent/guardian 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 parent/guardian of his/her actions as soon as possible.
- M. A suspension of more than 5 days will be reviewed by the Superintendent or designee upon parent/guardian request; the decision reached in the review may be appealed to the Student Affairs Committee of the Board of Education. 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 parent/guardian 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 of Education 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.

Approved 6-22-09

Supersedes JGDA dated 7-25-05

Supersedes JGDA dated 5-24-99

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 a policy on suspension of students.

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

A.C.A. 6-18-507 provides that the directors of a school district may exclude students for immorality, refractory conduct, insubordination, infectious disease, habitual uncleanliness 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 to possess a 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/guardian if the student is a minor or 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 or her designee concurs with the recommendation and the parent/guardian requests a hearing before the Board of Education, a hearing will be scheduled. The request for a hearing must be made within **thirty** calendar days of the recommendation for expulsion.
- C. In every case of a hearing held by the Student Affairs Committee or the Board of Education regarding the expulsion of a student, the President of the Board or another member selected by the Board will preside at the hearing. The student will be entitled to representation by a lawyer or lay counsel.
- D. The superintendent or his or her designee will present evidence and may present witnesses or statements of those persons who have personal knowledge of the events or circumstances which 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 of Education 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 Board may expel a student for the remainder of the semester or 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 school work. The Board will briefly state its findings at the end of the hearing.

JGEA(2)

- L. The Board will 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 of Education or the presiding officer has the authority to limit unproductively long or irrelevant questioning.
- O. A student or the student's parent/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.

Approved 6-22-09
Supersedes JGEA dated 6-25-07
Supersedes JGEA dated 7-25-05

<p>GROUP HEARINGS FOR SUSPENSION OR EXPULSION</p>
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When 2 or more students are charged with violating the same rule and have acted in concert and the facts are basically the same for all students, a group hearing may be conducted for them if the Board believes the following conditions exist:

- A. Group hearing will not likely result in confusion, and
- B. Students will not have their interests 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/guardian may request that a hearing with the Board or Committee of the Board be private.

<p>DISCIPLINE FOR STUDENTS WITH DISABILITIES</p>

- 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 included in the IEP.
- C. After removing a student for more than ten (10) school days in a school year, the district will convene a meeting of the student's IEP Committee to address behavior.

INSURANCE

Accident insurance, supplemental to all other insurance carried by parent/guardian, is currently provided by the District for all students. Coverage is specified by the insurance policy. It is the responsibility of parent/guardian to file any necessary claims in a timely and expeditious manner.

STUDENT WELLNESS

PURPOSE AND GOAL:

The link between nutrition and learning is well documented. Healthy eating patterns are essential for students to achieve their full academic potential, full physical and mental growth, and lifelong health and well-being. Healthy eating is demonstrably linked to reduced risk for premature mortality and development of many chronic diseases as adults. Schools have a responsibility to help students develop and maintain lifelong, healthy eating patterns. Well planned and well-implemented school nutrition programs have been shown to positively influence students' eating habits.

All students should possess the knowledge and skills necessary to make nutritious and enjoyable food choices for a lifetime. In addition, staff members are encouraged to model healthy eating and physical activity as a valuable part of life. The Fort Smith School District will take positive steps to encourage such healthy eating habits and physical activities.

- I. Goals for nutrition, physical activity, and other school-based activities that are designed to promote student wellness:
 - A. Nutrition Education
 1. The Fort Smith School District will provide a comprehensive learning environment for developing and practicing lifelong wellness behaviors.
 2. The Fort Smith School District will promote a comprehensive approach to nutrition in Kindergarten through 12th Grade.
 - B. Nutrition Promotion

Fort Smith Public Schools work to improve the health and well-being of its students by developing and promoting nutrition guidance and education that link scientific research to the nutritional needs of students.
 - C. Physical Activity
 1. A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity should be included in a school's daily education program from grades K through 12. Physical activity should include regular instructional physical education, co-curricular activities, and recess as appropriate.

2. The Fort Smith School District will meet or exceed all physical activity requirements as described in the *Arkansas Department of Education Rules Governing Nutrition and Physical Activity Standards in Arkansas Schools*.

D. Other School-Based Activities

1. School Dining Areas
 - a. School dining areas will have sufficient space for students to sit and consume meals.
 - b. School dining areas will be clean, safe, and pleasant.
 - c. Adequate time will be given for students to enjoy healthy eating.
2. Fundraising
 - a. All fundraising projects for sale and consumption of food items within the school day will follow the district's nutritional standards when determining the items being sold.
 - b. Groups doing fundraisers outside the school day will be encouraged to consider non food sales and/or items supportive of healthy eating when possible.
3. Professional development
Nutritional and physical activity education opportunities will be a part of the district's regular professional development program.

II. Nutrition guidelines for all foods available on school campuses during the school day:

The Fort Smith School District supports and promotes proper dietary habits contributing to students' health status and academic performance. All foods available on school grounds and at school-sponsored activities during the school day should meet or exceed the state nutrition standards. Emphasis should be placed on foods that are nutrient dense per calorie. To ensure high-quality, nutritious meals, foods should be served with consideration toward variety, appeal, taste, safety, and packaging.

III. Assurance that guidelines for reimbursable meals will not be less restrictive than regulation and guidance as defined in the federal *Child Nutrition Act and the Richard B Russell National School Lunch Act*:

- A. The Fort Smith School District will offer breakfast, lunch, and after-school snack programs and will adhere to guidelines for reimbursable meals not to be less restrictive than the most current regulations and guidance issued by the Secretary of Agriculture.

B. The full meal school breakfast and lunch programs will continue to follow the USDA Requirements for Federal School Meal Programs.

IV. Plan for measuring the implementation of the local wellness policy:

The Fort Smith School District will comply with all state regulations pertaining to nutrition and physical activity including annual assessment and modification of the wellness plan

V. Involvement of parents, students, and representatives of the school food authority, the Board of Education, school administrators, and the public in development and maintenance of the school wellness policy:

The Fort Smith School District will include all the necessary shareholders in the creation and maintenance of the wellness policy.

EXCLUSION OF STUDENTS FOR HEALTH REASONS

Students shall be excluded from school for health reasons through the principal's office. Students may be excluded for any reason recommended by a medical doctor. A student suspected of having or being able to transmit a communicable disease is excluded from school; however, if the suspected condition is found not to exist, the student may be readmitted. In case of an actual communicable disease, the student is readmitted on the completion of the period of exclusion required by the health department. Students should not be sent home without first informing the parent/guardian.

STUDENTS WITH SPECIAL HEALTH CARE NEEDS
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Advances in medicine have resulted in an increased number of students with special health care needs attending public schools. Health care technology has increased the survival rates of low birth-weight infants, children with chronic illnesses and congenital anomalies and those who have survived traumatic injuries. Some of these children have special needs such as technology assistance, medication and supplemental nutrition which must be addressed during the school day. An even greater number of children have long-term chronic medical conditions such as diabetes, asthma, anemia, hemophilia, epilepsy and leukemia. Some of these conditions require daily management in the school setting, while other conditions may require only intermittent management.

According to the law, a free appropriate public education means the provision by school districts of both special education and the related services that students need to make their schooling possible. Related service is defined to include, among other kinds of services, school health services. In addition, there are students who require school health services who are not in need of special education. It is the responsibility of the school to provide school health services for these individuals as well.

In order to provide school health services which will enable these individuals to participate in the educational process, as well as better ensure the safety of all students and staff, the District has set forth administrative policies and procedures in accordance with Arkansas Act 1146. This Act requires that school districts develop comprehensive school health policies and procedures to address the management of students with special health care needs.

Although the terms “medical services” and “school health services” sound similar, they have very different meanings in the law. Medical services are defined as services that must be performed by a physician. Educational personnel should never perform these tasks. School health services are provided to permit a student to benefit from his/her educational program. School health services may include administering medication, performing clean intermittent catheterization, suctioning tracheotomy tubes, providing tube feedings, diapering or monitoring medical support systems. The School District will provide a particular health service when it:

- A. Is necessary to enable the student to attend school;
- B. Can be performed by a school nurse or some other qualified person;
- C. Is not unduly expensive; and
- D. Does not require constant attention by a staff person.

The administrative policies and procedures for the Fort Smith School District regarding students with special health care needs address each of the following areas:

- A. Provision of services/training of personnel;
- B. Special administrative considerations;
- C. Provision of services/training of personnel;
- D. Special administrative considerations;
- E. Medication;
- F. Transportation;
- G. Right to privacy and health information; and
- H. Infection control

SUPERVISION OF STUDENTS

Supervision is required for all students while in classroom or on playgrounds. Without such supervision, students are not permitted to occupy schoolrooms or to make use of playgrounds at any time during school hours.

Approved 10-27-75
New Policy

ACCIDENT OR ILLNESS AT SCHOOL

Designated personnel in each school are responsible for giving emergency care to students injured at school and for filling out an accident report, a copy of which is sent to the school administration building. If the accident indicates the need for medical care, a parent/guardian is contacted and asked to take the student to the family physician. If the family physician cannot be located and if the injury indicates need for immediate care, the student is taken to the emergency room of a local hospital. Serious illness is to be treated in the same manner.

Approved 5-24-99

Supersedes JHFE dated 10-27-75

STUDENTS TAKEN FROM SCHOOL

A student is to be taken from school only by a person who has the right to the student's custody unless previous arrangements are made with the school by note or phone call.

FIRE DRILLS

School Board policy and Arkansas statute stipulate that it is the duty of the principal to have the required fire drills each month and to establish in each school a fire marshal program.

Approved 10-27-75
New Policy

GIFTS

Teachers are asked to use purposeful tact in discouraging and prohibiting students from presenting them with gifts of value, whether individually or as a group project.

<p>SOLICITATIONS – GENERAL</p>

No person shall be permitted to take pictures of the school buildings or students for commercial purposes without prior authorization. Names of students will not be provided for advertising purposes.

No person or agent shall be permitted to solicit or exhibit or sell any book, paper, map, globe or other articles, or solicit for any purpose, or distribute circulars, handbills or take up contributions in any school or on the school premises.

The above actions can be permitted only by permission of the Superintendent or his/her designee. Such permission should be in writing or schools should have advance notice by telephone from Service Center personnel.

SOLICITATION OF FUNDS

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.

Approved 5-24-99
Supersedes JLC dated 10-27-75

<p>STUDENT PICTURES</p>

Individual student pictures and class student pictures are permissible for students in Grades K-6. Pictures will be made by a licensed photographer or photographers selected on a bid basis by the Supervisor of Purchasing for the District.

Individual and/or class pictures may be offered to students for a price determined in the bid process. A percentage of revenue from the sales, as determined in the bid, shall be returned to each school's activity fund.

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 students' permanent records shall serve legal and/or educational needs. Access to a student's records is available to authorized school officials, parent/guardian, and to 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 Board of Education; 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 or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s) or eligible student when notified of the right to a hearing.

Access to transcripts of a student's records may be made available to persons or agencies outside the school provided written consent shall be 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 persons requesting and seeing students' records. The Fort Smith School District maintains written and electronic student records.

The principal is the person in charge of records in each building and has a copy of this policy which 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.

The right 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 are:

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 will 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 10 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.

Approved 6-23-11
Supersedes JO dated 6-25-07
Supersedes JO dated 7-24-06

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)
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PPRA affords parents certain rights regarding our conduct of surveys, collection, and use of information for marketing purposes and certain physical exams. These include the right to:

- A. *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income other than as required by law to determine program eligibility.
- B. *Receive notice and an opportunity to opt a student out of*–
1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under state law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- C. *Inspect*, upon request and before administration or use–
1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

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

JOA(2)

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

Approved 6-25-07
New Policy

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' permanent records and cumulative records are to be considered in this permission category. Teachers' record books and 9-week reports are considered of a semi-permanent nature and should be preserved for a period of 5 years.

Approved 5-24-99
Supersedes JOB dated 9-23-85