# Charter School Policy Manual

*Model Policies and Practices for Arkansas Charter Schools*

**Current Through The 2024 Regular Session.**

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Arkansas Public School Resource Center

Unchanged Policies From Previous Version

Policy Revision Requiring Review

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# Board Resolution and Approval

The Board of Directors (Board) of the [**INSERT SCHOOL OR CHARTER NAME**]_____ __ School, by way of a Resolution adopted by the Board at its [**INSERT DATE LATEST CHANGE IS ADOPTED**], 20____, meeting, has adopted the following policies as the official policies of the [**INSERT SCHOOL OR CHARTER NAME**] School, effective [**INSERT EFFECTIVE DATE**], 20_____.

A copy of the Board Resolution is attached to these policies.

The Board shall review these policies at least annually and revise the policies as changes in the law or as the School's operation require.

The Board shall cause to be attached to these policies any subsequently adopted Resolutions authorizing subsequent policy changes.

## Disclaimer: No Legal Advice Given or Attorney Client Relationship Created

These model policies are generally written policies, updated to the best of APSRC's knowledge to reflect law as existed at the time of the issuance of these materials, but ---like all general legal form materials-- they should not be considered "legal advice," nor is an attorney-client relationship created through the adoption or use of these model policies.

Before adopting a model policy, you should confer with your school's legal advisor to ensure the model policy is current and appropriate to the specific situation, taking into consideration all of the unique facts particular to your school or district.

**WE ARE HERE TO HELP. CALL US!**

We hope these policies will be useful. If you do not see a policy that you would be interested in having, please contact APSRC and we will be happy to see what we can do to assist you.

## Disclaimer Concerning Laws and Agency Rules and Regulations

These policies are adopted with the intent of the school that the current version of any state or federal law, and any state or federal agency rules, regulations, or controlling agency guidance documents referenced shall apply and control, regardless of its effective date.

**SEVERANCE**

In any place the language of the governing legal authority (whether law, rule or regulation) is in conflict with the language of a policy, the language of the legal authority shall control. In such instance, the portion of the policy which is contrary to the legal authority shall be severed from the policy and be given no effect.

In order to ensure the continued accuracy and viability of these policies, and the legal authorities contained therein, the school should review and update these policies at least annually.

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# Governance and Operations

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## Legal Authority for Governance

The School was granted a Charter by the state public Charter school authorizer and is operating pursuant to the authority granted by that Charter or any subsequent renewals, and the laws and operating documents contained or contained by reference therein.

## Anti-Discrimination Statement

The School, along with its Board of Directors and staff, shall provide equal opportunity in education and employment to all qualified students and employees. The school does not and shall not discriminate or permit discriminatory behavior toward students or personnel. The school is an equal opportunity employer, and as such will not discriminate in employment, advertisements for employment, pay, termination, and other benefits or conditions of employment with the school on the basis of any of the categories listed within this policy.

In employment, the school will not discriminate on the basis of race, color, religion, gender, age, national origin, disability, sex, marital status, genetic information, military status, or any other reason prohibited by Federal or State law regarding non-discrimination in its interactions with employees, contractors, vendors, volunteers, agencies, and other organizations engaged in business with the school.

The school is committed to the success of every student and will not discriminate in the provision of equal educational opportunities on the basis of race, color, religion, gender, age, national origin, disability, HIV/AIDS status, sex, parental or marital status, or military status in its interactions with students. In addition, the School Board provides equal access to the Boy Scouts/Girl Scouts and other designated youth groups. This holds true for all students who are interested in participating in educational programs and/or extracurricular school activities. The school will comply with all applicable federal and state laws, rules and regulations which apply to the operation of the school, including but not limited to the following:

- Title VI of the Civil Rights Act, which prohibits discrimination on the basis of race, color, or national origin by educational programs receiving federal funds.
- Title VII of the Civil Rights Act, which prohibits discrimination in employment on the basis of race, color, national origin, religion, or sex.
- Title IX of the Education Amendments, which prohibits discrimination on the basis of sex against students.
- The Americans with Disabilities Act (Title I and Title V of the Americans with Disabilities Act of 1990, as amended) protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.
- The Equal Pay Act, in addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men

performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

- The Age Discrimination in Employment Act, which prohibits discrimination in employment opportunities on the basis of age for covered persons over the age of 40.
- The Rehabilitation Act, which prohibits discrimination against "otherwise qualified" students and employees with disabilities.
- Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

**Anti-Retaliation Statement**

Federal law prohibits covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice. The school will not retaliate in violation of any Federal or State law.

The Superintendent shall implement and enforce this policy and shall consult legal counsel when appropriate.

The Superintendent or his or her designee is the responsible federal designee for responding to questions and comments under this policy and each of its enumerated federal Acts. Any complaint under this policy must be submitted in writing to the Superintendent or his or her designee. Employees, students, and parents receiving reports of violations of this policy are encouraged to bring these issues immediately to the attention of the Superintendent or his or her designee. The school shall immediately investigate any complaint filed under this policy and shall act appropriately in accordance with the findings of the investigation.

Disabled individuals needing reasonable accommodations to participate in and enjoy the benefits of services, programs, and activities of the School Board are required in advance to notify the administrator at the school/center at which the event or service is offered to request reasonable accommodation. The lack of English language skills will not be a barrier to any opportunity or event associated with the school. The designated Equity Coordinator and contact information is:

Name:_____
Phone:_____
Email:_____
Other contact:_____

An alternate coordinator is:

Name:_____
Phone:_____
Email:_____
Other contact:_____

| LEGAL REFERENCES: | CROSS REFERENCES: |
|---|---|
| 42 U.S.C. § 2000(d);<br>42 U.S.C. § 2000(e-2)<br>29 U.S.C. § 206(d);<br>20 U.S.C. § 1681 et seq.<br>29 U.S.C. § 623;<br>29 U.S.C. § 794<br>42 U.S.C. § 12101 et seq.<br>29 U.S.C. § 701<br>34 CFR 104.8; 106.9; 108.9; 110.22-23 & 25<br>42 U.S.C. § 6102 & 6103<br>45 CFR 90.45 | Qualifications for Hiring<br>Religious Clothing<br>Religion in Curriculum<br>Minute of Silence<br>OCR Complaint Form<br>Students with Disabilities Mini-Guide |

## General Board Authority

The school is governed by a Board of Directors, with specific authority as set forth in its Charter application, Charter and the by-laws of its sponsoring entity.

The duties of the Board of Directors set forth in the by-laws should be read in conjunction with the Board duties set forth in this policy manual.

| LEGAL REFERENCES: | CROSS REFERENCES: |
|---|---|
| Ark. Code Ann. § 6-23-103;<br>Ark. Code Ann. § 6-13-620 | Powers and Duties of Board of Directors |

## General Duties and Responsibilities of the Board of Directors

The Board of Directors will serve as the governing authority of the school and shall possess all decision-making authority over the operations of the school, including but not limited to the areas set forth in the By-laws, Charter application, any attachments thereto, its Charter, and Arkansas law. The Board of Directors is charged with the following powers and required to perform the following duties in order to provide no less than a general, suitable, and efficient system of free public schools:

- Attend meetings of the school board of directors;
- Determine the mission and direction of the school;
- Adhere to state and federal laws governing public schools;
- Enact, enforce, and obey school policies;
- Employ staff, including:
    - A superintendent and one (1) or more assistant superintendent of schools to oversee the day-to-day operations of the school.
    - A superintendent shall be evaluated annually or no less often than before any extension of his or her employment contract.
    - Superintendents and assistant superintendents may be employed under contract terms and conditions that incorporate all elements prescribed by the State Board of Education; and
    - School employees under initial written employment contracts in the form prescribed by the State Board of Education, not including day-to-day substitutes;
- Understand and oversee school finances required by law to ensure alignment with the school's academic and facility needs and goals, including without limitation:
    - Reviewing, adopting, and publishing the school's budget;
        - Publication of the School's budget shall be in accordance with Arkansas law and Amendment 40 of the Arkansas Constitution. Such publication shall be made once annually at least 60 days before the school election at which the annual ad valorem property tax for the school district is decided. Publication shall be in a newspaper of general circulation which is either published within the county or counties in which the School is administered or has a bona fide circulation in the same county or counties;
    - Overseeing and monitoring the school finances, including:
        - Revenues;
        - Expenditures;
        - Investments;

        - Debts;
        - Obligations;
        - Inventory; and
        - Real property;
- Borrowing money as necessary, but in no case shall the school board of directors permit the school to end the fiscal year with a negative legal balance;
- Entering into contracts for goods and services necessary to operatethe school;
- Buying, selling, renting, and leasing real property and personal property on behalf of the school; and
- Receiving, reviewing, and approving each annual financial audit report and presenting it to the public;
- Ensure that:
    - Necessary and sufficient facilities are built or obtained, furnished, and maintained; and
    - All properties belonging to the school are managed and maintained for the benefit of the school;
- Approve the selection of curriculum and ensure that students are offered and taught the courses of study and educational content required by the State Board of Education;
- Visit schools and classrooms when students are present no less than annually and attend some events and functions;
- Obtain the training and professional development necessary to serve as active and informed members of the school district board of directors;
- Purchase of liability insurance, upon approval of the majority of the members of the Board of Directors, to protect the individual members of the Board from legal liability for activities arising out of duties as a director, including liability arising out of alleged malfeasance, errors, omissions, wrongful acts not related to bodily injury or property damage, and other actions taken in the performance of their duties as directors. The Board of Directors may pay the premium on the liability insurance policy from funds belonging to the School.
- and
- Do all other things necessary and lawful for the conduct of an efficient free public school.

| LEGAL REFERENCES: |
| --- |
| Ark. Code Ann. § 6-13-616<br>Ark. Code Ann. § 6-13-620 |

## Specific Additional Legal Duties of Board of Directors

A director has three legal duties under the Arkansas Nonprofit Corporation Act of 1993: the duty of loyalty, the duty to act in good faith, and the duty of care. These duties are derived from the law of for-profit corporations and the legal standards are basically the same.

Duty of Loyalty

The duty of loyalty requires directors to act at all times in the best interest of the organization and always put the organization's interests above their own.

Duty to Act in Good Faith

To act in "good faith" essentially means to be honest, above-board, and to act in a reasonable manner. For example, to attempt to manipulate others in service of a secret purpose would not be acting in good faith. If a director honestly believes his/her actions are in the best interest of the organization and tells the truth about his/her motivations, he/she is probably acting in good faith.

Duty of Care

The duty of care requires a director to act "with the care an ordinarily prudent person in a like position would exercise under similar circumstances."

"Prudent" means cautious, careful and sensible. To the extent that an average, ordinary person would be cautious under a certain set of circumstances, a person acting in his role as director of a nonprofit organization is expected to confirm to that standard of care.

As a practical matter, the duty of care means that directors must be reasonably informed and participatory. They must pay attention, ask questions, and oversee the management of the organization in a responsible manner. Directors should review minutes, financial statements, audits, plans, policies and other board documents on a regular basis.

| LEGAL REFERENCE: | CROSS REFERENCES: |
|---|---|
| Ark. Code Ann. § 4-28-201 *et seq*. | Conduct of All Board Members<br>Board Member Ethics |

## Advisory Board

The Advisory Board shall act as an advisory body to the Board of Directors. The Board shall receive issues and concerns from parents and guardians of the School's students; shall work to promote the School in the community, and to provide assistance to the School in fulfilling its goals and mission under the direction of the Superintendent and/or the Board of Directors.

The school has established through its approved Charter application the Advisory Board.

The Advisory Board shall be composed of 5 members selected by a majority vote of the School Board, and shall serve 3 year terms.

## Composition of the Board of Directors

The Board of Directors shall be composed of five (5) members. The names of the Board of Directors shall be contained in the school's Charter application and shall be posted on the school's website and updated as membership changes occur. The Superintendent or his or her designee shall be responsible for ensuring that such information shall be placed on the website in a timely manner.

## Election and Re-Election of Members

Each member of the Board of Directors shall serve a term of three (3) years and may be re-elected for an unlimited number of terms. Terms shall begin on July 1st and shall expire on June 30th of the final year. Voting for election or re-election to terms shall be held during the month of May.

New members of the Board of Directors shall be elected by a majority vote of the existing board.

| LEGAL REFERENCES: |
| --- |
| Ark. Code Ann. § 6-13-620<br>Ark. Code Ann. § 6-23-303<br>Ark. Code Ann. § 6-23-306 |

## Compensation

Members of the Board of Directors shall serve without compensation, but may receive reimbursement for pre-approved, actual expenses incurred as the result of Board-assigned attendance at conferences and trainings, school events, webinars or online trainings, and similar functions. Board members will not be reimbursed for expenditures on alcoholic beverages, for expenses incurred by a traveling companion(s), or for non-essential entertainment, unless specifically approved by Board Resolution prior to the expense being incurred.

All documentation supporting such expenses must be submitted to the Superintendent within ten (10) calendar days after such expenditures were incurred, on a form to be provided by the Superintendent or the school's Treasurer or business manager. Extensions may be granted on a case-by-case basis when exceptional circumstances delay the board members ability to file a timely report.

| CROSS REFERENCE: |
| --- |
| Board Member Expense Reimbursement Request Form |

# Board Operations

Election of Officers/Organizational Meeting/Disbursing Officer

At the first regularly scheduled meeting after the election or appointment of any member to the Board of Directors, the Board of Directors shall organize themselves by selecting:

- A President;
- A Vice-President; and
- A Secretary, if desired.

By a resolution adopted by a majority vote, the Board of Directors shall designate one or more of its members to serve as the primary Board of Directors' disbursing officer for the school. The Board may also choose, either in the same resolution or separately, to designate one or more Board members to serve as an alternate disbursing officer or officers to serve in the absence of the primary disbursing officer.

A member of an administrator's family or former spouse will not be initially employed as a disbursing officer at the school unless the school first receives written approval from the Commissioner of Education.

The resolution(s) designating the disbursing officer(s) (and alternate disbursing officer(s), if applicable) must be filed with the County Treasurer and the Secretary of the Department of Finance and Administration. The Superintendent or his or her designee shall be responsible for ensuring that such resolution(s) is/are properly and timely filed.

All warrants or checks of the school shall bear the signatures of both the disbursing officer or the alternate disbursing officer and the Superintendent.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-13-618 | Sample Board Resolution |

## Advisory Board Operations

Election of Officers/Organizational Meeting

At the first regularly scheduled meeting after the election or appointment of any member to the Board of Directors, the Board of Directors shall organize themselves by selecting:

- A President;
- A Vice-President; and
- A Secretary, if desired.

## Qualifications for Members of the Advisory Board

Persons eligible for Advisory Board membership are those who are qualified Electors in the State of Arkansas and have a child or ward enrolled in the school or are the parent or guardian of a graduate of the school.

| LEGAL REFERENCES: |
| --- |
| Ark. Code Ann. § 6-13-616<br>Ark. Code Ann. § 6-14-108 |

## Board President Duties

**Parliamentarian:** The President shall preside at meetings of the Board of Directors and may decide questions of procedure by referring to "Robert's Rules of Order, Revised" or other parliamentary procedure guide.

**Appoint Committees:** The President shall appoint all committees (unless otherwise directed by the Board), sign official documents of the Board, call a special meeting of the Board whenever conditions set forth for special meetings have been met and perform other duties as may be prescribed by law or by action of the Board.

**Preside over Hearings:** The President shall have the same right as other Board members to offer resolutions, to make or second motions, to discuss questions and to vote thereon. The President, or his or her designee if permitted by law, shall preside over all grievance, personnel and disciplinary hearings required by law or Board policy to be heard by the Board.

## Advisory Board President Duties

The President shall preside at meetings of the Advisory Board and may decide questions of procedure by referring to "Robert's Rules of Order, Revised" or other parliamentary procedure guide.

The President shall appoint all committees (unless otherwise directed by the Board), sign official documents of the Board, and perform other duties as may be necessary.

## Board Vice-President Duties

The Vice-President shall preside at Board meetings, in the absence of the President, and perform other duties as may be assigned by the Board.

## Board Secretary Duties, Keeping of the Minutes

The secretary of the Board shall perform the duties of the president in the absence of the president and the vice-president. The Superintendent, or his or her designee, will record minutes of all meetings and will distribute minutes of meetings to the Board for review no later than 10 days prior to the next regularly scheduled Board meeting.

OR

When a quorum of the Board has convened and neither the president nor the vice-president is present, the members shall elect one of their number to serve as president for that meeting.

**The Minutes.**

The record of the board proceedings is called the "Minutes." The essentials of the record are as follows:

- the kind of meeting, "regular" (or stated) or "special," or "adjourned regular" or "adjourned special";
- name of the assembly;
- date of meeting and place;
- the fact of the presence of the regular chairman and secretary, or in their absence the names of their substitutes,
- whether the minutes of the previous meeting were approved, or their reading dispensed with, the dates of the meetings being given when it is customary to occasionally transact business at other than the regular business meetings;
- all the main motions (except such as were withdrawn) and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn; and
- usually the hours of meeting and adjournment, when the meeting is solely for business.

Generally, the name is recorded of the member who introduced a main motion, but not of the seconder.

Minutes should be signed by the president, in addition to the secretary, after they are approved but before they are published on the website.

**Maintenance of the Minutes**

Minutes of the School Board are to be maintained indefinitely. They may be maintained in hard copy in a bound book in addition to the electronic copy placed online. The Superintendent shall be charged with maintaining the

minutes for the use of the current Board Secretary and may maintain additional copies as necessary for use or preservation, although only one copy shall be designated the "official" record copy, and it shall be made available in electronic form, via the school website.

**Recording of the Meeting via Audio and Maintenance for One Year**

The Secretary will coordinate with any school employee or person designated by the Superintendent in order to ensure that all officially scheduled, special, and called open public meetings (this requirement does not apply to Executive Sessions) shall be recorded in a manner that allows for the capture of sound including without limitation:

- A sound-only recording;
- A video recording with sound and picture; or
- A digital or analog broadcast capable of being recorded.

The Secretary shall ensure that the school is given a copy of the recording or access such that it may provide requested copies

The Secretary shall ensure the school is properly maintaining the recording of an open public meeting for a minimum of one (1) year from the date of the open public meeting and will note the destruction of any recordings in a writing to be maintained with the audio records, and detailing any audio file destructions, with the original date of the meeting, the date of the destruction and if there are copies in existence elsewhere, if known. This log shall be maintained perpetually or until changed by law or policy.

The recording shall be maintained in a format that may be reproduced upon a request under the Arkansas Freedom of Information Act.

## Advisory Board Secretary Duties

The secretary of the Advisory Board shall perform the duties of the President in the absence of the President and the vice-President. The Superintendent, or his or her designee, will record minutes of all meetings and will distribute minutes of meetings to the Board for review no later than 10 days prior to the next regularly scheduled Board meeting.

When a quorum of the Advisory Board has convened and neither the President nor the vice-President is present, the members shall elect one of their number to serve as President for that meeting.

## Dealings with Family Members or Employees

A Board member's family member may not be initially employed during the Board member's tenure of service for compensation in excess of $5,000 unless the Commissioner of Education issues a letter of exemption and approves the employment contract based on unusual and limited circumstances.

Excluding a renewal of an employment contract of the Board member's family member, any change in the terms or conditions of an employment contract that will increase compensation more than $2,500 must be approved in writing by the Commissioner of Education.

If it appears the total transactions or contracts with the board member or a Board member's family member for a fiscal year total, will total $10,000 or more, the Superintendent shall forward the written resolution along with all relevant data to the Commissioner of Education for independent review and approval.

If it appears that the total transactions with an employee for a fiscal year total, will total $10,000 or more, the Superintendent shall forward the written resolution along with all relevant data to the Commissioner of Education for independent review and approval.

| LEGAL REFERENCES: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. §§ 6-24-105 through 107<br>ADE Rules Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members, and other parties | Acquisition of Professional Services<br>Solicitation of Bids |

## Removal and Replacement Advisory Board Members

For members of the Advisory Board, the votes to remove or replace a member shall be conducted by the Advisory Board of Directors.

## Replacing Vacant Positions on the Advisory Board of Directors

For members of the Advisory Board of Directors, for whom this provision applies, the votes to remove or replace a member shall be conducted by the Advisory Board of Directors.

## Temporary Vacancy on Board of Directors – Military Service

In cases in which a Board member has entered the services of the United States Armed Forces or its allies, a temporary vacancy on the Board is declared to exist until the end of the member's term or until his or her return to civilian life, if his or her return occurs before the expiration of the term.

The vacancy shall be filled by the appointment of the Board on a majority vote of another individual to serve as successor until the end of the member's term, except that the appointment of the successor shall be conditional upon the return of the member to resume his or her normal civilian activities. Upon return, the Board member may resume his or her duty as Board member for the unexpired term by written notice to the secretary of the Board of Directors.

Board members appointed under the provisions of this section shall conform in all respects to legal provisions regarding directors.

Board members serving in the armed forces shall be eligible for future terms in the usual manner. If selected for a future term, the procedure for filling the temporary vacancy provided herein shall be again followed in the appointment of the successor to the absentee.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-13-613 |

## Conduct of All Board Members

It is the belief of the Board that its members should hold themselves to a high standard of accountability in their roles as Board members and thus shall strive to adhere to the followingtenets:

- Attend all meetings of their Board, unless prevented from doing so by unavoidable circumstances;
- Be prepared for full participation in all board meetings, and have reviewed all materials pertaining to the meeting;
- Be responsive and courteous to inquiries from patrons and citizens, but direct inquiries for information about school operations and matters which could become the subject of Board hearings (e.g., student or personnel matters, conduct, etc.) to the Superintendent;
- Keep confidential Board discussions held in closed or executive sessions;
- Realize and support the fact that decisions made by the Board are reflective of the Board as a whole and do not speak publicly against the decisions of the Board which are personally disagreed with; and
- Do all things possible to promote the ability of the school's students to receive the best possible educational experience.

| CROSS REFERENCE: |
| --- |
| Specific Additional Legal Duties of Board of Directors |

## Election of Board Officers

Officers for any Board shall be elected during the board meeting in June of each year. The vote may be by secret ballot, show of hands or verbal, at the discretion of the Board. Officers shall be elected in the following order: President, Vice- President, and Secretary/Treasurer and voting shall continue until a majority is received. The current President shall preside at this meeting and entertain motions for the nominations of officers. If the current President is nominated for an office, he or she shall ask another Board member to assume the chair until the election for the office is complete.

Officers may serve no more than 2 consecutive terms in a particular officer position.

| LEGAL REFERENCE | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-13-618 | Specific Additional Legal Duties of Board of Directors |

## Board Meeting Agendas

Any board member who desires to have an item included on an upcoming Board agenda shall submit a description of such item at least 14 days in advance of the meeting, whenever possible, to the Board President. The President shall promptly submit such item to the Superintendent.

At least 5 days before a regular monthly meeting of the Board of Directors, the Superintendent shall notify the President of the Board of Directors of:

- All written requests to be placed on the Board agenda; and
- The Superintendent's recommendation concerning each request.
- A request to be placed on the agenda shall not be granted if placement on the agenda:
    - Prejudices the Board of Directors concerning a student or personnel matter that is on the agenda for the Board's consideration of a disciplinary of employment action; or
    - Is in conflict with School district policy or law.

The Superintendent should regularly schedule meetings with the President of the Governing Board of Directors at least 7 to 10 days in advance of each Board's meeting to ensure that all approved items requested for placement on the agenda by the Superintendent, Board members and the general public are properly included on the agenda, and that all relevant supporting materials are received by the deadline and contained in the agenda packet.

After confirmation of the agenda items and materials the Superintendent or his or her designee should immediately arrange for the dissemination of the agenda and materials to the Board members and ensure that all deadlines for the posting and dissemination of notices for the meeting have been met.

The most current agenda shall be published on the school's website at least 3 days before a regular meeting and at least 2 hours before an emergency or special meeting.

At each regular monthly meeting of the school district board of directors, a report or presentation regarding student academic data or performance shall be provided to the board of directors.

| LEGAL REFERENCE | RESOURCE: |
|---|---|
| Ark. Code Ann. § 6-11-129 | Timeline for Board Meetings |

## Advisory Board Meeting Agendas

The agenda for any regular or special meeting of the Board of Directors shall be prepared by the Superintendent, who shall be responsible for ensuring that all appropriate items are placed on the agenda for the meeting.

| LEGAL REFERENCE |
| --- |
| Ark. Code Ann. § 6-13-619 |

## Notification of Board Meetings

In addition to the other notice requirements set forth in these board policies, the school shall provide the following notice of Board of Directors meetings:

*Regular Meetings:* The school shall provide 10 days advance notice of the time and place of each regular meeting to persons upon contacting the Superintendent's Office and making such a request in addition to publishing the notice on the school's website.

*Rescheduled Regular Meetings:* The school shall provide at least 24 hours before a rescheduled regular meeting, a public school district shall publish on the public school district's website a notice of the change in the date, time, or place of the regular meeting.

*Special or Emergency Meetings:* The school shall provide at least 2 hours' notice of special or emergency meetings to news media located in the county the school is located in and news media elsewhere that cover the regular meetings of the Board of Directors, upon the receipt of such a request by the Superintendent's Office, in addition to publishing the notice on the school's website.

| LEGAL REFERENCE | RESOURCE: |
|---|---|
| Ark. Code Ann. § 25-19-106<br>Ark. Code Ann. § 6-13-619 | Timeline for Board Meetings |

## Special Meetings

The Board of Directors may call a special meeting to consider items upon which it is either required by law to consider before its next scheduled regular monthly meeting or which are necessitated by a time-sensitive situation.

Special meetings shall be conducted in the same mode and manner as regular meetings of the Board of Directors and in compliance with board policies and law.

| LEGAL REFERENCE |
| --- |
| Ark. Code Ann. § 6-13-619 |

## Time for Board of Directors Meetings

The regular meetings of the Board shall be held according to a schedule adopted by the Board at its first meeting of the school year. Except in emergency situations, regular and special meetings of the Board that deal with personnel or personnel policies shall be held after 5:00 p.m. A meeting of the Board or a Board committee that does not deal with personnel or personnel policies may occur at any time and on any day, regardless of whether there is an emergency. The time of special Board meetings will be listed in the notice announcing the meeting.

| LEGAL REFERENCE |
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| Ark. Code Ann. § 6-13-619 |

# Opportunity For Public Comment Prior To Board of Directors Meetings

Prior to the consideration of any business or an executive session at a meeting of a board of directors, any member of the public shall be afforded the opportunity to give public comment on any matter that is within the powers and duties of the board of directors as provided under Ark. Code § 6-30 13-620 if the member of the public providing the public comment:

- Resides within the public school district;
- Is a parent, legal guardian, or person standing in loco parentis to a student enrolled in the public school district; OR
- Is employed by the public school district.
- Resides within the public school district;

Public comments that prejudices the board of directors concerning a student or personnel matter that is on the agenda shall not be allowed.

Prior approval for public comments shall not be required.

Each member of the public shall be given at least 3 minutes to deliver his or her public comment.

If public comment period exceeds 30 minutes, board of directors may move public comments, not regarding items on the agenda, to a time later in the board of directors meeting.

Board of directors may use a sign-up sheet for members of the public providing public comment so long as the sheet is accessible to the public until the start of the meeting.

| LEGAL REFERENCE |
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| Ark. Code Ann. § 6-13-619 |

## Time for Advisory Board Meetings

The Advisory Board meetings shall be held at least quarterly, upon the call of the Board President.

## Place of Board Meetings; Designation of Locations for Emergencies by Resolution

The Board meetings shall be held in the administration offices or the board-room of the school.

In the event that the Board meetings are held by way of telephone conference call or by audiovisual transmission, access to the call or other transmission of the meeting shall be available to the public in the usual Board meeting place, or other meeting area as listed in the posted meeting notice.

The board shall establish by resolution alternate or substitute sites or places as "emergency temporary locations of government" where all, or any part of, public business may be transacted and conducted during an emergency which would make the regular place imprudent, inexpedient, or impossible.

If the Governor declares a disaster emergency under the Arkansas Emergency Services Act of 1973, the Board may meet through electronic means without the necessity of the physical presence of the public or the Board at the meeting.

The Board may meet at any place in the county, whether within or without the territorial limits of the school or district, on the call of the presiding officer or any two (2) members of the governing board.

| LEGAL REFERENCE | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann.§ 25-19-106 | Quorum and Voting |

## Taping of Board Meetings

Meetings of the Board of Directors, with the exception of executive sessions, shall be recorded in a manner that captures sound including without limitation: a sound only recording; video recording with sound and picture; or a digital or analog broadcast capable of being recorded,, as long as the equipment used is silent, does not interfere with other attendees' ability to see or hear the proceedings and is not placed in a location that inhibits access to the meeting table, or movement in and out of the meeting room.

A recording of an open public meeting shall be maintained for a minimum of one (1) year from the date of the open public meeting and kept in a format that may be reproduced upon a FOIA request.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 25-19-106 | |

## Board of Directors Conflicts of Interest

A Board member shall not have any direct pecuniary interest in a contract with the School, nor shall the member furnish directly any labor, equipment, or supplies to the School except as permitted under Arkansas law.

In the event a Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the School, the Board member shall declare his or her potential conflict of interest, and shall refrain from debating and voting upon the contract in question as recommended by Arkansas law.

It is not the intent of this policy to prevent the school from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position in which his/her duties to the school and to the member's employment (or other indirect interest) might conflict, and to avoid appearances of impropriety even though none may exist.

All aspects of the foregoing policy shall be applicable to the Superintendent, as well as the members of the Board of Directors.

| LEGAL REFERENCES: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-13-619<br>ADE Rules Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members and Other Parties | Quorum and Voting |

## Quorum and Voting

Except as provided in the separate policy concerning remote attendance, a Board member shall be physically present at a meeting to be counted for purposes of a quorum or to vote. If a quorum is not established or maintained, a vote shall not be taken until a quorum is established or restored. A majority of a quorum voting affirmatively is required for the passage of any motion or resolution. Any member abstaining from a vote shall be counted as a vote against the motion or resolution.

If a member announces a conflict of interest with regard to an issue, the member must leave the meeting until the voting on the issue is concluded. A member who leaves a meeting due to a conflict of interest shall not be counted in the Board's vote and shall not be considered present for the purpose of establishing a quorum until the member returns to the meeting after the vote. Except as provided above, a quorum shall be a majority of the membership of the Board of Directors. A quorum of the Board of directors must be physically present for the Board to enter an executive session.

| LEGAL REFERENCE: | CROSS REFERENCES: |
|---|---|
| Ark. Code Ann. § 6-13-619 | Place of Board Meetings,<br>Board of Directors Conflicts of Interest<br>Remote Board Meeting Attendance and Voting |

## Remote Board Meeting Attendance and Voting

A member of the Board of Directors may attend Board meetings remotely, as necessary. The Board may allow a remote member to count for purposes of establishing a quorum up to 3 times per calendar year. Any single member may not attend remotely more than 1 time per calendar year, unless the Board gives prior approval by a simple majority vote. Any member attending a meeting remotely must do so by a method that allows the Board members and members of the public to hear the remote Board member at all times, and also allows the remote Board member to fully participate and hear the other Board members and members of the public at all times. When a member attends a meeting remotely to be counted for a quorum and to vote, the President of the Board shall verify the identity of the member attending remotely by facial recognition if the member is using video, or by voice recognition if the member is using audio only. The Board Secretary will note that the member has been verified.

A quorum of the Board of Directors must be physically present for the Board to enter an executive session. A remote Board member who is used to establish a quorum shall not be counted to determine if the Board may enter executive session. A member of the Board of Directors attending remotely shall not attend an executive session or closed hearing remotely, nor vote on an issue that is the subject of an executive session or closed hearing. A remote Board member's inability to vote on an item discussed in executive session shall be treated as if the Board member had left the room.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-13-619 | Quorum and Voting<br>Executive Session |

## Executive Session

The Board of Directors shall convene in executive session only for the purposes of:

- Considering the employment, appointment, promotion, demotion, disciplining, or resignation of any employee;
- Review of the comprehensive school safety assessment required every 3 years;
- Discussion of how the Board of Directors will respond to an attack on or other breach of the school's cybersecurity;
- Pre-litigation discussions;
- Litigation updates;
- The discussion and consideration of settlement offers;
- The discussion and consideration of contract disputes with the superintendent of the school district; and
- Discussions pertaining to real property.

The Board of Directors shall conduct any vote on a matter discussed in executive session after reconvening in open session.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 25-19-106<br>Ark. Code Ann. § 6-13-619 |

## Private Hearings

Private hearings may be held by the Board of Directors to act upon a student suspension, expulsion or appeal if requested by the parent or guardian of the student. The hearing must be public if requested by the parent or guardian.

After conducting a public hearing on a student suspension, expulsion or appeal, the Board of Directors may go into closed session to deliberate. The Board of Directors shall conduct any vote on the subject of the hearing after reconvening in open session.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-507 |

## Board of Directors Policies

The Board of Directors shall adopt clearly defined written policies based on a thorough understanding of the impact any policy will have on the educational processes of the school. In formulating policies, the Board should consult those individuals or groups to be affected by the policies.

The Board recognizes that changing conditions often necessitate change. The Board shall periodically review these policies on at least an annual basis to reflect changing conditions and legal requirements.

The Board recognizes that while it is a policy-making body, the execution of policy is properly delegated to the Superintendent and his or her professional staff.

The initial and formal adoption of these policies shall be recorded in the minutes of the Board of Directors. Only those written statements so adopted and so recorded shall be regarded as official Board of Directors policy.

## Policy Adoption by Board of Directors

Policies recommended to the Board shall not be adopted until the next regularly scheduled Board meeting subsequent to their initial introduction. The time lapse will permit further study by Board members and allow for patron input.

All teachers and administrators shall be furnished a digital copy of any new policies or amendments to existing policies dealing with personnel within 30 days after approval by the Board of Directors as specified by Arkansas law.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. §§ 6-17-204 through 206 or a waiver from the same section(s) |

## Board of Directors Policy Revision and Review

The process of appraisal of existing written policies shall be continuous and items may be included on the agenda at any time at the suggestion of individual board members or the Superintendent or his or her designee. The Board shall meet, as a committee on an as-needed basis to appraise existing board policies.

## Board of Directors Review of Administrative Policy Guidelines

The Superintendent shall prepare and disseminate any administrative guidelines necessary to implement Board policy, and shall review such guidelines periodically to determine their effectiveness in carrying out official Board policy.

The Board shall retain the prerogative to review any and all administrative guidelines and may suggest or direct that certain guidelines be added, modified, or deleted.

## Board of Directors Policy Communication and Feedback

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the administrative guidelines and regulations needed to put them into effect.

## Publication of Policies on School Website

All official policies adopted by the Board shall be published on the School's website, in accordance with Arkansas law.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-11-129 | School Website |

## Orientation of New Board Members

Each new member of the Board will be afforded every opportunity to become oriented to the functions and responsibilities entailed by election to the Board. It will be the duty of the Superintendent and the administrative staff to assist each new member-elect to understand the Board's functions, policies, procedures, and operation of the school before he/she takes office. At a minimum, the following procedures will be employed:

- The new member-elect will be given selected materials on the functions of the Board and of the school;
- The incoming member will be invited to meet the Superintendent and his or her administrative staff and to discuss the services they provide for the Board; and
- A copy of the Board's policies will be provided to each new member of the Board.

## Required Training for Board of Directors

Newly elected board members will complete the legally mandated minimum of nine (9) hours of training and instruction in Arkansas school law and in the laws governing the powers, duties, and responsibilities of school boards no later than December 31st of the year following their election to the board. A newly elected member shall also complete the training or instruction on financial laws and regulations as decided by the Arkansas Board of Education within the first fifteen (15) months of service on the board of directors. Returning board members who have served at least twelve (12) consecutive months must complete six (6) approved hours annually during each calendar year of service (January 1st -December 31st).

The Superintendent of each school shall annually prepare a report of the training hours each school board member received the previous calendar year and those carried forward from a previous year that were eligible to be counted to-wards the previous year to be presented to the board at the board's regular January meeting.

Any member who fails to receive or carry forward the required number of training hours shall be:

Permitted thirty (30) days from the date of the January board meeting to complete the deficient training hours; and
Suspended from participating in official business, except for school board training, until the board member obtains the deficient training hours.
A board member who fails to cure the board member's training hours deficiency within the thirty (30) days provided shall be removed from the board and the board member's position shall be filled in accordance with Arkansas law and School policy, unless:

The board member's failure to receive the required training was due to military service of the board member; or

The board member provides a written & sworn statement from the board member's treating physician stating that the board member's failure to receive the required training was due to a serious medical condition.

Any board member who provides documentation of either of the two situations detailed above will receive until December 31st of the year following the year the board member failed to receive the required training hours to receive both hours of training required for the current year AND the hours the board member failed to receive the previous year.
The school shall pay reimbursements pre-approved by the Board and resulting from pre-approved Board business and other necessary expenses from funds belonging to the school and shall reimburse Board members for

expenses incurred in attending Board-approved in-service workshops, conferences, and other courses of training and instruction

| LEGAL REFERENCE: | CROSS REFERENCE: |
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| Ark. Code Ann. § 6-13-629 | |

## Board Member Ethics

No Board member shall knowingly use or attempt to use his or her official position to secure unwarranted privileges of exemptions for him or herself or others.

While serving as a Board member, an individual shall not accept employment, contract, or engage in any public or professional activity that a reasonable person would expect might require or induce him or her to breach the confidentiality required by his or her official position, nor shall the member knowingly otherwise use such information for his or her personal gain or benefit.

No Board member shall be employed by the school.

No family member of Board members shall be employed by the school, except as may be permitted pursuant to Ark. Code Ann. § 6-24-105.

All Board members shall be required to annually file the Statement of Financial Interest form required by Ark. Code Ann. § 21-8-701 et seq. , by January 31st of each year for the calendar year preceding, except that a board member, administrator, or employee who is called to active duty in the United States Armed Forces shall be permitted an additional one-hundred eighty (180) days to file the statement of financial interest; and the statement may be completed by the spouse of the person and the signature of the spouse will be sufficient. No board member who is also a legislator may appear before the board of directors on behalf of any other person, firm, corporation, or entity and be compensated by that person or entity except as permitted under Ark. Code Ann. § 21-8-801 & 802.

| LEGAL REFERENCES: | CROSS REFERENCES: |
|---|---|
| Ark. Code Ann. § 6-24-105,<br>Ark. Code Ann. § 21-8-101;<br>Ark. Code Ann. § 21-8-701;<br>Ark. Code Ann. § 21-8-801 & 802<br>ADE Rules & Regulations Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members, and Other Parties.<br>Specific Additional Legal Duties of Sponsoring Entity Board of Directors-Arkansas Non-Profit Corporation Act; | Specific Additional Legal Duties of Sponsoring Entity Board of Directors - Arkansas Non-Profit Corporation Act;<br>Dealings with Family Members or Employees Notification Letter;<br>Statement of Financial Interest;<br>Sample Board Resolution |

## Tort Liability Immunity

It is declared to be the public policy of the State of Arkansas that all public Charter schools, and any of their boards, commissions, agencies, authorities, or other governing bodies shall be immune from liability and from suit for damages except to the extent that they may be covered by liability insurance.

No tort action shall lie against any such public Charter school because of the acts of its agents and employees.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 21-9-301 |

## Emergency Inclement Weather Days

At the sole discretion of the Superintendent, school may begin at a delayed start time or may be released early due to emergency inclement weather. This emergency inclement weather policy shall be used no more than 5 school days total per year. Under this policy, the Superintendent may:

- Delay the start of the school day until as late as 10:00 a.m.; or
- Release students from school no earlier than 1:00 p.m.

A school day that is delayed or released early counts as a credited school day, and therefore no additional days will be added to the school calendar for those days under this policy.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-10-126 |

## Making Up Missed School Days in 60 Minute Increments

If the Superintendent cancels a regularly scheduled school day due to exceptional or emergency circumstances including but not limited to a contagious disease outbreak, inclement weather, or other acts of God, at the sole discretion of the Superintendent, the school may make up missed school days by adding time to the beginning or ending of a regular school day for a minimum of 60 minutes total per day.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-10-127 |

# General School Administration

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## Hiring of Superintendent

The Board of Directors shall develop minimum requirements for the position of Superintendent including, but not necessarily limited to, those requirements set forth in the school's Charter.

## Duties and Expectations of the Superintendent

The Superintendent is the chief executive officer and administrative head of all divisions and departments. The Superintendent shall provide the leadership necessary to develop and maintain the best possible educational programs and services. The Superintendent shall supervise, either directly or indirectly, all employees and shall report to the Board of Directors. The Superintendent's specific responsibilities shall be as follows:

- Attend and participate in all meetings of the Board and its committees, except when his or her own employment or salary is under consideration.
- Prepare and submit to the Board recommendations relative to all matters requiring Board action, placing before the Board such necessary and helpful facts, information and reports as are needed to ensure the making of informed decisions.
- Develop an organizational plan for the school's administrative personnel.
- Consult with teachers employed by the school before making any decisions regarding hiring or placement of a principal at the school in which teachers are employed. Recommendations made by teachers shall not be binding on the superintendent but shall be considered by the superintendent when making employment decisions within the school.
- Report to the Board such matters as deemed necessary to the understanding and proper management of the school, or as the Board may request.
- Maintain a set of written policies and procedures for the guidance of the school and advise the Board on the need for new and/or revised policies.
- Interpret for the staff and cause to be implemented all Board policies and all federal and state laws relevant to public education.
- Submit to the Board a clear and detailed explanation of any proposed procedure that would involve either departure from established policy or the expenditure of substantial sums.
- Assume responsibility for the overall financial planning and for preparation of the annual budget recommendation, and submit it to the Board for review and approval.
- Establish and maintain efficient procedures and effective controls for all expenditures of school funds in accordance with the adopted budget, subject to direction and approval of the Board.
- Define educational needs and formulate policies and plans for recommendation to the Board.
- Secure and recommend for employment the best qualified and most competent personnel. All employment related decisions shall be based upon performance, effectiveness and qualifications of the potential employee with effectiveness being used as the primary criterion for making personnel decisions.
- Assign, transfer, and define the duties of all personnel, and report such action to the Board for information and record.

- Temporarily suspend or place on probation, as provided by law, any employee for just cause, and report such action to the Board.
- Recommend to the Board for final action the promotion, salary changes, demotion, or dismissal for any employee.
- Summon employees to attend such regular and special meetings as are necessary to carry out the educational program of the school.
- Serve as the contact for all communication with the Board from all school employees.
- Delegate at own discretion to school personnel the exercise of any duties and authority with the knowledge that such does not relieve the Superintendent of final responsibility for the action taken under such delegation.
- Accepts responsibility for the general efficiency of the school, for the development of the school staff, and for the educational growth and welfare of the students.
- Make decisions, rules and give such instructions to school employees, as may be necessary to make the policies and regulations of the Board effective in the management of the school, and in all matters not covered by these regulations, to act in his or her discretion if action is necessary, but to report such action to the Board for its information and approval.
- Additional responsibilities as may be contained in the approved Charter application of the School or assigned as necessary.

# Evaluation of Superintendent

The Board of Directors shall evaluate the Superintendent on at least an annual basis. The Board of Directors shall prepare the evaluation instrument, but the Board shall give the Superintendent the opportunity to provide comments on and information pertaining to the instrument.

The Superintendent shall be employed pursuant to an employment contract. The Superintendent's contract of employment shall incorporate written performance targets for the school that include without limitation the following: Student achievement for the entire school; Student achievement for schools that have received any variation of a school performance letter grade designation of "C", "D", or "F" under §§6-15-2105 and 6-15-2106 and State Board of Education rules; Graduation rates for the entire school; and Graduation rates for schools that have received any variation of a school performance letter grade designation of "C", "D", or "F" under §§6-15-2105 and 6-15-2106 and state board rules.
These policies shall be incorporated into the terms of the employment contract. The contract shall be for a period of up to 3 years, and may be extended by the Board in at least one year increments up to an amount of time equal to the original length of the contract.

The Superintendent's contract shall not automatically renew.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-123 |

## Principal's Duties and Expectations

The Board of Directors shall employ though an employment letter Principals who shall supervise the operation and management of the school and property as the Board of Directors determine necessary, and who shall supervise the operation and management of the school and property as the Board of Directors determine necessary.

The Principal shall assume administrative responsibility and instructional leadership, under the supervision of the Superintendent and in accordance with the legal rules and regulations of the Board of Directors, for the planning, management, operation, and evaluation of the educational program of the attendance area to which he or she is assigned.

The Principal shall submit recommendations to the Superintendent regarding the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to the attendance area. All employment related decisions shall be based upon performance, effectiveness and qualifications of the employee with effectiveness being used as the primary criterion for making personnel decisions.

The Principal shall perform such other duties as may be assigned by the Superintendent pursuant to the policies of the Board of Directors.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-302 |

## Principal's Responsibilities

- The Principal is responsible for a thorough knowledge of all laws, regulations, and instructions governing the position.
- The Principal will coordinate all administrative and supervisory activities which occur in the building.
- The Principal will be responsible for the coordination of the work of assistant Principals (if any), teachers, and all building staff.
- The Principal will be responsible for the administration of school policies in his or her school and for making available to building staff knowledge of such regulations as they are enacted by the Board or formulated by the school's Superintendent.
- The Principal is responsible for the general organization of the school, the assignment of duties of staff members within the school, and the administration of the instructional program.
- The Principal will handle all complaints from patrons or parents which affect the school, investigate the same, and refer to the Superintendent all cases which cannot be resolved satisfactorily.
- The Principal is responsible for the efficiency and effectiveness of teachers and other staff members within the building and will evaluate them in accordance with established policies and procedures.
- The Principal will have the power to suspend students temporarily and make recommendations for reassignment, long-term suspension or expulsion in accordance with the relevant student discipline policies. The Principal may assign this responsibility to an assistant Principal (if any). The Principal will work closely with central office personnel to enforce the requirements of the Arkansas compulsory attendance laws.
- The Principal shall fully participate in the Leaders Excellence and Development System (LEADS), unless the school has obtained a waiver from its provisions.
- Additional responsibilities as may be assigned or contained in the approved Charter application of the school.

| LEGAL REFERENCES: |
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| Ark. Code Ann. § 6-17-302,<br>Ark. Code Ann. § 6-18-507<br>ADE Rules Governing the Leader Excellence and Development System |

# Evaluation of Principals

The Leader Excellence and Development System (LEADS) is the system employed by the school to evaluate building-level administrators other than the Superintendent. The purpose of this policy is to provide a cohesive process that includes clear expectations to guide leader preparation, induction, and continued professional development; to guide and sustain excellent leadership performance that ensures the improvement of teaching and learning; and to provide a process that includes instruments to be used by reflective practitioners to promote their professional growth.

Each evaluation under LEADS shall be in writing. Each administrator shall participate in LEADS and collaborate in good faith with the evaluator to develop his/ her professional growth plan. A failure to comply with the requirements of this policy may be reflected in the administrator's evaluation.

Annually in a summative evaluation year or an inquiry category year, a superintendent shall assign each administrator employed by the school an annual overall rating that is based on:

- The leader's professional practice, as evidenced by the performance rating for a summative evaluation or for the inquiry category; and
- Student growth.

**Definitions**

"Novice Category" is a category in which a building-level leader will be placed for three (3) years if the administrator is a first-time administrator.

"Probationary" is a category in which the administrator will be placed if required for one (1) year if the administrator has transitioned to the school from another school where he or she had previous building- or district-level leadership experience or has transitioned within a school from one administrative position to another.

"Problem of practice" is identified in a professional growth plan as a gap between current performance and desired performance of a school or educational agency based on a review of school or district data.

"Summative evaluation" means an evaluation of an administrator's performance that evaluates all applicable standards and functions of the evaluation framework that supports improvement in the administrator's leadership and the school's employment decision concerning the administrator.

**Administrator Professional Growth Plan**

Each administrator shall complete or revise a professional growth plan based on the standards and functions determined in collaboration with the Superintendent. "Problem of practice" is identified in a professional growth plan as a gap between current performance and desired performance of a school or educational agency based on a review of school or district data.

The administrator shall indicate in his or her professional growth plan:

- The school's problem of practice and goal(s);
- The leadership strategies to address the identified problem;
- Results indicators (staff and students); and
- Sources of data to be monitored.

The administrator shall determine the action steps needed to implement the leadership strategies identified in his or her professional growth plan. The administrator shall submit a copy of his or her completed professional growth plan to the Superintendent.

**Formative Assessment Conferences**

Throughout the year, a Superintendent or designee shall conduct formative assessment conferences with all administrators evaluated under the LEADS system. Formative assessments should be based on individual needs as shown by evidence presented from the professional growth plan and evaluation rubric.

**Summative Evaluation**

The Superintendent shall complete the evaluation rubric for summative evaluation at the end of each year for any administrator who is in a novice, a probationary, or an intensive category. The Superintendent shall complete the evaluation rubric for summative evaluation minimally once every four (4) years for any administrator who is in an inquiry category. The administrator being evaluated shall provide evidence of effective practice using relevant artifacts for each standard and function on which the administrator is evaluated as applicable to the administrator's position.

The Superintendent shall make a recommendation concerning an administrator's employment based on:

- The level of performance
- The evidence of teacher performance and growth applicable to the administrator;
- The administrator's progression on his or her professional growth plan; and
- Student performance and student growth measures for the school.

The Superintendent shall place the evaluation rubric for summative evaluation in the personnel file of the administrator annually if s/he is in the novice, probationary, or intensive category, and once every four (4) years if s/he is in the inquiry category.

During a period in which a summative evaluation is not required, the Superintendent may conduct an evaluation that is lesser in scope. In a year in which the school does not perform a summative evaluation, the school shall perform an annual rating that satisfies the requirements of the Merit Teacher Incentive Fund Program under § 6-17-2901 et seq.

**Inquiry Category**

The inquiry category shall be used to:

- Support an administrator on an ongoing basis throughout the school year;
- Provide an administrator with immediate feedback about the leader's practices;
- Engage the administrator in a collaborative, supportive learning process;
- Help the administrator use formative assessments to inform the leader of student progress and adapt practices based on the formative assessments; and
- Provide a performance rating that is included in the annual overall rating.

The administrator shall submit artifacts for the components agreed upon by the administrator and the Superintendent or designee as evidence of professional practice.

**Intensive Support**

If at a time other than an evaluation conducted under LEADS a Superintendent believes or has reason to believe that an administrator is having difficulties or problems meeting the expectations of the educational agency or its administration and that the problems could lead to termination or nonrenewal of contract, the Superintendent shall bring in writing the problems or difficulties to the attention of the administrator involved and document the efforts that have been undertaken to assist the administrator to correct whatever appears to be the cause for potential termination or nonrenewal.

When performance is unsatisfactory in any one standard or the administrator is not progressing in a majority of the functions of an evaluation rubric, the super- intendent shall identify and document the inadequate performance and move the administrator into the intensive category.

If an administrator is placed in the intensive category, the Superintendent or designee shall:

1. Establish the time period for the intensive category.

- The period of time specified by the Superintendent or designee for the intensive category shall afford the administrator an opportunity to accomplish the goals of and complete the tasks assigned in the intensive category.
- The intensive category shall not last for more than two consecutive semesters unless the administrator has substantially progressed and the Superintendent or designee elects to extend the intensive category for up to two additional consecutive semesters.

2. Provide a written notice to the administrator that s/he is placed in the intensive category.
    - The notice shall state that if the administrator's contract is renewed while the s/he is in the intensive category, the fulfillment of the contract term is subject to the administrator's accomplishment of the goals established and completion of the tasks assigned in the intensive category;
    - Develop a clear set of goals and tasks that correlate to the professional growth plan and evidence-based research concerning the evaluation function or standard that forms the basis for the intensive category and ensure the administrator is offered the support that the Superintendent or designee deems necessary to accomplish the goals developed and complete the tasks assigned while in the intensive category.

At the end of the specified period of time for the intensive category, the Superintendent or designee shall evaluate whether the administrator has met the goals developed and completed the tasks assigned for the intensive category and provide written notice to the administrator that s/he either is removed from the intensive category or has failed to meet the goals and complete the tasks of the intensive category.

If an administrator does not accomplish the goals and complete the tasks established for the intensive category during the period of the intensive category, the Superintendent shall review the documentation of the intensive category. Upon review and approval of the documentation, the Superintendent shall recommend termination or nonrenewal of the administrator's contract.

This policy does not preclude a Superintendent from recommending the termination of an administrator's contract based on any lawful reason. Nothing in this policy shall be construed to limit the ability of the school to terminate any employee's contract at all, nor shall anything in this policy limit the ability of any employee to end his/her contract at will.

## Administrators' and Principals' Employment — Effect of At-Will Status

Each Principal and administrator shall work under an employment letter, which shall provide for a stated employment length (not to exceed 365 days). The employment letter is terminable by either the Board of Directors of the school, or the Principal or administrator, at any time and for any lawful reason. The employment letter is not and shall not be construed as guaranteeing employment for any length of time.

| LEGAL REFERENCES: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-301 | At-Will Employment |

## School's Administrative Structure

The Board of Directors is the body charged with setting policies and making final decisions on matters such as the hiring of personnel, executing of contracts for the purchases of commodities, executing lease contracts for real property, and all other powers and duties granted by Arkansas law, the charter of this school, and these policies.

The superintendent reports directly to the Board of Directors, and is entrusted by the Board of Directors to be the day-to-day chief operating officer of the school. The superintendent supervises and manages all other employees of the school, either directly or through principals or other administrative staff.

Principal's report directly to the superintendent, and have primary responsibility for all personnel and operational matters occurring on their campus(es). Any employee grievances should be directed to the employee's principal, unless law or policy mandates otherwise.

Student discipline and employee discipline issues shall be the primary responsibility of the principal, unless law or policy mandates otherwise. The principal shall act in accordance with law, Department of Education standards, and the student discipline policies in carrying out his or her duties.

| LEGAL REFERENCES: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-507,<br>Ark. Code Ann. § 6-18-516 | Student Discipline Generally |

## Administrators—Definition

The term "administrator," for purposes of this section, shall refer to those staff members who exercise authority over a particular operational function within the central administrative office area. Examples of such administrative positions include, but are not limited to, the positions which oversee finances, personnel, curriculum and instruction, federal programs and student services.

The job duties and qualifications for administrative positions shall be developed by the Superintendent including, if appropriate, specific duties, responsibilities, qualifications, etc. contained in the school's Charter, and approved by the Board of Directors. All administrators shall report directly to the Superintendent.

## Evaluation of Administrators

Administrators shall be evaluated by the Superintendent on at least an annual basis.

The receipt of an evaluation by an administrator from the Superintendent shall not provide the administrator with any promise or guarantee of future employment with the school.

| CROSS REFERENCE: |
| --- |
| Evaluation of Principals |

## Principal and Administrator Leave

Leave for administrators and Principals is the same as leave for employees.

| CROSS REFERENCE: |
| --- |
| Sick Leave, Personal Leave, Professional Leave |

## School Website—Required Information and Placement

The school shall maintain the following information and data on its website:

- Current comprehensive financial data reports for school districts, including:
  - Local and state revenue sources;
  - Administrator and teacher salary and benefit expenditure data;
  - School balances, including legal balances and building fund balances;
- No later than 24 hours following the approval of the minutes of regular, emergency and special meetings of the school's Board of directors;
- The school's budget for the ensuing year, which shall be posted on the website within 30 days following the date required to be submitted to the Department of Education;
- Agendas of regular meetings of the board of directors, no later than 24 hours before a regular meeting.
- Agendas of special or emergency meetings of the board of directors, no later than 2 hours before a regular meeting.
- A financial breakdown of monthly expenses of the school district;
- Salary schedules for all employees, including extended contract and supplementary pay amounts;
- Current contract information with all school employees, except that social security numbers, telephone numbers, personal addresses, or signatures shall not be published;
- Names and email addresses of all members of the board of directors, including the respective positions, if zoned, and terms of office of the members.
- The annual budget of the school;
- The annual school statistical report; and
- The school's personnel policies.
- Before July 15: 1) the dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students with dyslexia; 2) the number of students during the previous school year who received dyslexia intervention; and 3) the total number of students identified with dyslexia during the previous school year.

The above information can be accessed through a link on the homepage entitled "State-Required Information" to a page on the school website where the information may be found.

The information and data contained on the website shall consist of the actual data for the previous 2 school years and the projected budget information for the current school year.

Audit information for the previous 2 school years will be contained by housing the actual audit reports under the "State-Required Information" section.

| LEGAL REFERENCES: | CROSS REFERENCE: |
| --- | --- |
| Ark. Code Ann. § 6-11-129<br>Ark. Code Ann. § 6-41-606 | Posting of Board Meeting Notices to Website, Publication of Policies on School Website, School Budget, Audit |

## Posting of School Calendar on Website

The annual school calendar for the upcoming school year shall be posted under its own designated link on the school website within a reasonable time after the adoption of the calendar by the school's Board of Directors.

| CROSS REFERENCE: |
| --- |
| School Calendar |

## Posting of Salary Schedule to Website

The school has a waiver from the provisions of Arkansas law concerning the creation of salary schedules. The salaries of School staff are contained under the "State-Required Information" link on the school's website.

OR

The salary schedules for all employees, including extended contract and supplemental pay amounts shall be posted on the website under the "State-Required Information" link on the school website within a reasonable time after the approval of the schedule by the Board of Directors.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-11-129 | Salary Schedules |

## Posting of Budget Information on Website

The annual projected budget information for the School for the current school year, as well as the actual annual budget for the 2 previous school years, is accessible under the "State-Required Information" link on the school website.

| CROSS REFERENCE: |
| --- |
| School Budget |

## Use of Cookies on Website/Third Party Information Recipients

The school website uses "cookies," which are small files stored on an internet user's computer containing limited personal information. Cookies are used by the school to track visits to the school's website, to assist the school in understanding how its website is used, and to help the school improve the end-user experience of its website. Users may choose not to accept cookies from the website without penalty. Such a decision will not limit the user's ability to enjoy use of the school's website.

# Electronic Technology Accessibility Policy

The school is committed to making its electronic and information technologies accessible to individuals with disabilities by meeting or exceeding the requirements of Section 508 of the Rehabilitation Act (29 U.S.C. 794d), as amended in 1998. Section 508 is a federal law that requires entities to provide individuals with disabilities equal access to electronic information and data comparable to those who do not have disabilities, unless an undue burden would be imposed on the entity. The Section 508 standards are the technical requirements and criteria that are used to measure conformance within this law.
More information on Section 508 and the technical standards can be found at www.section508.gov.

If you require assistance or wish to report an issue related to the accessibility of any content on this website, please email [INSERT EMAIL TO CONTACT}. If applicable, please include the web address or URL and the specific problems you have encountered.

| LEGAL REFERENCE: |
| --- |
| 29 U.S.C. 794d |

# Safety and Facilities

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## Drug Free Schools

The school is proud to provide a drug and alcohol-free environment and workplace. Students, parents, employees and visitors are notified that the school is a drug-free zone. The illegal manufacture, distribution, dispensation, possession or use of illegal drugs, alcohol or other controlled substances on school premises or during school-sponsored activities is strictly prohibited for both students and all school personnel. Any employee convicted of any drug violation is required to notify the Superintendent no later than 3 working days after the conviction.

Students who violate this policy will be subject to discipline to be determined by the Superintendent, up to and including expulsion, and may be subject to criminal prosecution. The school may recommend, but may not require, that drug rehabilitation treatment or counseling be sought by parents at their own expense. School personnel who violate this policy shall be subject to discipline, up to and including termination and/or criminal prosecution.

| LEGAL REFERENCES: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 5-64-402<br>Ark. Code Ann. § 5-64-411<br>Ark. Code Ann. § 6-21-608 | Prohibited Conduct |

## Tobacco Free Schools

Students, employees, and visitors to the school shall not use tobacco, tobacco products, vaporizers, or e-cigarettes on school property, in school vehicles, or at school events. Violations of this policy will result in discipline for any student or employee found to be in violation. Visitors in violation of this policy will be made aware of the policy and may be asked to leave the campus or event.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-21-609 | Prohibited Conduct |

## Gun Free Schools

Any student who brings a gun onto school property shall be recommended for expulsion for a period of one year. The Superintendent may modify the recommendation for a student on a case-by-case basis.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Gun Free Schools Act<br>Ark. Code Ann. § 6-21-608(e) | Possession of Firearm, Weapons on Campus Prohibited |

## Floor Plan on File with Emergency Personnel

At least annually, a floor plan document containing a schematic drawing of facilities and property used by the school, including the configuration of rooms, spaces, and other physical features of buildings shall be filed with the local emergency management coordinator or the office of emergency management and to appropriate first responders, which serves the area where the school is located.

The document shall indicate the location or locations where children may be found, the escape routes approved by the local fire department for each school, the average daily attendance of children enrolled in each campus; and the contact information for at least two emergency contacts for each campus. An aerial view of each campus in the school and property used by each campus in the school shall be included with the floor plan if available.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-10-125<br>Ark. Code Ann. § 6-15-1303 |

## Emergency Drills and Safety Audits

The school shall conduct tornado safety drills not less than 3 times per year and earthquake safety drills in areas susceptible to earthquakes.

By August 1, 2024 and every three (3) years thereafter, the school shall conduct a comprehensive school safety assessment to assess the safety, security, accessibility, and emergency preparedness of district buildings and grounds in collaboration with local law enforcement, fire, and emergency management officials.

A comprehensive school safety assessment shall be conducted by more than one (1) individual, including at least one (1) individual who is not assigned to the facility being audited, if the audit is conducted by district personnel. A comprehensive school safety assessment shall include without limitation an assessment of the following: Safety and security of the site and exterior of buildings; Access control; Safety and security of the interior of buildings; Monitoring and surveillance, including without limitation type and extent; Communication and information security; Review of emergency operation plans; and School climate and culture. The comprehensive school safety assessment shall be reviewed by the governing body of the school and shall be conducted only in an executive session convened by the school's governing body. The comprehensive school safety assessment is not a public record and is not available for public inspection under FOIA.

The school shall conduct an annual lockdown drill for a possible threat on each school campus. As part of the planning for lockdown drills, the school shall: Assess the plan and ability of the school to prevent and respond to a threat on campus; Identify the roles and responsibilities of each individual when an emergency occurs; Discuss the logistics of responding to an emergency on the school campus; Identify areas in which the emergency operation plan of the school may require modification, if necessary; and Collaborate with local law enforcement, medical professionals, fire department and emergency management officials.

| LEGAL REFERENCES: |
| --- |
| Ark. Code Ann. § 6-10-121,<br>Ark. Code Ann. § 6-15-1303 |

## Weapons on Campus Prohibited

A person commits the offense of carrying a weapon if he or she possesses any handgun, a knife meeting the definition of a weapon under Arkansas law, or a club on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to employ the handgun, knife, or club as a weapon against a person.

School employees found to be carrying a weapon on their person or in their vehicle on school property shall be subject to disciplinary measures, up to and including termination. Employees tasked with security duties which include specific authorization for the carrying of a weapon or weapons are exempt, if the employee holds any necessary license or certification required by state or federal laws and any applicable rules or regulations and the weapon is being carried in furtherance of their job duties.

Students found to be carrying a weapon on their person or in their vehicle on school property shall be subject to disciplinary measures, up to and including expulsion. Students with qualifying special education needs will be subject to the provisions of Arkansas law and IDEA regulations.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 5-73-119,<br>Ark. Code Ann. § 6-18-502<br>20 U.S.C. § 1401 *et seq*. | Gun Free Schools, Possession of Firearm |

## Use of Facilities by Community and Patriotic Access

The school seeks strong community connections, and as such is pleased to offer the use of school facilities when the facilities are not in use for school purposes.

School facilities are approved for use by the community for community purposes, including without limitation: a social event, a civic event, recreation, health and wellness activities, patriotic societies, and a lawful meeting of citizens of the community. The Board may approve or reject any request for use of school facilities and may consider recommendations from the Superintendent in making its decision. The Board shall not discriminate against any group on the basis of disability, race, sex, religion, or national origin. The Board will deny any use of the school which is determined to be illegal, unsafe, or not in the best interest of the school or its students.

The school may charge a fee for the use of its facilities. Any fee charged by the school will reflect the actual cost accruing to the school, including but not limited to the cost of using the school's utilities, supplies, or equipment. The Board of Directors or its designee shall establish procedures for the use of school property by the community and a schedule of fees for the use of school facilities. Any group choosing to use school facilities is responsibility for abiding by applicable school policies. Any damage to school property shall be the responsibility of the group or organization causing the damage. Organizations enjoying use of the school are strictly prohibited from bringing tobacco products, alcoholic beverages, weapons, or controlled substances into the school.

The school shall comply with the "Patriotic Access to Students in School Act." The school Superintendent or his or her designee shall establish procedures for a patriotic society, as defined by the Act and 36 U.S.C. §§ 201-2401 as it existed on January 1, 2017, to request verbally or in written form that its representatives have the opportunity to speak with and recruit students to participate in the patriotic society and to inform students of how the patriotic society may further the students' schools and communities and themselves. Each group shall be permitted to speak at least once per school year, but nothing in this section requires any group to speak annually or ever, unless they first express a desire to do so to the school. Upon receipt of verbal or written notice to the school, the school's Principal shall provide verbal or written approval of the specific day and time for the patriotic society to speak to the students.

Specifically these groups include, among others:
American Symphony Orchestra League Big Brothers—Big Sisters of America
Boy Scouts of America
Boys & Girls Clubs of America Future Farmers of America
Girl Scouts of the United States of America Little League Baseball, Incorporated

| LEGAL REFERENCES: | CROSS REFERENCE: |
| --- | --- |
| Ark. Code Ann. § 6-21-101,<br>20 U.S.C. §§ 7905,<br>36 U.S.C. §§ 201-2401,<br>34 CFR Parts 75, 76 and 108 (Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups; Final Rule) | See Parent and Community Involvement Generally |

## Video Surveillance

The purpose of video surveillance on the school campus is to assist the school in maintaining a safe campus and the security of the school's staff, students, and property. The school may also use video surveillance for the purpose of maintaining discipline and order within the school.

The school may use video surveillance equipment to monitor any and all areas of the school grounds which are not subject to a reasonable expectation of privacy. Students and employees have a reasonable expectation of privacy in areas such as restrooms and locker rooms.

The school shall post clearly visible signs on school property (including school vehicles) where video surveillance is used to notify students, staff, parents and visitors that video cameras may be in use. Disciplinary action may result from video or audio evidence obtained by video cameras. Known copies of surveillance containing evidence of violations of either school or state rules or laws, shall be retained until the violation has been properly dealt with by the school, law enforcement, or other applicable authority. These copies should only be destroyed or copied over after the appropriate authorities have reached a final decision and the process has ended, including appeals or reviews, or as otherwise ordered by a court. This policy does not confer any individual right of action to any student or employee.

Students, employees, and visitors are notified that any attempt to disable, move, or harm a video surveillance camera is a violation of school policy and will lead to disciplinary action that may include termination of an employee or expulsion of a student, as warranted by the circumstances.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 5-16-101 | FERPA Policy |

## Building Safety

All facilities shall meet all state and federal requirements including, but not limited to, full compliance with the requirements of the Americans with Disabilities Act and the Individuals with Disabilities Education Act. All facilities shall also complete all Arkansas State Mandated Inspections (ASMI) in a timely manner, and shall timely submit all proofs of completion and assurances to the Arkansas Division of Academic Facilities and Transportation. The school shall also comply with the inspection requirements in Ark. Code Ann. § 6-21-813 as amended, to the extent applicable and not already covered in the ASMI.

All facilities shall be regularly cleaned, repaired, and maintained to stay in compliance with all health, safety and building code and statutory compliance.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-21-813 | |

# Health and Safety

The school shall provide adequate student health services for its students, in accordance with all state and federal laws and guidance and as provided for elsewhere in these policies.

In establishing protocols and requirements to provide for student, staff and visitor safety, the school shall be informed and guided by the regulations and guidance issued by the Arkansas Department of Health (ADH); the Division of Elementary and Secondary Education (DESE) and other relevant local, county, state and federal agencies.

All health and safety policies, protocols, and requirements adopted by the school shall be enforced to ensure the safety of every student during school hours and at school-sponsored activities.

As a part of this section, the school shall develop procedures concerning student physical activity that will recognize and manage the effects of a communicable disease that may be encountered by a student during athletic training and physical activities.

In times of health pandemics or emergencies, the school, in consultation with or informed by laws, regulations, or guidance issued by the Governor; Arkansas General Assembly, DESE, ADH, county health units and/or other similarly situated agencies, may adopt policies to safeguard and protect the general health and safety of students, staff and visitors to the school. Any such policies adopted may be reviewed by the Superintendent/Executive Director and the School Board on a periodic basis to determine the length of time, and upon on what conditions, the policy shall remain in effect.

Under the authorities cited in the preceding paragraphs, the school may enact policies which mandate social distancing; reduction of the number of individuals in a building at any time; the number of facilities open for use at any particular time; and related measures by students, staff, and visitors to the school and at school-sponsored activities;.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-10-126<br>Ark. Code Ann. § 6-15-1005<br>Ark. Code Ann. § 6-18-701; 706; 708 | |

## Delay or Early Release of School Due to Emergency Circumstances

In the event of a inclement weather, contagious disease outbreak, or utility outage, the Superintendent/Executive Director may delay the start time of school or release school early.

Such delays or early releases may occur no more than five (5) school days total per school year. If the school day is delayed, school will start at a designated time no later than 10:00 a.m. If school is released early, then students shall be released no earlier than 1:00 p.m.

The school shall use its parent notification system and will place a post on its website to inform the school community of the delayed start of school or early release from school.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-10-126 | |

# Physical Examinations for Contagious or Infectious Diseases

The school board, upon the recommendation of the Superintendent/Executive Director, may appoint and provide for the payment of at least one (1) physician or nurse and assign the physician or nurse to the school for the purpose of making physical examinations of the students as may be prescribed in the rules of the State Board of Education.

The nature of the examination shall be only to detect contagious or infectious diseases or any defect of sight, hearing, or function or condition of health that may prevent a pupil from receiving the full benefit of school work.

The physician or nurse appointed shall make examinations for contagious or infectious disease, including without limitation the teeth and mouth, whenever the examination may be deemed necessary and make examination for other defects at least one (1) time in each school year, preferably at or near the beginning of the year.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-701 | |

# Fiscal Management

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## Fiscal Year

The school's fiscal year shall consist of the twelve-month period beginning July 1 and ending on the following June 30.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-20-410 |

## Use of Funds and Loss of Funds

The Arkansas Constitution provides that: "No money or property belonging to the public school fund, or to this State, for the benefit of schools or universities, shall ever be used for any other than for the respective purposes to which it belongs."

The funds of the school which have been received from public funds must only be used to benefit the school and its operation and related expenses. If the use of the funds is restricted by the public agency from which the funds are received, then the funds must only be expended in accordance with those restrictions.

Examples of uses of public funds which are impermissible are:

- Donation or loaning of funds to non-profit, for-profit corporations, associations, institutions or individuals (unless pursuant to specific statutory authority);
- Payment for birthday, holiday or other parties, gifts or office decorations for employees, employees and family members, or Board members from state or federal funds; and
- Traveling expenses of those non-employees officially representing the school, authorized by the Board, and traveling with Board members or employees.

Any loss of funds that amounts to one thousand dollars ($1,000.00) or more in a calendar year shall be reported to Arkansas Legislative Audit by a school employee with supervisory fiduciary responsibility over all fiscal matters of the school. This includes, without limitation, any apparent unauthorized disbursements of public funds; or the apparent theft or misappropriation of public funds or property. A report shall be made within five 5 business days of the date the public employee learns of the loss of public funds.

| LEGAL REFERENCES: |
| --- |
| Arkansas Constitution Art. 14, § 2;<br>Ark. Code Ann. § 25-1-124 (b)(1);<br>Ark. Code Ann. § 21–1–603 |

# School Budget

The Board of Directors shall approve the annual school budget at a legally held meeting no later than August 30 of each year and shall be signed by the president of the board of directors and the ex officio financial secretary. The budget shall contain the information required by the Arkansas Department of Education and be pre- pared in the Arkansas Public School Computer Network.

The budget shall be filed by the school with the Department no later than September 30 each year.

The Treasurer, acting as the *ex officio* financial secretary shall keep a record of the following information in the format required by the Department of Education:

1. The daily expenditures and receipts of the school; and
2. Information on fund balances maintained by the school including, but not limited to:
   - Sources of the funds maintained as fund balances, to the extent practicable;
   - Reasons for maintaining, instead of spending, the fund balances; and
   - Amount of Funds transferred between various funds during the past year.

The school shall identify the funds transferred and the amount of funds transferred; and amount of fund balances dedicated for the construction, maintenance, or repair of academic or athletic facilities.

The Treasurer (acting as the school's *ex officio* financial secretary) shall make such financial reports to the Department of Education as are required by law.

An annual report summarizing the information required above in a format required by the Department of Education shall be filed by August 31 of each year with the Department of Education.

A final close must be performed in the school's applicable general ledger data- base no later than September 15 of each year.

| LEGAL REFERENCE: | CROSS REFERENCES: |
|---|---|
| Ark. Code Ann. § 6-20-2202 | School Website—Required Information and Placement,<br>Posting of Budget Information on Website |

## School Budget Publication in Newspaper

The Charter Board of Directors shall publish the charter school budget one time in a newspaper published in the county or counties in which the school is administered or in a newspaper with a bona fide circulation in the county or counties in which the school is administered no less than 60 days before the school election at which the annual ad valorem tax for the school district.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-13-622 | Sample Budget |

## School Treasurer

The school shall hire a Treasurer (or other similarly-titled position performing the same, such as Chief Financial Officer or General Business Manager) who shall be primarily responsible for the fiscal affairs of the School. If required, this position and its responsibilities and requirements shall be included within the school's Charter application.

The school Treasurer's responsibilities shall include, but are not limited to, the following:

- All responsibilities and requirements set forth in the school's Charter;
- Preparing and submitting a monthly statement to the Board of Directors of the financial condition of the school;
- Preparing and submitting an annual statement of the affairs of the school to the Board of Directors in July of each year;
- Preparing and submitting such financial reports as required by the Arkansas Department of Education;
- To not be interested directly or indirectly in any contract authorized by the Board of Directors;
- To make his or her records available at all times for inspection by any taxpayer of the school district; and
- To perform all duties now imposed by law upon the treasurer of a school and to be subject to all regulations or rules. and
- All other statutory requirements for the position of Treasurer.

The Board shall cause to be filed an executed Certificate of Appointment with the county clerk, the county treasurer, and the Secretary of the Department of Finance and Administration in order to register the Treasurer as representing the school.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-13-701 |

## School Treasurer Qualifications

The Treasurer shall meet the minimum qualifications to hold and maintain the position (as well as the other requirements set forth in law and these policies), as set forth in the Arkansas Division of Elementary and Secondary Education Rules Governing the Arkansas Fiscal Assessment and Accountability Program.

If the Treasurer was hired by the school on or prior to July 31, 2007, then he or she is exempt from the requirement of the above-referenced Rules, but completion of the training components of the Rules is highly encouraged.

| LEGAL REFERENCES: |
| --- |
| Ark. Code Ann. § 6-15-2302,<br>Arkansas Division of Elementary and Secondary Education<br>Rules Governing the Arkansas Fiscal Assessment and Accountability Program |

# School Activity Funds

The school may maintain activity funds and school service funds at the school.

The term "activity funds" means those funds whose sources of revenue include but are not limited to:

- The sale of tickets to athletic contests or other school-sponsored activities;
- The sale of food, except that which is sold in the lunchroom;
- The sale of soft drinks, school supplies, and books; and
- Fees charged by clubs and organizations.

All activity funds and school food service funds shall be maintained and accounted for in accordance with guidelines and procedures established by the Arkansas Department of Education.

The Superintendent shall maintain the activity funds and school food service funds, and shall be the official custodian of all activity funds and school service funds and shall be responsible and accountable for the funds.

By resolution adopted by a majority vote of the Board of Directors, the Superintendent may appoint another school employee to be the co-custodian of any or all activity funds and school food service funds.

The co-custodian shall also be responsible and accountable for activity funds and school food service funds maintained by the co-custodian.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-13-701 |

## Petty Cash Fund

The Board of Directors, if it deems necessary to simplify and expedite fiscal affairs of the school relating to the payment of miscellaneous items of expenditure incident to its operation, may authorize the creation of a petty cash fund.

No payment shall be made from the petty cash fund until the supplies or materials have been delivered and a copy of the invoices filed with the approval of the Board of Directors.

As funds in the petty cash fund become depleted, the Treasurer of the school shall draw a warrant upon the Treasurer payable out of the appropriate fund for reimbursement of expenditures made from the petty cash fund.

The Treasurer of the school shall attach to the office copy of the warrant the original invoice or receipt of payment thereof of all expenditures made from the petty cash fund during the previous month.

The balance to the credit of the petty cash fund shall at no time exceed the sum of $200 for each campus within the School.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-20-409 |

## Fundraising

Groups wishing to participate in fundraising activities must receive prior approval from the Superintendent or his or her designee. The School may decline any offer of fundraising which does not meet the school's needs or goals, or for any other reason. Student participation in fundraising efforts may be rewarded from time to time, but no student shall be punished for choosing not to participate. Fundraising shall not count toward or against any graded class assignment and may not be done for extra credit.

If the school adopts a fundraising program involving students in Grades K-6, or any portion thereof, it shall provide written notification to the parent(s), guardian(s), or responsible party of all students who participate in the program that:

- Student participation in fundraising programs is voluntary;
- Students who do not participate will not forfeit any school privileges;
- Students may not participate in fundraising programs without written parental permission returned to school authorities;
- An elementary school student who sells fundraising merchandise door to door must be accompanied by a parent or an adult; and
- Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-18-1104 |

## Donations and Gifts

The school appreciates private gifts and donations. All donations and gifts to the school become the property of the school upon donation, and are subject to the same rules, use, discretion, and disposal as all other state school resources. Before offering a gift or donation to the school, individuals and organizations should contact the school to ensure need, compatibility, and space availability. The school will strive to assist donors in making arrangements as necessary for donations of equipment or services. The school may choose to deny any gift or donation which does not further the school's goals or which obligates the school to commit resources, time, or finances.

All administrators, board members, and employees of the school and family members of the same are prohibited from receiving gifts, donations, or transfers from the school of any public property, funds, or resources. The school shall not give public property valued at more than $100 to any leaving or retiring board member, administrator, employee, or member of the immediate family of those listed.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-21-110 |

## Payroll Procedures

The Treasurer, with the approval of the Superintendent, shall establish a list of dates for all employee payroll forms to be submitted to the Treasurer (or his or her designee) for processing as well as the dates in which paychecks (or electronic fund transfers) shall be distributed to the employee.

Each non-salaried employee shall be responsible to complete a timesheet (on a format to be provided by the school) showing his or her days and hours work, any leave taken during the pay period, etc. The timesheets shall be signed and dated by the employee no later than the first business day after the end of the pay period, and submitted to the employee's designated supervisor whose signature shall certify the accuracy of the information contained in the document. The supervisor will then submit the timesheets to the Treasurer or his or her designee.

Departing employees must complete a final timesheet reflecting all hours worked and all approved leave taken through their last day of employment with the school before their final paycheck will be issued.

Departing employees must also return all school-issued property (to include, but not necessarily limited to: equipment, computers, electronic devices, and related charging devices and accessories, RFID passes, and issued keys, etc. Items shall be returned in good working condition to the School Treasurer.

FAILURE TO RETURN SCHOOL PROPERTY AND RETURNED BUT DAMAGED PROPERTY

A cost list will be maintained by the Superintendent for replacement of lost items. Any item not turned in within five (5) calendar days from the date of resignation, termination, or non-renewal will be considered lost. The replacement cost may be withheld from the employee's final paycheck, unless it would violate federal or state law, or if other payment arrangements are made.

Damaged items will be evaluated for cost of repairs or replacement as required. The repair/ replacement cost may be withheld from the employee's final paycheck, unless it would violate federal or state law, or if other payment arrangements are made.

## Reimbursement to Teachers for Classroom Supplies

The school shall provide to each prekindergarten through sixth grade teacher in each fiscal year for use by the teacher in his or her classroom or for class activities, reimbursement in the amount of:

- $20.00 per student enrolled in the class for more than 50% of the school day at the end of the first 3 months of the school year; or
- $500 for the teacher to apply toward the purchase of related commodities.

whichever amount is greater.

The teacher shall provide to the school district a receipt documenting any purchase, so that the treasurer may properly reimburse the teacher for the purchased items.

Before the school, through its treasurer (or designated chief financial officer), shall authorize reimbursement to any teacher for said supplies, the teacher must complete and submit to the treasurer a requisition form for the supplies, and receive approval for the purchase.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-21-303 |

## Purchase of Commodities

"Commodities" means all supplies, goods, material, equipment, machinery, facilities, personal property, and services, other than personal and professional services, purchased for or on behalf of the school (construction services are not included in the definition of "Commodities");

"Open market purchases" means those purchases of commodities by any purchasing official in which competitive bidding is not required;

"Purchase" means and includes not only the outright purchase of a commodity but also the acquisition of commodities under rental-purchase agreements, lease-purchase agreements, or any other type of agreement whereby the school has an option to buy the commodity and to apply the rental payments on the purchase price thereof;

"Purchase price" means the full sale or bid price of any commodity without any allowance for trade-in;

"Purchasing official" means the Board of Directors of the school or a lawfully Board-designated agent of the school with authority to contract or make purchases on behalf of the school; and

"Specifications" means a technical description or other description of the physical or functional characteristics of a commodity.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-21-301,<br>Ark. Code Ann. § 6-21-304 |

## Solicitation of Bids

The Board of Directors shall adopt a policy describing the method of soliciting bids and may adopt other rules governing the procurement of commodities, and shall designate the charter director or his or her designee as the "Purchasing Official" for the school.

All purchases of commodities by the school shall be made as follows:

In each instance in which the estimated purchase price shall equal or exceed $20,000 (adjusted annually by the Commissioner of Elementary and Secondary Education on July 1, by the percentage change in the Consumer Price Index for All Urban Consumers) the commodity shall be procured by soliciting bids, provided that the purchasing official may reject all bids.

Open market purchases may be made when the purchase price is less than $20,000 (adjusted annually by the Commissioner of Elementary and Secondary Education on July 1, by the percentage change in the Consumer Price Index for All Urban Consumers) if state funds are used. The purchasing official shall neither parcel nor split any item or items with the intent or purpose to enable the purchase to be made under a less restrictive procedure.

In soliciting bids for the purchase of a commodity, the school or a person or organization acting on behalf of a school shall not impose qualifications or specifications that unreasonably restrict competition for the purchase of a commodity.

Any specifications used by the school shall not include the name or identity of any specific vendor, but may include a specified brand if justified.

The school shall notify in writing all actual or prospective bidders, who make a written request to the school for notification of opportunities to bid. The notice shall be provided in sufficient time to allow actual or prospective bidders to submit a bid.

Any competitive bid submitted to the school in response to a solicitation for bid for the purchase of a commodity shall be accompanied by a form substantially similar to the form attached at the end of this section that is signed and notarized by the agent of the bidder declaring that no representative of the school has had any inappropriate discussions regarding the bid.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-21-303,<br>Ark. Code Ann. § 6-21-304,<br>C.F.R. §200.320 | Purchasing Authority for Purchases under Twenty One Thousand Six Hundred Four Dollars ($21,604) |

| | |
|---|---|
| RESOURCE: | |
| Sample Bid Form | |

## Exceptions to Bid Solicitation Requirements

The following commodities may be purchased without soliciting bids:

- Commodities in instances of an unforeseen and unavoidable emergency. No emergency purchase shall be approved by the superintendent unless a statement in writing shall be attached to the purchase order describing the emergency necessitating the purchase of the commodity without competitive bidding;
- Commodities available only from the federal government;
- Utility services, the rates for which are subject to regulation by a state agency or a federal regulatory agency;
- With the exception of used school buses, used equipment and machinery; and
- Commodities available only from a single source.

The purchasing official must determine in writing that it is not practicable to use other than required or designated commodity or service, and a copy of this statement shall be attached to the purchase order.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-21-305 |

## Bidding Protest Procedures

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of the school contract may protest to the superintendent in accordance with procedures established by the Board of Directors.

The school's protest procedures are as follows:

- The superintendent has authority from the Board of Directors to settle and resolve a protest of an aggrieved person concerning the solicitation or award of a contract;
- Any person aggrieved by the school's solicitation or award of a contract shall submit such a protest in writing within 7 calendar days after the aggrieved person knows or should have known of the facts given rise to the protest;
- The superintendent shall give written notice to all persons involved and the opportunity for those persons to respond to the protest issues in writing to the superintendent within 10 calendar days after the receipt of the notice;
- The superintendent shall issue a decision concerning the protest in writing within 10 calendar days from the receipt of all written responses that states the reasons for the action taken which is provided to all interested parties;
- The superintendent shall promptly notify, in writing, the aggrieved party and any other affected party of the impact of the protest on continuing with the solicitation or award of the school district contract pending the resolution of the protest;
- The superintendent's written decision shall address the award of costs with regard to successful protests; and
- A decision on a protest under these procedures shall be final and conclusive.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-21-304 |

# Purchasing Authority for Purchases Under Twenty One Thousand Six Hundred Four Dollars ($21,604)

For commodities that have an estimated purchase price of less than $21,604 for the 2021-2022 school year, the purchasing official shall prepare specifications for the type and quantity of commodity desired. Annually, the purchasing official shall adjust the purchasing price threshold to reflect that published by the Commissioner of Education, based upon the percentage change in the Consumer Price Index for All Urban Consumers, or its successor. The purchasing official shall advise the superintendent of the new threshold amount within a reasonable amount of time following its annual publication on or before July 1.

The purchasing official shall then obtain price quotations from at least 3 vendors who sell the desired commodity, if such number of quotations can be obtained. The goal in this process is to obtain the best value for the school in obtaining the commodity. After review of the quotations, the purchasing officer shall consult with and advise the superintendent, and proceed to purchase to purchase the commodity.

The purchasing officer shall work collaboratively with the treasurer to ensure that all necessary paperwork and documents have been prepared and executed and that such items are properly recorded in the financial records of the school.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-21-303<br>Ark. Code Ann. § 6-21-304 | Solicitation of Bids |

# Acquisition of Professional Services

Competitive bidding shall not be used for the procurement of services such as legal, financial advisory, architectural, engineering, construction management, and land surveying professional consultant services.

**Process**

In the procurement of professional services, the school may encourage firms engaged in the lawful practice of these professions to submit annual statements of qualifications and performance data to the political subdivision or may request such information as needed for a particular project. The school shall evaluate current statements of qualifications and performance data of firms on file or may request such information as needed for a particular public project whenever a project requiring professional services is proposed. If the school utilizes construction management services, it shall encourage construction management firms to submit to the school annual statements of qualifications and performance data or may request such information as needed for a particular public project. The school shall evaluate current statements of qualifications and performance data on file with the school or when submitted as requested whenever a project requiring professional services of a construction manager is proposed.

**Evaluation of Qualifications**

In evaluating the qualifications of each firm, the school shall consider:

- The specialized experience and technical competence of the firm with respect to the type of professional services required;
- The capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
- The past record of performance of the firm with respect to such factors as control costs, quality of work, and ability to meet schedules and deadlines; and
- The firm's proximity to and familiarity with the area in which the project is located.

**Selection**

The school shall select 3 qualified firms. The school shall then select the firm considered best-qualified and capable of performing the desired work and negotiate a contract for the project with the firm selected.

**Negotiation of Contracts**

For the basis of negotiations, the school and the selected firm shall jointly prepare a detailed, written description of the scope of the proposed services. If the school is unable to negotiate a satisfactory contract with the firm selected, negotiations with that firm shall be terminated. The school shall then undertake negotiations with another of the qualified firms selected. If negotiations are un- successful with the second firm, negotiations with the firm shall be terminated.

If the school is unable to negotiate a contract with any of the selected firms, the school shall reevaluate the necessary professional services, including the scope and reasonable fee requirements, again compile a list of qualified firms and proceed in accordance with the process listed above. When unable to negotiate a contract for construction management, the school shall also perform a reevaluation of services.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-21-301 |

## Outsource Surcharge Election

For any new agreement with an outsourced contractor providing a service common to the normal daily operation of the school, as defined in Ark. Code Ann. § 24-7-506, the school shall make a one-time irrevocable election to be treated as either a participating employer or a surcharge employer within sixty (60) days of the outsourcing agreement on a form provided by or in a manner established by the Arkansas Teacher Retirement System.

The school shall consult counsel on the matter as necessary to make a proper determination of the most efficient election option in each circumstance.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. §24-7-202(17)<br>Ark. Code Ann. §24-7-401<br>Ark. Code Ann. §24-7-406<br>Ark. Code Ann. §24-7-506<br>Ark. Code Ann. §24-7-1602 |

# Audit

The school shall cause to be prepared an annual certified audit of the financial condition and transactions of the school as of June 30th of each year in accordance with generally accepted auditing procedures and containing any other data as required by the State Board of Education.

The school may request that the audit be performed by the Legislative Auditor; or if the Legislative Auditor declines to perform the audit or if the school so chooses, the audit may be performed by a licensed certified accountant or a licensed accountant in public practice.

If the audit is not performed by the Legislative Auditor, the audit must include, at a minimum, those subjects listed in Ark. Code Ann. § 6-1-101. A private audit, if utilized, must be completed by a firm approved by the Office of Accountancy.

The school's annual audit, if it is not conducted by the Division of Legislative Audit, shall be completed and filed with the Arkansas Department of Education and the Division of Legislative Audit within 9 months following the end of each fiscal year (i.e., within 9 months after June 30 of each year).

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-1-101,<br>Ark. Code Ann. § 6-20-1801 | School Website—Required Information and Placement |

## Audit Review by Board of Directors

Audit reports, along with accompanying comments and recommendations, shall be reviewed at the first regularly scheduled Board of Directors meeting following receipt of the audit report if the audit report is received by the Board prior to 10 days before the regularly scheduled meeting. If the audit report is received by the Board within 10 days before a regularly scheduled meeting, the report will be reviewed at the next regularly scheduled meeting after the 10 day period.

The Board shall take appropriate action relating to each audit finding and recommendation within the audit report. The minutes of the meeting shall document the review of the audit and action taken by the Board. The School shall file with Arkansas Department of Education a corrective action plan addressing findings for state and federal findings.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-1-101 |

## Property, Inventory, and Supplies

The school shall comply with all requirements contained in the Arkansas Financial Accounting Handbook (commonly known as “Handbook IIR2”).

# Code of Conduct for Employees Involved in Procurement with Federal Funds

This policy applies to all employees, officers, administrators, and agents involved in procurement using federal funds to include but not limited to, direct purchases, contracted services, equipment acquisition, any other expenditure involving federal grant dollars.

Employees, officers, administrators, and agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, vendors, or parties to subcontracts. Exceptions may be made for unsolicited items of nominal value in accordance with local ethics policies and state law.

Employees, officers, administrators, and agents may not use their official position to secure privileges, exemptions, or advantages for themselves or others. Employees, officers, administrators, and agents must disclose any potential conflict of interest in writing to the superintendent or designated compliance officer as soon as it arises. All procurement transactions must be conducted in a manner providing full and open competition consistent with applicable federal and state regulations.

Violations of this Code of Conduct may result in:

- Disciplinary action, up to and including termination;
- Mandatory training or retraining;
- Referral to appropriate legal or enforcement authorities;
- Ineligibility to participate in future procurement activities.

All employees, officers, administrators, and agents involved in procurement with federal funds must complete annual training on this Code of Conduct and related procurement procedures. Documentation of procurement activities and conflict disclosures shall be retained in accordance with the federal records retention schedules and be made available for audit or review upon request

# Personnel

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## School Calendar

Each school year, the board of directors and shall establish by policy the first day of the school year for student attendance.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-10-106 | *Posting of School Calendar on Website* |

## Personnel Policy Committee

In order to support and maintain open lines of communication between the classroom teachers and administration, the school will elect and maintain personnel policy committees annually no later than October 15. The classroom teacher personnel policy committee shall consist of no fewer than five (5) classroom teachers and no more than three (3) administrators, one (1) of which may be the superintendent. The non-teaching staff personnel policy committee shall consist of at least one (1) nonmanagement classified representative from each of the following five (5) classifications:

- Maintenance, operation, and custodians;
- Transportation;
- Food service;
- Secretary and clerk; and
- Aides and paraprofessionals.

The committees shall meet once each quarter, or as needed, on a date mutually agreeable to all members. Members of the committees shall be elected by a majority of the teaching or non-teaching staff respectively, voting by secret ballot. All votes conducted by the committees shall be kept separate and shall be conducted solely by the members served by that committee. The personnel policy committees shall maintain a complete and accurate record of agendas and minutes of meetings. Each meeting of a committee on personnel policies shall be audio recorded and made publicly available. Election announcements and results shall be placed on the school's website.

Each committee will be called upon to review changes in personnel policies, to recommend changes in personnel policies to the administration, and to approve mid-school year changes to policy, or mid-school year changes affecting the salary schedule.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-203<br>Ark. Code Ann. § 6-17-2303 |

## Definitions

Administrator—"Administrator," as used in this policy manual, refers to those persons operating as supervisors charged with making executive decisions for the school. "Administrator" includes the principal, executive director, superintendent, assistant principal, assistant director, or assistant superintendent, and/ or any other individuals designated as an "administrator" by the school.

Teacher—"Teacher," as used in this policy manual, means classroom teachers. Teachers' aides are not included in the definition of teacher.

Staff—"Staff," as used in this policy manual, means all employees other than teachers and administrators.

Employees—"Employees," as used in this policy manual, means collectively all persons receiving pay from the school for services rendered, including both exempt and nonexempt employees, staff, teachers, aides, and administrators. "Employee" does not refer to short or limited service as an independent contractor with the school, nor does it refer to substitute teachers.

## Qualifications for Hiring

The school is an equal opportunity employer. All core academic class teachers must be qualified as determined by applicable school requirements, state law, rules and regulations. All teachers must have, at minimum, a Baccalaureate Degree. The school shall abide by the veteran's hiring preference as set forth in Ark. Code Ann. § 21-3-302 and Ark. Code Ann. § 21-3-303.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. §21-3-302,<br>Ark. Code Ann. §21-3-303 | Anti-Discrimination Statement |

## Salary Schedules

In accordance with Arkansas law, the school's salary schedules are included in this policy manual on the following page(s): Inquiries regarding this policy may be directed to the principal or superintendent.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-201,<br>Ark. Code Ann. § 6-17-2403,<br>Ark. Code Ann. § 6-20-2305(f)(4) | Posting of Salary Schedule to Website |

## Employee Benefits

The school will provide employees with an accurate list of employee benefits at least annually. The benefits must be contained within this policy manual and are listed on the following page(s):

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-1112 - 1117<br>Ark. Code Ann. § 6-17-201 |

## At-Will Employment

All employees—classified, certified, and/or administrative—are employed at will.

The at-will employment relationship allows either party to end employment at any time, for any reason. At-will employees are free to resign at any time, or may be terminated at any time for any non-discriminatory reason. Employees may not be dismissed for their race, sex, gender, religion, age, disability, or nationality. Although certain aspects of the employment relationship have been reduced to writing, including but not limited to salary, days of work, and duties, this writing does not cause or create a contractual relationship between the school and the employee. All existing employment agreements between the school and the employee shall expire as of the ending date listed therein, and are not subject to automatic renewal. Compensation will cease upon the date of termination or resignation of an employee as formally approved by the Board of Directors.

In order to ensure the continuity of quality education, the Board of Directors shall strive to avoid mid-school year terminations, except as warranted by the circumstances. It is desired and recommended that employees end the employment relationship at the end of the school year, should they choose to seek employment elsewhere. At the discretion of the superintendent, employees who resign with less than one month's notice to administration may have a note placed in their personnel file noting the shortness of their notice to the school.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Black's Law Dictionary, At-Will<br>Title VI of the Civil Rights Act of 1964, and Title VII of the Civil Rights Act of 1964 | Administrators' and Principals' Employment– Effect of At-Will Status |

## Nonrenewal of Employee Status

Non-renewal ends the employment relationship at the end of the school year. All employees are employed at will. There is no automatic renewal of employee agreements. Non-renewed employees will not be afforded the opportunity for a hearing before the board of directors.

OR Non-renewed employees may be afforded the opportunity for a hearing before the board of directors if requested by the employee within 5 days of receiving notice of non-renewal. The decision whether to grant the hearing request or not is at the sole discretion of the board of directors.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-201 |

## Non-Instructional Duties

The purpose of this policy is to provide additional time for instructional purposes. "Non-instructional duties" means the supervision of students before or after the instructional day begins or ends for students or for the supervision of students during breakfasts, lunches, or scheduled breaks.

As used in this policy, "instructional purposes" means activities initiated by the teacher related to teaching duties, including, but not limited to, contacting parents, assessing student performance, documenting student performance, organizing the classroom, preparing instructional materials, and other teaching responsibilities related to instructional planning and the direct instruction of students.

Any teacher assigned more than 60 minutes of non-instructional duties per week shall be separately contracted for these duties. The principal is tasked with scheduling teachers appropriately in accordance with this policy. Any separate agreement under this policy is at the discretion of the superintendent and must receive prior approval from the Board of Directors.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-117<br>Ark. Code Ann. § 6-17-807 |

## Duty Free Lunch for Licensed Employees

The principal is tasked with ensuring that each teacher has a 30 minute uninterrupted duty-free lunch period during every student instructional day. Any teacher not receiving a duty-free lunch period as provided in this policy must alert the principal and will be compensated at his or her hourly rate of pay for each missed lunch period. Lunchroom supervisors may be volunteers, aides, or other school personnel.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-111 |

## Planning Time

The school shall provide a minimum of 200 minutes each week for each teacher to schedule time for conferences, instructional planning, and preparation for all classroom teachers employed by the school.

The planning time shall be in increments of no less than 40 minutes during the student instructional day unless a teacher submits a written request to be allowed to have his or her planning time scheduled at some time other than during the student instructional day. As used in this policy, "student instructional day" means the time that students are required to be present at school.

A teacher who does not receive the planning time required under this policy shall be compensated at his or her hourly rate of pay for each missed planning period except for planning periods missed because of occasional, not-regularly-scheduled field trips, fire drills, or bomb scares.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-114 |

# Duty Free Lunch and Breaks for Unlicensed Employees

A classified employee means an employee who is not required to hold a valid Arkansas teaching license as a condition of employment with the school.

A classified employee shall be paid at a rate no less than $11.00 per hour or the lowest wage permitted under state and federal laws.

**Overtime Pay or Compensatory Time Off**

For hours worked in excess of forty per regular week by a non-exempt employee, the school will either pay overtime at a rate of one and one-half the normal hourly pay rate or it will provide compensatory time off at the rate of one and one-half hours. Up to 240 hours of compensatory time may be accrued If compensatory time is paid in lieu of cash, an employee must be permitted to use compensatory time on the date requested unless doing so would "unduly disrupt" the operations of the school. .

**Breaks**

Any classified employee who works more than twenty (20) hours per week shall daily receive two fifteen-minute paid breaks during each regular workday.
The district shall file an affidavit for compliance with the Department of Education regarding the Fair Labor Standards Act pursuant to Department regulations.

An employee who believes this section has been violated should bring their concerns to their supervisor in writing as soon as possible. Supervisors should bring any reports to the superintendent as soon as possible. A supervisor's failure to bring these reports to the superintendent in a timely manner may be

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-2203<br>Ark. Code Ann. § 6-17-2205<br>Ark. Code Ann. § 11-4-210<br>29 U.S.C. § 201, et seq. | U.S. Dep. of Labor Wage and Hour Fact Sheet #7: State and Local Gov'ts Under FLSA<br>elaws FirstStep Poster Advisor |

## Teacher Excellence and Support System (TESS)

Each teacher employed by the school shall be evaluated in writing under the Teacher Excellence and Support System (TESS). Teachers will participate in TESS, including classroom observations and pre-observation and post-observation conferences and will collaborate in good faith with the evaluator to develop the teacher's professional growth plan. If a teacher and evaluator cannot agree on the professional growth plan, the evaluator's decision shall be final.

At a time other than an evaluation conducted under the Teacher Excellence and Support System, if a superintendent or other school administrator charged with the supervision of a teacher believes or has reason to believe that the teacher is having difficulties or problems meeting the expectations of the school or its administration and the administrator believes or has reason to believe that the problems could lead to termination or nonrenewal of contract, the superintendent or other school administrator shall bring in writing the problems or difficulties to the attention of the teacher involved and document the efforts that have been undertaken to assist the teacher to correct whatever appears to be the cause for potential termination.

Annually in a summative evaluation year or an interim appraisal year, the school shall assign each teacher employed by the school an annual overall rating that is based on the teacher's professional practice. Annually during a school year, the school shall conduct a summative evaluation for every teacher employed in the public school who is a novice teacher, probationary teacher, or teacher who successfully completed intensive support status within the current or immediately preceding school year. For all other teachers, the school shall conduct a summative evaluation at least once every four years, or more often if needed.

A teacher shall submit artifacts agreed upon by the teacher and evaluator, or by the evaluator if the teacher and evaluator cannot agree, as evidence of professional practice in determining the performance rating for a summative evaluation. The artifacts considered by the teacher and evaluator in a summative evaluation for the performance rating shall consist of evidence related to each teacher evaluation domain.

In a school year in which a summative evaluation is not required under this policy, the teacher shall focus on elements of the teacher's professional growth plan as approved by the evaluator that are designed to help the teacher improve his or her teaching practices and with the evaluator's approval may collaborate with a team of teachers on a shared plan that benefits the whole school, a content area, or a grade level, or conduct self-directed research related to the teacher's professional growth plan.

The school may use interim appraisals to support teachers on an ongoing basis throughout the school year, provide a teacher with immediate feedback about the teacher's teaching practices, engage the teacher in a collaborative, supportive learning process, help the teacher use formative assessments to inform the teacher of student progress and adapt teaching practices based on the formative assessments; and provide a performance rating that is included in the annual overall rating.

In a year in which the school does not perform a summative evaluation, the school shall perform an annual rating that satisfies the requirements of the Merit Teacher Incentive Fund Program under § 6-17-2901 et seq.

A teacher being evaluated and the evaluator, working together, shall develop a professional growth plan for the teacher that identifies professional learning outcomes to advance the teacher's professional skill and clearly links professional development activities and the teacher's individual professional learning needs identified through the Teacher Excellence and Support System. The professional growth plan for a teacher shall require that at least one-half of the professional development hours required by law or rule for teacher licensure are directly related to one (1) or more of:

- The teacher's content area;
- Instructional strategies applicable to the teacher's content area; or
- The teacher's identified needs.

If a teacher and evaluator cannot agree on a professional growth plan, the evaluator's decision shall be final. For a teacher in intensive support status, the evaluator or an administrator designated by the evaluator shall have final approval of the teacher's professional growth plan.

Until the teacher is removed from intensive support status, all professional development identified in the professional growth plan, except professional development that is required by law or by the public school where the teacher is employed, shall be directly related to the individual teacher's needs.

**Intensive Support Status**

An evaluator shall place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" in any one entire teacher evaluation domain of the evaluation framework. An evaluator may place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" or "Basic" in a majority of components in a teacher evaluation domain.

If a teacher is placed in intensive support status, the evaluator shall establish the time period for the intensive support status and provide a written notice to the teacher that the teacher is placed in intensive support status. The notice shall state that if the teacher's contract is renewed while the teacher is in

intensive support status, the fulfillment of the contract term is subject to the teacher's accomplishment of the goals established and completion of the tasks assigned in the intensive support status. The timeline set by the evaluator for intensive support shall afford the teacher enough time to accomplish the goals and completed the assigned tasks.

Intensive support status shall not last for more than 2 consecutive semesters unless the teacher has substantially progressed and the evaluator elects to extend the intensive support status for up to 2 additional consecutive semesters. The evaluator shall work with the teacher to develop a clear set of goals and tasks that correlate to the professional growth plan and evidence-based research concerning the evaluation domain that forms the basis for the intensive support status; and to ensure the teacher is offered the support that the evaluator deems necessary for the teacher to accomplish the goals developed and complete the tasks assigned while the teacher is in intensive support status.

If the intensive support status is related to student performance, the teacher shall use formative assessments to gauge student progress throughout the period of intensive support status. The teacher shall be offered the support necessary to use formative assessments under these rules during the intensive support status.

At the end of the specified period of time for intensive support status, the evaluator shall evaluate whether the teacher has met the goals developed and completed the tasks assigned for the intensive support status and will provide written notice to the teacher that the teacher either is removed from intensive support status or has failed to meet the goals and complete the tasks of the intensive support status.

If a teacher does not accomplish the goals and complete the tasks established for the intensive support status during the period of intensive support status, the evaluator shall notify the superintendent and provide the superintendent with documentation of the intensive support status. Upon review and approval of the documentation, the superintendent shall recommend termination or nonrenewal of the teacher's contract.

This policy does not preclude a superintendent from recommending the termination of a teacher's contract for any other lawful reason. Nothing in this policy shall be construed to limit the ability of the school to terminate any employee's contract at will nor shall anything in this policy limit the ability of any employee to end his/her contract at will.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-2801 et seq., | TESS Resources |

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|---|---|
| Arkansas Department of Education Rules Governing the Teacher Excellence and Support System | |

# Fair Labor Standards Act

The superintendent shall annually seek legal counsel before submitting a statement of Fair Labor Standards Act (FLSA) compliance to the Arkansas Department of Education.

**Exempt Employees**

Exempt employees are tasked with accurately and honestly recording their days of work. Employees are responsible for checking their paystub each pay period for accuracy. Errors in pay should be reported immediately to the superintendent in writing. If the superintendent finds that an error has resulted in incorrect pay amounts, the error will be corrected on or before the next pay period after the date the superintendent receives the written complaint.

**Nonexempt Employees**

Nonexempt employees are tasked with accurately and honestly recording their hours of work. Employees must be paid for all time worked, including time which results from shortening a lunch period or staying later than the end of work hours. Nonexempt employees are not authorized to work more than 40 hours in a given week unless they obtain prior written approval from the superintendent or his or her designee, owing to the need for the school to pay overtime pay in such circumstances.

Employees are responsible for checking their paystub each pay period for accuracy. Errors in pay should be reported immediately to the superintendent in writing. If the superintendent finds that an error has resulted in incorrect pay amounts, the error will be corrected on or before the next pay period after the date the superintendent receives the written complaint. Employees who have a Fair Labor Standards Act concern with regard to their compensation should alert the superintendent immediately so that the matter may be promptly reviewed and appropriately handled.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| 29 U.S.C. 201 et seq.,<br>Ark. Code Ann. § 6-17-2205 | Department of Labor - Fair Labor Standards Act |

## Break Time for Nursing Mothers

Following a maternity leave, any nursing employee shall notify the principal if she requires breaks during the day to express milk. The principal shall work with staff to cover breaks for nursing mothers to ensure any nursing employee receives a reasonable number of breaks as needed throughout the day. Each break shall be of a reasonable length of time and shall be in a fully private space with a door that may be locked by the employee to prevent accidental intrusion. Under no circumstances shall any employee be asked to use a bathroom for purposes of expressing or nursing. A nursing employee will endeavor to cooperate with the principal and staff to ensure the smooth flow of the work day by helping to create a schedule for these breaks to the best of her ability. Nothing shall prevent a nursing employee from using her other break times to express milk, if needed, but no employee shall be required to use her planning time to express.

| LEGAL REFERENCE: | CROSS REFERENCE: |
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| 29 U.S.C. §207(r),<br>Ark. Code Ann. § 11-5-116 | |

## Professional Leave

"Professional Leave" is paid leave granted only upon prior approval of the superintendent for the purpose of allowing employees to conduct school business and pre-approved professional activities. Professional leave is at the sole discretion of the superintendent. Any employee seeking to take professional leave must make a detailed written request to the superintendent no later than 2 weeks prior to the beginning of the desired leave, unless the employee presents a subpoena. The cost of a substitute, if one is hired, shall be paid by the school.

In making a determination regarding optional professional leave, the superintendent may consider factors including but not limited to the following:

- Budgetary concerns
- Relevance to the employee's subject area(s) or Professional Learning Plan.
- Amount of professional leave previously used by the employee during the same school year
- Department staffing needs
- Benefit to the employee
- Benefit to the school
- Benefit to the students
- Program quality

Professional leave shall be granted when a school employee is subpoenaed for a matter arising out of employment with the school. Valid subpoenas giving rise to professional leave should be submitted to the superintendent immediately.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-211 | Principal and Administrator Leave |

## Jury Duty

In the event an employee receives a summons for jury duty, notice and a copy of the summons must be given to the principal of the school as soon as possible. Sanctions and disciplinary action may not arise from an employee's use of jury duty leave. The school shall grant paid leave to any employee who presents a valid summons for jury duty. The school shall not require any employee to submit to the school the amount that he or she receives in payment for performing jury duty.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 16-31-106 |

## Sick Leave

All sick leave decisions are within the discretion of the principal, and the superintendent may review sick leave decisions at his or her discretion.

Sick leave is paid leave granted to full-time employees of the school for absences due to illness of the employee or the employee's immediate family, or for death in the employee's immediate family. Immediate family refers to the employee's spouse, child, parent, step-parent, or any member living in the employee's household. Sick leave is accumulated at the beginning of the school year at a rate of one day per month of employment in the school and should be used in increments of one full day.

Employees will not be paid for sick leave taken in excess of accrued sick leave. Sick leave used for purposes not authorized by this policy may lead to disciplinary action, up to and including non-payment for the unauthorized sick days and/or termination.

| CROSS REFERENCE: |
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| Principal and Administrator Leave |

## Accumulated Sick Leave

Full-time employees may accumulate unused sick leave, which may then be transferred to the next employment period, up to a maximum of 90 days. Teachers may be granted accumulated sick leave from another Arkansas school district, education service cooperative, state education agency, or a two-year college, upon receipt of written proof from the sending entity, up to a maximum of 90 days.

Previously accumulated leave granted to an employee under this policy shall be depleted before the employee uses leave granted by the school.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-1201 *et seq*. |

## Personal Leave

Full time school employees are granted a uniform and limited amount of personal leave per school year. Personal leave is used for absences that are not due to school functions, professional development, or jury duty. Personal leave is to be used when other types of leave do not apply. Personal leave should be taken in increments of one full day. Employees must give notice of no less than 24 hours to the Superintendent before using personal leave time. Personal leave does not accumulate from one contract year to the next.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-211 | Principal and Administrator Leave |

## Leave for Injury from Assault

An employee shall be granted leave for up to 1 year with full pay from the date of an injury caused by either an assault or other violent criminal act committed against the employee in the course of his or her employment. Teachers who suffer personal injury while intervening in student fights, restraining a student, or protecting a student from harm shall be considered to be injured within the meaning of this policy.

Teachers must report the need for leave under this section to the Principal as soon as possible. The leave of absence under this policy will not be considered employee sick leave and will not affect the employee's accrued sick leave. A doctor's certification may be required to verify that the employee is unable to work due to the injury.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-1209 |

# Family Medical Leave Act

The Superintendent shall annually ensure a notice of Family Medical Leave Act (FMLA) rights is posted in the office in a place that can be plainly seen and easily accessed by employees. A copy of the notice and/or this policy shall also be provided to employees upon request.

**Sick Leave and Family Medical Leave Act (FMLA) Leave**

Employees are eligible for FMLA leave if they have worked for the school for at least one year and for at least 1,250 hours over the previous 12 months. When an employee needs FMLA leave, the employee shall notify the Principal. The Superintendent shall consult legal counsel and the Board of Directors to determine whether the employee is eligible for FMLA leave and whether the requested leave qualifies for FMLA leave. Within 5 business days of a request for FMLA leave, administration may request additional information from the employee to help make the eligibility determination in the form of a request for certification of FMLA leave from the employee's doctor. Employees shall return certification within 15 calendar days of receiving the request. If the leave qualifies for FMLA coverage, the school will notify the employee, either orally or in writing, of the decision within 5 business days. If the leave is intermittent as defined in this policy and the circumstances of the leave do not change, the school shall be required to notify the employee only once of the determination regarding the applicability of sick leave and/or FMLA leave. To the extent the employee has any accrued paid leave, any remaining paid sick leave shall be expended concurrently with the FMLA leave.

Employees who have advance knowledge of the need for FMLA leave must notify the Principal in a timely manner in order to request FMLA leave, unless an unforeseen emergency condition arises, at which time administration shall strive to cooperate with the employee. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
  - the birth of a child and to care for the newborn child within one year of birth;
  - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
  - to care for the employee's spouse, child, or parent who has a serious health condition;
  - a serious health condition that makes the employee unable to perform the essential functions of his or her job;
  - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or

- Twenty-six work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

| LEGAL REFERENCE: | RESOURCE: |
|---|---|
| 29 USC §§ 2601 *et seq*. | Department of Labor - Family Medical Leave Act<br>FMLA Chart |

## Paid Maternity Leave

An employee of the school shall be eligible for up to twelve (12) weeks of paid maternity leave when the employee:

- Has been employed by the school for one (1) year or more;
- Is female, and the leave is to be used for maternity purposes following the:
    - Birth of the employee's biological child;
    - Placement of an adopted child under one (1) year of age in the home of the employee; or
    - Foster placement of an infant under one (1) year of age; and
    - Has not been disciplined for any leave abuse during the past year from the time of application.

An employee shall not be eligible for an additional twelve (12) weeks of paid maternity leave under this section following the adoption of a child if the employee took twelve (12) weeks of paid maternity leave under this section after the initial foster placement of the same child in the employee's home.

As used in this section:

- "Employee" means an individual employed full-time by the school for more than one (1) year; and
- "Maternity leave" means partially or fully compensated time away from work within the first twelve (12) weeks following the:
    - Birth of a biological child to an employee;
    - Placement of an adopted child under one (1) year of age in the home of an employee; or
    - Foster placement of an infant under one (1) year of age in the home of an employee.

Paid maternity leave is dependent on the school entering into a standard agreement for maternity leave expenses paid by DESE to the school obligating DESE to pay one hundred percent (100%) of incurred costs for approved paid maternity leave.

Any holiday or other day during a contract year designated by a school as a day on which academic classes will not be held shall not be counted towards the total number of days the school approves as maternity leave for an individual eligible for paid maternity leave. If a day approved as maternity leave for an individual eligible for paid maternity leave occurs on an unpaid contract day under the individual's current contract, the day approved as maternity leave shall qualify for paid maternity leave.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-122 |

## Military Leave (USERRA)

The school shall comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Ark. Code Ann. § 6-17-306. In the event an employee is given orders for military leave, the Superintendent or Principal shall contact legal counsel to ensure compliance with USERRA and Arkansas law. The Superintendent shall ensure that a copy of the U.S. Department of Labor Notice and Statement of Rights under USERRA is posted in the office in a location that can be plainly seen and easily accessed by employees. The Principal shall ensure that employees who may have rights under USERRA receive a copy of the notice and this policy.

Employees who are uniformed service members have the right to be reemployed in the same job and without loss of benefits, promotion, or pay. Employees affected by this policy must notify the Superintendent prior to beginning leave and must submit updated contact information at that time, unless giving notice is impossible, unreasonable, or otherwise precluded by military necessity.

Employees have the right to be reemployed if they leave the school to perform service in the uniformed services and:

- the employee has five years or less of cumulative service in the uniformed services while with the school;
- the employee returns to work in a timely manner after the conclusion of service; and
- the employee has not been separated from service with a disqualifying discharge or under other than honorable conditions.

The leave of absence shall be in addition to the regular vacation, personal, and sick leave time allowed the employee.

Employees called to duty in emergency situations by the Governor or by the President shall be granted leave with pay for up to 30 working days, after which leave without pay will be granted. This leave shall be granted in addition to all other leave to which the employee is entitled.

Any employee of the school requesting a leave of absence in order to engage in military training programs or other official duties, including programs of the Public Health Service, National Guard, or reserve branches are entitled to a leave of absence for a period of 15 days plus necessary travel time in a fiscal year. Employees will submit notice to the Principal upon receiving notice that leave will be necessary. Unused leave will accumulate for use in the following calendar year until it totals 15 days at the beginning of the calendar year or fiscal year, for a maximum number of paid military leave days available in any one calendar year or fiscal year to be 30 days.

Any employee taking leave under this policy may not be denied any rights and benefits which would have accrued to him/her had she/he not taken leave, including any retirement benefits, promotions, raises, insurance or disability benefits, and any other right or benefit to which they were previously entitled or would have become entitled.

The leave taken shall be considered continuous school employment for purposes of retirement and benefits, regardless of whether the employee makes contribution. Upon request by the employee, the school shall continue the employee's insurance during the leave on behalf of the employee, in order to maintain continuous coverage. If the employee leaves employment to perform military service, s/he may also elect to continue his/her existing health plan coverage, including dependent coverage, for up to 24 months while in the military.

For service of less than 31 days, the employee service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period. For service of more than 30 days but less than 181 days, the employee service member must submit an application for reemployment within 14 days of release from service. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service.

Upon the end of orders, the employee will provide verbal or written notice to the Superintendent. The employee shall comply with his or her responsibilities under USERRA.

| LEGAL REFERENCE: | RESOURCE: |
|---|---|
| Ark. Code Ann. § 6-17-306<br>38 U.S.C. § 4301<br>38 U.S.C. § 4313<br>38 U.S.C § 4323 | US Department of Labor Model USERRA Notice<br>US Department of Labor USERRA Advisor<br>USERRA Order of Duties Chart |

## Sexual Harassment

Sexual harassment is prohibited. The school will not tolerate such conduct on the part of any employee. All complaints of sexual harassment under this policy will be thoroughly investigated by the Superintendent, and upon a finding that any employee has engaged in sexual harassment, immediate action will be taken, up to and including termination of the offending personnel. The Superintendent will consult with legal counsel as necessary.

The Equal Employment Opportunity Commission (EEOC) and the school define sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature. Sexual harassment is recognized in the following forms:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include, but is not limited to, the following:

- Verbal harassment;
- Gendered or sex-oriented jokes, comments, or threats;
- Physical harassment, which includes any intentional offensive touching or movements intended to threaten, block, intimidate, or violate;
- Visual harassment, which includes unwanted exposure to hand gestures, print media, video, or other visuals of a sexual or inappropriately gendered nature.

The school will provide information to students and employees about sexual harassment, including how to file a complaint of sexual harassment, the consequences of sexual harassment, and the remedies available to any student or employee who suffers sexual harassment.

**HOW TO REPORT SEXUAL HARASSMENT:**

Anyone who is a victim of sexual harassment or who witnesses sexual harassment should report the offensive conduct or communication to the alleged harasser's immediate supervisor, unless said supervisor is the person being accused of sexual harassment. In such a case, a report should be made to another appropriate immediate supervisor, Principal or Superintendent. The school will conduct any internal investigation in a private manner with the utmost discretion. The investigation will be considered a personnel matter if it involves an employee, or a matter of student privacy if it involves a student, under applicable state and federal law.

The school shall not retaliate against any employee who acts in good faith under this policy. Anyone who intentionally files a false complaint, provides false information, or acts in any obstructionist manner under this policy is subject to disciplinary action, up to and including termination.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-15-1005 | Reporting Bullying<br>Mandated Reporters |

## Other Employment

No Employee shall accept any outside employment that would interfere with his or her professional responsibilities or create a conflict of interest. A conflict of interest occurs when a real or seeming incompatibility arises between an employee's work duties within the school and the employee's personal, private, or other employment interests. Employees in violation of this policy will be subject to disciplinary measures, up to and including termination.

| LEGAL REFERENCE: |
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| Black's Law Dictionary, Conflict of Interest |

## Public Office

All school employees are encouraged to run for and accept appointments to public office, if they so desire. No employee will be subject to discipline, termination, or loss of benefits as a result of running for or accepting a public office. Employees must give notice to the Superintendent as soon as possible prior to taking leave associated with this policy and, if practicable, must provide a list of anticipated dates for which leave may be taken.

Employees running for public office may be subject to the following restrictions:

- A school board member may not work for the school which he or she serves.
- Schools may not grant any employee paid leave for activities related to public service or public office, but employees may use personal days for this purpose with the prior approval of the Superintendent.
- Sick leave may not be used for activities under this policy.
- Employees are not permitted to use school property, school supplies, or other school resources in furtherance of their bid for public office.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-115 |

## Political Activity

Employees may engage in personal political expression and activities after school hours and not on school property. Employees are expected to ensure that personal political activities do not interfere with the performance of their duties or negatively affect the educational environment.

Employees may not employ, involve, or otherwise use students in their activities under this section. School forums, materials, and equipment may not be used by employees for political purposes. Employees may not create, post, or distribute political materials to anyone during work hours on school property. Materials to be posted or distributed which may fall under this policy must receive written approval from the Principal prior to being posted or distributed.

## Travel and Expense Reimbursements

Employees are required to obtain prior approval for school and employment related travel that may result in reimbursable expenses. Employees may be reimbursed for travel expenses arising from the performance of duties within the scope of their employment, conducting official school business, or attending school-related functions. Requests for reimbursement must be submitted to the Principal or his or her designee within 30 calendar days and must be accompanied by clear and legible original receipts. Copies of receipts will not be accepted. The school does not reimburse alcohol and entertainment purchases.

## Supervision of Students

Teachers' aides shall be assigned when necessary by the Superintendent, Principal, or his or her designee. Assignments are subject to change as needed in order to meet the staffing needs of the school or the educational needs of the students.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-201 |

## Bullying and Abuse

The school shall strive to provide a learning environment for each student which is free from bullying, including cyberbullying, harassment, and intimidation.

Bullying of any student or school employee is strictly prohibited while in school, while on school property, including on school vehicles/buses and at designated school bus stops with school devices or property, including via school owned-Wi-Fi or internet systems, 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, 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 intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose.

"Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student, parent, school employee, school volunteer, school vendor, or school board member against a student, parent, school employee, school volunteer, school vendor, or school board member. Bullying may be communicated in writing, orally, electronically ("cyberbullying"), physically or a combination of any of these.

**PROCEDURE UPON RECEIPT OF A REPORT OF BULLYING**

Any school employee who receives a complaint of bullying, by any school stakeholder, regardless of whether the alleged bully is a student, shall write down the complaint on the Bullying Report Form or provide the Bullying Report Form and ask the person to write down their allegations, if they are able. The Form should be marked with the time and date received.

As soon as reasonably practical, the employee shall provide the form to the School Principal or his or her designee. If the report also meets the definition of child maltreatment, the school employee must make the Mandated Reporter report in addition to the Bullying form. This is a state law requirement. Failure to file both of these forms when warranted, can lead to discipline, including termination, and potential loss of licensure.

As soon as reasonably practicable, a public school Principal or his or her designee, who receives a credible report or complaint of bullying alleged to have occurred, or partially occurred, during school hours or on school property, or during a school activity, a school-sanctioned event, or with school-owned property shall prepare a written report, if none has been prepared, or review any written report filed and add any information that is missing if the information is known or easily discerned. The written report should be marked

with the time and date that the information was first received. Following receipt of the credible report or complaint, the Principal shall promptly investigate the credible report or complaint and complete the investigation as soon as possible but not later than five (5) school days from the date of the written report of the alleged incident of bullying.

Following the completion of the investigation into the alleged incident of bullying conducted the Principal may without limitation:

- Provide intervention services;
- Establish training programs to reduce bullying;
- Impose discipline on any of the parties involved in the incident of bullying;
- Recommend counseling for any of the parties involved in the incident of bullying; or
- Take or recommend other appropriate action.

If the alleged victim is a student, the Principal shall immediately after writing or reviewing the written report, communicate the fact that allegations of bullying were raised to the alleged victim's parent, parents, legal guardian(s) or person standing in loco parentis.

The identity of the alleged bully shall not be disclosed to the alleged victims' parents, by any school employee unless the parents of the alleged bully have signed a FERPA waiver permitting such disclosure.

The School may address and discipline bullying communicated off campus and not with school property if the bullying causes or creates actual or reasonably foreseeable:

- Physical harm to a school employee or student or damage to the school employee's or student's property;
- Substantial interference with a student's education or with a school employee's role in education;
- A hostile educational environment for one or more students or 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.

As used in this policy, "attribute" means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation.

"Electronic act" means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, cell phone, tablet, computer, or other electronic communications device.

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

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

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

Students who are found to have engaged in bullying shall be disciplined. Discipline may include detention, exclusion from field trips or other school events, suspension, or expulsion, except that any student in grades kindergarten through grade five shall not be placed in out of school suspension or expulsion unless the student's bullying poses a physical risk to himself or herself or to others; or causes a serious disruption that cannot be addressed through other means.

Any school employee who has witnessed or has reliable information that a pupil has been a victim of bullying, as defined by the ADE guidance document on bullying, shall report the incident to the Principal. Students, school employees, or parents who file a complaint will not be subject to retaliation or reprisal in any way.

Notice of what constitutes bullying, that bullying is prohibited, and that the consequences of engaging in bullying shall be conspicuously posted in every room or space in the school, including every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus in the school and shall be provided to parents, students, school volunteers, and employees. A full copy of this policy shall be made available upon request.

The school shall provide professional development on bullying prevention and recognition of the relationship between incidents of bullying and the risk of suicide according to the professional development schedule under Ark. Code Ann.§ 6-17-709.

A school employee who has reported violations under the school's policy shall be immune from any civil liability arising from allegations of failure to remedy the reported incident.

The school shall display the Child Abuse Hotline Posters promulgated by the Arkansas Department of Education in each restroom accessible to students. Additionally, the posters shall be displayed in various common areas accessible to students throughout the school.

1 time each school year, the superintendent shall report to the board of directors at a public hearing data regarding discipline in the school, including without limitation the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

To prevent multiple, simultaneous investigations into the same alleged conduct, if the facts that support an alleged incident of bullying under this section may also constitute a violation of another state law or rule or federal law or regulation, nothing in this section shall be construed to prevent a public school or public school district from investigating and disposing of the alleged incident of bullying in accordance with the other applicable state law or rule or federal law or regulation in lieu of the requirements of this section.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-709<br>Ark. Code Ann. § 6-17-711<br>Ark. Code Ann. § 6-18-507(b)<br>Ark. Code Ann. § 6-18-514 | Sexual Harassment<br>Mandated Reporters |

| RESOURCE |
|---|
| Bullying/Cyberbullying Incident Report Form Hotline Posters |

# Mandated Reporters and Hotline Posters

School employees are mandatory reporters and have a duty to immediately report suspected child abuse. Employees shall call the Child Abuse Hotline at 1(800)-482-5964 if there is reasonable cause to suspect that a child has been subjected to child maltreatment or reasonable cause to suspect that a child has died as a result of child maltreatment. Employees must contact the Hotline upon learning of or observing a child being subjected to conditions or circumstances that would reasonably result in child maltreatment. The school shall not contact the parent or guardian of any student who is the subject of a report to the Hotline of the student's contact with law enforcement if the parent or guardian is suspected of committing child maltreatment.

Any mandated reporter who knowingly fails to notify the Child Abuse Hotline of the child maltreatment or suspected child maltreatment is subject to job action up to and including termination. Licensed employees who knowingly fail to report may also be subject to an ethics complaint before the Professional Licensure Standards Board. Mandated reporters who fail to make a timely and accurate report may be subject to criminal penalties, as provided by law.

Reporters are requested to inform the Principal after a call to the Hotline regarding a student within the school. Reporters are not required to inform anyone prior to making a report. The school shall cooperate with reporters and law enforcement. Reporters shall not be subject to any type of discipline for making a report in good faith. Reports shall be held in the strictest confidence, in the best interest of the student. Any employee who is found to have violated the confidentiality of the reporting process shall be subject to disciplinary measures, up to and including termination.

The school shall place hotline posters published by the Arkansas Department of Education and printed in color on paper that is at least eleven (11) inches by seventeen (17) inches in size and placed at a height easily viewable by students in the following locations: 1) in a clearly visible location in the school that is readily accessible to students; 2) in each bathroom that is accessible to students, so that students may privately access the information.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-712<br>Ark. Code Ann. § 12-18-201 et seq. | Sexual Harassment<br>Reporting Bullying |

| RESOURCE |
|---|

## Sex Offenders

Under the Arkansas Sex and Child Offender Registration Act, also known as "Megan's Law," law enforcement may notify the school when a sexual offender is in the area who potentially poses a risk to the school population. Law enforcement uses a rating system to assess offenders and determine the risk an offender may pose to the community. The rating system places offenders on a scale from Level 1 (lowest risk offenders) to Level 4 (high-risk and/or violent offenders). Employees are not permitted to notify parents, students, or other members of the community unless specifically requested by the Superintendent or Principal to do so upon request from law enforcement. When notified by law enforcement, the Principal will work with the Superintendent to determine which employees within the school should be informed of the notification. The Principal shall share the notice with any person who in the course of their employment or assignment is regularly in a position to observe unauthorized persons on or near the property of the notified school, which may include, but are not limited to:

- Aides
- Bus drivers
- Coaches
- Maintenance staff
- Professional support staff
- School level administrative staff
- Security personnel
- Teacher's assistants
- Teachers

The Principal will impress upon school personnel receiving notice the importance of confidentiality. Employees shall be informed that they shall not disseminate information about an offender to anyone outside of the school.

Any breach of confidentiality about an offender may lead to disciplinary action, up to and including termination. If any school employee has reason to believe that an offender is a danger to someone outside of the school, he or she should immediately contact local law enforcement.

**Level II Offenders**

Level I and Level II offenders are considered low-risk offenders and are permitted to enter a school campus under the same terms and circumstances as other members of the community. If the school is informed of the presence of a Level I or II offender, administrators and other employees are not permitted to disseminate this information to the following:

- Members of the parent-teacher organizations

- Organizations using school facilities
- Other schools
- Parents or guardians of students
- Press
- Students

In the event any organization using school facilities requests this information from school personnel, the organization should be directed to the area law enforcement that issued the notice. If members of the press contact the school for information relating to sex offenders, they may be informed about the procedures that have been put in place and other general topics. No one may reveal the name or any other specifics regarding an offender and no one should confirm or deny whether notice as to any particular offender has been disseminated.

**Level III or Level IV Offenders**

In the case of a Level III or Level IV notification, if the school is located in an area affected by the presence of an offender, area law enforcement notification may include the students in the school and, within law enforcement's discretion, notice will be given to the parents or guardians of those students by the school. The determination as to the appropriate method to use in the dissemination of the notice will be reached through cooperation with area law enforcement. Any notice generated under this policy will be kept in a secure place accessible to teachers and staff, but not accessible to students or members of the community at large. Under no circumstances will the school post such a notice.

A Level III or Level IV Offender may enter the campus for the purpose of attending a graduation or baccalaureate ceremony.

**Offenders who are parents, guardians, or students**

This policy does not operate to prevent a sex offender registrant from attending school as a student. The procedures in this policy applying to notification for sex offenders will also apply to students who are sex offender registrants. For any student sex offender registrant, the school will implement a juvenile safety plan, which shall be held in strict confidence. The Superintendent is charged with effectively communicating the terms of the juvenile safety plan to only those teachers and employees who are in direct regular contact with the student and who may be responsible for the student. Anyone receiving notice and instructions under a juvenile safety plan will be required to sign a confidentiality statement outlining the obligation to keep the plan confidential and any corresponding obligations which may exist with regard to student privacy.

This policy does not operate to prevent a sex offender registrant who is the parent or guardian of a student from entering school property for parent-teacher conferences, for dropping off the child at school, or for any other activity which is appropriate for a parent or guardian, unless otherwise limited by an applicable judicial restraining order or conditions of probation or parole.

A Level III Offender may enter the campus for the purpose of attending a school-sponsored event for which an admission fee is charged or tickets are sold or distributed if the sex offender is the parent or guardian of or is related by blood or marriage within the second degree of consanguinity to or is a great-grandparent of a student enrolled in the public school as computed by Ark. Code Ann. § 28-9-212 AND the sex offender notifies the administration of the school in writing at least twenty-four (24) hours before the start of the school-sponsored event for which an admission fee is charged or tickets are sold or distributed that he or she will be attending the school-sponsored event.

The school shall make every effort to protect students and comply with the law without stigmatizing any student whose parent or guardian is a registered sex offender. The Superintendent shall create a detailed procedure to allow a sex offender registrant parent to pass safely through the school for one of the reasons authorized by this policy without drawing attention or alerting others to the parent's sex offender status. The procedure will take into account any relevant orders or limitations. The parent's sex offender status and any procedures created to assist the parent will be kept confidential and will not be disseminated.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 5-14-132(b) and (c)<br>Ark. Code Ann. § 12-12-901 et seq.<br>Ark. Code Ann. § 28-9-212; | Visitors |

# Professional Development

The school shall provide no less than 6 professional development days to be included in the teacher contract or agreement with the school. The purpose of professional development is to improve teaching and learning in order to facilitate individual, school-wide, and system-wide improvements designed to ensure that all students demonstrate proficiency on state academic standards.

**Definitions**

Professional Development Day – six (6) hours of professional development equals one (1) professional development day.

Professional Development Plan - outlines the professional development program of activities for a district, school, or educator that is based on student data and is aligned to the ACSIP, and incorporates an educator's professional growth plan.

Professional Growth Plan – is an educator's plan for professional growth that identifies professional learning outcomes to advance the educator's professional skills and clearly links professional development activities and the educator's individual professional learning needs identified through TESS or LEADS.

**Professional Development Generally**

Professional development is a set of coordinated planned learning activities for educators that:

- Improves the knowledge, skills, and effectiveness of teachers, including the ability to apply what is learned;
- Improves the knowledge and skills of administrators and paraprofessionals concerning effective instructional strategies, methods, and skills, including the ability to apply what is learned;
- Leads to improved student academic achievement;
- Is research-based and standards-based;
- May incorporate educational technology as a component of the professional development, including without limitation taking or teaching an online or blended course; and
- May provide educators with knowledge and skills needed to teach:
  - Students with intellectual disabilities, including without limitation Autism Spectrum Disorder;
  - Students with specific learning disorders, including without limitation dyslexia;
  - Culturally and linguistically diverse students; and
  - Gifted students.

The annual professional development requirement must be fulfilled between July 1st and June 30th unless the school approves and documents the professional development year as between June 1st and May 31st. Approved professional development activities that occur during the instructional day or outside the educator's annual contract days may apply toward the annual minimum professional development requirement.

Any educator who misses any part of regularly scheduled professional development activities for any reason (such as illness) must make up that time in other approved professional development activities. An educator shall complete any missed hours of professional development through professional development that is:

- Approved by the person responsible for the teacher's summative evaluation;
- Is substantially similar to the professional development missed and approved by the person responsible for the educator's summative evaluation; and
- Delivered by any method approved by ADE.

Professional development obtained through college courses may be allocated as follows:

- Up to 15 hours may be credited to the professional development requirements for licensure; and
- Hours obtained in excess of 15 may be credited to any remaining requirements for professional development generally, if approved by the school in a professional development plan.

The allocation of professional development credit obtained through college credit shall be approved by the person responsible for the educator's summative evaluation. The focus of the course must specifically relate to the job assignment as approved by the person responsible for the educator's summative evaluation.

An educator may earn up to 12 hours of professional development credit approved by the school, which may be applied toward the professional development requirement for the time period at the beginning of each school year that is used to plan and prepare curriculum or develop other instructional material. Educators shall be entitled to one hour of professional development credit for each hour of approved preparation, provided the educator spends the time:

- In his/her instructional classroom, office or media center at the school;
- Prior to the first student teacher interaction day of the school year; and
- In a focus area as defined by the ADE Rules Governing Professional Development, and may include but is not limited to time spent in the following areas:

- Grade level and/or vertical team planning to integrate subject areas;
- Team work to analyze student data;
- Team work to develop academic improvement plans (AIP) or individual educational programs (IEP);
- Developing and/or revising curriculum, including student-centered units and assessments aligned to state curriculum frameworks;
- Professional book studies;
- Developing intervention strategies to support remediation and/or acceleration;
- Developing and/or revising the Arkansas Comprehensive School Improvement Plan (ACSIP);
- Pursuing study as noted in an educator's professional growth plan;
- Arkansas IDEAS on-line professional development related to ACSIP or the educator's professional growth plan.

Specific activities which do not qualify for professional development credit include without limitation:

- Making and putting up bulletin boards;
- Clerical work associated with documents such as ACSIP, AIP and IEPs; and
- Administrative faculty or team administrative meetings.

Nothing in this policy shall prevent or restrict the school from requiring additional in-service training.

**Minimum Annual Requirements**

Each educator shall obtain 36 hours of professional development annually for renewal of an educator's license. The 36 professional development hours under this policy shall include, at a minimum the professional development required in the educator's professional growth plan under the requirements of TESS or LEADS and professional development required by law or by rule.

**Scheduled Professional Development**

The professional development required under this policy must come from an approved provider. The 2 hours in each area of professional development required under this policy shall be counted in the school year in which the professional development is taken toward the minimum number of hours of professional development required for educators for that school year. If an educator obtains additional hours above the minimum requirements, the educator may count those additional hours toward the total minimum hours of professional development required for educators for that school year.

The school shall make available to the appropriate educator professional development according to the state-mandated schedule on:

- Child maltreatment mandated reporter training;
- Family and community engagement;
- Mental health awareness and teen suicide awareness and prevention;
- Arkansas history;
- Educational technology;
- Human trafficking;
- Bullying; and
- Requirements for specific licensure areas, including those for administrators and athletic coaches as applicable.

**School and School District Professional Development Plans**

The school shall develop and implement a professional development plan. Teachers, administrators, and paraprofessionals shall be involved in the design, implementation and evaluation of their respective professional development offerings under the school and school district professional development plan. The school's professional development plans shall be included in the school's Arkansas Comprehensive School Improvement Plan (ACSIP) and shall be re-viewed annually by the school.

**Reporting, Monitoring, and Evaluation**

The school shall maintain all documents for its employees that reflect completion of professional development programs, whether such programs were provided by an outside organization or by the school itself. The school shall report the amount of all professional development programs completed by its employees to the ADE at the time and in the manner specified by the ADE.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-701 et seq.,<br>Ark. Code Ann. § 6-15-1004(c),<br>Ark. Code Ann. § 6-15-1703<br>Arkansas Department of Education Rules Governing Professional Development,<br>ADE Rules Governing Standards for Accreditation 15.04 |

## Parent-Teacher Relations

The school understands and appreciates that a close working relationship with parents and guardians is pivotal to student growth and achievement. In recognition of this important relationship, teachers and administrators will exercise every effort to involve and engage parents and family in the education process. The school will assist parents and guardians by providing any necessary resource to communicate clearly and effectively, making every effort to eliminate all barriers to communication and understanding, including but not limited to language barriers.

Teachers are expected and required to communicate with the parent(s) or guardian(s) of every student during the school year to discuss the student's academic progress, and must do so in a minimum of two parent-teacher conferences per year for each student. More frequent communication will be expected with the parent(s) or guardian(s) of students not performing at the level expected for their grade. All conferences will be scheduled at a time and place agreed upon by the parent/guardian and teacher. Teachers will strive to accommodate parent/guardian preferences for the time and location of the meeting to best ensure parent participation.

The school shall document parent/guardian participation or nonparticipation in all mandatory conferences. If a student is to be retained at any grade level, notice of retention and the reasons for retention shall be communicated to the parent(s)/guardian(s) in a timely manner in a conference with the Principal and the student's teacher(s). The school shall make a good faith effort to make contact with the parent(s)/guardian(s) by all means available to the school. In the event a parent/guardian cannot be reached by these methods, the school will send a notice of retention and request for a conference by certified mail to the parent/guardian address on file.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-15-1701;<br>ADE Rules Governing Standards for Accreditation § 12.04 | Arkansas Comprehensive School Improvement Plan (ACSIP) |

## Religious Clothing

It is the school's policy that any employee may wear the clothing of any religion in the public schools and institutions of this state. No employee will be subject to discipline or retaliation based on religion.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-17-108 | Anti-Discrimination Statement |

## Employee Use of Technology

The school provides certain technological tools to assist employees in performing work tasks. These tools and devices may include computers, internet access, or other tools. Employees are advised that school owned computers and other school-provided devices are the property of the school. Employees have no reasonable expectation of privacy in school owned devices. Use of school internet is a privilege and may be revoked upon employee violation of this policy. School computers, internet access, and devices are to be used solely for educational and instructional purposes. Violations of this policy may result in disciplinary action up to and including termination.

Employees using school devices are subject to the following terms and conditions:

- Employees agree that they will abide by state and federal laws regarding internet activity.
- Employees agree that internet and technology use will be restricted to educational and instructional purposes only.
- Employees agree that no personal use of school-owned devices or internet will be permitted, unless otherwise stated in writing by the Superintendent.

Violation of the school's internet and technology use policy include, but are not limited to:

1. Using the internet for personal purposes not related to instruction.
2. Accessing inappropriate or pornographic images.
3. Using the login or password information of any other person without prior approval.
4. Employing any program or device to thwart school detection or security.
5. Using school internet or devices to access information that may be used to create, obtain, or inform about the creation of prohibited materials or devices, including information on the creation of illegal substances, weapons, or explosives.
6. Seeking or gaining unauthorized access to programs or files.
7. Conveying messages or information otherwise prohibited by this policy manual or the law, including messages that are threatening, lewd, inappropriate, or otherwise in violation of law or policy.
8. Violations of school network security, including the distribution of confidential information, logins, or passwords; hacking and other intrusions; and the intentional introduction of viruses or malware.
9. Using the school's resources for personal profit or gain.
10. Unauthorized uses of the school's logo, name, or other school-owned information.
11. Violations of student and personnel privacy, including violations of FERPA.
12. Violations of copyright law.

13. Refusal to comply with additional school technology directives or procedures, as may be added by the Superintendent or technology staff.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-21-107<br>Ark. Code Ann. § 6-21-111 | FERPA Policy |

| RESOURCE |
|---|
| Employee Technology Agreement |

# Computer Privacy and VPN Policy

The school owns and provides access to computers and the internet for work and instructional purposes.

Employees are notified they have no expectation of privacy in any aspect of their school computer or school internet use, including school email. The school may, at its option, monitor school internet and computer use to ensure safety and compliance with school policy. Violations of ethics, law, or policy will result in action by the school which may include the filing of an ethics complaint with the Professional Licensure Standards Board, criminal sanctions, and/or discipline, up to and including termination.

Teachers are notified that electronic documents, email and other records maintained by the school may be subject to disclosure under the Arkansas Freedom of Information Act.

**VPN Policy**

The School's Virtual Private Network (VPN) provides a secure encrypted network connection over the Internet between authorized users and the School's net- work. The VPN offers secure access for employees and staff who need access to information technology systems that are not otherwise available from off-cam- pus networks. In an effort to ensure the security and integrity of the service, certain requirements and guidelines must be met by the administrators and users of this service.

School VPN users must adhere to all established policies relating to the use of the network and associated technology resources as well as applicable local, state and federal laws. Remote computers attaching to the VPN become an ex- tension of the school's data network and are therefore subject to the same net- work use guidelines and policies extended to any other host on the network.

**Usage Policy**

Individual users are responsible for obtaining their own Internet Service Provider, coordinating installation and installing any software necessary for internet service. It is the responsibility of each VPN user that they do not allow any other individual to use their account or user certificate to access the VPN. VPN user will be automatically disconnected from the network after thirty minutes of inactivity. The user must then logon again to connect to the network. Concurrent logins are not permitted. Users will be granted access to the VPN on an as-needed basis and as approved by the Superintendent. VPN access will require authentication by user account/password, digital certificate or both and all traffic will be encrypted using standard protocols. All

authentication attempts will be logged. VPN passwords must be at least 16 digits long and include at least one special character, one upper case letter, one lowercase letter and one number.

**Enforcement**

If any violation of policy occurs, the School may take any necessary step in ensuring the security of the VPN and the greater network. This may include temporary suspension of accounts and/or network access. Additionally, any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-21-107<br>Ark. Code Ann. § 6-21-111 |

## Employee Cell Phone Agreement

Employees may not use cell phones, tablets, laptops, or other personal electronic devices when students are present, unless use of the device is necessitated by emergency circumstances. Teachers may use these devices for instructional purposes upon prior approval by their immediate supervisor. No employee shall use a school-issued cell phone while driving any vehicle at any time. Violation of any part of this policy may result in disciplinary action, up to and including termination.

| RESOURCE |
| --- |
| Employee Cell Phone Agreement Driver Cell Phone Agreement |

# Operation of a School Vehicle While Using Cell Phones

Any employee operating a school bus or any vehicle owned by the school or operated under contract for the school and used for the transportation of children to or from school or school-sponsored activities is prohibited from using a cell phone or other electronic device while driving the school vehicle.

This policy does not apply to the use of a cellular telephone for the purpose of communicating with any of the following regarding an emergency situation:

- An emergency system response operator or 911 public safety communications dispatcher;
- A hospital or emergency room;
- A physician's office or health clinic;
- An ambulance or fire department rescue service; A fire department, fire protection district, or volunteer fire department; or
- A police department.

Drivers may use a cell phone to call for assistance, but should first ensure the safety of any students who may be present and that the vehicle is safely parked. Any employee in violation of this policy is subject to discipline up to and including termination, and may be subject to fines as provided by law.

Any position in which an employee is required to operate transportation for students or may be required to operate transportation for students is designated a safety-sensitive position.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-19-120 | Driver Cell Phone Agreement |

## Reports & Records

Teachers may, from time to time, be required to keep certain records and make certain reports as may be necessitated by law or the school board of directors. Teachers will have clear instructions and timely notice from the Principal of what records and reports are to be maintained and when they are due. Teachers are expected to provide all records and reports to the school before s/he will be entitled to receive the last paycheck of the school year from the school.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-104 |

## Nurses

School nurses are subject to the requirements of the Arkansas Nurse Practice Act and applicable rules and regulations promulgated by the Arkansas State Board of Nursing. School nurses are also subject to supervision by school administration.

Nurses are charged with strict compliance with all applicable privacy laws.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 17-87-101 et seq.<br>Arkansas State Board of Nursing Rules:<br>Chapter 5 – Delegation | FERPA Policy |

## Glucagon and Insulin Administration

Insulin or glucagon or both shall be administered only in accordance with a valid health or 504 plan that covers diabetes management and is based on the orders of a treating physician.

Glucagon and insulin may be administered by trained volunteer school personnel designated as care providers in the student health or 504 plan. A licensed registered nurse employed by the school shall annually train volunteer personnel designated as care providers to administer glucagon and insulin. If a parent or guardian of a student with diabetes chooses to have care provided by a care provider, the parent or guardian of a student with diabetes shall sign an authorization to allow the administration of glucagon to the student by volunteer school personnel designated as care providers. The school shall maintain a copy of the health or 504 plan, a list of volunteer school personnel who are designated as care providers and trained to administer glucagon, and a copy of the parent's or guardian's signed authorization.

Upon written request of a parent or guardian of a student with diabetes and authorization by the treating physician of the student, a student in the classroom, on school grounds, or at a school-related activity may perform blood glucose checks, administer insulin through the insulin delivery systemthe student uses, treat hypoglycemia and hyperglycemia, and possess on his/her person the necessary supplies and equipment to perform diabetes monitoring and treatment functions. A student shall have access to a private area to perform diabetes monitoring and treatment functions upon request of the parent or guardian of the student, as outlined in the student health plan.

The school shall not require or pressure a parent or guardian of a student with diabetes to provide diabetes care at school or a school-related activity.

Emergencies
A public school employee may volunteer to be trained to administer and may administer glucagon to a student with Type 1 diabetes in an emergency situation.

If the school provides educational information on immunizations, infectious diseases, medications, or other school health issues to parents and guardians of students in kindergarten through grade twelve (K-12), the following educational information about Type 1 and Type 2 diabetes shall be included:

- A description of Type 1 and Type 2 diabetes;
- A description of the risk factors and warning signs associated with Type 1 and Type 2 diabetes;
- A recommendation to the parent or guardian of a student displaying warning signs associated with Type 1 or Type 2 diabetes that the

parent or guardian consult with the student's primary care provider to determine if immediate screening for Type 1 or Type 2 diabetes is appropriate;

- A description of the screening processes for both Type 1 and Type 2 diabetes and of the significance of the stages of Type 1 diabetes;
- A recommendation that, following a Type 1 or Type 2 diabetes diagnosis, the parent or guardian consult with the student's primary care provider to develop an appropriate treatment plan.

Diabetes-related educational information provided to parents and guardians of students as required by this policy is solely for the purposes of educational information and shall not be considered or construed to be for the purposes of providing a medical diagnosis.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-711<br>Ark. Code Ann. § 17-87-103 (11) | Student Medications |

## Teachers Volunteering to Teach More than 150 Students Per Day (V1)

If the Executive Director determines that the need exists and the Board of Directors approves such need, a teacher in grades seven through twelve may volunteer to teach more than 150 students per day and receive increased pay under his or her contract proportionate to the amount of base pay and the additional number of students taught above 150. The school will memorialize the agreement with the teacher in writing, including applicable dates and payment terms. The agreement will last one semester only and will terminate upon the date stated in the agreement. The agreement shall not automatically renew.

Need will be determined at the sole discretion of the executive director, who will document the factors considered in determining need in writing. If more than the necessary number of teachers volunteer, the school reserves the right to choose the volunteer teacher that best suits the school's needs, including but not limited to teacher experience, scheduling considerations, specific training, or subject matter area.

Under no circumstances will the school exceed the maximum class size for any class. The additional pay when students are added to an existing schedule will be calculated as follows:

The teacher's base pay will be divided by 150 students and by the number of days in the base contract to arrive at the amount of pay per student per day. The amount of pay per student per day will then be multiplied by the additional number of students above 150 to arrive at the additional pay amount per day. If an additional student is permanently removed from a teacher's class for any reason, the teacher's additional pay shall be prorated to exclude that student, effective as of the date the school determines the student has been permanently removed.

Example:

Base pay of $30,000 ÷ 190 days= $157.89 per day

$157.89 ÷ 150 students= $1.07 per student per day

Teacher receives 160 students, which leaves teacher with 10 additional students.

$1.07 x 10= $10.70

The teacher will receive $10.70 in additional pay for every day that teacher teaches these 10 additional students, resulting in approximately $1,016.50 in additional pay over the course of a semester.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-812<br>A waiver from Ark. Code Ann. § 6-17-114 |

## Teachers Volunteering to Teach More than 150 Students Per Day (V2 Waiver)

If the Executive Director determines that the need exists and the Board of Directors approves such need, a teacher in grades seven through twelve may volunteer to teach more than 150 students per day and receive increased pay under his or her contract proportionate to the amount of base pay and the additional number of students taught above 150. The school will memorialize the agreement with the teacher in writing, including applicable dates and payment terms. The agreement will last one semester only and will terminate upon the date stated in the agreement. The agreement shall not automatically renew.

Need will be determined at the sole discretion of the executive director, who will document the factors considered in determining need in writing. If more than the necessary number of teachers volunteer, the school reserves the right to choose the volunteer teacher that best suits the school's needs, including but not limited to teacher experience, scheduling considerations, specific training, or subject matter area.

Under no circumstances will the school exceed the maximum class size for any class. If a teacher volunteers to use his or her conference period during the day to teach an additional class period, the teacher will be compensated for both the missed conference period at his or her hourly rate of pay and for the additional students, as set forth in this policy.

The additional pay when students are added to an existing schedule will be calculated as follows:

The teacher's base pay will be divided by 150 students and by the number of days in the base contract to arrive at the amount of pay per student per day. The amount of pay per student per day will then be multiplied by the additional number of students above 150 to arrive at the additional pay amount per day. If an additional student is permanently removed from a teacher's class for any reason, the teacher's additional pay shall be prorated to exclude that student, effective as of the date the school determines the student has been permanently removed.

Example:

Base pay of $30,000 ÷ 190 days= $157.89 per day

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The teacher will receive $10.70 in additional pay for every day that teacher teaches these 10 additional students, resulting in approximately $1,016.50 in additional pay over the course of a semester.

If the teacher also voluntarily surrendered a daily 1 hour conference period, teacher would receive $157.89 ÷ 8 hours worked daily= $19.74 per day above the additional student pay.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-17-812 |

# Curriculum and Instruction

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# School-Level Improvement Plan

The school Superintendent shall coordinate with the school Principal each school year to develop a school-level improvement plan. The Superintendent, Principal, members of the school team, and appropriate stakeholders, as determined by the Superintendent, shall analyze student performance data and other data to provide a plan of action to address deficiencies in student performance and any academic achievement gap. The plan must identify a challenging set of goals and set forth actions to be taken to achieve the goals, specifying the responsibilities of the school. The plan shall include a literacy plan that includes, at a minimum, a curriculum program and a professional development program that are aligned with the literacy needs of the school and based on the science of reading as defined by Ark. Code Ann. § 6-17-429. The plan shall include a parental involvement plan, as required under Ark. Code § 6-15-2 1702. The plan must include adequate measurement processes, including benchmarks and evaluation protocols, and must be reviewed at least annually. Documentation of the annual review shall be made a part of school-level pan for the following year.

The plan shall be approved by the Superintendent and submitted to the board of directors each school year by May 1st for approval and posted under the state-required information on the school district's website by August 1st.

The school will comply with all applicable federal and state laws, rules, and regulations and with any directives from the Arkansas Division of Elementary and Secondary Education in creating and maintaining the plan.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-15-1005<br>Ark. Code Ann. § 6-15-2914,<br>Standards of Accreditation § 3-B.1<br>ADE Rules Governing the Arkansas Educational Support and Accountability Act (AESAA); | Parent-Teacher Relations |

## District Strategic Plan

Annually by June 30, the school shall submit a district strategic plan to the Division of Elementary and Secondary Education for review for the upcoming school year.

A district strategic plan shall include without limitation:

- A literacy and mathematics plan that addresses student supports and acceleration opportunities based on student data and outcomes;
- Information regarding the prioritization and intended use of funding, including without limitation Enhanced Student Achievement Funding received under § 6-20-2305; and
- The support the open-enrollment public charter school will provide to public schools within the open-enrollment public charter school identified as in need of targeted or comprehensive support, or both, pursuant to the Elementary and Secondary Education Act of 1965, Pub. L. No. 89-10, as reauthorized by the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, as it existed on January 1, 2025.

The school shall post its approved district strategic plan on its website by October 1 of each year.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-15-2919 |

## Curriculum Development

Local curriculum, designed to meet all state requirements, shall be selected, identified, developed, and supported by the school administrators and teachers. Recommendations will be made to the school board for review and approval as defined in Ark. Code Ann. § 6-13-620.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-13-620(8) |

# Instructional Materials

In limited circumstances, teachers may use instructional materials that are not currently included in approved curriculum. Teachers should seek approval from the Principal before using materials which are not currently approved. Materials must be compliant with school policy and must be age, subject-matter, and instructionally appropriate.

The school encourages parent involvement in the education process and reminds teachers that all instructional materials are subject to inspection upon request by any parent or guardian. Parents/guardians are not entitled to inspect assessment and testing materials. Parents/guardians requesting to inspect materials may do so in a meeting with the teacher, scheduled at a time and place that is convenient for all parties. Parent/guardian objections to instructional materials must be submitted in writing to the Superintendent in compliance with the "Objection to Instructional Materials" policy. Upon reaching the age of 18 years of age, eligible students may exercise the rights set forth in this policy.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| 20 USC § 1232h | Challenge of Instructional Material or Library Materials |

| RESOURCE: |
|---|
| Objection to Instructional Material Form |

# Religion in Curriculum and Religious Rights at Public Schools Act of 2025

In Compliance with Act 400 of 2025, the school shall provide a copy of Act 400 of 2025 to each student and each employee at the beginning of every school year. The school does not discriminate on the basis of religion. It is the policy of the school that employees of the school will neither promote nor disparage any belief or non-belief and will not promote any one religion over another.

Prayer and other religious activities must be student-led and student-initiated. Teachers are not permitted to lead prayer or participate in religious activities in the classroom. Students may pray or engage in religious activity at any time that does not interfere with instructional time.

From time to time, instruction may call for academic discussion of religion or the impact of religion within another academic subject. Teachers will treat religion within the curriculum objectively and with neutrality. Teachers shall not use instructional time to promote or advocate any religious belief or non-belief in the classroom. Student work that contains statements of religious views or beliefs will be graded strictly on whether and to what extent the work meets the requirements of the assignment. Teachers are not permitted to penalize students or deduct points from student work based on any religious viewpoint contained therein.

Any parent or student aged 18 years or older may submit a written objection to any assignment or activity that is in conflict with his/her religious beliefs using the Objection to Instructional Materials policy. The school shall accommodate valid objections and may choose to create or assign alternative work for the affected student. Upon approval of the valid objection by the Principal, no student affected under this policy shall be made to remain in the classroom for the portion of class devoted to the material to which s/he has objected. The student will be removed to another academic area under the supervision of a school employee to engage in his/her alternative assignment.

| LEGAL REFERENCE: | |
|---|---|
| Ark. Code Ann. § 6-13-620(8) | |
| | CROSS REFERENCE: |
| | Anti-Discrimination Statement |

## Minute of Silence

Each classroom teacher at the opening of school on each school day shall conduct a one minute period of silence with the participation of all students in the classroom. During the period of silence a student may, without interfering or distracting another student reflect, pray, or engage in a silent activity. The teacher or staff member in charge of the classroom shall ensure that all students remain silent and do not interfere with or distract another student during the period of silence.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-10-115 | Anti-Discrimination Statement |

# Copyrighted Materials

Teachers and other employees are required to comply with copyright law. The school disclaims any responsibility for violations of copyright law by employees whose independent actions exceed the authority and permissions contained within fair use doctrine. Teachers seeking information about whether use or reproduction of a material may violate copyright law shall consult the school Principal, who may in turn consult legal counsel.

Teachers will be notified of the availability of the resources listed at the bottom of this policy and a copy will be provided upon request. At a minimum, teachers are required to consult the user and/or purchase agreements contained in computer software and other materials. Employees acting in violation of policy are subject to disciplinary action, up to and including termination, and may be subject to other sanctions at law.

| LEGAL REFERENCE: | RESOURCE: |
|---|---|
| 17 USC § 101-1010,<br>17 USC § 117 | Agreement on Guidelines for Classroom Copying in Not-for-Profit Education Institutions with Respect to books and Periodicals<br>Guidelines for Educational Uses of Music |

# Pledge of Allegiance

The school shall provide an opportunity for students to participate in a daily recitation of the Pledge of Allegiance during the first class of each school day. At the designated time, students who wish to participate in the recitation of the Pledge of Allegiance will stand and recite the Pledge of Allegiance while facing the flag with their right hands over their hearts or an appropriate salute if in uniform followed by one (1) minute of silence.

No student shall be compelled to recite the Pledge of Allegiance if the student or the student's parent/guardian objects on religious, philosophical, or other grounds. Students who do not recite the Pledge of Allegiance shall remain quietly standing or sitting at their desks while others recite the Pledge of Allegiance and may not cause distraction or disruption during the exercise. Students who choose not to recite the Pledge of Allegiance shall not be subject to punishment or retaliation in any form, and the school shall seek to ensure that other students do not bully, taunt, or otherwise stigmatize any student choosing not to participate.

Teachers and other employees who have religious, philosophical, or other grounds for objecting are also exempt from leading or participating in the exercise. If a teacher chooses not to lead the Pledge of Allegiance, another suitable person will be designated by the Principal to lead the class. Teachers and other employees choosing not to participate in the Pledge of Allegiance will not be subject to retaliation or discipline.

The school shall lead or broadcast a recitation of the Pledge of Allegiance followed by one (1) minute of silence at the commencement of each school-sanctioned afterschool assembly and each school-sanctioned sporting event. If two (2) or more school sanctioned sporting events occur on the same day, the school may choose to lead or broadcast a recitation of the Pledge of Allegiance followed by one (1) minute of silence at only one (1) of the school sanctioned sporting events.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-16-108 |

## Concurrent Credit

The school board of directors may permit students in grades nine through twelve to take college courses for weighted credit equal to the numeric grade awarded in accelerated learning courses, courses offered under the program, and honors classes.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-15-902 |

## Smart Core

In order to ensure that every child has access to a rigorous curriculum, the Smart Core curriculum and Core curriculum will be a standard component 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 the student's right to participate. In such case of a waiver, the student will be required to participate in the Core. The school will inform parents about the Smart Core curriculum and required course of study for graduation, and will involve parents, staff and students in the formulation and review of the Smart Core curriculum and the course of study for the graduation policy.

Students and parents shall acknowledge that they have received the school's policy regarding Smart Core curriculum and the required course of study for graduation by a signed statement. The school shall document procedures and methods used to inform parents and students of this policy. Parents shall sign an Informed Consent document provided by the Department of Education. Teachers, administrators, and counselors shall be provided with appropriate information on this policy.

| LEGAL REFERENCE: | RESOURCE: |
|---|---|
| ADE Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts § 9.03.1 et seq. | Smart Core Consent Form<br>Smart Core Waiver Form |

## Students with Disabilities

The school shall strive to ensure that all students with disabilities, as defined by the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504), are identified and evaluated for provision of services consistent with a quality free and appropriate public education. In providing a free and appropriate public education (FAPE), the school shall comply with IDEA, Section 504, the Americans with Disabilities Act, and all other relevant state and federal law. The Superintendent is tasked with ensuring the school's compliance with these laws.

Students identified as having a disability covered under IDEA shall be provided with an Individualized Education Program (IEP) and an IEP team for the management and implementation of the plan. Students with an IEP may also qualify for a Section 504 plan. Students who do not qualify for an IEP under IDEA may qualify for accommodations under Section 504. All students who qualify for accommodations under Section 504 shall be provided with a 504 plan and all necessary services and accommodations in accordance with that plan. Students shall not receive informal services that should be contained within a Section 504 plan in the absence of a Section 504 plan, but shall instead be formally evaluated and accommodated accordingly.

Students with disabilities shall be educated in the least restrictive environment with the maximum feasible integration. The Superintendent shall appoint a special education and Section 504 coordinator for the School and will work with the coordinator to establish services and procedures in accordance with the Arkansas Department of Education Rules, state and federal law, and each student's IEP and/or 504 plan. Teachers, administrators, and staff shall strictly comply with each student's IEP or 504 plan and shall maintain and provide appropriate documentation as necessary.

It shall be the responsibility of the Superintendent to establish, maintain, and implement procedural safeguards to provide due process to the parents of students with disabilities under IDEA. The Superintendent will ensure that parents are able to fully understand all rights, meetings, and notifications by providing an interpreter, if necessary. Parents shall be afforded the opportunity to review their student's educational records, to participate in meetings with regard to the provision of services and FAPE to their student, and to participate actively in all decisions regarding the placement of their student. Parents shall be notified at least annually by the school of all procedural rights which may be afforded them, including the right of appeal. In the event a parent or guardian continuously refuses to respond to the school's requests for parental participation, the Principal and teacher will document all efforts and attempts to communicate with the parent(s) or guardian(s). The Principal will contact the Arkansas Department of Education Special Education Unit and will consult with

legal counsel before proceeding without parent or guardian participation, in the best interest of the student.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| ADE Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts § 9.03.1 et seq.,<br>ADE Rules Governing Special Education,<br>Ark. Code Ann. § 6-41-102 through 104,<br>Ark. Code Ann. § 6-41-201 et seq. | Students with Disabilities Mini-Guidebook, ADE Eligibility Criteria and Program Guidelines for Children with Disabilities,<br>ADE Due Process Forms, ADE IEP Forms,<br>ADE Procedural Safeguards Notice: Your Rights Under IDEA,<br>ADE Special Use Forms,<br>ADE Procedural Requirements Additional Forms |

# Challenge of Instructional Materials or Library Materials

Instructional materials are chosen by the school with the aim of providing resources that contribute to lifelong learning while accommodating a wide range of differences in instructional methods, interest, and capabilities. Instructional materials are approved by the Board of Directors. If a parent, guardian, or eligible student objects to instructional material, they may challenge the instructional material by filing an Objection to Instructional Materials form with the school Principal.

The parent/guardian or eligible student filing an objection may request a meeting with the Principal and the relevant teacher. The school Principal will schedule a meeting at a time mutually agreeable to all parties for discussion of the educational reasons the material in question has been chosen for instruction and a discussion of the reasons for the challenge to the instructional material. The Principal is responsible for documenting the meeting and the concerns presented in the discussion and for communicating the concerns to the Superintendent. Parties expressing a religious objection to instructional material may be offered an alternative assignment.

If the objecting party remains unsatisfied with the justifications given by the school, s/he may request a meeting with the Superintendent. At the conclusion of the second meeting, if the objecting party is still unsatisfied, s/he may request a hearing before the school board within seven business days of the final meeting.

The Board of Directors shall hold a hearing at the next regularly scheduled meeting to decide if that material should be kept, removed or amended. The objecting party may submit written or verbal comments to the Board, and the Board may set a reasonable time limit for verbal comments. The school may also present comments to the Board through the Superintendent or another chosen representative of the school. The Board shall make its determination based on the educational value and relevance of the material along with a determination of whether the material in question is appropriate as used.

A parent or guardian of a student affected by the material to be challenged or an employee of the school may challenge the appropriateness of material available in the school's media center. The school shall decide if material being challenged shall remain available throughout the challenge process.

Prior to filing a challenge, the person shall request a conference through the principal's office with a licensed media center employee.

Before a conference occurs, the school shall provide a copy of the written policy adopted by the school and the form, or other method, by which a person may request a reconsideration of the appropriateness of the material being challenged to a person who requests a conference.

After the conference occurs, if the person who requested the conference wants to formally challenge the appropriateness of the material that was the subject of the conference, the person shall complete and submit the request for reconsideration using the form or other method provided to challenge the material that was the subject of the conference.

In conducting a review of material being challenged, the principal of the school shall select a committee of licensed personnel. The principal or his or her designee shall be a member of the committee and may serve as the chair of the committee. At least one (1) member of the committee established shall be a media specialist.

The committee members who are not the principal or a media specialist shall be licensed personnel with curriculum knowledge appropriate for the material being challenged and be representative of diverse viewpoints.

The committee shall determine if the material being challenged meets the criteria of selection.

Material being challenged shall not be withdrawn solely for the viewpoints expressed within the material and shall be reviewed in its entirety and shall not have selected portions taken out of context.

The school shall convene a meeting of the committee after allowing a reasonable time for the committee members to adequately review the material being challenged and the request submitted by the person challenging the appropriateness of the material. The committee shall allow the person who submitted the request to present his or her request to the committee. After hearing from the person who submitted the request, the committee shall meet to discuss the material being challenged.

The committee shall vote to determine whether the material being challenged shall be relocated within the media center's collection to an area that is not accessible to minors under the age of eighteen (18) years.

A member of the committee who votes with the majority shall write a summary of the reasons for the majority's decision. Notice of the committee's decision and the summary of the majority's decision shall be given by hand or by certified mail to the person who submitted the request.

If the committee decides not to relocate the material being challenged, the person who submitted the request may appeal the committee's decision to the board of directors for the school by filing a written appeal to the superintendent within five (5) working days of the committee's decision or written receipt of the committee's decision.

If a person appeals the decision of the committee, the superintendent shall present the material being challenged, the request submitted by the person, the committee's decision, the prepared summary to the board of directors, and also include the administration's recommendation regarding the appeal, within fifteen (15) days of the committee's decision.

The members of the board of directors shall review the information submitted to them and shall make a decision on the appeal within thirty (30) days of receiving the information.

The decision of the board of directors is final.

A meeting held regarding a challenge or an appeal submitted under a written policy adopted by the school shall be a public meeting and the records submitted and considered at a meeting shall be public records under the Freedom of Information Act.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-25-105 | Instructional Materials |

## Basic Language of Instruction

The basic language of instruction in the school shall be the English language only.

It is not a violation of Arkansas law to communicate with a student in his or her native language (or any other language spoken fluently) for the purpose of facilitating the student's ability to become proficient in and learn in the English language. Further, the school encourages its educators to do so, as appropriate.

| LEGAL REFERENCE: |
| --- |
| Ark. Code Ann. § 6-16-104 |

# Parent and Community Involvement

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## Relations with School Support Organizations

The Board appreciates its boosters, PTA/PTO, and other school support organizations that work together with the school to ensure the success of the school and its programs. School staff and personnel are strongly encouraged to become involved in our school support organizations. Available staff and personnel shall strive to assist the organizations whenever necessary. Parents and community members wishing to form a booster club, parent association, or other school support organization should contact the Superintendent to receive prior approval for the formation of a support organization. Approval will be granted by the Superintendent based on need for the support organization, approval of the organization's aims and bylaws, and an assurance that the organization will have an open membership policy.

## Court Orders and Changes of Custody

The school understands that families come in many forms. The school strives to be sensitive to all family structures and will cooperate with families to ensure the continued health, safety, and success of each student during times of transition or change.

Parents or guardians who possess court documents for the care and custody of a student should present these documents to the building Principal as soon as possible. At the discretion of the Principal, relevant documents may be shared with the student's classroom teacher and/or other directly involved staff members. Orders and student custody information will be treated as confidential by the school and information will be provided to staff on a need-to-know basis. Staff are not permitted to discuss or share information contained in student or parent orders for any reason without prior approval from the building Principal.

The school will keep on file any valid court orders, provided by a parent or guardian, regarding child custody, etc., and will strive to abide by them as is practicable. Parent disputes regarding custody, pick-up or drop-off at school, visiting at school, and other matters of school involvement are matters for parents to settle and will not be arbitrated or decided by the school. The school is not bound by court orders which do not name the school and are not directed at the school. The school is not charged with carrying out the dictates of such orders and is not liable for any failure to adhere to student or parent court orders. The Principal may request a certified copy or other verification of any order which arouses suspicion as to its validity. Validity shall be determined by the presence of a written order, a judge's signature, a current effective date or time span indicating that the order has not expired, and a court file-mark or seal.

In the absence of a valid order to the contrary, school employees will provide any parent or guardian with information regarding the student's academic performance, school activities, school events, conferences, and field trips. In the absence of a valid court order to the contrary, any parent may check their student in or out of school or pick up their student from school. Parents and guardians are responsible for providing the most current order in a custody, visitation, or other school-relevant domestic order to the school as it arises.

## Visitors

Visitors to campus must report to the office immediately upon arrival and before entering any other part of the school campus. Visitors are required to sign in and show identification to office staff, and may be required to comply with other school procedures, including but not limited to sign out procedures, the wearing of name tags, or limitations on the visitor's time in the school or access to the school. Visitors may enter a classroom only upon receiving prior approval from both the building Principal and the classroom teacher.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-21-606,<br>Ark. Code Ann. § 6-21-607;<br>Ark. Code Ann. § 12-12-913(g)(3) | Sex Offenders |

# Volunteers

Volunteers are an important part of the school's connection with the community and are pivotal to the school's continued success. The Superintendent shall create a plan and procedures for volunteers that coordinates volunteer efforts in the best interest of the school. Volunteers will be notified of important policies and rules that may affect them before commencing any volunteer opportunity on the school campus. Any volunteer who violates school rules or otherwise behaves inappropriately will be asked to leave the campus immediately and may be barred from future volunteer activities at the discretion of the Superintendent. The school encourages its volunteers to share their thoughts and ideas with the school to create excellence in volunteer participation and community engagement.

| CROSS REFERENCE: |
| --- |
| Registered Volunteers |

## Registered Volunteers

"Registered volunteer" means any volunteer who, subject to Arkansas Activities Association regulations and rules set by the school, is given written authorization by the school to lead extracurricular activities or to assist a staff member who is a licensed employee of the school in extracurricular activities or interscholastic activities.

Registered volunteers must be at least (22) twenty-two years of age and may not be a member of the Board of Directors of the school or the spouse of a member of the Board of Directors. Registered volunteers will be required to complete a minimum of (6) six hours of training conducted under the direction of the school for nonathletic extracurricular or nonathletic interscholastic activities and a minimum of (12) twelve hours of training conducted under the direction of the school for athletic extracurricular activities or under the direction of the Arkansas Activities Association for athletic interscholastic activities. Volunteers and registered volunteers shall not receive payment for services rendered to the school as part of volunteer activities. Registered volunteers will be given written job descriptions that clearly define their duties and responsibilities. The school, at the discretion of the Principal, may utilize the services of volunteers who operate under the supervision of a licensed employee. All volunteers must successfully complete criminal background and child maltreatment registry checks, and may be required to meet other school qualifications for volunteers.

The superintendent or director of an educational entity or a third party vendor shall report to the state board the name of any person working as a registered volunteer in an athletic coaching capacity who: Has pleaded guilty or nolo contendere to or has been found guilty of any felony or misdemeanor listed in §6-17-410(b); Has been arrested or charged with any felony or misdemeanor listed in §6-17-410(b); Has intentionally compromised the validity or security of any student test or testing program administered or required by the Division of Elementary and Secondary Education; Has knowingly submitted falsified information or failed to submit information requested or required by law to the division, the State Board of Education, or Arkansas Legislative Audit; or Has a true report in the Child Maltreatment Central Registry.

The failure of a superintendent or director of an educational entity to report information as required by this section may result in sanctions imposed by the state board.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-22-101 *et seq*. | Volunteers Background Checks |

## Background Checks

Volunteers must pass a criminal and child maltreatment registry background check prior to providing volunteer services on any school property or at any school activity where children may be present. Proof of a clear background check must be submitted to the school prior to engaging in volunteer service. Volunteers are responsible for providing updated contact information to the school.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-22-101 *et seq*.<br>Ark. Code Ann. § 12-12-1603<br>Ark. Code Ann. § 12-18-909 | Registered Volunteers |

# Students

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## Enrollment and Entrance

A prospective student whose parents, legal guardians, persons having legal lawful control of the student, persons having lawful control of the student under order of a court, persons standing in loco parentis, or the prospective student who is 18 years of age or older if he/she maintains a residence separate and apart from his/her parents or guardians and lives anywhere within the State of Arkansas, may apply for admission to the school, if the student will be entering into a grade level which is offered by the school. The school shall require appropriate proof of residency within the State of Arkansas from the person having legal responsibility for the prospective student, or the prospective student himself/herself, as appropriate, before the application process will begin.

The school shall provide the person(s) having legal responsibility for the prospective student, or the prospective student all forms necessary to apply for first-time admission to the school. The forms shall clearly set forth the information required, and the date by which the completed forms must be returned to the school.

Upon notification that the prospective student's application for enrollment has been approved for the upcoming school year, the person having legal responsibility for the prospective student, or the prospective student, as appropriate, shall promptly complete the school's admission and enrollment process, as directed by the school, but no later than July 30th for the upcoming school year.

If a student enrolled by July 15th should no longer choose to attend the school or the school has not met its enrolment cap, the school may, at its sole discretion, enroll a number of replacement or additional students not to exceed its enrollment cap beyond the July 30th enrollment deadline.

Prior to the student's admission to the school, the school shall request the parent, guardian, or other responsible person to furnish the student's social security number and shall inform the parent, guardian, or other responsible person that, in the alternative, they may request that the school assign the child a nine-digit number designated by the Department of Education.

Prior to the student's admission to the school, the parent, guardian, or responsible person shall provide the school with one of the following documents indicating the child's age:

- 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.

Prior to the student's admission to the school, the parent, guardian, or other responsible person shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding.

The school will not:

- Use, display, release, or print a student's social security number or any part of the number on any report, identification card, identification badge, or any document that will be made available or released to the public, to a student, or to a student's parent or guardian without the express written consent of the student's parent if the student is a minor or of the student if the student is (18) years of age or older; or
- Make a student's social security number available by reading the magnetic strip or other encoded information on the student's identification card.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-202<br>Ark. Code Ann. § 6-18-208<br>Ark. Code Ann. § 6-23-103<br>Ark. Code Ann. § 6-23-306 | Randomized Lottery Admission |

## Randomized Lottery Admission

If more eligible students apply for a first-time admission than the school is able to accept by the annual deadline that the school has established for the receipt of applications for the next school year, the school will use a random, anonymous student selection method established in the school's Charter and described in the Charter application.

If there are still more applications for admission than the school is able to accept after the completion of the random, anonymous student selection method, then the school shall place the applicants on a waiting list for admission.

The school will use a weighted lottery in the student selection process only when necessary to comply with a federal court order or federal administrative order.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-23-306 | Enrollment and Entrance |

## Anti-Discrimination of Students

The school does not discriminate in the treatment of its applicants for enrollment or their parents/guardians, nor does it use any unlawful criteria such as race, color, sex, handicap, religion, or national origin, in determining eligibility and acceptance into its programs. The school Principal and Superintendent may handle inquiries regarding the nondiscrimination policies.

| CROSS REFERENCE: |
| --- |
| Anti-Discrimination Statement |

# Transfers

Any student transferring from a school accredited by the Department to the school shall be placed into the same grade the student would have been in had the student remained at the former school. Any student transferring from home school or a school that is not accredited by the Department shall be evaluated by the staff of the school to determine that student's proper placement.

The school may also choose to use the same assessment that the school uses when a student who has attended another public school or private school enrolls or reenrolls. Any home-schooled student who enrolls or reenrolls in the school shall attend classes for at least 9 months immediately before graduation before the student can become eligible to receive a high school diploma from the school. Transferring students are required to meet all requirements for graduation in order to graduate from the school.

Parents/guardians may contest a placement decision in writing to the superintendent no later than 30 calendar days from the date they received the Principal's decision. The Superintendent will consider all factors presented by the parent(s)/guardian(s), the Principal, and anyone else involved in the placement decision. A decision will be submitted to the parent(s)/guardian(s) in writing within 10 calendar days of the date the school received the written appeal.

After holding a hearing in front of the board of directors, the school may choose to enroll or not enroll an expelled student from a different school before the student's expulsion has expired. In the event a student wishes to withdraw from the school, the student's parent/guardian must notify the school and complete the withdrawal form available in the school office.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| ADE Rules Governing Standards for Accreditation 12.05.1 & 2 NOT APPLICABLE | Transferring Credits from Private Schools and Placement |

## Military Students

The school will take steps to facilitate the timely enrollment of children of military families and to ensure they are not placed at a disadvantage due to difficulty in the transfer of education records from previous schools or variations in entrance or age requirements.

"Military Students" means students who reside in the household of a person who is on active duty in or serving in the reserve component of a branch of the United States armed forces. It also refers to the children of members or veterans of the uniformed services who are severely injured and medically discharged or retired or for one year after medical discharge or retirement and members who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the Superintendent to visit with his/her parent or legal guardian relative to such leave or deployment of the parent/guardian.

The school shall accept official or unofficial education records from military students. Upon receipt of unofficial education records, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records as quickly as possible. Such placement shall include special education placement, if indicated, as well as any other placement continuing the student's academic program from the previous school. The school may perform subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses and may exercise flexibility in waiving course prerequisites or conditions for placement in courses offered under the school's jurisdiction.

- To facilitate the on-time graduation of a student of a military family during his/her senior year, the school shall:
- Waive specific courses required for graduation if similar course work has been satisfactorily completed at a sending school or shall provide reasonable justification for denial;
- Should a waiver not be granted to a student who would qualify to graduate from the sending school, the school shall provide an alternative means of acquiring required coursework so that graduation may occur on time; and
- Accept exit exams or end-of-course exams required for graduation from the sending state, or national norm-referenced achievement tests or

alternative testing in lieu of testing requirements for graduation in the receiving school.

Transfers During Senior Year

Should a military student transferring at the beginning or during his or her Senior year be ineligible to graduate from the school after all alternatives have been considered, the sending and receiving schools shall ensure the receipt of a diploma from the sending school if the student meets the graduation requirements of the sending school. The school shall use best efforts to facilitate the on-time graduation of the student.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-4-301 et seq.<br>Ark. Code Ann. § 6-28-101 et seq<br>ADE Rules Governing the Enrollment of Military Dependents |

## Transfers Occurring During Semester

Students who enter the school after the start of a semester may not have grades transferred from the sending school. For these students, the school will send any progress report or mid-term updates to the student's parent(s)/guardian(s) only after the student has been enrolled for a period of at least 4 weeks. This progress report or update will be based only on grades and assignments given by the school. Likewise, the school will not designate a semester grade unless the student has attended for the full semester.

## Transferring Credits from Private Schools and Placement

Students transferring from private schools will be placed at the appropriate grade level, as determined by the Principal. The school may accept credits and grades from any accredited private school and will transfer any credits or grades that are within the school's or state's listing of core curriculum courses. Courses not listed will receive a simple designation of credit/pass or no credit.

| CROSS REFERENCE: |
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| Transfers |

## Student Records

The school will maintain a permanent record for each student enrolled. The permanent record will be made available for inspection and copying upon the request of a parent or eligible student. The school may charge a reasonable fee for copies, which may not exceed the actual cost of the materials and may not include the cost of time and labor. A general student permanent record must contain:

- The student's birth certificate number, social security number, name, address, and telephone number;
- The parents'/guardians' name, address, telephone number (if different), occupation, workplace, and telephone number at their place of work;
- Siblings' names;
- Emergency contact person and telephone number;
- Health record including a record of immunization, indication of disability or chronic illness, allergies, regularly prescribed medication, hospital and doctor preference, and a copy of any written accident report for accidents occurring at school;
- Longitudinal record of standardized test scores;
- Permanent record of grades;
- Academic Skills Development Plan for students in grades 3, 6 and 8 who fail to achieve mastery on the basic competency tests;
- Enrollment information including entry date, exit date, reason for leaving, and the following if they apply: transfer location, graduation date, age of student and reason for dropping out
- Attendance record;
- Listing of extra-curricular activities; and
    - All information concerning educational programming provided a student who fails to achieve mastery level performance on all administrations of the basic competency tests required under the Arkansas Comprehensive Testing, Assessment, and Accountability Program.

Comments may be added, but they shall be objective statements which can be validated with documentation. The school will conduct an interview to obtain exit information.

The school will maintain the permanent student record until the student receives a high school diploma or its equivalent or is beyond the age for compulsory attendance. The school shall not fail or refuse to provide a copy of the student's permanent record to a receiving school because the student owes money to the school for school-related charges, including but not limited to food services, unreturned books, or fees. The school shall provide a copy of the student's permanent record to a receiving district or the Division of Youth

Services of the Department of Human Services within 10 school days of date a request from the receiving school is received.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-901<br>Arkansas Department of Education Rules Governing Student Permanent Records |

## Grading Scale

Grades assigned to students for performance in a course shall only reflect the extent to which a student has achieved the expressed academic objectives of the course. Grades that are aligned with other educational objectives such as the student learning expectations contained in the curriculum frameworks may also be given.

The following grading scale shall be used by the school for all courses, except advanced placement courses and courses which may be offered under the International Baccalaureate Diploma Program:
A = 90-100;
B = 80-89;
C = 70-79;
D = 60-69; and
F = 59 and below.

Except for advanced placement courses, courses offered under the International program, and honors courses, the numeric value for each letter grade shall be:
A = 4 points; B = 3 points; C = 2 points; D = 1 point; and F = 0 points.

Weighted credit shall be allowed for accelerated learning courses and courses offered under the program if the student takes the entire accelerated leaning course or the entire course offered in the program in a particular subject and the student completes the applicable test offered by the College Board for accelerated learning courses at the end of the accelerated learning course, or the applicable test offered by the International Baccalaureate Organization at the time prescribed by the organization.

| LEGAL REFERENCE: |
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| Rules Governing Standards For Accreditation of Arkansas Public Schools and School Districts 12.02<br>Rules Governing ACTAAP and Academic Distress Program 7.03<br>Ark. Code Ann. § 6-15-902 |

## Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student records. FERPA gives parents and students over the age of 18, called "eligible students," certain rights with respect to education re- cords:

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading.
- Parents or eligible students have the right to consent to the release of any information from records belonging to the student.

Student records are defined for purposes of this policy as student information contained in documents, video, photos, or any other format that contain personally identifiable information. Virtually all student records, apart from those listed as directory information, are protected under FERPA. These records include but are not limited to:

- Student grades;
- Student transcripts;
- Student GPA;
- Student attendance;
- Student health records;
- Student financial information;
- Student disciplinary records; and
- Student health records.

The school shall obtain written permission from the parent or eligible student prior to releasing any information from the student's education record. However, parents and eligible students should be aware that FERPA allows the school to disclose these records, without consent, to the following parties or under the following conditions:

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

The school may charge a fee for copies of records, limited to the actual cost of materials used in reproduction.

Upon request by a parent or eligible student, the school shall review a request to amend a record. If the school decides not to amend the record, the parent or eligible student may request a hearing before the Board of Directors. The request must be made in writing to the Superintendent within 10 school days of the school's determination regarding the record. If the Board determines there is no valid reason requiring amendment of the record, the parent or eligible student may place a written statement to remain with the record, which shall be limited to the reasons s/he contests the information within the record.

The school may disclose, without consent, "directory" information. The school shall send notice to parents annually of the information considered directory information and of rights under FERPA. Parents or eligible students may request the school not disclose directory information by submitting a written request to the school within the time stated in the notice.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| 20 U.S.C. § 1232g;<br>34 CFR §99.31 | Parental Authorization for Surveys or Questionnaires Act<br>Video Surveillance Disciplinary Records<br>Nurses<br>Attendance Records |

| RESOURCE: |
|---|
| Objection to Publication of Directory Information |

## Distribution of Materials by Students

Students may exercise their right of expression, within the framework outlined in this policy. The right includes expression in school-sponsored publications, whether such publications are supported financially by the school or the use of school facilities or are produced in conjunction with a class, except as prohibited in this policy. Truth, fairness, accuracy, and responsibility are essential to the practice of journalism.

The following types of publications by students are not authorized:

- Publications that are obscene as to minors, as defined by state law;
- Publications that are libelous or slanderous, as defined by state law;
- Publications that constitute an unwarranted invasion of privacy, as defined by state law; or
- Publications that so incite students as to create:
  - A clear and present danger of the commission of unlawful acts on school premises;
  - The violation of lawful school regulations; or
  - The material and substantial disruption of the orderly operation of the school.

The Superintendent may make decisions regarding student publications in conjunction with student publications advisors, including but not limited to the setting of reasonable time, place, and manner guidelines for the distribution of student publications.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-1202<br>Ark. Code Ann. § 6-18-1203<br>Ark. Code Ann. § 6-18-1204 |

## Surveys/Materials Received by Students

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for prior inspection by the parents or guardians of the children. Parents or guardians shall have the opportunity to inspect any survey (including surveys created by a third party), analysis, or evaluation. Parents will be notified annually at the earliest opportunity of any surveys falling under this policy that the school plans to administer that year. Any parent/guardian or eligible student may, prior to or following an inspection, refuse a survey or prevent administration of a survey to his/her student. All surveys will be reviewed and receive the approval of the Superintendent before administration to students.

No student shall be required without prior consent of the parent/guardian eligible student, as part of any activity administered by the school, to submit to a survey, analysis, or evaluation that reveals information concerning:

- political affiliations or beliefs of the student or the student's parent;
- mental or psychological problems of the student or the student's family;
- sex behavior or attitudes;
- illegal, anti-social, self-incriminating, or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- religious practices, affiliations, or beliefs of the student or student's parent(s)/ guardian(s); or
- income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The school will treat student survey results as confidential.

| LEGAL REFERENCE: |
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| 20 U.S.C. § 1232h |

## Parental Authorization for Surveys or Questionnaires

The school shall not administer or permit to be administered a questionnaire or survey that requests or requires a student to supply any personal identifying information unless written permission is obtained from the student's parent or legal guardian prior to the administration of the questionnaire or survey. "Personal identifying information" means:

- A student's name;
- The name of a student's parent or a member of the student's family;
- The address, telephone number, or email address of a student or a member of the student's family;
- A personal identification number such as a social security number, driver's license number, or student identification number of a student or a member of the student's family; or
- Any information, the disclosure of which is regulated or prohibited by any other state or federal law or regulation.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-1301 *et seq*. | FERPA Policy |

## Attendance Records

A basic record, showing the daily attendance and absence of each student for the school year, shall be kept by the teacher or other designee of each class, who will note the presence or absence of each student on a daily basis. The method for recording the daily attendance and absence of a student attending virtual or remote learning programs shall be set out in detail if the method is different from the basic attendance records. The basic attendance records of the school shall be kept on file in electronic form by the school for a period of 3 years. The official reporting period for attendance shall be quarterly with the actual number of days counted in each period to be no less than 40 and nor more than 50.

Except for those circumstances otherwise allowed by rule, any student who is absent from daily attendance for more than 10 consecutive school days shall be dismissed or dropped from the attendance records of the school. Any student who fails to attend school by the tenth regular school day of the semester shall be retroactively dropped from the attendance records from the first day of the school semester.

The Principal is tasked with the monitoring and enforcement of this policy. A parent/guardian or eligible student wishing to dispute attendance records may do so by the method set forth in the school's FERPA policy.

Within ten (10) calendar days of the close of the fourth quarter of each school year, a public Charter school shall submit a written report to the Department of Education that contains the following information for the current school year:
The number of students in each of the following categories and the dates of transfer for the following:

- Students who dropped out of the public Charter school during the school year;
- Students who were expelled during the school year by the public Charter school;
- Students who were enrolled in the public Charter school but for a reason other than dropping out or being expelled did not complete the school year at the public Charter school;
- Students identified in the above three categories who transferred to another open-enrollment public Charter school;
- A private school;
- A home school;
- Outside of Arkansas;
- To a traditional district within Arkansas.

No teacher shall be entitled to the last month's pay under his or her contract with a school until he or she has provided to the school all records and reports required by the school under this policy.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-213<br>Ark. Code Ann. § 6-18-214<br>Ark. Code Ann. § 6-17-104 | FERPA Policy |

## Absences

The school strives to promote good student attendance, which is essential for student academic achievement and success. The school, as a part of its educational plan, shall annually develop strategies for promoting maximum student attendance, including, but not limited to, the use of alternative classrooms and in-school suspensions in lieu of suspension from school. The Superintendent is tasked with maintaining the school's education plan.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-209 |

## Excused Absences

Excused absences will be recognized according to this policy. The following categories of absences may be excused:

- Up to 6 absences per year due to medical illness or medical appointment and supported by a note from a parent or guardian. Absences beyond 6 days require a doctor's note;
- Student absences due to participation in a school-sanctioned event or approved extracurricular activity including FFA, FHA, or 4-H program activities;
- A student who joins the Arkansas National Guard at 17 years of age while in grade 11 shall be granted additional absences in order to complete basic combat training between grades 11 and 12 with prior permission of the Superintendent;
- Attendance at an appointment with a government agency, if supported by appropriate documentation;
- Attendance for jury duty, with supporting documentation;
- Attendance in court or at a hearing or deposition pursuant to a subpoena, with supporting documentation;
- Students who act as legislative pages for a member of the General Assembly shall be granted one excused absence for the day that they serve as a page;
- Participation in the election poll workers program for high school students;
- Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the Superintendent or designee;
- Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.
- Participation in social or public policy advocacy or attempts to influence legislation or other governmental policy-making at the local, state, or federal level.
- Children of fallen service members and children of fallen first responders shall not be considered absent for the time during which he or she is absent from school due to a mental health concern or to attend an event from a sponsoring organization that provides support to families of fallen service members or first responders or provides support for traumatic loss, grief, or resiliency.
- Absences for a student that accompanies the student's parent when the parent is exercising his or her right to vote in a scheduled election. A student may receive an excused absence only 1 time during each scheduled election.

In all cases, when an IEP or 504 Plan is in conflict with this policy, the IEP or 504 Plan shall take precedence.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-209, |
| Ark. Code Ann. § 6-18-220, |
| Ark. Code Ann. § 6-18-229 |
| Ark. Code Ann. § 6-18-231 |
| Ark. Code Ann. § 6-18-236 - 238 |

## Unexcused Absences

Any absences falling outside of the scope covered in the Excused Absences policy will be considered unexcused. No credit shall be given to students who have accumulated 10 unexcused absences in any given course through the span of a single semester. Students with excessive absences are not to be expelled. Students may be denied promotion or graduation at the discretion of the Superintendent for excessive absences only after considering the causes. Students with excessive absences due to illness, accident, or other unavoidable reasons should be given assistance in obtaining credit for courses.

A student's parents or guardians and the community truancy board, if the community truancy board has been created, shall be notified when the student has accumulated unexcused absences equal to one-half the total number of absences permitted per semester under the school's or student attendance policy. Notice shall be given through a telephone call to the student's parents or guardians by the end of the school day in which the absence occurred or by regular mail with a return address on the envelope sent no later than the following school day.

Before a student accumulates the maximum number of unexcused absences allowed in the school's student attendance policy, the eligible student or the student's parents or guardians may petition the school administration for special arrangements to address the student's unexcused absences. If special arrangements are granted by the school administration, the arrangements 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. The agreement shall be signed by the designee of the school administration, the student and their parent(s) or guardian(s).

When a student exceeds the maximum number of unexcused absences allowed for in the school's student attendance policy, or when a student has violated the conditions of an agreement granting special arrangements, the school shall notify the prosecuting authority and the community truancy board, if a community truancy board has been created.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-222 | Excused Absences |

## Tardiness

Students who arrive late to class may receive a tardy designation at the teacher's discretion. Tardy designations result in disciplinary action by the Principal, which may include loss of extracurricular activity privileges for the day or other appropriate penalties. Continuing or excessive tardiness will may result in the permanent loss of extracurricular privileges for the remainder of the semester or school year, at the discretion of the Principal.

## Attendance in Another School

A student in grades (9-12) may attend school in another school for no more than 50% of the classes taken per day. Such classes shall be limited to those not offered by the school that are required by the student to meet his or her educational objectives. In order to qualify for such attendance, the student shall file a projected course of study with the school Principal or school counselor prior to enrolling in the other school, and subsequent enrollment may be entered into only after the school has determined that the desired classes cannot be taken in at the school.

Students may be assigned to no more than one class period each day for a study hall period that the student shall be required to attend and participate in for a full class period of self-study or organized tutoring in the school building. Students may take no more than one class period each day for organized and scheduled student extracurricular classes to be included as planned instructional time. If the extracurricular class is related to a seasonal activity, the class must continue to meet after the season ends to be counted toward the requirement of planned instructional time.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-204 |

## Make-Up Work

Students who are absent are responsible for asking their teachers for make-up work on the first day the student returns to class. Teachers will provide make-up assignments to students upon request.

The due date of any make-up assignment is at the teacher's discretion, but the teacher will provide a reasonable amount of time to complete the assignment. Make-up work must be completed by the due date in order to receive credit.

Teachers will schedule make-up tests or quizzes promptly following the absent student's return to school.

## Duty to Report Student Criminal Acts

It is the duty of the Principal to immediately report student criminal acts involving the use, possession, or threat of any act of violence involving a deadly weapon. Whenever the Principal or other administrator has personal knowledge or has received information leading to a reasonable belief that any person has committed or has threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision, the Principal or his/her designee shall immediately report the incident or threat to the Superintendent of the school district and the appropriate local law enforcement agency. The report shall be by telephone or in person immediately after the incident or threat and shall be followed by a written report within three (3) business days. The Principal shall notify any school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The Superintendent or his/her designee shall notify the Board of Directors of any report made to law enforcement under this section.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-17-113 |

## Student Discipline Generally

In order to provide a safe and positive learning environment, the school has established policies to maintain order within the school and to promote the safety of its students and staff. Parents, students, and school personnel shall be involved in the development of student discipline policies. The school's disciplinary policies will be enforced on school property, at school-sponsored events, and on school trips.

At the outset of each school year, or upon enrollment in the case of a new student, student discipline policies shall be distributed to all students and parents. All parents or guardians of students shall acknowledge by signature that they have read and understand the student disciplinary policy within the first week of classes attended.

In accordance with Arkansas law, the school seeks to apply its discipline policy in a non-discriminatory manner and will not use out of school suspension or expulsion of students in grades Kindergarten through grade five, except in cases where a student's behavior threatens his or her own physical safety, the physical safety of others, or causes a serious disruption that cannot be addressed through other means.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-502,<br>Ark. Code Ann. § 6-18-507<br>Ark. Code Ann. § 6-18-516 | School's Administrative Structure |

## Student Discipline

In order to provide a safe and positive learning environment, the school has established policies to maintain order within the school and to promote the safety of its students and staff. Parents, students, and school personnel shall be involved in the development of student discipline policies. The school's disciplinary policies will be enforced on school property, at school-sponsored events, and on school trips.

At the outset of each school year, or upon enrollment in the case of a new student, student discipline policies shall be distributed to all students and parents. Parent(s)/Guardian(s) shall acknowledge by signature that they have received and understand the student disciplinary policy.

Violations of the school's disciplinary policies may result in the following disciplinary actions:

- Detention;
- Removal of the student from the classroom;
- Loss of extracurricular privileges;
- Suspension;
- Expulsion; or
- Other disciplinary measures to be determined at the discretion of the Principal.

The school shall employ prevention, intervention, and conflict resolution techniques to reduce the occurrence of student disciplinary infractions. The school shall only administer discipline in accordance with its written disciplinary policies and other applicable state and federal law.

## Expulsion and Suspension

Upon the recommendation of the Superintendent, the Board may choose to suspend or expel a student for any violation of the school's policies that warrants suspension or expulsion. "Expulsion" means dismissal from school for a period of time that exceeds 10 days. "Suspension" means dismissal from school for a period of time that does not exceed 10 days. The school shall not use out-of-school suspension as a discipline measure for truancy.

Teachers are authorized to recommend suspension of a student to the school Principal. The decision of the Principal may be appealed to the Superintendent. Parent(s)/Guardian(s) may appeal the Superintendent's decision to the Board. Parties appearing before the Board for a hearing may present testimony and evidence for the Board's consideration. The Board will consider all student disciplinary matters in closed executive session unless the parties request that the session be public. The Board shall reconvene in open session to conduct their vote.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-503<br>Ark. Code Ann. § 6-18-507<br>Ark. Code Ann. § 6-16-1406 |

## Disciplinary Records

Discipline records for students are confidential and are not available for release or inspection except upon the prior written consent of the parent or eligible student or as otherwise provided by law, as provided by the Family Education Rights and Privacy Act (FERPA).

Records concerning disciplinary action that did not result in suspension or expulsion will be maintained by the school for one year following the date of the incident and will be destroyed thereafter, unless otherwise regulated by federal or state law.

| CROSS REFERENCE: |
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| FERPA Policy |

## Prohibited Conduct

The school has designated a non-exhaustive list of actions it will consider prohibited conduct. Prohibited conduct includes, but is not limited to:

- Willfully and intentionally assaulting or threatening to assault or abuse any student or teacher, Principal, Superintendent, or other employee of a school system;
- Possession of any firearm or other weapon upon the school campus;
- Gang-related activity;
- Using, offering for sale, or selling beer, alcoholic beverages, or other illicit drugs on school property or at school-sponsored events;
- Possession or use of tobacco products, e-cigarettes, or vaporizers on school property or at school-sponsored events;
- Willfully or intentionally damaging, vandalizing, destroying, or stealing school property;
- Disobedience, disrespect, or defiance directed to any teacher, administrator, or other school employee;
- Disruption of the classroom or educational environment;
- Academic dishonesty;
- Profanity or foul language;
- Bullying, cyberbullying, or hazing of any student or employee;
- Sexual harassment of any student or employee;
- Inappropriate or obscene behaviors;
- Violations of the dress code;
- Tardiness; and
- Any other act or behavior which interferes with the safety of students and employees or the educational environment, at the discretion of school administrators.

Every teacher is authorized to hold every student strictly accountable for any disorderly conduct on school grounds or at school-sponsored events. Prohibited activities or behaviors occurring off campus may be subject to the school's jurisdiction under this policy to the extent such activities or behaviors reach onto campus or cause interference with the educational environment. The school shall annually publish a list of consequences for violations of this policy and shall distribute it to students and parents/guardians.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-502<br>Ark. Code Ann. § 6-18-503<br>Ark. Code Ann. § 6-18-514<br>Ark. Code Ann. § 6-5-201 | Drug Free Schools,<br>Tobacco Free Schools |

## Possession of Firearm

The school shall prescribe expulsion from school for a period of not less than one (1) year for possession of any firearm or other weapon prohibited uponthe school campus by law. However, the Superintendent shall have discretion to modify such expulsion requirement for a student on a case-by-case basis.

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

The Principal of each school shall report within a week to the Department the name, current address, and social security number of any student who is expelled for possessing a firearm or other prohibited weapon on school property or for committing other acts of violence.

The expulsion shall be noted on the student's permanent school record.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-502 | Gun Free School<br>Weapons on Campus Prohibited |

## Access to Student by Law Enforcement

The Principal or his/her designee shall make a reasonable, good faith effort to notify the parent, legal guardian, or other person having lawful control of a student by court order or person acting in loco parentis listed on student enrollment forms if the student is under the age of 18 and the school:

1. Makes a report to any law enforcement agency concerning student misconduct;
2. Grants law enforcement personnel, other than a school resource officer, acting in the normal course and scope of his or her assigned duties access to a student; or
3. Knows that a student has been taken into custody by law enforcement personnel during the school day or while under school supervision.

The Principal or the Principal's designee shall notify the student's parent, legal guardian, or other person having lawful control of the student under an order of court or person acting in loco parentis that the student has been reported to, interviewed by, or taken into custody by law enforcement personnel. If the Principal or the Principal's designee is unable to reach the parent, s/he shall make a reasonable, good faith effort to get a message to the parent to call either the Principal or the Principal's designee and leave both a day and an after-hours telephone number. The Principal or the Principal's designee shall not provide notification under this policy if a request is made to interview a student during the course of an investigation of suspected child maltreatment and a parent, guardian, custodian, or person standing in loco parentis is named as an alleged offender.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-513 |

## Due Process

Due process is the Constitutional right to be heard. The school has established procedures within its disciplinary policies and other policies to ensure students and their parents/guardians have a right to be heard by an administrator or the Board of Directors. Heightened consequences trigger a greater degree of due process than small consequences for minor infractions. Accordingly, some conflicts or appeals may not be heard by the Board. The process for notice, appeals, and hearings is set forth in each policy according such rights.

The due process afforded by the school includes:

- Notice to students and parents/ guardians of allegations;
- An opportunity to contest allegations;
- An opportunity to present evidence or testimony;
- An opportunity to view evidence or hear testimony against the student;
- An opportunity for a hearing; and
- A prompt decision by the administrator or the Board, respectively; and
- Timely notice of the decision delivered to the student and his/her parent(s)/ guardian(s).

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-502 |

## Searches

The school shall respect the privacy of each student in his/her person and possessions by ensuring that any search of a student's person or property is necessary to achieve the safety and integrity of the school environment. Searches will be conducted with the approval of an administrator and in the presence of an administrator unless otherwise necessitated by dire, emergency circumstances threatening the life or safety of a student or employee. Nothing in this policy is intended to create a reasonable expectation of privacy in any school area other than areas in which a right of privacy has traditionally been recognized, including bathrooms, occupied locker rooms, or other changing areas. The school reserves the right to search student lockers and other school owned property or storage areas. The school may also search student vehicles upon probable cause or upon viewing contraband or other violations of law or school rules in plain sight.

The school may search the person or property of a student on school grounds or at a school sponsored event if the administrator involved reasonably believes that such a search will reveal evidence of law breaking or the breaking of school rules. School personnel involved in an authorized search may seize contraband and store it in the school office. Contraband student property may be returned to the student's parent/guardian or may be turned in to law enforcement if war- ranted by the circumstances.

Any search of a student's person shall be conducted by a person of the same sex as the student and will be conducted with the prior approval of an administrator and in the presence of an administrator of the same sex or an appropriate designee. Searches shall not be overly intrusive and shall be conducted in light of the age and sex of the student and the seriousness of the alleged violation of law or school rules. At the discretion of the Superintendent or upon receipt of appropriate warrants or requests by law enforcement, the school shall contact or allow law enforcement officers to conduct searches, which may include police dogs.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-513<br>New Jersey v. T.L.O., 469 U.S. 325 (1985) |

## Appropriate Student Dress

Students are prohibited from wearing, while on school grounds during the regular school day and at school-sponsored activities and events, clothing that exposes underwear, buttocks, or the breast. Reasonable exceptions not amounting to lewd or inappropriate dress may be made at the discretion of administration for costumes or uniforms worn by a student while participating in a school-sponsored activity or event.

Students in violation of this policy will be required to change or to cover an exposed area. At the discretion of the Principal, a parent/guardian may be called to bring a change of clothing to the school.

This policy shall not be enforced in a manner that discriminates against a student on the basis of his or her race, color, religion, sex, disability, or national origin.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-503 |

## Bullying

"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 school employee or student or damage to the school employee's or student's property;
- Substantial interference with a student's education or with a school employee's role in education;
- A hostile educational environment for one or more students or 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;

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

Substantial disruption of the orderly operation of the school or educational environment means:

- Necessary cessation of instruction or educational activities;
- Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
- Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or

Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

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, and at school-sanctioned events. Any person who witnesses bullying or is a victim of bullying is encouraged to report the acts or behavior to a teacher or the school Principal. Reports may be made anonymously. School employees who witness or receive a report of bullying are required to report the incident to the Principal in a timely manner.

The school shall post notice of what constitutes bullying, that bullying is prohibited, and the consequences of engaging in bullying conspicuously in every classroom, cafeteria, restroom, gymnasium, auditorium, and school bus in the school. The school shall also provide the above to parents, students,

school volunteers, and employees. A full copy of this policy shall be made available to any requesting party.

No party who reports bullying will be subjected to any form of retaliation or reprisal for reporting. Investigating reports of bullying, and the administration of disciplinary consequences, is the responsibility of the school Principal.

| LEGAL REFERENCE: | RESOURCE: |
|---|---|
| Ark. Code Ann. § 6-18-514 | Bullying/Cyberbullying Incident Reporting Form |

## Cyberbullying

Cyberbullying is bullying, as defined in the school's bullying policy, by electronic act. "Electronic act" means any communication or image transmitted by means of an electronic device, including but not limited to text messages, online messaging, social media, and email. Cyberbullying is prohibited. Students in violation of this policy will be subject to appropriate discipline in light of the specific facts of the act reported, up to and including expulsion. The school shall work to educate students of effects and consequences of engaging in cyberbullying.

This policy shall apply to acts of cyberbullying whether or not the act originated on school property or with school equipment if the 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

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-514 | Bullying |

| RESOURCE: |
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| Bullying/Cyberbullying Incident Reporting Form |

## Computer Use

The school allows students to use school-owned computers and school-provided internet for educational and other school-related purposes. School computers and electronic devices are only to be used for these approved purposes. Students must sign and return a computer-use agreement form prior to being allowed to access the school's computers.

Abuse or misuse of school computers includes but is not limited to unauthorized downloads, installing unauthorized programs, accessing inappropriate websites or images, and any attempt to cause harm to the school's computers or system, and shall be subject to disciplinary action. The school shall install filtering programs that block access to material that could be considered inappropriate for minors on all school computers. Any attempt to disable or thwart the school's filter will be subject to discipline to be determined by the Principal.

Students and parents are notified they have no reasonable expectation of privacy in using school-owned devices or school-provided internet. Student internet activity, documents, emails, and computer use may be monitored at any time. Students in violation of this policy are subject to discipline at the discretion of the school Principal. Students who repeatedly violate this policy will be subject to stiffer penalties.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| 47 USC § 254(h)<br>Ark. Code Ann. § 6-21-107<br>Ark. Code Ann. § 6-21-111 | Student Technology Agreement |

## Cell Phones

Student possession of personal electronic devices, during the school day, on school property or at a school related function, is prohibited subject to the limited exceptions contained within this policy.

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

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

"Personal electronic device" means without limitation a:

- Cellular telephone;
- Paging device;
- Beeper;
- Mobile telephone that offers advanced computing and internet accessibility;
- Digital media player;
- Portable game console;
- Tablet, notebook, or laptop computer;
- Digital camera;
- Digital video or audio recorder;
- Smart watch; And
- Device that can connect and transmit data through Bluetooth technology;

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

The following are exempt from the prohibition of possession of an electronic device by a student during the school day:

- Possession by a student who is required to use such a device for health reasons;
- Possession after a school day for extracurricular activities;
- Possession during an emergency;
- Possession during the school day if the electronic device is issued to the student by the school.
- Possession during a special event during the school day.
- Possession by a student that the electronic device is included in the student's 504 plan.
- Possession by a student that is enrolled in an endorsed concurrent enrollment course at an institution of higher education in order to

utilize two factor authentication to access course work and resources for the endorsed concurrent enrollment course.

The school shall not be liable for a personal electronic device that is confiscated under this personal electronic device policy required if the personal electronic device is lost, stolen, or damaged.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-515 |

## Student Illness or Injury

Student illnesses that are contagious or otherwise require the removal of the student from class will result in removal of the student to the nurse's office or other designated health space. The school will inform the student's parent(s)/ guardian(s) as soon as possible. The student will not be allowed to return to class and will remain in the nurse's office or designated health space until a parent- guardian is able to pick the student up from school, or until the end of the school day, whichever occurs first.

If a student becomes dangerously ill or injured while at school or a school event, the school will make every effort to contact the student's parent(s)/guardian(s). If a parent/guardian cannot be reached or if an emergency exists, the school will cause the student to be transported to an appropriate medical facility. Nothing in this policy shall be construed to impute liability or responsibility to the school for the treatment of student illnesses or injuries.

# Student Medications

The school must have written consent from the parent/guardian of any student requiring medication before it will administer medication to the student. Written parental consent is also required prior to any student carrying his/her own medication at school. Written consent shall be required annually. Students with special health care needs, including but not limited to the chronically ill, medically fragile, and technology-dependent and students with other health impairments shall have individualized health care plans. Invasive medical procedures required by students and provided at the school shall be performed by trained, licensed personnel who are licensed to perform the task. The regular classroom teacher shall not perform these tasks, except that public school employees may volunteer to be trained and administer glucagon to a student with type 1 diabetes in an emergency situation permitted under the school's Glucagon and Insulin Administration policy.

Student medications shall be provided to the school in the original container with a clear label affixed indicating the student's name and dosage. Other medical information pertinent to the proper administration of the medication shall be provided to the school along with the medication. Student medications and medical information must be kept current. Parent(s)/guardian(s) are responsible for providing updated medications and medical information to the school in a timely manner. Parents will be notified in advance of the expiration of student medications. The school will not administer expired medication and will dispose of out-of-date medication.

Medication remaining at the end of the school year must be picked up by the last day of the school year. Medications which are expired or not picked up by the last school day will be disposed of by the school in an appropriate manner in the presence of a witness who is an employee of the school.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-701 | Administration of Glucagon |

| RESOURCE: |
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| Medication Administration Form |

## Sunscreen Application

Students may possess and apply sunscreen to themselves without a permission slip on file. Some students may find application to themselves difficult, particularly younger students,

School employees may assist students with the application of sunscreen, when appropriate, with the permission of a parent or guardian. Parents may withdraw consent at any time.

Any questions regarding this policy may be directed to the building principal.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-18-714 |

# Physical Examinations or Screenings

The Board of Directors may appoint one or more physicians or nurses and to assign any person so employed to the school for the purpose of making such physical examinations of the pupils of the schools as may be prescribed in the rules and regulations of the State Board of Education. The nature of the examination shall only be to detect contagious or infectious diseases or any defect of sight, hearing, or function or condition of health tending to prevent any pupil from receiving the full benefit of school work.

It shall be the duty of any physician or nurse so employed to make such examinations for contagious or infectious disease, including the teeth and mouth, whenever the examination may be deemed necessary, and to make examination for other defects at least one time in each school year, preferably at or near the beginning of the year. If the city, town, or county health authorities are providing for the physical examination of public school children substantially as stated in this policy, the examination provided for in this section need not be made by the school physician or nurse. Nothing in this policy shall prevent the Board from requiring teachers to make such tests of sight and hearing as may be prescribed by the Board.

Any student may be excused from a physical examination upon presentation of a certificate from a reputable physician that the physician has recently examined the student or on presentation of a written statement of the eligible student or minor student's parent/guardian stating an objection to the examination. This provision will not apply in the event a student is suspected of having a contagious or infectious disease. The school will notify parents/guardians at the beginning of each school year of any physical examinations that may take place during the school year and shall include in the notification a brief explanation of the examination.

| LEGAL REFERENCE: | CROSS REFERENCE: |
|---|---|
| Ark. Code Ann. § 6-18-701 (b)(c)(f)<br>20 USC § 1232h (c) | Objection to Physical Examinations or Screenings Form |

## Homeless Students

The term "homeless children and youths" means individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and migratory children who qualify as homeless because the children are living in circumstances described above.

The school shall ensure that each child of a homeless individual and each homeless youth has access to the same free, appropriate public education as provided to other children and youths. Homelessness alone is not sufficient reason to separate students from the mainstream school environment. The school will ensure that homeless students have access to the education and other services that ensure they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

The school will work to remove barriers to the enrollment and retention of homeless students. The Superintendent shall designate a school employee to act as the school's liaison for homeless students. The liaison will help students enroll in the school and will help to ensure the school abides by the law, policies, and best practices. If a homeless student is sent to another school contrary to the wishes of the unaccompanied student or the student's parent or guardian, the school must provide a written explanation of its decision to send the student to a different school and the student's or parent/guardian's right to appeal the decision. This school and its liaison will inform families and students under this policy of the student's right to receive transportation to and from the school of origin, will assist in obtaining immunizations for the student, and will collaborate with community-based or public agencies to provide homeless students with school uniforms, in order to eliminate barriers to enrollment.

| LEGAL REFERENCE: | RESOURCE: |
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| 42 U.S.C. § 11431 *et seq.*<br>42 U.S.C. § 11432 | McKinney-Vento Enrollment |

## Electronic Transcripts

"Electronic transcript" means a student transcript that is formatted and transmitted electronically in the uniform method prescribed by the Department of Higher Education and the Department of Education for use by public schools and institutions of higher education in this state. The school shall use an electronic transcript in lieu of a paper transcript to:

- Provide to the Department of Higher Education as necessary to process state financial aid applications for students in grades (9-12);
- Transmit a transcript between public high schools to correctly enroll and place students in grades nine through twelve (9-12) transferring between public high schools and schools or districts; and
- Transmit a transcript to the Department of Education.

Electronic transcripts shall include a designation for students who have completed the core curriculum with a minimum grade point average of 2.75 on a 4.0 scale.

| LEGAL REFERENCE: |
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| Ark. Code Ann. § 6-15-1101<br>Ark. Code Ann. § 6-80-107 |