

MENA SCHOOL BOARD POLICIES

MENA SCHOOL DISTRICT

MENA, ARKANSAS

Approved by Action of the Board of Education

Revised June, 2006

BOARD OF EDUCATION

Robert Crawford, President

Leon Myers, Vice President

Harold Smith, Secretary

Robert Hines

Randy Horton

Rhonda Miller

Will Robbins

John Ponder, Superintendent of Schools

FOREWORD

The purpose of this booklet is to state the policies of the Mena School District in such a manner that mutual understanding of the educational philosophy involved will be common ground on which administrators, teachers, employees, and patrons can work for the best interest of pupils.

These policies are subject to modification as the changing needs of a progressive community dictate.

PHILOSOPHY

Education is especially important in a democratic society. People who govern themselves must learn to recognize and preserve their freedoms, form intelligent opinions, vote thoughtfully, and hold office effectively. Therefore, the educational program of this school is concerned with preparing the future men and women who will direct and carry out the varied activities required in a modern society.

Good teaching has always been individualized teaching, but society now recognizes that an education is more than acquisition of subject matter and skills, which makes the teacher's task much broader than it once was. Helping children to grow in moral, cultural, civic, and social stature requires that the school focus its attention on the individual child. The school must understand the learning process and also the rate of learning of each child, as well as the way his environment affects him.

The school in a community involves adults as well as children of that community. Where one finds the public schools functioning well, one also finds behind them a school-conscious, well-informed, and actively cooperative public. Maintaining and strengthening this liaison between the public and its classrooms is a responsibility of teachers, administrators and, in fact, all school personnel.

OBJECTIVES

1. To provide a well-rounded education through high school for all students so long as they comply with the rules and do not interfere with the learning process of other students.
2. To provide an on-the-job training program of basic skills in vocational education and industrial arts for those students not planning to attend college or other higher education as well as specialized courses for the college bound student.
3. To evaluate the progress of our graduates so that we might adjust our curriculum and plan to the ever changing needs of the student.
4. To provide through experience in democratic living, an understanding and appreciation of government, the obligations of citizenship, and a sense of social responsibility.
5. To contribute to public understanding of the fundamental and critical issues in education and to develop within the community an awareness of what a good school program should be and what good schools can do for the people.
6. To develop a student's interest, knowledge, and understanding of his natural environment.
7. To emphasize the importance of health, safety, and sanitation through classes including science, physical education and driver education; cafeteria service; and the transportation of students to and from school.
8. To cultivate an appreciation for the fine arts through experiences in music, dramatics, and art.
9. To assume a shared responsibility with home, church and other community educational agencies for enrichment of the educational program.
10. To coordinate and implement a student services plan which supports student educational progress as well as track students who fail to complete a degree program.

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I. THE BOARD OF EDUCATION

A. GENERAL PURPOSE

The purpose of the Mena School Board is to provide education of the highest feasible character for the residents of the district in which the board operates, taking into account the wishes of the people of the district and their ability and willingness to support a program of education.

B. QUALIFICATIONS

The Mena School Board will consist of seven (7) members. Each director shall be a bona fide resident and qualified elector of the school district which he serves.

C. HOW ELECTED AND LENGTH OF TERMS

A petition signed by at least twenty (20) qualified voters in the district must be filed with the County Clerk forty-five (45) days before election. To comply with *Act 274 of 2005*, subsequent to annexation, new school board positions were determined. Positions for three (3) year terms will be filled at each annual election as follows: positions one (1) and two (2), first three year term beginning in 2005; positions three (3) and four (4), first three year term beginning in 2006; positions five (5), six (6), and seven (7), three year term beginning in 2007. Each school director elected or appointed shall, within ten (10) days after receiving notice of his election or appointment, take the oath of office from the County Judge.

D. HOW AND WHEN ORGANIZED

The Board will be organized at the first regular meeting following the annual school election by electing one of their number president, one of their number vice-president and one of their number secretary.

E. DUTIES OF OFFICERS

The president presides at all meetings of the Board and signs appropriate documents pertaining to the business of the Mena School District. The vice-president performs all activities the president normally would when the president is unable to perform such. The secretary signs appropriate documents and performs the duties of the vice-president or president in case both are unavailable. The Superintendent of Schools acts as Executive Secretary for all meetings and in all business of the school.

F. MEETINGS

1. Time and Place

The Board of Directors of the Mena School District shall hold regular meetings the **third** Tuesday of each month at **7:00** p.m. in the Board Room or at another place so designated by majority vote of said board.

2. Provisions for Special Meetings

Special meetings shall be held on call of the president or executive secretary (Superintendent) or any three members of the Board, or when petitioned to do so by a petition in writing signed by fifty (50) electors of the district.

3. Preparing the Agenda

An agenda for meetings will be prepared by the executive secretary (Superintendent) and mailed to each board member on Friday preceding the meeting. Any member or patron desiring to place items on the agenda must have them in to the Superintendent's office by Friday morning preceding the meeting. Other items, not entered on the agenda, may be brought up with the unanimous consent of the Board. Items to be covered at special meetings will have an

agenda prepared for them as for regular meetings. Only items appearing on the agenda may be considered at a special meeting.

4. Publicity

Announcements of meetings will be made to the local radio station and newspaper in compliance with the Arkansas Freedom of Information Act. The press is welcome at all regular or called meetings unless privileged matters are being discussed. As much publicity as possible on all subjects concerning schools is encouraged by the Board so that the ultimate in public relations through the news media will be developed. All publicity must be cleared through the Superintendent's office.

5. Quorum

A quorum for the Mena School Board shall be four (4) members. Official business shall be conducted only at regular or properly called meetings when a quorum is present.

6. Order of Business

The order of business for the Mena School Board shall be as follows:

- Minutes
- Business
- Financial Reports
- Approval of Bills
- Other

G. BOARD MINUTES

Minutes of regular and special meetings of the School Board shall be kept by the Superintendent and filed by him in a permanent record file. This file shall also contain a copy of all budgets of the district and all reports of the County Treasurer on the financial affairs of the district. The minutes shall be read and approved or corrected and signed by the president and the secretary of the Board.

H. AUTHORITY OF MEMBERS

1. Responsibilities

- a. To formulate, adopt and review written policies.
- b. To select and employ a competent and efficient Superintendent.
- c. To employ a competent faculty upon the advice and recommendation of the Superintendent.
- d. To provide adequate buildings and facilities.
- e. To observe and evaluate conditions of the schools which include activities related to the program of studies, special services, pupil enterprises, and general effectiveness.
- f. To promote good relations with the public and press.
- g. To see that accurate and efficient records are kept and preserved.
- h. To study and make plans for future needs of the school system.
- i. To comply with all school laws pertaining to the schools of Arkansas.
- j. To see that all pupils, patrons, and employees are fairly treated.

2. Limitations

Individual board members have no power. It is only when a decision has been reached by a majority of the board in a properly convened meeting that a decision will become effective.

I. MEETING AGENDA

The agenda guides the proceedings of the board meeting. Items may be placed on the agenda upon request by any Board member or by members of the community. Community members must submit their agenda item requests, in writing and signed, on or before noon on the Thursday preceding the regular meeting or three (3) days in advance of a called meeting. The written request must be sufficiently descriptive to enable the Superintendent and Board President to fully understand and evaluate its appropriateness to be an agenda item. Such requests may be accepted, rejected, or referred back to the individual for further clarification.

J. DELEGATION OF AUTHORITY TO SUPERINTENDENT

The Superintendent of Schools is the executive officer of the Board and is responsible, along with his staff, for carrying out the policies of the Board.

K. FILLING VACANCIES ON THE BOARD

If a vacancy occurs on the Board, such vacancy shall be filled by a majority vote of the remaining directors. If, as a result of several vacancies, only a minority of the directors shall remain, or if the remaining directors fail to fill vacancies within thirty (30) days, such vacancies shall be filled by appointment by the County Judge. All appointed directors shall serve only until the next annual school election. (*School Laws of Arkansas, Section 80-504.*)

L. AMENDING POLICIES

The Board will review policies at the June meeting each year and at this time will re-adopt or amend the policies. To amend policies will require an affirmative vote of at least five (5) members.

M. TRAINING AND INSTRUCTION

All members of a local school district board of directors who have served on the board for twelve (12) or more consecutive months shall obtain no less than six (6) hours of training and instruction by December 31 of each calendar year.

All members of a school district board of directors elected for an initial or non-continuous term shall obtain no less than nine (9) hours of training and instruction by December 31 of the calendar year following the year in which they were elected.

N. NEPOTISM POLICY

A board member's family member may not be initially employed by the public educational entity the member serves during the member's tenure of service on the local board for compensation in excess of five thousand dollars (\$5,000) unless the Director of the Department of Education issues a letter of exemption and approves the employment contract based on unusual and limited circumstances. (*Act 1381 of 2005*)

II. SCHOOL ORGANIZATION

ADMINISTRATIVE STAFF

The responsibility for the administration of the policies of the Board of Education shall be delegated to the Superintendent of Schools and through his office to such staff members as principals, supervisors, and teachers as needed.

1. Superintendent of Schools

A. Selection

Applicants for the position of Superintendent of Schools will:

- (1) Provide the Mena Board of Education with a satisfactorily completed application form.
- (2) Provide the Board with a full and current transcript of credits.
- (3) Provide the Board with the appropriate placement credentials containing such information as references, both personal and professional.
- (4) Make himself/herself available for a personal interview at the discretion of the Board.

B. Duties

The Superintendent of Schools shall serve as the executive officer of the Board of Education, and shall be charged with the responsibility of implementing its policies.

He/she shall also:

- (1) Prepare the agenda for each Board meeting and shall attend all meetings, except when his/her contract is being considered, and participate in all discussions of the Board, but shall have no vote.
- (2) Administer the school in conformity with the adopted policies of the Board and the rules and regulations of the State Department of Education in accordance with State Law.
- (3) Develop administrative principles and procedures for implementing Board policies.
- (4) Be responsible for recommending to the Board the employment and assignment of all school personnel. His/her recommendations should be made only after consultation with the principal and supervisor involved.
- (5) Submit to the Board each month a statement of financial accounting showing expenditures for the month. He/she shall also provide the Board with such other reports necessary to keep them properly advised concerning the school program.
- (6) Prepare and submit annually for Board action a budget of anticipated income and expenditures and be responsible for the expenditure of, and proper accounting for, all funds in accordance with the budget.
- (7) Attend any national, state, or local educational conference where the welfare of the schools and public education is concerned.
- (8) Supervise the purchasing of school supplies and direct the maintenance of buildings and grounds.

- (9) Direct the routing and maintenance of all pupil transportation vehicles and, with the assistance of the principals, formulate rules and regulations concerning pupil safety and behavior.
- (10) Delegate such authority and duties to various staff members as may, in his judgment, be necessary for the efficient management of the schools, and to implement Board policies.

C. Relation to School Board

- (1) The Board of Education is responsible for policy matters and delegates the administrative authority.
- (2) The Superintendent is responsible to the Board of Education for diligently carrying out the policies and programs which have been adopted.
- (3) The Superintendent is the executive officer of the Board and serves as its professional adviser.
- (4) The Board of Education may accept, modify, or reject recommendations made by the Superintendent.
- (5) The Board and the Superintendent must have a clear channel of communication that flows freely each way.
- (6) Teamwork between the Board and Superintendent is essential for an effective school program.

2. Duties of the Curriculum Coordinator

- A.** The Curriculum Coordinator will provide leadership and coordination for exploring, developing and implementing instructional projects and other administrative services which are assigned by the Superintendent of Schools.

He/she shall also:

- (1) Coordinate the implementation of Standards of Accreditation to the Arkansas Department of Education and the North Central Association of Colleges and Schools.
- (2) Coordinate the adoption of the Arkansas Curriculum Frameworks for grades K-12.
- (3) Update and adapt curriculum to meet the needs of students of varying achievement levels and to coordinate program areas directed toward the remediation of student deficiencies.
- (4) Coordinate special education services K-12.
- (5) Coordinate guidance services.
- (6) Coordinate media services.
- (7) Coordinate the Mena District's gifted and talented program.
- (8) Coordinate and screen textbook adoptions.
- (9) Accept responsibility for his personal and professional growth by reading extensively, attending meetings, participating in workshops, and keeping up with the results of research and in methods of supervision.
- (10) Report to and perform other duties as assigned by the Mena Superintendent of Schools.

3. Duties of the Maintenance and Transportation Coordinator

- A.** The Coordinator of Maintenance and Transportation plans, directs, and controls the overall activities of transportation, school plant maintenance, and custodial services of the Mena District.

He/she shall also:

- (1) Coordinate purchasing of maintenance related materials district wide.
- (2) Coordinate transportation services.
- (3) Evaluate non-certified maintenance and transportation personnel and serve as a resource person as directed by the Superintendent of Schools.
- (4) Coordinate the in-service activities of maintenance and transportation staff with the district's overall professional development services.
- (5) Accept responsibility for his personal and professional growth by reading extensively, attending meetings, participating in workshops, and keeping up with results of research and in methods of supervision.
- (6) Schedule inspections of district facilities as required by state law.
- (7) Develop and supervise safety plans for the district.
- (8) Coordinate the ongoing assessment of facility needs within the district.
- (9) Report to and perform other duties as assigned by the Mena Superintendent of Schools.

4. Duties of the Federal Programs Coordinator

- A.** The Coordinator of Federal Programs supervises the vocational education programs of the Mena District as well as the school food services and federal aid programs.

He/she shall also:

- (1) Provide policy regulations or materials to building principals and counselors as required.
- (2) Consult with building level ACSIP committees to coordinate school improvement actions.
- (3) Be responsible for submission of the District's ACSIP documents to state agencies.
- (4) Attend state or regional training sessions held to disseminate updated policies.
- (5) Coordinate and provide Staff Development Programs for the professional growth of all staff members.

5. Duties of the Technology Coordinator

- A.** The Technology Coordinator directs and controls the overall activities of planning, budgeting, acquisition, installation, staff development and use of various technologies as they relate to education.

He/she shall also:

- (1) Serve as a full time (12 month) permanent technical advisor to the district administrative and instructional staff regarding technology resources for educational purposes.

- (2) Exercise administrative oversight of various Novell Netware networks and will possess a knowledge and understanding of TCP/IP, MS-DOS, various Windows OS and any new programs or upgrades to existing programs.
- (3) Manage internet information resources and will coordinate activities with the De-Queen-Mena Educational Cooperative and the Arkansas Department of Education as needed.
- (4) Assist in facilitating staff development regarding the use of computers, software and distance education via interactive video initiatives that will be taking place over the next five to ten years.
- (5) Possess communication skills and an ability to work with people of varying levels of technical ability in solving network and personal computer problems including repairs as needed.
- (6) Manage approximately 2500 users spread across five local area networks (LAN) and any future wide area networks (WAN).
- (8) Promote and coordinate community support for educational technology in the Mena School District.
- (9) Be responsible for maintaining an inventory and tracking educational technology resources belonging to the Mena district. Additionally, he/she will be responsible for assisting the Superintendent of schools in the planning and preparation of budgets.
- (10) Accept responsibility for personal professional growth by reading extensively, attending meetings, participating in workshops, keeping up with the results of research and methods of supervision.
- (11) Perform other administrative and instructional tasks as assigned by the Superintendent of Schools.

6. Duties of the Athletic Director

- A. Develop a competitive spirit which shall introduce and instill the good qualities of character building, especially those of determination, cooperation and fair play in student athletes.
- B. Evaluate each member of the coaching staff based on carrying out the written plans of the programs effectively and efficiently.
- C. Plan, coordinate and communicate events with the principals and staff of each school.
- D. Forecast budgets, requisition any needed items and maintain records which account for equipment in the department.
- E. He shall ensure that the department coaching staff understands that a high degree of personal energy will be needed to meet goals assigned by the Athletic Director.
- F. Ensure that the coaching staff maintains and exhibits leadership, cooperation, and open lines of communication and follow-up.
- G. Ensure that the Mena coaching staff pursues their assignments as outlined by the Athletic Director promptly and with a sense of team spirit.
- H. The Athletic Director shall assist the process of employment of coaches to the Mena School District.

7. Duties of Principals

- A. Principals shall be directly responsible to the Mena Superintendent of Schools.
- B. Principals shall work cooperatively in the areas of instruction, curriculum development and evaluation.
- C. Principals shall be responsible for the detailed organization and operation of their school.
- D. Principals shall be responsible for the assignment of duties to all members of their teaching staff.
- E. Principals shall be responsible for both the administration and supervision of the official educational program within their schools.
- F. Principals shall be responsible for enrollment and assignment of all pupils, for their promotion, discipline, attendance and personal records.
- G. Principals shall be responsible for evaluation of their staff and shall submit such reports as are deemed necessary to the office of the Superintendent of Schools.

III. CERTIFIED PERSONNEL

The Board has the responsibility for employing the certified personnel of the Mena School District. All personnel, except the Superintendent of Schools, shall be selected on recommendation of the Superintendent. Should a person nominated by the Superintendent be rejected by the Board, it shall be the duty of the Superintendent to make another nomination.

A. EMPLOYMENT OF SUPERINTENDENT

The Superintendent of Schools of the Mena Public Schools shall possess those qualifications set forth by the State Department of Education and by all accrediting agencies of which this school is a member. The election of the Superintendent shall take place at the January meeting of the Board.

B. EMPLOYMENT OF SUPERVISORY PERSONNEL

The Coordinators of Curriculum, Maintenance & Transportation, Federal Programs, and Technology shall possess those qualifications set forth by the State Department of Education and by all accrediting agencies of which this school is a member. The election of supervisory personnel shall take place at the February meeting of the Board.

C. EMPLOYMENT OF PRINCIPALS

The Superintendent will recommend for appointment as principals of schools only successful teachers who have a minimum of a Master's Degree from an accredited university or college, including twenty-four (24) semester hours credit in education of a type to fit them for the duties of school principal. Principals of the Middle and Senior High Schools are employed on a twelve month basis. The elementary principals' contracts shall be for a minimum of eleven months. The principal shall work directly under the Superintendent and shall be directly responsible to him/her for the administration of the individual school.

D. EMPLOYMENT OF TEACHING PERSONNEL

It shall be the duty of the Superintendent to see that all teaching personnel employed by this school district possess those qualifications set forth by the State Department of Education, and by all accrediting agencies of which this school is a member. It is recognized by the Board that the above qualifications are set up to promote minimum standards. Therefore, it is the policy of this school district to employ persons who exceed these minimum requirements whenever possible.

Vacancies on the teaching and professional staff shall be filled by employment of the best qualified available applicant without regard to race, color, national origin, age, sex, religion, or handicap, and it is hereby declared to be the policy of this district to accept and consider all applications for employment without regard to race, color, national origin, age, sex, religion, or handicap.

E. APPOINTMENTS

Appointments are general; they do not involve specific positions. The School Board reserves the right to assign or reassign a teacher to any grade or position within the system, providing the teacher has sufficient training and experience to make a worthwhile contribution to his field of assignment. All assignments will be made by the Superintendent of Schools and approved by the Board. Requests for transfers may originate with any of the following:

- Teacher
- Principal
- Supervisor
- Superintendent

F. APPLICATION

Applicants for a teaching position in the Mena School District must obtain and fill out a standardized application form available in the Office of the Superintendent. All documents pertaining to an applicant's license or certification status must be received in the Office of the Superintendent before the application will be considered complete. Applicants who are considered eligible for appointment will be requested to appear at the Office of the Superintendent for an interview.

G. CONTRACTS

The appointment of certified personnel is evidenced by contracts, binding on both employer and employee. Such contracts shall recognize those requirements set forth by State Statute concerning the employment of school personnel. In signing a contract, each person agrees to conform to all the requirements, rules and regulations that the Board has adopted or may hereafter adopt.

Teacher's contracts shall be for a nine month term of school or 190 school days. A portion of the state required ten (10) days of professional development will be included within or just prior to the beginning of the instructional calendar set for student membership days. The remaining professional development days will be designated as "flex" days to be scheduled outside the normal contract months.

Salary will be pro-rated for payment over a twelve (12) month period. If requested by the individual, consideration will be given to paying salary in nine (9) monthly installments.

H. CERTIFIED AND NONCERTIFIED PERSONNEL EVALUATION POLICY

Certified/non-certified evaluation policies have been adopted by the Mena School Board. Copies of these evaluation policies may be found in the offices of both principals and supervisory personnel.

I. SALARY

A single salary schedule shall be provided for all instructional personnel. The official schedule shall be kept on file in the Superintendent's Office and a copy given to each teacher in the school system. Academic training and teaching experience shall be considered in the salary schedule. A teacher shall be credited with any prior teaching experiences from any of the following institutions: any accredited public school, any accredited private school, or any accredited institution of higher education.

Teachers will be paid on the first day of each month. When the 1st day of the month falls on Saturday, teachers will be paid on Friday, and when the 1st falls on Sunday, teachers will be paid on Monday. Direct deposit of checks is available. Inquiries should be directed to the Superintendent's office.

J. SPECIAL REQUIREMENTS

All first year certified personnel must present for filing in the Superintendent's Office, a certificate from a licensed physician or county health nurse indicating freedom from Tuberculosis (**Act 640 of 1989**). All teachers must file in the Superintendent's Office a transcript of all college credit earned, a valid teaching certificate from the State of Arkansas, correct address and telephone number, withholding exemption certificate Form W-4, acceptable proof of date of birth, and background check documentation. Certified employees may be required to complete additional training as a contingency for contract renewal through ADE Additional Licensure Plan (ALP). Non-fulfillment of the Additional Licensure Plan by the specified date could result in contract non-renewal.

All certified personnel shall abide by policies concerning student accommodation plans for instruction such as those specified under Section 504 of the Federal Rehabilitation Act.

K. PROFESSIONAL CONDUCT

Certified personnel will be expected at all times to conduct themselves in a manner befitting the teaching profession. They will be expected to exhibit acceptable social, personal and professional qualities both at school and in the community.

L. STAFF MEETINGS

All teachers and other employees will attend institutes and meetings held for them. Staff members shall attend staff meetings held at intervals throughout the year. In the event a staff member is unable to attend, the principal should be notified at the earliest time possible before the meeting.

M. ATTENDANCE AT SCHOOL ACTIVITIES

Faculty members are encouraged to attend and participate in school sponsored activities and events, and will be admitted without charge to all such activities and events. Additionally, all members of a teacher's immediate family (spouse and school age/college children residing in the home) will be allowed to enter all athletic contests in which Mena participates at home free.

N. PROFESSIONAL RECOGNITION FOR TEACHING PERSONNEL

The Board, in order to encourage greater professional recognition for teaching personnel, rewards such development and achievement whenever possible by resolutions of appreciation, promotions and special assignments.

O. STAFF DEVELOPMENT AND INSERVICE TRAINING

It is recognized that all members of the professional staff develop, extend and maintain professional skills through staff development and inservice training. The Board will provide adequate time and facilities in the school for experimentation, research, and opportunities to introduce new techniques within the instructional program. Means and opportunity will be provided for visitation and participation in appropriate staff development and inservice training for school personnel. The Board will provide funds for development and maintenance of a professional library for school personnel.

The Board encourages additional college or university study by the professional staff for advanced degrees or for keeping up with new developments in the assigned subject matter fields. Graduate coursework may be included in a teacher's professional development records if the course meets criteria delineated by the Arkansas Department of Education.

Beginning with the 2004-05 school year, certified employees must complete ten days of professional development activities which address student needs as described in ACSIP documents and support increased student achievement on criterion-referenced tests. Specifically, workshops, conferences, and committee activities shall focus on areas such as differentiated instruction, needs of LEP or at-risk students, reading, writing, math, formulation of Academic Improvement Plans. ADE requirements mandate teachers complete annually two (2) hours of parent involvement training, six (6) hours of technology workshops, and two (2) hours of training in Arkansas History for teachers who provide instruction in Arkansas History.

Documentation must be submitted to the **Professional Development** Coordinator's office so that each teacher's participation in the professional development activities may be recorded. ADE may require documentation that each teacher has completed sufficient professional development hours to qualify for renewal of the teaching license.

Teachers should consult the Mena School District Professional Development Plan for a complete description of approved activities.

P. PROFESSIONAL ORGANIZATIONS

It is realized that many improvements in the field of education have come from the activities of the teaching profession through its professional organizations. The Mena School Board expects its teachers to grow professionally. It is the policy of the Board to encourage teachers to form, join and support professional organizations and to attend the meetings of those groups, such affiliation and support being voluntary.

Q. COMMUNITY PARTICIPATION

All certified personnel of the Mena Public Schools are encouraged to participate in community activities and to accept leadership responsibilities.

All employees of the Mena School District are free to exercise their rights as citizens and run for or accept appointment to public office if they so desire (Act 1302 of 1997). However, employees should understand the following:

1. By law, a school board member may not work for the school district which he or she serves.
2. School districts may not grant any employee paid leave for the purpose of permitting the employee to engage in public service or related activities.
3. Employees may use their personal days and vacation days (if applicable) to engage in public service or related activities, with the prior approval of their building principal or superintendent.
4. In addition, upon request to the school board, a maximum of five additional days of unpaid leave may be granted to the employee for the purposes of engaging in public service or related activities. If the employee's services can be replaced by the district, the employee will be responsible for reimbursing the district for the expense of a substitute employee.
5. Employees who attempt to use sick leave days fraudulently for any purpose, including to engage in public service or related activities, will face disciplinary action up to and including nonrenewal or termination.

R. ABSENCE FROM SCHOOL

An employee unable to report for work should notify the Principal at the earliest possible moment so that a suitable substitute may be secured. If the absence is an emergency, the employee should have someone else notify the Principal. It is the responsibility of the Principal to secure a substitute.

S. LEAVE

1. **Sick Leave** Certified personnel shall be granted sick leave with full pay at the rate of one (1) day per month or major portion thereof for which the teacher is contracted until one hundred twenty (120) days have been accumulated. A teacher shall be entitled to such leave for the reasons of personal illness or illness in the immediate family. (Immediate family shall include the teacher's spouse, child, parent, or any other relative living in the same household as the teacher.) Additional days absence shall result in full pay deduction.

Sick Leave By Contract Days	
Contract Days	Sick Leave Days
190	9 ½
195	9 ¾
200	10
205	10 ¼
210	10 ½
215	10 ¾
220	11
225	11 ¼
230	11 ½
235	11 ¾
240	12

With spousal approval, married couples employed by the Mena School District may draw sick leave days from their spouse providing one has exhausted his/her accumulated sick leave days (**Act 40 of 1999**).

Arrangements to access a spouse's sick leave days must be made through the Superintendent's Office.

The Superintendent may require a physician's certificate in any case involving an absence of three or more days.

In cases of catastrophic illness extending beyond the total of accumulated sick leave days, certified personnel shall be granted up to six (6) additional weeks of sick leave with payroll deduction equal to the pay of a qualified substitute.

Should the individual wish to take additional time beyond that stated above, six (6) weeks without pay shall be granted and the person shall be guaranteed their position of employment upon return to work.

Whenever a school teacher is absent from his or her duties in a public school as a result of personal injury caused by either an assault or other violent criminal act committed against the school teacher while in the course of their employment, the school teacher shall be granted a leave of absence from school with full pay for up to one (1) year from the date of the injury. The leave of absence for personal injury from an assault or other violent criminal act shall not be charged to the school teacher's sick leave (**Act 1115 of 1993**). 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 as a result of an assault or a criminal act. (**ACT 1494 of 1999**)

At the beginning of a new contract year, each certified employee shall be credited with as many additional sick leave days as his or her contract allows. Any unused sick leave days will accumulate to the next year. Two (2) paid personal days will be granted upon request annually. The Principal must approve personal days in advance. The two paid personal days will not be carried over to the next year. In addition, five days of personal leave per year will be allowed with deduction equal to the pay of a qualified substitute. Any additional days will result in full pay being deducted. The employee should make application for such leave at least two (2) days in advance of the occurrence. Where such advance notice cannot be given, the application for leave should be made as soon as possible. The principal will grant this leave if the absence will not cause a severe hardship on the educational program for that day.

At the beginning of a new contract year, any certified employee who would have a balance above one hundred twenty (120) sick leave days shall have the balance reimbursed to them at the rate of sixty (\$60) dollars per day. Payment for these days will occur at the regular pay period in January. Regular deductions other than teacher retirement are applicable.

If an employee wishes to resign during leave, he or she must give written notification to the Superintendent thirty (30) days before expiration of the leave his or her intention to return to the employ of the Board of Education or submit his or her resignation.

2. Death of Close Relative

Sick leave may be granted due to the death of a close relative.

3. Family Leave

A person may take up to a maximum of six weeks' sick leave upon the arrival of a new baby, whether natural or adopted, unless medical problems exist and a medical doctor recommends additional time off.

Should the individual wish to take off additional time beyond that stated above, six (6) weeks without pay shall be granted and the person shall be guaranteed their position of employment upon return to work. As an additional option, a teacher may elect to take an irrevocable one semester of maternity leave, such leave to be arranged through the Office of the Superintendent of Schools.

4. Absences for Professional Purposes

The Superintendent may authorize absences of certified personnel for professional purposes with full pay, not to exceed five (5) days in any school year, unless authorized by arrangement through the employee's supervisor. The employee shall make application for the authorization of such absences at least ten (10) days in advance of their occurrence. Where such absences are authorized, the substitute teacher will be paid by the district. The teacher will also receive reimbursement for travel, registration fee(s), special meals (banquets, etc.) and lodging. Paid tickets will be presented by the teacher for reimbursement immediately following the meeting. Furthermore, when course work is required of an employee to maintain the employee's certification, the employee will be allowed one day of professional leave per semester to take care of any necessary business associated with registering for or completing college work.

5. Educational Leave

The Board encourages additional college or university study by members of the professional staff for advanced degrees or for keeping up with new developments in subject matter fields. Toward this end, members of the professional staff, upon completion of five (5) years of successful service to the district, are eligible to apply for a non-paid leave of absence for educational purposes. Such leave is not to exceed one year and is granted only upon the recommendation of the Superintendent and with the approval of the Board. It is understood that such leave for educational purposes is contingent upon the district's ability to obtain the services of a certified and otherwise qualified replacement for the time period involved. Application for educational leave must be made no later than March of the preceding year in which the leave is to be taken.

6. Military Leave

Teachers called into regular military service shall be granted leave without pay for a period not to exceed that necessary to satisfy the military requirement.

Under the provisions of **Act 724 of 1989** all teachers and administrators employed by any public school in this state who desire to take a leave of absence for the purpose of participating in the military training programs made available by the National Guard or of the reserve branches of the armed forces and all teachers and administrators employed by a public school who desire to take a leave of absence for the purpose of participating in the civil defense and public health training programs made available by the United States Public Health Services shall be entitled to such a leave of absence for a period of fifteen (15) days, plus necessary travel time in any fiscal year. For the purpose of this act, fiscal year shall be the fiscal year now established for the U. S. Government.

Whenever any teacher or administrator is granted a leave of absence under the provisions of this section (**Act 724**), he shall be entitled to his regular salary during the time he is away from his duties during such leave of absence. The teacher or administrator will be responsible for paying for the cost of any substitute employed in the teacher's or administrator's absence.

Such leave of absence shall be in addition to the regular vacation time allowed the employee (**Act 724 of 1989**).

7. Absences for Jury Duty and/or Court Appearances

Leave shall be granted for required appearances before any governmental body, including jury duty, when the reasons for such appearances are not personal to the employee. Deduction shall be made from the employee's salary equivalent to the remuneration received by the individual for such appearances less documented expenses. If an appearance before a governmental body is for personal reasons, personal leave days must be requested.

8. Sick Leave Bank

Purpose:

This Sick Leave Bank is for the protection of participating employees during long-term disability of the employee, or member of the immediate family. The immediate family shall include spouse, children, parents or other relatives living in household.

Participation:

Each staff member may voluntarily contribute one day for nine (9) and ten (10) month contracted employees and two days for eleven (11) and twelve (12) month contracted employees of his/her sick leave allowance to a Sick Leave Bank. Enrollment in the District's Sick Leave Bank will be prior to September 1 each school year for non-members and for new personnel in the District. Any new personnel employed after September 1 will have 20 calendar days to enroll in the Bank. Membership in the Bank shall be continuous unless the employee informs the Superintendent's office of his/her intent to withdraw from the Bank prior to September 1 each year. Days contributed to the Bank may not be returned.

Governance:

A ten (10) member committee shall, with the assistance of the Superintendent, oversee the administration of the Sick Leave Bank. The committee shall be comprised of five (5) classroom teachers, one from each building, one (1) administrator, one (1) school board member, and three (3) classified employees. Committee members must have contributed days to the Sick Leave Bank. The committee members will be selected at the same time the member of the Personnel Policies Committee are selected. Each building will select a teacher representative. Administrators will select their representative, the school board should select its representative in their August meeting, and classified employees, district wide, will select their representatives. Committee members will serve three (3) year terms except the initial committee.

In order to have rotating teams, the initial committee will draw for terms of office as follows:

- 4 members with 3 year terms
- 4 members with 2 year terms
- 2 members with 1 year terms

The committee will choose its own chairperson each year.

Rules of Operation:

The Sick Leave Bank Committee shall administer the Bank according to the following rules:

The sick leave bank is for all Mena Public Schools employees who are members of the sick leave bank and have exhausted all accumulated sick leave due to catastrophic and unavoidable circumstances. In order to use the sick leave bank services, the situation must be severe.

To become a member of the sick leave bank, 1 sick day must be donated to the sick leave pool once every 3 years.

When a Mena Public Schools employee has exhausted all accumulated sick leave and has missed at least 20 consecutive days of work, then the employee may petition the sick leave bank committee for a maximum of 40 days to be used as additional sick days. (Special circumstances such as an employee who does not miss 20 consecutive days because he/she tries to be at work as often as possible will be taken under consideration by the committee for exception.)

Medical documentation attesting to the severity of each situation must be provided to the committee.

If the sick leave pool is depleted, the source of additional days will be the accumulated sick leave of other employees. After an employee petitions for additional days, each campus committee member will forward that information to the campus faculty. Each faculty member may choose whether or not to donate up to 5 days of his or her own accumulated sick leave to the individual. Their affirmative decision will be given directly and discretely to the central office and remain confidential.

Records:

In the event that an additional assessment is made and a participating member does not have an additional day available, and the member is in at least the second year of participation, the member may borrow from the Bank to continue coverage. This day must be repaid at the beginning of the next school year.

Members unable or unwilling to contribute the additional assessment will be dropped from the program. Any member who was unable to contribute is eligible to join the following year by contributing one regular sick day. Any member unwilling to contribute the additional assessment must wait a year in order to rejoin.

Reports:

The Sick Leave Bank Committee shall be responsible for the proper maintenance and development of records and report forms. The committee shall work closely with the administration in administering the Sick Leave Bank.

Days left over at the end of the year in Sick Leave Bank will be carried over to succeeding years.

T. OUTSIDE EMPLOYMENT

No employee of the Mena School District shall act as a salesperson for any type of school supplies or books which are required to be used in a school or by the pupils of any school while in the employ of the Mena School District.

An employee of the District may not be employed in any other capacity during regular working hours. An employee may not accept employment outside of his/her district employment, including normal duties outside the regular workday; nor shall an employee accept other employment, which is inappropriate for an employee of a public school. The Superintendent, or his/her designee(s), shall be responsible for determining whether outside employment is incompatible, conflicting, or inappropriate.

U. RETIREMENT

All certified personnel of the Mena School District are members of the Arkansas Teacher Retirement System and are covered by Social Security.

All certified employees shall be eligible for severance pay at the time they retire from the Mena School System. This severance pay shall be computed by the number of their accumulated sick days up to one hundred twenty (120) days times sixty (60) dollars per day.

Regular deductions other than teacher retirement are applicable on this severance pay.

A lifetime pass to all athletic contests shall be given all retiring employees of the district. The pass will provide admission to athletic contests to the retired employee only.

1. Death of Employee

In the event of an employee's death his/her estate shall be paid for the number of his/her accumulated sick days. This shall be calculated by the number of accumulated sick days up to one hundred twenty (120) times sixty (60) dollars per day.

V. TERMINATION OF CONTRACT

Dismissal is necessary when the teacher fails to render efficient and competent service. The Board realizes that dismissal is a serious move and will be resorted to only in extreme cases. Grounds for dismissal include incompetence, misconduct, neglect of duty, and insubordination.

When the Board has just cause, it may terminate the contract of any employee at any time. The contract will not be terminated prior to the employee's receipt of a reasonable notice of the specific charges and an opportunity for a hearing before the Board, at which hearing he may have any representative or spokesman desired by him. If the representative is an attorney, the Board reserves the right to be represented by counsel also.

The employee may be relieved of all duties prior to dismissal if continued performance of duties is considered to be detrimental to pupil welfare.

In all matters of termination or non--renewal of contracts the provisions of "The Teacher Fair Dismissal Act of 1983" (**Act 936**) shall be followed and observed.

W. NON-RENEWAL OF CONTRACT

The annual contract of every person (except the Superintendent) employed under the annual contract by the Board shall be renewed unless the following procedure has been pursued:

1. When in the opinion of the Superintendent, any person is not rendering efficient and competent service, the Superintendent shall have a conference or conferences with that employee to point out such deficiencies. A record of all such conferences shall be kept in the Office of the Superintendent. These conferences shall be held as early in the year as possible.
2. If the person, in the opinion of the Superintendent and the Board, has not remedied the alleged deficiencies before April 1, he shall again have a conference with the Superintendent during the month of April at which time he will be informed that such deficiencies have not been remedied. The employee in question then has the right to a hearing before the Board if he so chooses.
3. Non-fulfillment of the Additional License Plan (ALP) requirements may also result in non-renewal of contract.

X. SUBSTITUTES

The Superintendent of Schools shall maintain a list of qualified substitutes who may be called on to replace regular teachers who are absent. The Superintendent shall have full authority to interpret the meaning of the eligibility rules for substitute teachers in their practical application in making up the eligible list. A list of substitutes shall be filed with the Principal of each school, and it shall be the responsibility of the Principal to obtain a substitute for any teacher in their school who is absent. Insofar as possible, Principals will call teachers on the substitute list for the subjects for which they are listed. A teacher whose name does not appear on the substitute list may not be employed in the Mena School District except when specifically approved by the Mena Superintendent of Schools.

1. Qualifications

It is recommended that all substitute teacher applicants have a teaching certification and that the school administration screens all applicants for employment.

2. Applications

Applicants for a substitute teaching position in the Mena School District must obtain and fill out a standardized application form available in the Office of the Superintendent. Additionally, applicants must complete a background check and discipline training prior to their first assignment. Applicants who are considered eligible for appointment will be requested to appear at the Office of the Superintendent of Schools for an interview.

3. Salary

Salary Schedule shall be provided for substitute teachers. This salary schedule will be reviewed each year along with other salaries.

Y. COMPLAINTS AND GRIEVANCES

DEFINITION:

The Mena Board of Education defines ***grievance*** as a claim or dispute concerning the interpretation, application, or claimed violation related to personnel policies or salary. Other matters for which other means of resolution are provided or foreclosed by law or administrative procedures shall not be considered grievances. A grievance does not include matters involving the Board of Education's right to establish educational policy and prescribe rules and regulations for the conduct and management of the schools, nor does it include conferences or documentation of an employee's performance deficiencies as set out in the Arkansas Teacher Fair Dismissal Act, The Public School Employee Fair Hearing Act, or otherwise. A group of employees who have the same grievance may file a group grievance.

PROCEDURE:

STEP 1

Any employee shall promptly present to the employee's immediate supervisor the grievance in writing. Notification of the alleged grievance in writing shall be presented not later than ten (10) working days after the date on which the grievance became known to the employee. All time periods referred to in this policy may be extended by mutual consent of the parties.

Any employee may be represented at any and all stages of the grievance procedure by himself/herself or, at the employee's option, by any representative he/she may choose.

Both parties shall have the opportunity to present and question witnesses.

The employee and his/her immediate supervisor shall attempt to resolve the grievance.

The immediate supervisor shall make a proper disposition of the grievance and shall reply to the employee in writing within ten (10) working days following the date of submission of the grievance.

STEP 2

In the event the employee wished to appeal the decision at Step one (1), the appeal must be presented in writing to the Mena Superintendent of Schools.

The appeal shall be made within ten (10) working days of the receipt of the Step 1 decision.

The appeal shall contain a statement of the grievance.

The Superintendent of Schools shall schedule a meeting with the employee within ten (10) working days in an attempt to resolve the grievance. Notice of the date of the conference shall be given to all parties involved in the grievance procedure.

The Superintendent of Schools shall issue a written decision to the employee within ten (10) working days after the conference.

STEP 3

In the event the employee wishes to appeal the decision at Step two (2), the appeal must be presented to the Superintendent as secretary of the Board of Education within ten (10) working days of the receipt of the Step 2 decision.

A copy of the Step 3 appeal, together with the Step 1 and Step 2 decisions, and the name of the representative of the employee, if any, must simultaneously be submitted to the Superintendent.

The employee's appearance to present his/her appeal before the Board of Education will be at the next regularly scheduled meeting of the board unless both parties have agreed to a different date (**ACT 1498 of 1999**). The employee may appear alone at this conference or be accompanied by a representative of his/her choice. If the Mena Board of Education chooses a representative, the employee shall be informed at once. Further, the hearing shall be open or closed at the discretion of the employee. If the hearing is open, the parent or guardian of any student under the age of eighteen (18) years who gives testimony may elect to have the student's testimony given in a closed session [**Act 1169 of 2001**].

The Board shall issue a written decision within thirty (30) days after the conference with the employee.

CONSIDERATIONS:

When it is necessary for any employee to attend a grievance meeting or hearing during the school day, the employee will, upon notice to his/her immediate supervisor, be released without loss of pay in order to permit participation in the activities as described above. Any employee, whose appearance in such investigations, meetings or hearings as a necessary witness, will be accorded the same right.

Working day defined as any weekday other than a holiday whether or not the employee under the provisions of their contract is scheduled to work or whether they are currently under contract. If any time deadline designated by "working days" in the grievance procedure falls outside a regular school term, then two calendar days shall be substituted for each school day for determining the deadline. Deadlines may be extended by mutual consent.

All school employees or group of employees shall have the right to file grievances and have those grievances heard.

Z. PERSONNEL POLICIES COMMITTEE-Certified

Act 687 of 1987, Act 56 of 1989 and Act 1120 of 2003 state that each school district shall have a Committee on Personnel Policies which shall consist of no fewer than five (5) classroom teachers, and no more than three (3) administrators; provided that, the classroom teacher members of each district's Committee on Personnel Policies shall be elected by a majority of the classroom teachers voting by secret ballot. The election shall be solely and exclusively conducted by the classroom teachers including the distribution of ballots to all teachers. The provisions of this act shall not apply in any district which chooses to officially recognize in its policies an organization representing the majority of the teachers of the district for the purpose of negotiating personnel policies, salaries and educational matters of mutual concern under a written policy agreement. Each school district's Committee on Personnel Policies shall organize itself in the first quarter of each school year, elect a chairman and secretary, and develop a calendar of meetings through the year to review the district's personnel policies to determine if additional policies or amendments to existing policies are needed. Minutes of the committee meetings shall be promptly reported and distributed to members of the board and posted in the buildings of the district including administrative offices. Either the committee or the board of directors may propose new personnel policies or amendments to existing policies, provided that such proposals by the board have been submitted to the committee at least five (5) working days prior to presentation to the board. After presentation to the board, action shall be taken no later than the next regular board meeting. The committee will present its proposed policies or amendments to existing policies to the board of directors. The board of directors shall have the authority to adopt, reject, or refer back to the Committee on Personnel Policies for further study and revision any proposed policies or amendments to existing policies that are submitted to the board for consideration.

Each employee shall be furnished a copy of any amendments to the personnel policies within thirty (30) days after approval of such amendments by the board of directors of such district.

AA. DRUG FREE WORK ENVIRONMENT

The conduct of district staff plays a vital role in the social and behavioral development of our students. It is equally important that the staff have a safe, healthful, and professional environment in which to work. To help promote both interests, the District shall have a drug free workplace. It is, therefore, the District's policy that district employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, alcohol, as well as inappropriate or illegal use of prescription drugs. Such actions are prohibited both while at work or in the performance of official duties while off district property; violations of this policy will subject the employee to discipline, up to and including termination.

To help promote a drug free workplace, the District shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. Employees may contact any school nurse in the District for confidential assistance. Additional resources may be secured by contacting the Department of Human Resources.

Should any employee be found to have been publicly under the influence of, or in illegal possession of, any illegal drug, controlled substance or alcohol, whether or not engaged in any school or school-related activity, the employee may be subject to discipline, up to and including termination.

Possession, use or distribution of drug paraphernalia by any employee, whether or not engaged in school or school-related activities, may subject the employee to discipline, up to and including termination. Possession in one's vehicle or in an area subject to the employee's control will be considered to be possession as though the substance were on the employee's person.

It shall not be necessary for an employee to test at a level demonstrating intoxication by any substance in order to be subject to the terms of this policy. Any physical manifestation of being under the influence of a substance may subject an employee to the terms of this policy. Those physical manifestations include, but are not limited to: unsteadiness; slurred speech; dilated or constricted pupils; incoherent and/or irrational speech; or the presence of an odor associated with a prohibited substance on one's breath or clothing.

Should an employee desire to provide the District with the results of a blood, breath or urine analysis, such results will be taken into account by the District only if the sample is provided within a time range that could provide meaningful results and only by a testing agency chosen or approved by the District. The District shall not request that the employee be tested, and the expense for such voluntary testing shall be borne by the employee.

Any employee who is charged with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive excluding holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately. If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.

Any employee so charged is subject to discipline, up to and including termination. However, the failure of an employee to notify his supervisor or the Superintendent of having been so charged shall result in that employee being recommended for termination by the Superintendent.

Any employee convicted of any criminal drug statute violation for an offense that occurred while at work or in the performance of official duties while off district property shall report the conviction within 5 calendar days to the Superintendent. Within ten (10) days of receiving such notification, whether from the employee or any

other source, the district shall notify federal granting agencies from which it receives funds of the conviction. Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

Any employee convicted of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, shall be recommended for termination.

Any employee who must take prescription medication at the direction of the employee's physician, and who is impaired by the prescription medication such that he cannot properly perform his duties shall not report for duty. Any employee who reports for duty and is so impaired, as determined by his supervisor will be sent home. The employee shall be given sick leave, if owed any. The District or employee will provide transportation for the employee, and the employee may not leave campus while operating any vehicle. It is the responsibility of the employee to contact his physician in order to adjust the medication, if possible, so that the employee may return to his job unimpaired. Should the employee attempt to return to work while impaired by prescription medications, for which the employee has a prescription, he will again, be sent home and given sick leave, if owed any. Should the employee attempt to return to work while impaired by prescription medication a third time, the employee may be subject to discipline, up to and including a recommendation of termination.

Any employee who possesses, uses, distributes or is under the influence of a prescription medication obtained by a means other than his own current prescription shall be treated as though he was in possession, possession with intent to deliver, or under the influence, etc. of an illegal substance. An illegal drug or other substance is one which is (a) not legally obtainable; or (b) one which is legally obtainable, but which has been obtained illegally. The District may require an employee to provide proof from his physician and/or pharmacist that the employee is lawfully able to receive such medication. Failure to provide such proof, to the satisfaction of the Superintendent may result in discipline up to and including a recommendation of termination.

DRUG FREE WORK PLACE POLICY ACKNOWLEDGEMENT

CERTIFICATION

I, hereby certify that I have been presented with a copy of the Mena School District's drug-free workplace policy, that I have read the statement, and that I will abide by its terms as a condition of my employment with the District.

Signature _____ Date _____

BB. SEXUAL HARASSMENT

Mena Public Schools is committed to providing an atmosphere free of any type of harassment. Any employee who believes he or she is a victim of sexual harassment on the job should immediately report the matter to his or her immediate superior. Any employee found to be sexually harassing another employee, visitor, applicant for employment, vendor, staff or student shall be dealt with under the disciplinary policies and procedures established by the Mena Board of Education.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- Submission to such conduct is made 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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

RESPONSIBILITIES GOVERNING BULLYING

Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of bullying as defined in this policy, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the principal. The principal or his/her designee shall be responsible for investigating the incident(s) to determine if disciplinary action is warranted.

District staff are required to help enforce implementation of the district's anti-bullying policy. The district's definition of bullying is included below. Students who bully another person are to be held accountable for their actions whether it occurs on school grounds; off school grounds at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops. Students are encouraged to report behavior they consider to be bullying; including a single action which if allowed to continue would constitute bullying, to their teacher or the building principal. The report may be made anonymously.

The school district prohibits reprisal or retaliation in any form against any person who reports an act of harassment, intimidation or bullying.

Definition:

Bullying is any pattern of behavior by a student, or a group of students, that is intended to harass, intimidate, ridicule, humiliate, or instill fear in another child or group of children. Bullying behavior can be a threat of, or actual, physical harm or it can be verbal abuse of the child. Bullying is a series of recurring actions committed over a period of time directed toward one student, or successive, separate actions directed against multiple students.

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

1. Sarcastic "compliments" about another student's personal appearance,
2. Pointed questions intended to embarrass or humiliate,
3. Mocking, taunting or belittling,
4. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
5. Demeaning humor relating to a student's race, gender, ethnicity or personal characteristics,
6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
7. Blocking access to school property or facilities,
8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings, and/or
10. Threats of harm to students(s), possessions, or others.

A school employee who has reported violations under the school district's policy shall be immune from any tort liability which may arise from the failure to remedy the reported incident.

CC. REDUCTION IN FORCE

Reduction in Force (RIF) is a policy to guide the Mena Public School District, if it becomes necessary, to reduce certified staff members due to a decline in pupil enrollment, financial conditions, program revision or elimination, the closing of facilities, and/or school district reorganization. A balance will be sought in the reduction of teaching, supervisory, and administrative positions within the accreditation standards of the state and the North Central Association. The method used for selection of employees to be laid off is to be based on identifiable job-related objective factors unrelated to race, sex, national origin, religion, age, handicapping condition or marital status. When a reduction in certified staff members becomes necessary in the opinion of the Board of Education, the following policy will be utilized to accomplish the necessary reduction action.

I. DEFINITION

- A. Reduction in force (RIF) – RIF as used in this policy will mean district-wide reduction in certified staff members.
- B. Seniority – Seniority as used in this policy will mean the employee's vertical salary schedule placement on the Mena School District's schedule.
- C. Attrition – Attrition is defined as a position left vacant when a teacher voluntarily resigns, retires, or is dismissed from the district.

II. PROVISIONS

- A. The Board of Education, upon a recommendation by the Superintendent of Schools, shall determine the number of staff members to be placed on RIF leave and the subject area(s), field(s), and/or program(s) to be affected.
- B. To the fullest extent possible, normal attrition will be considered first prior to reduction in force. Part-time teachers in identified areas of specialization shall be released prior to reduction of teachers on full-time contracts.
- C. A teacher placed on RIF leave may engage in teaching or another occupation during the period of such leave.
- D. A RIF-leave status shall not continue beyond two (2) years, unless the leave status is extended by Board action. (See Section III-C for the individual's responsibilities while on RIF-leave status.)
- E. The selection of teachers to be recommended for reduction in force shall be made by the Superintendent of Schools on the basis of the criteria and priorities listed below:
 - 1. Seniority – Reductions will be accomplished by layoffs of the least senior staff members in the identified areas of certification; provided, however, that teachers in their first, second, or third year of teaching experience will be maintained on a separate seniority list and will be considered as the least senior staff members for purpose of layoff;
 - 2. Professional Training – If two (2) or more persons have the same seniority and certification area status; reduction will be determined by educational attainment in accordance with horizontal salary schedule placement. Those to the right will be considered the most senior;
 - 3. A person certified in more than one (1) teaching area will be given precedence if seniority status and professional training are equal. A staff member involved in staff reduction may, if all other employment attributes are equal, exercise seniority and displace or place on layoff the teacher with the least seniority in the School District performing in the same assignment or assignment for which the teacher is certified, provided that the teacher agrees to acquire three (3) college hours of credit in the designated certification area during the summer terms;
 - 4. If seniority, educational placement, and certification of two (2) or more employees are the same, reduction will be accomplished by selecting the one with the most experience in the Mena School District. The initial employment acceptance date (month, day, year) may be used to determine reduction if the factors of seniority, educational placement, certification, and Mena School experience are equal for two (2) or more persons, and
 - 5. If all of the above are equal, total experience in the field of education will be considered.

- F. The implementation of a reduction in force shall not be used to allow certified teaching employees to move to administrative appointment unless selected for such an appointment through the usual selection process.

III. PROCEDURE

- A. Reduction of certified staff members will be made on a district-wide basis (grades K-12) rather than on a building-by-building basis whenever reduction in force occurs.
- B. Written notification to staff members affected by reduction in force will be provided as early as possible but no later than thirty (30) calendar days prior to the layoff.
- C. A staff member reduced from employment through the provisions of this policy will be considered to be on RIF leave.
 - 1. RIF-leave status will be maintained for a period of one (1) year (unless re-employed sooner by the Mena Schools).
 - 2. If the RIFed employee wishes to remain on RIF-leave status for the additional one (1)-year period, he/she must notify the District in writing not later than the one (1)-year anniversary date of layoff.
 - 3. RIF-leave status will not be affected by employment in another school district or in another occupation.
- D. Staff members will be selected for reduction according to the provisions and the procedures of this policy. Staff members on leave of absence or sabbatical will be considered in the same manner.
- E. A seniority list which will include certification areas for the individuals listed will be used to identify persons for RIF leaves.
- F. In the event a staff member, not being considered for RIF, desires to volunteer for RIF-leave status, he/she would request RIF status in writing to the personnel office within five (5) working days of the announced RIF action. Approval of a RIF volunteer would be made considering the match of the volunteer to the subject area(s), field(s) and/or program(s) affected by the RIF action. If placed on RIF-leave status the volunteer would be subject to all provisions, procedures, recall, and rights of this policy.

IV. RECALL AND RIGHTS

- A. After reduction-in-force action has occurred and the need for the reduction in certified personnel has diminished, RIFed personnel will be offered employment in their certified area prior to employment being offered to teacher applicants. However, the eligible RIFed personnel must be fully certified for the available position as reflected in their current Arkansas Teaching Certificate. When positions are to be filled through the recall process personnel on RIF leave will be recalled in the reverse order of layoff.
- B. The person being recalled will be offered employment by certified mail from the Mena Public Schools. Recall notice will be sent to the person's last known address on file in the Superintendent's Office. It shall be the responsibility of the RIFed person to supply the district with his/her current address.
- C. Within ten (10) calendar days of postmark of the recall notice, the recalled person must accept the offer by replying by certified mail or in person to the Mena Public Schools. Rejection of the offer or failure to respond within ten (10) days removes the recalled person's rights to any further employment consideration under the provisions of this policy.
- D. Failure to report to work in a position that the RIFed person has accepted, unless said employee presents proof of sickness or injury, shall be construed to be a default. If said RIFed person has secured employment elsewhere, he/she will be allowed a fourteen (14)-day period from the date of the acceptance before being required to report to work. A person on RIF leave who has contracted with another public school district may opt to complete his/her existing teaching contract. In this case, the person will be hired to fill a position at the beginning of the next school year.

- E. All fringe benefits to which an employee was entitled at the time of the RIF leave, including sick leave, personal business days, etc., will be restored to him/her upon returning to full-time employment with the Mena School District. No benefits will accrue during RIF-leave status, except for the following provision: A year's experience credit will be awarded for each year (or major portion thereof) teaching service rendered by an employee on involuntary leave of absence in a school system accredited by a state department of education or similar accrediting agency.
- F. Persons on RIF leave who choose to become substitute teachers will be given priority consideration. On the substitute teacher call list, the names of persons on RIF-leave status will be so designated. Those designated will be given priority when calling substitutes for duty. A year's experience credit will be awarded for any academic year in which an employee on involuntary leave of absence serves as a substitute teacher for at least 120 days in the Mena Public Schools.
- G. All teachers on RIF leave will be given priority over new applicants in filling positions which may open.
- H. When a reduction in force is declared and certified personnel are placed on layoff (RIF) status, the personnel office will prepare a seniority list of certified personnel.

This list according to seniority will include name, service, and certification areas; and RIFed personnel will be designated. The list will be maintained in the personnel office for review by the appropriate school officials, the personnel involved, and a classroom teacher association representative.

DD. SCHOOL CELL PHONE USE

Cell phones owned by the school are intended for school employees to be used for school business only. Personal cell phones should be used for personal calls. Cell phones should not be used in the classroom as it will disturb the educational environment. Personal calls at school should be made outside of class time and should be kept to a minimum.

EE. CERTIFIED PERSONNEL COMPUTER USE POLICY

The Mena School District provides computers and/or computer Internet access for many employees, to assist employees in performing work related tasks. Employees are advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that under Arkansas law both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act.

Passwords or security procedures are to be utilized as assigned, and confidentiality of student records relating to personnel is to be maintained at all times. Employees must not disable or bypass security procedures, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each student access computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. The District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during work or instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.

Certified Personnel Employee Internet Use Agreement:

Name (print) _____

School _____ Date _____

The Mena School District agrees to allow the employee identified above ("Employee") to use the district's technology to access the Internet under the following terms and conditions:

1. Conditional Privilege: The Employee's use of the district's access to the Internet is a privilege conditioned on the Employee's abiding to this agreement.
2. Acceptable Use: The Employee agrees that in using the District's Internet access he/she will obey all federal and state laws and regulations. Internet access is provided as an aid to employees to enable them to better perform their job responsibilities. Under no circumstances shall an Employee's use of the District's Internet access interfere with, or detract from, the performance of his/her job-related duties.
3. Penalties for Improper Use: If the Employee violates this agreement and misuses the Internet, the Employee shall be subject to disciplinary action up to and including termination.
4. "Misuse of the District's access to the Internet: includes, but is not limited to, the following:
 - a. using the Internet for any activities deemed lewd, obscene, vulgar, or pornographic as defined by prevailing community standards;
 - b. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
 - c. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
 - d. making unauthorized copies of computer software;
 - e. accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
 - f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack other;
 - g. posting anonymous messages on the system;
 - h. using encryption software;
 - i. wasteful use of limited resources provided by the school including paper;
 - j. causing congestion of the network through lengthy downloads of files;
 - k. vandalizing data of another user;
 - l. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
 - m. gaining or attempting to gain unauthorized access to resources for files;
 - n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
 - o. invading the privacy of individuals;
 - p. divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email. Personally identifying information includes full names, address, and phone number.
 - q. using the network for financial or commercial gain without district permission;
 - r. theft or vandalism of data, equipment, or intellectual property;
 - s. attempting to gain access or gaining access to student records, grades, or files;
 - t. introducing a virus to, or otherwise improperly tampering with the system;
 - u. degrading or disrupting equipment or system performance;
 - v. creating a web page or associating a web page with the school or school district without proper authorization;
 - w. providing access to the District's Internet Access to unauthorized individuals;
 - x. failing to obey school or classroom Internet use rules;
 - y. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools.
 - z. installing or downloading software on district computers without prior approval of technology coordinator or his/her designee.
5. Liability for debts: Staff shall be liable for any and all costs (debts) incurred through their use of the computers or the Internet including penalties for copyright violations.

6. No Expectation of Privacy: The Employee signing below agrees that in using the Internet through the District's access, that he/she waives any right to privacy the Employee may have for such use. The Employee agrees that the district may monitor the Employee's use of the District's Internet Access and may also examine all system activities the Employee participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system.

7. Signatures: The Employee, who has signed below, has read this agreement and agrees to be bound by its terms and conditions.

Employee Signature: _____ **Date:** _____

IV. CLASSIFIED PERSONNEL

The school system shall maintain a staff of employees who are not certified by the State Department of Education in these necessary non-instructional capacities: clerical, custodial, food service, transportation, health service and maintenance.

A. SELECTION

It shall be the duty of the Superintendent of Schools to recommend the employment of the individual members of the classified staff to the Board for approval and employment.

B. APPLICATION

Application for employment in classified positions in the Mena School District shall be made to the Superintendent of Schools on the school's official application form, which may be obtained in the Office of the Superintendent. All employees must satisfy the student management/discipline training required by state law.

C. ASSIGNMENT and EVALUATION

The Superintendent shall consider, so far as possible, the wishes of employees in placement and assignment of classified personnel. Employees may be assigned, reassigned, or transferred by decision of the Superintendent. Each employee shall be under the general direction of the Superintendent of Schools and immediately responsible to the Principal of the building to which he/she is assigned or to his/her immediate superior where no building assignments are involved. Employees will be evaluated by their direct supervisor. Under the provisions of **Act 822 of 1989**, each classified employee will be issued a contract specifying the duration of employment, specific duties attaching to his/her position and the annual salary that the employee is to be paid.

REQUIREMENTS FOR PARAPROFESSIONALS

No Child Left Behind (NCLB) requires That Title I paraprofessionals who have any student instructional contact be "highly qualified." This requires that, at a minimum, they shall have:

1. Completed at least 2 years of study at an institution of higher education;
2. Obtained an associate's (or higher) degree;
3. Taken and passed the Parapro Assessment Test certifying they are highly qualified; or
4. Satisfied any other state or federal requirement for paraprofessionals to be 'highly qualified.'

New employees hired as paraprofessionals are required to have met the qualifications criteria as an initial condition for employment. Title I paraprofessionals who have any student instructional contact already employed by the district as of January 8, 2002 must be able to meet the qualifications criteria by January 1, 2006.

The Superintendent shall determine if, in his or her opinion, a paraprofessional employed by the district prior to January 8, 2002 may be reasonably expected to satisfy the requirements imposed by NCLB or state requirements by January 1, 2006. ¹ No later than 30 days prior to each paraprofessional's contract commencement date the Superintendent shall notify paraprofessional employees deemed unlikely to satisfy NCLB and/or state requirements that they are being recommended for non-renewal. In the event that, subsequent to contract renewal, the Superintendent determines the paraprofessional employee does not meet the definition of "highly qualified," it shall be grounds for termination of the paraprofessional's contract of employment.

An exception to the highly qualified requirements of NCLB is allowed for paraprofessionals who are proficient in English and a language other than English and who provides services primarily to enhance the participation of children in programs served under Title I by acting as a translator; or whose duties consist solely of conducting parental involvement activities consistent with the requirements of NCLB.

Note: ¹ For example: if an employee still needs 30 college credit hours to attain highly qualified status by the contract renewal date of Aug 1, the superintendent can reasonably assume there is no way the hours can be obtained in the single semester available between August 1 and January 1.

D. SALARY and BENEFITS

Salary schedules for each type of employment will be maintained in the Office of the Superintendent. Salaries will be commensurate to duties performed and the prevailing wage of the area. Overtime will be approved and scheduled by the Superintendent or his designee. Documentation of hours worked will be through the district's electronic time clock system or other means as provided by the Office of the Superintendent.

Classified personnel are entitled to additional benefits as employees of the District. These benefits include but are not limited to insurance, Sick Bank participation, and retirement options. Employees will have the opportunity to voice an opinion by way of secret ballot regarding the District's school calendar for each upcoming year.

E. MATERIALS REQUIRED

Each year all first year classified personnel employed by the Mena School District must present for filing in the Superintendent's Office, a skin test certificate indicating freedom from tuberculosis. He/she must also file in the Superintendent's Office his/her correct address and telephone number, Withholding Exemption Certificate Form W-4, and acceptable proof of birth.

F. LEAVE

Requests for leave by classified personnel will be handled individually by their immediate supervisor.

1. Classified personnel shall be granted sick leave with full pay at the rate of one (1) day per month or major portion thereof for which the employee is contracted until one hundred twenty (120) days have been accumulated.

Two (2) paid personal days will be granted upon request annually. The Principal/Supervisor must approve personal days in advance. These two paid personal days will not be carried over to the next year.

With spousal approval, married couples employed by the Mena School District may draw sick leave days from their spouse providing one has exhausted his/her accumulated sick leave days.

Arrangements to access a spouse's sick leave days must be made through the Superintendent's Office.

2. At the beginning of a new school year, each classified employee shall be credited with as many additional sick leave days as they are allowed for the year. Any classified employee who would have a balance above one hundred twenty (120) sick leave days shall have the balance reimbursed to them at the rate of \$60 per day times the number of days credited to them above one hundred twenty (120) days. Payment for these days will occur at the regular pay period of January. Regular deductions other than teacher retirement are applicable.

Employees may transfer up to 120 days of any unused sick leave to another school district, educational cooperative, state education agency, or two-year college (Act 774 of 1999).

3. **Death of a Close Relative**

Sick leave may be granted due to the death of a close relative.

4. **Maternity Leave**

Maternity leave may be granted upon consultation between the employee, her physician and the Superintendent of Schools.

5. Injury from Assault

Any staff member who, while in the course of their employment, is injured by an assault or other violent act; while intervening in a student fight; while restraining a student; or while protecting a student from harm, shall be granted a leave of absence for up to one (1) year from the date of the injury with full pay.

A leave of absence granted under this policy shall not be charged to the staff member's sick leave.

In order to obtain leave under this policy, the staff member must present documentation of the injury from a physician, with an estimate for time of recovery sufficient to enable the teacher to return to work, and written statements from witnesses (or other documentation as appropriate to a given incident) to prove that the incident occurred in the course of the staff member's employment.

6. Sick Leave Bank

Purpose:

This Sick Leave Bank is for the protection of participating employees during long-term disability of the employee, or member of the immediate family. The immediate family shall include spouse, children, parents or other relatives living in household.

Participation:

Each staff member may voluntarily contribute one day for nine (9) and ten (10) month contracted employees and two days for eleven (11) and twelve (12) month contracted employees of his/her sick leave allowance to a Sick Leave Bank. Enrollment in the District's Sick Leave Bank will be prior to September 1 each school year for non-members and for new personnel in the District. Any new personnel employed after September 1 will have 20 calendar days to enroll in the Bank. Membership in the Bank shall be continuous unless the employee informs the Superintendent's office of his/her intent to withdraw from the Bank prior to September 1 each year. Days contributed to the Bank may not be returned.

Governance:

A ten (10) member committee shall, with the assistance of the Superintendent, oversee the administration of the Sick Leave Bank. The committee shall be comprised of five (5) classroom teachers, one from each building, one (1) administrator, one (1) school board member, and three (3) classified employees. Committee members must have contributed days to the Sick Leave Bank. The committee members will be selected at the same time the member of the Personnel Policies Committee are selected. Each building will select a teacher representative. Administrators will select their representative, the school board should select its representative in their August meeting, and classified employees, district wide, will select their representative. Committee members will serve three (3) year terms except the initial committee.

In order to have rotating teams, the initial committee will draw for terms of office as follows:

- 4 members with 3 year terms
- 4 members with 2 year terms
- 2 members with 1 year terms

The committee will choose its own chairperson each year.

Rules of Operation:

The Sick Leave Bank Committee shall administer the Bank according to the following rules:

The sick leave bank is for all Mena Public School employees who are members of the sick leave bank and have exhausted all accumulated sick leave due to catastrophic and unavoidable circumstances. In order to use the sick leave bank services, the situation must be severe.

To become a member of the sick leave bank, 1 sick day must be donated to the sick leave pool once every 3 years.

To become a member of the sick leave bank, 1 sick day must be donated to the sick leave pool once every 3 years.

When a Mena Public School employee has exhausted all accumulated sick leave and has missed at least 20 consecutive days of work, then the employee may petition the sick leave bank committee for a maximum of 40 days to be used as additional sick days. (Special circumstances such as an

employee who does not miss 20 consecutive days because he/she tries to be at work as often as possible will be taken under consideration by the committee for exception. Medical documentation attesting to the severity of each situation must be provided to the committee.

If the sick leave pool is depleted, the source of additional days will be the accumulated sick leave of other employees. After an employee petitions for additional days, each campus committee member will forward that information to the campus faculty. Each faculty member may choose whether or not to donate up to 5 days of his or her own accumulated sick leave to the individual. Their affirmative decision will be given directly and discretely to the central office and remain confidential.

Records:

In the event that an additional assessment is made and a participating member does not have an additional day available, and the member is in at least the second year of participation, the member may borrow from the Bank to continue coverage. This day must be repaid at the beginning of the next school year.

Members unable or unwilling to contribute the additional assessment will be dropped from the program. Any member who was unable to contribute is eligible to join the following year by contributing one regular sick day. Any member unwilling to contribute the additional assessment must wait a year in order to rejoin.

Reports:

The Sick Leave Bank Committee shall be responsible for the proper maintenance and development of records and report forms. The committee shall work closely with the administration in administering the Sick Leave Bank.

Days left over at the end of the year in Sick Leave Bank will be carried over to succeeding years.

G. VACATION

Employees who are employed twelve months are allowed two weeks vacation with pay during the summer after they have been employed one full school term, such vacation to be arranged with the Superintendent.

H. RETIREMENT

All classified personnel are covered by Social Security and entitled to benefits thereof. **Act 653 of 1989** requires mandatory membership in the Arkansas Teacher Retirement System for all school district personnel hired on or after July 1, 1989. This act includes employees who have previously worked for a school district and were enrolled in the Public Employees Retirement System. Those employees who belong to the Arkansas Teacher Retirement System must choose whether or not they shall be contributory or non-contributory members of the retirement system.

All classified employees shall be eligible for severance pay at the time they retire from the Mena School System. This severance pay shall be computed by the number of their accumulated sick days up to one hundred twenty (120) days times \$60 per day.

Regular deductions other than teacher retirement are applicable on this severance pay.

1. Death of Employee

In the event of an employee's death their estate shall be paid for the number of his/her accumulated sick days. This shall be calculated by the number of accumulated sick days up to one hundred twenty (120) times \$60 per day.

I. GRIEVANCES

All grievances should be settled with the employee's immediate superior; this failing, appeal may be made to the Superintendent.

An employee shall be entitled to and shall be offered the opportunity to have a witness or representative of the employee's choice present during any disciplinary or grievance matter with any administrator.

J. TERMINATION and REDUCTION IN FORCE (RIF)

Termination is recommended to the Board only by the Superintendent. Principals or supervisors will direct complaints to the Superintendent of Schools for consideration.

The employee will not be terminated prior to his receipt of a reasonable notice of the specific charges and an opportunity for a hearing before the Board upon request, provided such request is made in writing to the superintendent within twenty-five (25) calendar days from receipt of notice that employee is being recommended for termination (**ACT 1314 of 1999**), at which hearing he may have any representative or spokesman desired by him. If the representative is an attorney, the Board reserves the right to be represented by counsel also. The hearing shall take place not less than five or more than ten days after the written request has been received by the superintendent, except that the employee and board may, in writing, agree to an earlier or later hearing date. The hearing shall be public or private at the request of the employee (**ACT 1314 of 1999**).

The employee may be relieved of all duties prior to dismissal if continued performance of duties is considered to be detrimental to the school. (See Classified Employee Evaluation Plan)

RIF policies may be enforced due to changes in the financial status of the district. Seniority will be determined for each of the five major classifications of employees. Seniority will be determined for each classification on a district wide basis, not a building basis.

K. DRUG AND ALCOHOL TESTING (Transportation)

Purpose:

The purpose of this policy is to comply with the Omnibus Transportation Employee Testing Act of 1991. This policy is to establish guidelines for a mandatory drug and alcohol testing program for any employee required to transport students by school bus.

Personnel Affected:

Bus drivers or any employee having a Commercial Drivers License that is required to transport students by school bus.

Definitions:

A. Abuse and/or untimely use of alcohol.

Having an alcohol concentration in the blood or breath of 0.04 percent or greater or having an alcohol concentration in the blood or breath in any amount or degree when coupled with impairment of the employee's ability to safely, properly, and effectively perform their assigned duties.

B. Drugs.

Any substance (other than alcohol) that has known mind or function-altering effects on a human subject, specifically including any psychoactive substance and including but not limited to, controlled substances as defined by district drug policy.

Job Applicant Testing:

All applicants for jobs covered by this program will be required to undergo drug and alcohol screening prior to their employment. Confirmed presence of alcohol, illegal drugs or a controlled substance, without adequate explanation, will result in the applicant not being eligible for employment.

Random Employee Testing:

To maintain the district's priority of assuring the safety, health and well-being of students, employees and the traveling public, the district retains the right to randomly test for alcohol and illegal drugs on all employees who are covered by this program. No employee will be randomly tested more than (2) times per school year. A confirmed positive test without adequate explanation will result in termination.

Employee Testing for Cause:

A district administrator who has reasonable suspicion that an employee under his supervision is guilty of abuse and/or untimely use of alcohol and abuse and/or untimely use of controlled substances and/or drugs may require the employee to undergo a drug and/or alcohol test. Reasonable suspicion may be based, among other things, on an employee's observed behavior which is indicative of drug or alcohol use, reports from a reliable source of suspected drug use or possession or use of drugs and/or alcohol.

The district administrator will follow the following process in cases where he reasonably suspects abuse and/or untimely use of alcohol or abuse, and/or untimely use of controlled substances and/or drugs:

1. Solicit an explanation from the employee for any behavior which creates a reasonable suspicion of violation of this program.
2. If the employee cannot satisfactorily explain the behavior, the supervisor may request the employee to undergo a drug and or alcohol test.
3. A confirmed positive test, without an adequate explanation, will result in termination.

Employee Accident-Related Testing:

The district will require an employee to undergo drug and alcohol testing when involved in an accident in which the employee is considered at fault, or which results in personal injury or property damage. A confirmed positive test, without an adequate explanation, will result in termination.

Employee Refusal:

Refusal to take the test immediately or failure to cooperate fully as requested during the testing procedure will be considered as being an act of insubordination and will result in termination.

Explanation and Reconfirmation:

Both applicants and employees may provide a written explanation for their positive test results and request reconfirmation of their original sample at their own expense.

Confidentiality:

The district realizes the legal need for strict confidentiality as it relates to test results. Confidentiality applies to all information relating to the employee drug testing, and no person other than necessary management will have access to drug testing results.

L. DRUG FREE WORK ENVIRONMENT

The purpose of this policy is to comply with the Drug Free Schools and Communities Act of 1989 as amended. This policy is applicable to all employees of the Mena Public School District. All employees are to be made cognizant of this policy and are required to sign an acknowledgment form and return it to their building principal or supervisor.

The Mena School District is strongly committed to providing a drug free work place both for the health and safety of its employees and as an example to its students. Drug abuse and use during working hours are subjects of immediate concern in our society. From a safety perspective, the users of drugs may impair the well-being of all employees, students, the public at large, and may cause damage to school district property. Therefore, it is the policy of the Mena Public School District that the unlawful manufacture, distribution, possession, sale, dispensation, use, or being under the influence of alcohol or a controlled substance on district property or at school related activities is prohibited. Any employee violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

1. The Mena Public School District will not differentiate among drug users/abusers and drug pushers and sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on district premises or at school related activities will be subject to discipline up to and including termination and referral for prosecution.

2. The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and other federal regulations. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, Heroin, Marijuana, Cocaine, "Crack", PCP, and "Ice".
3. Each employee is required by law to inform the district within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the district's premises or during district sponsored activities. A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in any federal court, state court, or other court of competent jurisdiction. Failure to report such a conviction may result in immediate termination.
4. If an employee is convicted of violating any criminal drug statute while in the work place, he or she will be subject to discipline up to and including termination. Alternatively, the school district may require, as a condition of continued employment, the employee to successfully finish a drug abuse program sponsored by an accredited and approved private or governmental institution. Employees are encouraged to seek treatment and/or counseling for drug problems. Employees voluntarily requesting assistance will not have their employment jeopardized by the request. However, a request for assistance by an employee after violating this regulation will not affect the imposition of disciplinary action up to and including termination.
5. As a condition of employment involving any federal government contract, the law requires all employees to abide by this policy.
6. Nothing in this regulation shall limit the District's right to discipline up to and including discharge of an employee convicted of off duty, off premises illegal drug activity.

POLICY RECEIPT ACKNOWLEDGMENT

I, _____, an employee of the Mena Public School District, hereby certify that I have received a copy of the district's policy regarding the maintenance of a drug-free work environment. I am aware that the unlawful manufacture, distribution, sale, dispensation, possession or use, or being under the influence of alcohol or a controlled substance on Mena Public School District property, or at school related activities/events, is prohibited. I am also aware that violation of this policy will subject me to discipline up to and including termination. I realize that as a condition of my employment in this school district I must abide by the terms of this policy and will notify my employer of any criminal drug conviction for a violation occurring in the work place no later than five (5) days after such conviction. I further realize that my employer may be required to communicate this conviction to federal authorities.

Employee's Signature

Date

M. SEXUAL HARASSMENT

Mena Public Schools is committed to providing an atmosphere free of any type of harassment. Any employee who believes he or she is a victim of sexual harassment on the job should immediately report the matter to his or her immediate superior. Any employee found to be sexually harassing another employee, visitor, applicant for employment, vendor, staff or student shall be dealt with under the disciplinary policies and procedures established by the Mena Board of Education.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- Submission to such conduct is made 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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment

N. CLASSIFIED PERSONNEL RESPONSIBILITIES GOVERNING BULLYING

School employees who have witnessed, or are reliably informed that, a student has been a victim of bullying as defined in this policy, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the principal. The principal or his/her designee shall be responsible for investigating the incident(s) to determine if disciplinary action is warranted.

District staff are required to help enforce implementation of the district's anti-bullying policy. The district's definition of bullying is included below. Students who bully another person are to be held accountable for their actions whether it occurs on school grounds; off school grounds at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops. Students are encouraged to report behavior they consider to be bullying; including a single action which if allowed to continue would constitute bullying, to their teacher, staff member or the building principal. The report may be made anonymously.

The school district prohibits reprisal or retaliation in any form against any person who reports an act of harassment, intimidation or bullying.

Definition:

Bullying is any pattern of behavior by a student, or a group of students, that is intended to harass, intimidate, ridicule, humiliate, or instill fear in another child or group of children. Bullying behavior can be a threat of, or actual, physical harm or it can be verbal abuse of the child. Bullying is a series of recurring actions committed over a period of time directed toward one student, or successive, separate actions directed against multiple students.

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

1. Sarcastic "compliments" about another student's personal appearance,
2. Pointed questions intended to embarrass or humiliate,
3. Mocking, taunting or belittling,
4. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
5. Demeaning humor relating to a student's race, gender, ethnicity or personal characteristics,

6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
7. Blocking access to school property or facilities,
8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings, and/or
10. Threats of harm to students(s), possessions, or others.

A school employee who has reported violations under the school district's policy shall be immune from any tort liability which may arise from the failure to remedy the reported incident.

O. BUS DRIVERS REPORTING OF CERTAIN VIOLATIONS

Act 1825 of 2005 requires school bus drivers to report certain violations of the traffic laws to the superintendent of the school district and requires the superintendent to provide the report to a local law enforcement authority.

P. SCHOOL CELL PHONE USE

Cell phones owned by the school are intended for school employees to be used for school business only. Personal cell phones should be used for personal calls. Cell phones should not be used in the classroom as it will disturb the educational environment. Personal calls at school should be made outside of class time and should be kept to a minimum.

Q. CLASSIFIED PERSONNEL COMPUTER USE POLICY

The Mena School District provides computers and/or computer Internet access for many employees, to assist employees in performing work related tasks. Employees are advised that they enjoy no expectation of privacy in any aspect of their computer use, including email, and that under Arkansas law, both email and computer use records maintained by the district are subject to disclosure under the Freedom of Information Act.

Passwords or security procedures are to be utilized as assigned, and confidentiality of student records relating to personnel is to be maintained at all times. Employees must not disable or bypass security procedures, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each student access computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. The District Technology Administrator or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

Employees who misuse district-owned computers in any way, including excessive personal use, using computers for personal use during work or instructional time, using computers to violate any other policy, knowingly or negligently allowing unauthorized access, or using the computers to access or create sexually explicit or pornographic text or graphics, will face disciplinary action, up to and including termination or non-renewal of the employment contract.

Classified Personnel Employee Internet Use Agreement:

Name (print) _____

School _____ Date _____

The Mena School District agrees to allow the employee identified above ("Employee") to use the district's technology to access the Internet under the following terms and conditions:

1. Conditional Privilege: The Employee's use of the district's access to the Internet is a privilege conditioned on the Employee's abiding to this agreement.
2. Acceptable Use: The Employee agrees that in using the District's Internet access he/she will obey all federal and state laws and regulations. Internet access is provided as an aid to employees to enable them to better perform their job responsibilities. Under no circumstances shall an Employee's use of the District's Internet access interfere with, or detract from, the performance of his/her job-related duties.

3. Penalties for Improper Use: If the Employee violates this agreement and misuses the Internet, the Employee shall be subject to disciplinary action up to and including termination.

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

- a. using the Internet for any activities deemed lewd, obscene, vulgar, or pornographic as defined by prevailing community standards;
- b. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
- c. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
- d. making unauthorized copies of computer software;
- e. accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;
- f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack other;
- g. posting anonymous messages on the system;
- h. using encryption software;
- i. wasteful use of limited resources provided by the school including paper;
- j. causing congestion of the network through lengthy downloads of files;
- k. vandalizing data of another user;
- l. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- m. gaining or attempting to gain unauthorized access to resources for files;
- n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- o. invading the privacy of individuals;
- p. divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email. Personally identifying information includes full names, address, and phone number.
- q. using the network for financial or commercial gain without district permission;
- r. theft or vandalism of data, equipment, or intellectual property;
- s. attempting to gain access or gaining access to student records, grades, or files;
- t. introducing a virus to, or otherwise improperly tampering with the system;
- u. degrading or disrupting equipment or system performance;
- v. creating a web page or associating a web page with the school or school district without proper authorization;
- w. providing access to the District's Internet Access to unauthorized individuals;
- x. failing to obey school or classroom Internet use rules; or
- y. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools.
- z. installing or downloading software on district computers without prior approval of technology director or his/her designee.

5. Liability for debts: Staff shall be liable for any and all costs (debts) incurred through their use of the computers or the Internet including penalties for copyright violations.

6. No Expectation of Privacy: The Employee signing below agrees that in using the Internet through the District's access, that he/she waives any right to privacy the Employee may have for such use. The Employee agrees that the district may monitor the Employee's use of the District's Internet Access and may also examine all system activities the Employee participates in, including but not limited to e-mail, voice, and video transmissions, to ensure proper use of the system.

7. Signatures: The Employee, who has signed below, has read this agreement and agrees to be bound by its terms and conditions.

Employee Signature: _____ Date: _____

R. PERSONNEL POLICIES COMMITTEE - CLASSIFIED

Act 1780 of 2003 establishes an employee personnel policy committee for classified employees. The district shall develop a salary schedule for the five (5) classifications of classified personnel to include employees working in maintenance and operation, transportation, food service, secretarial/clerical, and aids/paraprofessionals. The Classified-Personnel Policies Committee shall consist of at least one, non-certified in the five (5) classifications may be added as an additional representative. There shall be no more than three (3) administrators on the committee, one (1) of which may be the superintendent of schools. The classified personnel members of the committee on personnel shall be elected by a majority of the classified personnel voting by secret ballot. The election shall be solely and exclusively conducted by the classified personnel, including distribution of ballots. Each election shall be conducted by mid-October to include election of a chairman and secretary and the development of a calendar of meetings to review the district's personnel policies.

Minutes of the meetings shall be promptly reported, distributed to members of the board, and posted in the worksites of the district including administrative offices. Either the committee or the board of directors may propose new personnel policies, if the proposals by the board have been submitted to the committee at least ten (10) working days prior to presentation to the board. The committee shall present its proposed policies or amendments to existing policies to the board of directors, and the board shall take final action no later than the next regular board meeting. The board of directors shall have the authority to adopt, reject, or refer back the committee on personnel policies for further study and revision, any proposed policies or amendment to existing policies that are submitted to the board for consideration.

Each classified employee being employed by a school district for the first time shall be given a copy of the district's personnel policies in effect at the time of his or her employment, and those who were employed before the adoption of this policy shall be given a copy of the district's personnel policies at the time his or her contract is renewed or extended.

V. INSTRUCTIONAL PROGRAM

A. ORGANIZATION

1. Introduction

- a. The curriculum shall be organized in agreement with the general philosophy of the school and with the needs of the students in mind. To allow for the individual differences in ability, needs and interests of children, the curriculum shall be as broad and flexible as possible.
- b. The curriculum shall be flexible and the process of evaluation, revision, and improvement shall be continuous.

2. Classroom Organization

- a. Each principal shall furnish the Office of the Superintendent of Schools and each supervisor concerned with the school, a copy of the program of each teacher in his/her school. The syllabus and/or curriculum map may be submitted as program documentation.
- b. Daily Program
 - (1) The daily program is the responsibility of each teacher and his/her principal.
 - (2) Students' schedules shall be flexible to allow for individual needs and interests. A student's daily schedule may be slightly different from the rest of the class due to individual instruction in remedial subjects, physical education, music, athletics, etc.
 - (3) In developing a daily program in the elementary school, sufficient time should be found to teach the meaning of freedom and democratic living in order that our democratic way of life shall be perpetuated.
 - (4) Pledge of Allegiance

The Pledge of Allegiance shall be recited during the first class period of each school day. Those students choosing to participate shall do so by facing the flag with their right hands over their hearts, or in an appropriate salute if in uniform, while reciting the Pledge. Students choosing not to participate shall be quiet while either standing or sitting at their desks.

Students shall not be compelled to recite the Pledge, but students who choose not to recite the Pledge shall not disrupt those students choosing to recite the Pledge.

Students choosing not to recite the Pledge shall not be subject to any comments, retaliation, or disciplinary action.
 - (5) A minimum of six (6) hours, excluding the lunch period, shall be an average school day for all students.
 - (6) The daily schedule shall be flexible enough to allow for special events and activities.

3. Special Accommodations

The district will make reasonable accommodations for students who have special health care needs in order that they may attend school. These accommodations may include:

- (1) The administration of medication during the school day. Designated school personnel may administer medication to students when the parent or guardian furnishes medication, completes an authorization form and provides specific instructions on how and when the medication is to be administered.
- (2) Specialized medical and technical support required by a student under IDEA or § 504 may be administered by designated school personnel as directed by a student's physician. School personnel will be provided with appropriate training and instructions.

- (3) School personnel may provide first aid or other emergency treatment when students are injured or become ill at school.

4. Extra-Curricular Activities

The Mena School District supports the establishment of a comprehensive and well-balanced extra-curricular activities program as a supplement to the instructional program. It is the intention of the Mena School District to provide supervision by persons qualified to assist students in the appreciation and development of skills, knowledge and techniques related to the particular activities in which they participate.

All students who meet stated eligibility requirements will have an equal opportunity to participate in all extra-curricular activities.

Eligibility to participate in extra-curricular activities is governed by the Arkansas Activities Association, including the requirement that a student pass four academic subjects the preceding semester.

All extra-curricular activities should be held after 3:30 p.m. if scheduled on a regular school day. The school district will try to limit and control interruptions of instructional time and the number of student absences occurring due to extra-curricular activities such as assemblies, field trips, guest speakers and other interruptions of normal instructional day.

A club or organization may have requirements that exceed the above in order to be eligible.

If a student has been suspended from school or is assigned to in-school suspension, the student will not be permitted to participate in any extra-curricular activities during the time of suspension

B. PUPIL PROGRESS and PARENT-TEACHER COMMUNICATION

1. Reporting to Parents

- a. Pupil progress is reported to parents four times a year. Mid-term progress reports will also be available.
- b. Parents are always invited to visit school to check with the teacher and Principal on the grading of their children for progress.
- c. The district recognizes the importance of communication between teachers and parents/legal guardians. To help promote positive communication, parent/teacher conferences shall be held once each semester. Parent-teacher conferences are encouraged and may be requested by parents or guardians when they feel they need to discuss their child's progress with his/her teacher.

Teachers are required to communicate during the school year with the parent(s) or legal guardian(s) of each of their students to discuss their academic progress. Elementary school teachers, kindergarten through sixth grade (K-6) shall meet with the parent(s) or guardian(s) of each student at least once a semester through a parent-teacher conference, telephone conferences, or a home visit. More frequent communication is required with the parent(s) or legal guardian(s) of students who are performing below grade level.

All parent/teacher conferences shall be scheduled at a time and place to best accommodate those participating in the conference. Each teacher shall document the participation or non-participation of parent(s)/legal guardian(s) for each scheduled conference.

- d. If a student is considered for retention at any grade level, notice of retention and the reasons for retention shall be communicated to the parents promptly in a personal conference.
- e. Each school shall document parent or guardian participation or non-participation in required conferences. Other contacts with parents or guardians shall be documented by the teachers or the school office as part of the Parental Involvement program requirements.
- f. Any non-custodial parent who has been awarded visitation rights by the court with respect to a child shall, upon request, be provided a copy of the current scholastic records of such child by the Mena district (**Act 345 of 1997**).
- g. In the event of a report by the school to law enforcement concerning student misconduct, the principal or, in the principal's absence, the principal's designee shall make a reasonable, good faith effort to notify the student's parent, legal guardian, or other person having lawful control of the student by court order or person acting in loco parentis listed on student enrollment forms, that the student has been reported to, interviewed by, or taken into custody by law enforcement officers.

2. Grading

The purpose of grading is to indicate the student's progress in learning, the teacher's suggestions for improvement, and to assist in promotion and grade placement. Grades given reflect only the achievement of the expressed academic objectives of the course.

Parents or guardians shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation which may enhance the probability of the students succeeding. The school shall also send timely progress reports and issue grades for each nine-week grading period to keep parents/guardians informed of their student's progress.

- a. The **grading scale** for all schools in the district shall be as follows:

A = 100-90 denotes excellent work
B = 89-80 denotes above average work
C = 79-70 denotes average work
D = 69-60 denotes below average work
F = 59 and below denotes failure

Grade Point Averages: For the purpose of determining grade point averages, the numeric value of each letter grade shall be

A = 4 points
B = 3 points
C = 2 points
D = 1 point
F = 0 points

b. Advanced Placement Course Grades and Weighted Credit

Students who take advanced placement courses approved for weighted credit by the Arkansas Department of Education shall be graded according to the following schedule.

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

For the purpose of determining grade point averages, the numeric value of each letter grade shall be

A =	5 points
B =	4 points
C =	3 points
D =	2 points
F =	0 points

Weighted Credit

Mena High School students who register for Advanced Placement courses are required to participate in the state –funded Advanced Placement exam as a part of the course requirements. Students who complete the course and take the AP exam receive weighted credit. The weighted credit is not an option, nor is participation in the AP exam.

Students who transfer into the district will be given weighted credit for the Advanced Placement courses, honor courses approved by the Arkansas Department of Education, and concurrent college courses taken for weighted credit at his/her previous schools(s) according to the above indicated scale.

c. **Concurrent Credit**

A ninth through twelfth grade student who successfully completes a college course(s) from an institution approved by the Arkansas Department of Education shall be given credit toward high school grades and graduation at the rate of one-half (1/2) high school credit for each three (3) semester hours of college credit. Unless approved by the school's principal **prior to enrolling for the course**, the concurrent credit shall be applied toward the student's graduation requirements as an elective.

C. GENERAL REQUIREMENTS FOR PROMOTION

1. Promotion of pupils in elementary school will be on the basis of ability to do the work in the next grade and with the welfare of the pupil considered. The classroom teachers will be responsible for making recommendations for promotions and retentions to the principal.
2. Arkansas law requires districts to provide a remediation program or summer school for students in K-3 in order to be promoted, if they are not performing at grade level. (Act 855 of 1999).
3. Promotion from one grade to the next in senior high school is accomplished by subject on a semester basis. All required courses or prerequisite courses failed must be repeated. Act 675 of 2003 requires students in grades 9-12 to enroll in no fewer than 6 hours of approved classes per day.
4. The Principal will be held responsible for the classification of pupils under his supervision.

D. COURSE OF STUDY

1. Responsibility

The construction of the course of study is the responsibility of the Superintendent of Schools and his administrative staff. The course of study should meet the needs of the community at all levels of ability and should meet the recommendations of the North Central Accrediting Association as well as the requirements of the Arkansas State Department of Education.

2. Curriculum

In order that the student may communicate through written and spoken words, it is the responsibility of each teacher to insist on good reading habits, correct spelling, neat composition, and use of correct grammar by students in all classes. Along with these aims, the English teacher shall supplement the course of studies with American and English Literature.

a. Social Studies

(1) The social studies curriculum is organized to equip the high school students with an understanding of the problems facing them as today's citizens. Social science courses shall be correlated with each other and shall be based on actual life situations.

(2) The goal of the social science curriculum is to develop intelligent citizens who have pride and faith in our heritage and believe in the ideals of American democracy. The duties and responsibilities of citizenship in our democratic society must be developed along with the privileges of citizenship. The character and integrity of each student must be developed so as to instill into his mind a desire to live a rich, ethical life, and to make contributions to the welfare of the nation.

b. Mathematics

Mathematics should contribute to the purpose of education in general while seeking to develop specifically the ability to understand quantity, and to analyze and solve problems, and to attain a high degree of accuracy.

c. Foreign Languages

Foreign language study may profitably begin in the elementary school. This study should be continuous over a period of several years. The beginning study should emphasize the aural and oral approach, concentrating on word soundings and spoken languages. The study should result in the mastery of the language.

d. Science

The science program should make the student of science more aware and appreciative of the methods of science, the wonders of the natural world and the products of modern science. Through proper guidance there should be the selection and encouragement of the more capable students for advanced study.

e. Physical Education

In keeping with the national trend for improvement in the physical education program, the aims of this area are to assist the pupils in acquiring a wide variety of physical skills and to provide an opportunity for the development of leadership, fellowship, sportsmanship, group cooperation and, in later years, leisure time activities.

f. Music

The music program should contribute to the character of the individual through self-expression, developing habits of teamwork, developing emotional sensitivity, and developing enjoyment of art.

g. Home Economics

The improvement of the quality of the home and family living should be the major goal of the home economics department. The home economics program should contribute to the school and community health programs, to citizenship and counseling, and to the various other projects connected with the growth and development of youth and adults.

h. Vocational Agriculture

The agriculture program should make the student of agriculture more aware and appreciative of the methods of agriculture. The program should offer instruction in various phases of agriculture, giving detailed study in each phase of agriculture.

i. Business Education

In recognition of the need to provide our young people with adequate preparation for living as well as for earning a living, the business education curriculum shall have as its aim to help students prepare for competency, including skill training and development of occupational understanding.

j. Art

Courses in art shall be offered for the purpose of aiding the powers of observation, for encouraging an expression of ideas and for promotion and appreciation of art.

k. Co-Curricular Activities

A co-curricular program shall be included in the program of instruction. The School Board recognizes this as a vital part of a well balanced educational program. Only those activities that provide educational value will be allowed. The co-curricular program shall be reviewed periodically by the Superintendent who shall make recommendations to the Board of Education.

3. Exceptional Children

Students having unusual physical, mental or emotional needs require special assistance. These students will be identified and special services provided for them as funds become available.

4. Foster Children

Children in foster care are entitled to the same opportunities to meet the academic achievement standards to which all children are held; shall be assisted so that they are able to remain in their schools; shall be placed in the least restrictive education placement; and shall have the same access to academic resources, services, and extracurricular enrichment activities as all other children.

Decisions regarding the education of children in foster care are to be based on the best interests of the children. The Mena School District has designated the Federal Programs Coordinator to also serve as the Foster Care Liaison.

5. Correspondence Courses or Computer Based Concurrent Courses

Correspondence courses made available through accredited colleges may be considered as an option for a student who fails to complete the graduation requirements within the academic year of his/her graduating class. In order to be eligible for a diploma from Mena High School, the student and principal will determine the course(s) which must be completed with a passing grade in order for all graduation requirements to be met and a diploma issued. Any/all exams for correspondence courses or computer based concurrent courses must be monitored by an authorized test administrator. All transcripts for correspondence courses must be postmarked no later than December 31 of the year in which the student was originally scheduled to graduate.

E. Smart Core Curriculum and Graduation Requirements

All students are required to participate in the Smart Core curriculum unless their parents or guardians or the students if they are 18 years of age or older, sign an *Informed Consent Form* to not participate. Those students not participating in the Smart Core curriculum will be required to fulfill the Common Core curriculum or the requirements of their IEP (when applicable) to be eligible for graduation. The signed *Informed Consent Form* shall be attached to the student's permanent transcript. *Informed Consent Forms* are required to be signed prior to registering for seventh grade classes, or if enrolling in the district for seventh through twelfth grade classes. Counseling by trained personnel shall be available to students and their parents or legal guardians prior to the time they are required to sign the consent forms.

While there are similarities between the two curriculums, following the Common Core curriculum may not qualify students for some scholarships and admission to certain colleges could be jeopardized. Students initially choosing the Common Core curriculum may subsequently change to the Smart Core curriculum **providing** they would be able to complete the required course of study by the end of their senior year. Students wishing to change their choice of curriculums must consult with their counselor to determine the feasibility of changing.

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by the staff, students, and parents at least every other year to determine if changes need to be made to better serve the needs of the district's students. The Superintendent, or his/her designee, shall select the composition of the review panel.

Sufficient information relating to Smart Core and the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding of each. This may be accomplished through any or all of the following means.

- Inclusion in the student handbook of the Smart Core curriculum and graduation requirements;
- Discussion of the Smart Core curriculum and graduation requirements at the school's annual public meeting, PTO meetings, or a meeting held specifically for the purpose of informing the public on this matter;
- Discussions held by the school's counselors with students and their parents; and/or
- Distribution of a newsletter(s) to parents or guardians of the district's students.

The first year of this policy's implementation all employees required to be certified as a condition of their employment shall receive training regarding this policy so that they will be able to help successfully implement it. In subsequent years, administrators, or their designees, shall train newly hired employees, required to be certified as a condition of their employment, regarding this policy. The districts' annual professional development shall include the training required by this paragraph.

GRADUATION REQUIREMENTS FOR THE CLASSES OF 2005, 2006, 2007, AND 2008

The number of units students must earn to be eligible for high school graduation are to be earned from the following categories.

COMMON CORE: Fifteen (15) units

English: four (4) units

Oral Communications: one-half (1/2) unit

Social Studies: three (3) units:

One (1) unit of world history, one (1) unit of U.S. history, one-half (1/2) unit of civics or government

Mathematics: three (3) units:

one (1) unit of algebra or its equivalent* and one (1) unit of geometry or its equivalent.* All math units must build on the base of algebra and geometry knowledge and skills.

*A two-year algebra equivalent or a two-year geometry equivalent may be counted as two units of the three-unit requirement.

Science: three (3) units:

At least one (1) unit of biology or its equivalent and one (1) unit of physical science

Physical Education: one-half (1/2) unit

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit

Fine Arts: one-half (1/2) unit

CAREER FOCUS:

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the Mena School District and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

ELECTIVES:

Units required = total required by Mena School District minus [Common Core + Career Focus]

All the common core, career focus, and elective units must total at least twenty-three (23) units to graduate.
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¹The twenty-one (21) units required by the state for graduation eligibility may be increased by your district, but may not be decreased.

GRADUATION REQUIREMENTS FOR THE CLASS OF 2009

The number of units students must earn to be eligible for high school graduation are to be earned from the following categories.

COMMON CORE: Sixteen (16) units

English: four (4) units

Oral Communications: one-half (1/2) unit

Social Studies: three (3) units:

one (1) unit of world history, one (1) unit of U.S. history, one-half (1/2) unit of civics or government

Mathematics: four (4) units:

one (1) unit of algebra or its equivalent* and one (1) unit of geometry or its equivalent.* All math units must build on the base of algebra and geometry knowledge and skills. Comparable concurrent credit college courses may be substituted where applicable.

*A two-year algebra equivalent or a two-year geometry equivalent may be counted as two units of the three-unit requirement.

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Science: three (3) units:

At least one (1) unit of biology or its equivalent and one (1) unit of a physical science

Physical Education: one-half (1/2) unit

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit

Fine Arts: one-half (1/2) unit

CAREER FOCUS

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the Mena School District and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

ELECTIVES:

Units required = total required by Mena School District minus [Common Core + Career Focus]

All the common core, career focus, and elective units must total at least twenty-three (23) units to graduate. ¹

¹ The twenty-two (22) units required by the state for graduation eligibility may be increased by your district, but may not be decreased.

GRADUATION REQUIREMENTS FOR THE CLASS OF 2010 and ALL CLASSES THEREAFTER

The number of units students must earn in grades nine through twelve (9-12) to be eligible for high school graduation are to be earned from the following categories. A minimum of 22 units¹ is required for graduation for students participating in either the Smart Core or Common Core curriculum. There are some distinctions made between Smart Core and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements. The provisions of a student's Individualized Education Plan (IEP) serve as his/her graduation plan.

SMART CORE: Sixteen (16) units

English: four (4) units (years) – 9th, 10th, 11th, and 12

Oral Communications: one-half (1/2) unit (1/2 year)

Mathematics: four (4) units (years) (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.)

- Algebra I or Algebra A & B* which may be taken in grades 7-8 or 8-9
- Geometry or Investigating Geometry or Geometry A & B* which may be taken in grades 8-9 or 9-10

*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four unit requirement for the purpose of meeting the **graduation** requirement, but only serve as one unit each toward fulfilling the **Smart Core** requirement.

- Algebra II
- Choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III, or an Advanced Placement math

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

Natural Science: three (3) units (years) with lab experience chosen from

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

Social Studies: three (3) units (years)

- Civics or Civics/American Government
- World History
- American History

Physical Education: one-half (1/2) unit (1/2 year)

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit (1/2 year)

Fine Arts: one-half (1/2) unit (1/2 year)

CAREER FOCUS: Six (6) units - at least two of the Career Focus units must be of the same foreign language.

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

The Smart Core and career focus units must total at least twenty-three (23) units¹ to graduate.

COMMON CORE: Sixteen (16) units

English: four (4) units (years) – 9, 10, 11, and 12

Oral Communications: one-half (1/2) unit (1/2 year)

Mathematics: four (4) units (years)

- Algebra or its equivalent* - 1 unit
- Geometry or its equivalent* - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable concurrent credit college courses may be substituted where applicable)

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

Science: three (3) units (years)

- at least one (1) unit of biology or its equivalent
- one unit of a physical science

Social Studies: three (3) units (years)

- Civics or government, one-half (1/2) unit
- World history, one (1) unit
- U.S. history, one (1) unit

Physical Education: one-half (1/2) unit (1/2 year)

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit (1/2 year)

Fine Arts: one-half (1/2) unit (1/2 year)

CAREER FOCUS: Six (6) units

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through sequencing and career course concentrations where appropriate.

The Common Core and career focus units must total at least twenty-three (23) units to graduate.

F. INSTRUCTIONAL AIDS

Instructional aids should be adequate and used in such a way as to best implement the curriculum chosen to meet the needs of the children and youth as individuals and citizens of our community, state and nation.

G. TEXTBOOKS

1. State-owned textbooks in the basic subjects shall be provided to all pupils without cost.
2. State-owned books that are lost or damaged must be paid for in accordance with the nature of the damage and the age of the book. Failure on the part of any pupil to make good such damages shall deprive him of further use of free textbooks until such damage or assessment is paid.
3. The Principal will be responsible for the care and distribution of all state-owned textbooks within his school.

TEXTBOOK SELECTION POLICY

Grades 1-12

Textbooks for grades 1-12 will be selected according to procedures outlined by the Arkansas Department of Education and **Act 302 of the Free Textbook Law of 1975**.

1. The Arkansas State Department of Education determines when adoptions will take place.
2. A state committee will select a multiple list of textbooks from which local committees may choose.
3. Local administrators will appoint, subject to Board approval, a Local Selecting Committee composed of not less than three (3) teachers or supervisors from schools in which the textbooks will be used.
4. The Local Selecting Committee will examine sample copies of textbooks from the State approved list and attend an exhibit at which representatives of publishers review the textbooks. The committee will circulate sample copies among their co-workers for their consideration and recommendation.
5. The Local Selecting Committee will then make its recommendation to the Supervisor of Instruction.
6. When final recommendations have been developed, State Report Forms will be signed by the Local Selecting Committee.
7. The report will be submitted to the Superintendent of Schools who will make appropriate recommendations concerning the adoption of the highest quality texts available to the Mena Board of Education.
8. The concept held by the Mena Board of Education as to what constitutes the highest quality textbooks includes:
 - a. Textbooks that in the opinion of the Local Selecting Committee present the subject matter in the most effective manner consistent with the district philosophy of education.
 - b. Textbooks that, whenever possible, promote pride, confidence and trust in the Democratic principles upon which our country is founded.
 - c. Textbooks that refrain from partisan presentation of controversial issues.
 - d. Textbooks that are neither racist nor sexist in nature.
 - e. Textbooks that, when possible, are interesting, well illustrated, current and appropriate.

H. LIBRARY

1. The library shall be organized on the basis of needs in the instructional area for the entire educational program. The library and reference books, newspapers, periodicals, pamphlets, audio visual materials, vertical files, and other teaching aids shall be adequate to meet the needs of the students in all courses of instruction.
2. The minimum annual expenditure for library purposes shall meet the recommendations of the accrediting association that the school is accredited under. The volumes, percentage wise, in each category, will meet the accrediting association's standards.
3. The Mena Board of Education has adopted the following policy to guide instructional and media specialists in the selection of materials, media and equipment.

INSTRUCTIONAL MATERIALS SELECTION POLICY

MENA PUBLIC SCHOOLS

I. OBJECTIVES OF SELECTION

The primary objective of instructional materials and equipment is to implement, enrich and support the educational program of the school. It is the duty of the schools to provide a wide range of materials on all levels of difficulty, with diversity of appeal, and presentation of different points of view.

To this end, the Board of Education of the Mena Public School System adopts the statement of philosophy expressed by the American Association of School Librarians in the ***School Library Bill of Rights for School Library Media Center Programs.***

SCHOOL LIBRARY BILL OF RIGHTS

FOR SCHOOL LIBRARY MEDIA CENTER PROGRAMS

Approved by American Association of School Librarians
Board of Directors, Atlantic City, 1969

The American Association of School Librarians reaffirms its belief in the Library Bill of Rights of the American Library Association. Media personnel are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end the American Association of School Librarians asserts that the responsibility of the school library media center is:

To provide a comprehensive collection of instructional materials selected in compliance with basic written selection principles, and to provide maximum accessibility to these materials.

To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the students served.

To provide materials for teachers and students that will encourage growth in knowledge and that will develop literary, cultural and aesthetic appreciation, and ethical standards.

To provide materials which reflect the ideas and beliefs of religious, social, political, historical and ethnic groups, and their contribution to the American and world heritage and culture, thereby enabling students to develop an intellectual integrity in forming judgments.

To provide a written statement, approved by the local Board of Education, of the procedures for meeting the challenge of censorship of materials in school library media centers.

To provide qualified professional personnel to serve teachers and students.

II. RESPONSIBILITY FOR SELECTION OF MATERIALS

The Board of Education of the Mena Public School System is legally responsible for all matters relating to the operation of the Mena Public Schools.

The responsibility for the selection of instructional materials and equipment is delegated to the professionally trained personnel employed by the school system. Selection of materials and equipment involves many people; principals, teachers, supervisors, materials specialists, students and parents where applicable.

PROCEDURE

I. CRITERIA FOR SELECTION OF INSTRUCTIONAL MATERIALS

Needs of the individual school are based on:

- A. requests of faculty and students
- B. knowledge of the curriculum
- C. knowledge of the existing collection

Materials for purchase are considered on the basis of the following criteria:

- A. overall purpose
- B. timeliness or permanence
- C. importance of subject matter
- D. quality of writing/production
- E. readability and popular appeal
- F. authoritativeness
- G. reputation of publisher/producer
- H. reputation and significance of the author/artist/composer/producer, etc.
- I. format and price

II. PROCEDURE FOR SELECTING

In selecting materials for purchase the materials specialist evaluates the existing collection and consults:

- A. reputable, unbiased, professionally prepared selection aids
- B. specialists from all departments and/or grade levels

In specific areas the materials specialist follows these procedures:

- A. The library media specialist welcomes books and other resource materials from individuals and organizations, but they reserve the right to refuse unsuitable materials. To be acceptable, the materials must be of the quality to meet the standards established for the selection of materials. It is understood that gift collections will be integrated into the general collection and do not warrant special housing.
- B. Multiple items of outstanding and much in demand media are purchased as needed.
- C. Worn or missing standard items are replaced periodically
- D. Out-of-date or no longer useful materials are withdrawn from the collection.

Note: See policy appendix for criteria in selecting equipment.

III. CHALLENGED MATERIALS

Despite the care taken to select valuable materials for student/teacher use and the qualifications of persons who select the materials, there will be occasional objections made.

The principles of the freedom to read and the professional responsibility of the staff must be defended.

If the complaint is made, the procedures are as follows:

- A. Be courteous, help the complainant determine all facts related to the issue, but make no commitments.
- B. If the complainant is not satisfied, invite him/her to file his/her objections in writing and offer him/her a copy of "Patron's Request for Reconsideration of a Work" (see attached documents) to be submitted to the Library Council of the Mena Public School System. Inform all staff members concerned.
- C. Upon receipt of a written request for reconsideration, the Library Council shall designate a Materials Evaluation Committee composed of the following:
 - 1. a representative from Central Administrative Staff
 - 2. a representative from building level administration
 - 3. a library media specialist
 - 4. two classroom teachers familiar with the subject matter of the material involved
 - 5. two parents
 - 6. a student, where appropriate
- D. No material shall be removed from use until the Materials Evaluation Committee has made a final decision.
- E. Within thirty (30) days the Materials Evaluation Committee shall:
 - 1. examine the referred materials
 - 2. check general acceptance of the materials by reading reviews
 - 3. weigh values and faults against each other and form opinions based on the materials as a whole
 - 4. meet to discuss the material and to prepare a report (see attached documents)
 - 5. file a copy of the report in the school and administrative offices. Send a copy of the report to the complainant.

- F. The findings of the committee will be implemented.
- G. Adopted procedures of appeal to the Mena Board of Education are available.
- Instructional materials should be selected with the aim of achieving approved objectives in the most efficient, effective manner possible. Guidelines for selection are found in the **Media Selection Policy**. When a teacher has reasonable cause to believe that selected materials (including resource speakers) may conflict with the values or beliefs of some students or their parents, in a manner or to a degree that either may object to the student being exposed to the materials, one of the following procedures should be used:
1. Give advance notice to students and parents of the intent to use such material. The notice shall include the following items:
 - a. Information about the nature of the materials to be studied (language, sexual references, religious theme, general topic, etc.).
 - b. A rationale for the inclusion of the materials in the curriculum.
 - c. An opportunity for parents to review the materials, if possible.
 - d. An opportunity for the student or the parent to request, in writing, alternate materials.
 2. Discuss the materials with the principal who will advise in one of the following ways:
 - a. He/She does not believe reasonable cause exists to believe that the materials meet the criteria requiring notice to students and parents.
 - b. He/She believes reasonable cause exists to believe that the materials meet the criteria requiring notice to students and parents set out in item one above.
 - c. He/She believes the teacher should choose other materials.
 3. In the case of a high school elective where the teacher(s) of the course (at the time the course selection guide is being prepared for the pre-registration of students) believe reasonable cause exists to believe that a substantial part of the materials may meet the criteria requiring notice to students and parents, the teacher(s) shall request that the principal include in the course selection guide:
 - a. a warning that a substantial portion of the materials used in the course may conflict with the values or beliefs of some students or their parents to a degree that either may object to the student being exposed to the materials,
 - b. a statement informing parents and students that it may be impractical to provide alternative materials for a substantial portion of the materials used in the course, and
 - c. a statement informing students and parents that more information concerning the materials may be obtained from the principal. In such case, the teacher(s) shall prepare a notice that includes the items described in item one (1) of this procedure and an invitation to students and parents concerned about exposure to the materials to discuss the degree to which alternate materials may be considered practical by the teacher(s). If the procedures set out in this item three (3) are carried out, the notice described in item one (1) is not required for individual works as they are used.

Nothing in this procedure is intended to limit a teacher's freedom to choose those materials considered most appropriate for a particular objective or class. However, the procedure is intended to acknowledge the fact that the Mena Public Schools serve a diverse clientele and that, from time to time, materials chosen to serve the needs of most students may conflict with the values or beliefs of individual students or their parents. At such times, staff members are expected to make appropriate accommodations, within the bounds of professional responsibility.

VI. PUPIL PERSONNEL POLICIES

ADMISSION AND/OR ENTRANCE AGE

The entrance age for beginning students in the first grade or kindergarten shall be in accordance with Act 319 of 1987. To enter first grade a child must be six (6) years of age on or before October 1 of that same year. To enter kindergarten a child must be five (5) years of age on or before September 15 (**Act 570 of 1999**) of that same year. Each child upon enrolling in first grade or kindergarten is required to furnish his birth certificate and proof of all immunizations as required by law (Parents may request a religious, philosophical, or medical exemption from the Arkansas Department of Health as provided in Act 999 of 2003.).

Act 1535 of 2001 provides that any child who will be six (6) years of age on or before October 1 of the school year of enrollment and who had not completed a state-accredited kindergarten program shall be evaluated by the district and may be placed in the first grade if the results of the evaluation justify placement in the first grade and the child's parent agrees with placement in the first grade; otherwise the child shall be placed in kindergarten.

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

Prior to a child's admission to the Mena district, the parent, guardian, or responsible person shall provide the school district with one (1) 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
- United States military identification.

Prior to a child's admission, Mena school officials shall request the parent, guardian, or other responsible person to furnish the child's social security number and shall inform the parent, guardian, or other responsible person that, in the alternative, they may request that the school district assign the child a nine (9) digit number designated by the Arkansas Department of Education.

Prior to a child's admission to the Mena School System, 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. (Act 574 of 1995) Any person who has been expelled as a student from any other school district may not enroll as a student until the time of the person's expulsion has expired. (Act 472 of 1995)

Students in first grade transferred from accredited schools outside Arkansas may be accepted if they have attended at least one (1) semester.

Act 1255 of 2005 gives the Department of Human Services the authority to require a school district to waive the residency requirement for foster children unless a court determines it is not in the child's best interest for the child to remain in his/her current school.

Act 663 of 1999 establishes penalties for parents who unlawfully enroll children in a nonresident school district by knowingly giving a false residential address. Any Parent who falsifies the residence for purposes of public school enrollment is guilty of a misdemeanor and subject to fine.

Act 947 of 1999 allows the children of all employees of non-resident districts to attend the district where the parent is employed.

The child shall be age appropriately immunized from poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, rubella, and other diseases as designated by the State Board of Health, or have an exemption issued by the Arkansas State Department of Health. Proof of immunization shall be by a certificate of a licensed physician or a public health department acknowledging the immunization.

STUDENT TRANSFER POLICY

Students from an adjoining school district desiring to transfer into the Mena district must do so within the first two weeks of the semester in which they will be enrolling in school. Otherwise, applications for transfer will be denied. Students who transfer into the Mena School District must be in good standing with the district from which they are transferred. Conduct, grades, and attendance will be considered.

No transfer of students will be approved after a semester starts except in cases of extreme circumstances. Extreme circumstances could be such instances as follows but are not limited to those listed here: family moves out of a district and desires their children to continue attending school in district children were attending; family has emergency medical problem that makes it imperative that children attend school in another district; emergency family circumstances that make it necessary for children to attend school in another district.

Any student transferring from a school accredited by the Arkansas Department of Education to the Mena District 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 Arkansas Department of Education to the Mena District shall be evaluated by the staff of Mena District to determine the student's proper placement in the Mena Public Schools.

ADMISSION/PLACEMENT POLICY FOR ACCEPTING HOME SCHOOL AND PRIVATE SCHOOL STUDENTS

The Arkansas General Assembly made it possible for parents to option to teach their children at home rather than send them to public schools. Parents may also option to send their children to private school. Arkansas law provides that no public school student should be eligible for enrollment in a home school if the student is currently under disciplinary action for violation of any school policy. Moreover, parents wishing to home school children must give notice to the local district by August 15 if intending to home school during the 1st semester and by December 15 if intending to provide a home school for the 2nd semester.

The Mena School District has established the following guidelines in accepting home school and private school students into its program:

1. Mena High School (Grades 9-12)

- a. Placement will be made by the Mena High School according to the grade level material taken and passed. Students may be assessed using a norm referenced test to further determine appropriate placement for language arts and mathematics courses of study.
- b. The maximum credits that will be accepted for each year in attendance in home schooling and non-accredited schools will not exceed the number of credits earned by a student enrolling in the Mena School District during a fiscal school year.
- c. Parents must present a written list of subjects taught and textbooks used to the counselor or principal at the time of registration.

- d. Grade point will be determined by dividing the accumulative points earned in grades nine through twelve in public or private accredited schools by the number of credits earned in public or private accredited schools.
- e. A student must attend public or private accredited schools for a minimum of eight (8) semesters to be considered for an honor graduate.
- f. The Mena School District will not award a diploma to any person who has not been in attendance during the last semester of his/her senior year.
- g. A student must meet all curriculum requirements for the Mena School District as well as attendance requirements to receive a diploma from Mena High School.

2. Mena Middle School (Grades 6-8)

I. Private Schools

Students transferring from private school will be placed in the appropriate grade according to their age except in situations where there is a significant academic deficiency.

II. Home Schooling

- A. A copy of the standardized test scores administered by the Department of Education should be given to the school at the time of registration.
- B. Parents must present a written list of subjects taught and textbooks used to the counselor or principal at the time of registration.
- C. Students will not have a letter grade entered on their permanent record. When they enroll in Mena School District, for years in attendance note "**Home Schooling**" will be entered.

3. Louise Durham, Hatfield Elementary, and Holly Harshman Schools (Grades K-5)

I. Placement

The Student will be placed appropriately. Within that grade, the student will be placed in reading and math at their skill level (grades 3-5) and in reading at their level (grades K-2). Students functioning significantly below grade level may be referred for a diagnostic evaluation to determine the possibility of a handicapping condition. If a handicapping condition does exist, the child should be placed in a proper program according to the special education referral and placement procedures. If no handicapping condition exists, a conference will be scheduled to determine proper placement.

II. Home-Schooling Students

- A. The district may request test scores derived from instruments administered by the Arkansas Department of Education or the district may administer a placement test.
- B. Parents must present a written list of subjects taught and textbooks used to the counselor or principal at the time of registration.
- C. Students will not have a letter grade entered on their permanent record. When they enroll in the Mena School District, for years in attendance a notation of "**Home Schooling**" will be entered on the child's record.

ATTENDANCE and ABSENCES

ATTENDANCE

A student between the ages of five (5) years and seventeen (17) years (both inclusive) who has not completed the requirements for a high school diploma, or been officially excluded from school, must be in attendance. (**Act 292 of 1991**). The minimum period of attendance is 150 days for a full nine month term. (**Act 319 of 1987**).

The Mena School District believes that the instructional program is the vital part of a formal education and that students must be in regular attendance in order to profit from that instructional program. The measures outlined in this policy are intended to ensure regular attendance by creating a cooperative effort among staff members, parents, students, and (when necessary) legal authorities.

Education is more than the grades students receive in their courses. Important as that is, students' regular attendance at school is essential to their social and cultural development and helps prepare them to accept responsibilities they will face as an adult. Interactions with other students and participation in the instruction within the classroom enrich the learning environment and promote a continuity of instruction which results in higher student achievement.

ABSENCES

Excused Absences:

Absences are excused for personal illness, serious illness in the immediate family, death in the immediate family, medical appointments, or emergency circumstances in the immediate family.

When an absence was due to one of the following reasons and the student brings a written statement upon his/her return to school (High School requires a telephone call) from the parent or legal guardian stating such reason:

1. The student's illness or when attendance could jeopardize the health of other students. A maximum of twelve (12) such days are allowed unless the condition(s) causing such absences is of a chronic or recurring nature, is medically documented, and approved by the principal;
2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by their faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal; or
7. Participation in an FFA, FHA, or 4-H sanctioned activity.
8. Students who serve as pages for a member of the General Assembly shall be considered on instructional assignment and shall not be considered absent from school for the day the student is serving as a page.

It is the Arkansas General Assembly's intention that students having excessive excused absences be given assistance in obtaining credit for their courses.

Students not attending class due to school-sponsored activities shall not be counted absent.

Unexcused Absences:

Any absence not described above will be defined as unexcused.

1. The Mena School District has established twelve (12) class absences or six (6) unexcused class absences as the number of absences allowed per semester. Excessive absences may be used as a basis for denial of course credit, promotion, or graduation.
2. An absence may be excused only if the parent/Guardian notifies the school office by phone or in person between the hours of 7:15 a.m. and 4:00 p.m. on the day of the absence or by 8:00 a.m. the next school day. If the office has not been notified by that time, the absence will be considered unexcused. A written statement (Mena High School requires a telephone call to the school office) must be presented upon return to school from a doctor, dentist, or therapist documenting the medical reason a student was absent and the number of days/time under their care.
3. Upon return to school after an absence, the student shall report to the principal's office for an admittance slip before 8:05 a.m. The admit slip is presented to the teacher each period for the teacher's signature.
4. Students are recorded as absent in a class period if they are not in attendance for at least 30 minutes of that class.
5. Students are allowed the number of days equal to the absence to complete make-up work. The student will be responsible for all work assigned and be expected to take any tests that were scheduled prior to the absence on the day of returning to school.
6. If a senior visits a college during a school day, that absence will be counted as one of the twelve absences allowed per semester.
7. When parents request an early release date, the parents must notify the school prior to the absence and the student needs to complete required work before he or she leaves.
8. Absences due to suspension will count as accumulated absences and no make-up work will be allowed.
9. Students absent for ten consecutive days will be dropped from the rolls unless the parents have contacted the school regarding the nature of the absence.
10. Students who transfer in during the school year will be charged with all absences reported by the previous school. All school days missed between withdrawing from the previous school and enrolling in the Mena School District will also be counted.
11. Official school activities approved by the principal will not be considered as days missed.
12. Parents will be notified by phone or by regular mail sent within a week when a student has accumulated three (3) unexcused and/or five (5) absences in a class.
13. After the twelfth (12th) absence and/or the sixth (6th) unexcused absence in a class during the semester, the school will notify the parent that the student may lose credit for the semester. Such loss of credit will be determined on a class-by-class basis. Parents may submit to the assistant principal, a request for an extension for the number of absences allowed for that class. The Attendance Committee will determine whether an extension is to be granted based on their review of the total attendance record of the student. An extension will not be granted for unexcused absences.
14. Whenever a student exceeds twelve (12) absences and/or six (6) unexcused absences in a class during the semester, notification will be sent to the appropriate prosecuting attorney.
15. Notification will also be sent to the Department of Finance and Administration whenever a student fourteen (14) years of age or older is no longer in school. Upon receipt of such notification, the Department of Finance and Administration shall notify the licensee that his motor vehicle operator's license will be suspended unless a hearing is requested in writing within thirty (30) days from the date of notice.

E. STANDARDIZED TESTING PROGRAM

The Arkansas Department of Education has mandated that the schools of Arkansas conduct a spring testing program. The spring testing for all Arkansas students will occur in March and April of each year. Additionally, tests and inventories for students in grades K-2 will be administered as determined by ADE.

The Arkansas testing program was established by Act 35 of 2003 and is known as **ACAP** (Arkansas Comprehensive Assessment Program). It is a comprehensive examination at grades 3 - 8 and End of Course Exams in algebra, geometry and literacy. The exam consists of multiple-choice and open-response questions in Reading and Mathematics and includes a Writing component that directly assesses student writing. The Arkansas Learner Outcomes and the Arkansas Mathematics, Reading, and English Language Arts Curriculum Frameworks are the basis for development of **ACAP**. Additionally, the Arkansas Department of Education will require that all school districts administer a school readiness screening to incoming kindergarten students.

The **ACAP** consists of two major components:

End of Course Examinations

The **Arkansas Comprehensive Assessment Program (ACAP)** includes comprehensive criterion-referenced examinations in literacy (Reading and writing), Algebra I and Geometry. It consists of multiple-choice and open-response questions in reading and mathematics, and a writing component that directly assesses student writing. The *Arkansas Mathematics and English/Language Arts Curriculum Frameworks* are the basis for development of the End of Course Examinations. The results of the End of Course Exam results will become a part of each student's transcript or permanent record.

Benchmark Assessment in Grades 3, 4, 5, 6, 7, and 8

Students in grades 3 – 8 will also be administered benchmark tests. The focus of benchmark tests at these grade levels will be to identify early those students who may be in need of remedial instruction in the mathematics and English language arts curricula. Beginning with the 2005-2006 school year, students in grades three through eight (3-8) identified as not passing a benchmark assessment and who fail to participate in the subsequent academic improvement plan shall be retained and shall not be promoted to the next appropriate grade level until the student has participated in an Academic Improvement Plan or passes the current grade level benchmark assessment.

Failure to Participate in Academic Improvement Plans (Act 2243 of 2005)

School districts in Arkansas are beginning intensive efforts to ensure that all students achieve proficiency on Criterion Referenced Tests. Remediation in the form of extra instruction will be supplied to any students who fail to achieve proficiency on the state mandated tests. If an Academic Improvement Plan is necessary, parents will be contacted to review the requirements of the student's plan.

Beginning with the 2005-2006 school year, students in grades one through six, identified for an Academic Improvement Plan who do not participate in the remediation program shall be retained. The local district shall determine the extent of the required participation in remediation as set forth in the student academic improvement plan.

Retention for failure to participate in the academic improvement plan shall expand by at least one (1) grade level for each subsequent academic year after implementation, in the following manner: e.g. 2006-2007, grades one through seven; 2007-2008 grades one through eight, etc.

Beginning in the 2005-2006 school year, students not proficient on the End-of-Course tests or on the Grade 11 Literacy test shall participate in a remediation program to receive credit for the corresponding course.

Until the 2009-2010 school year, students that are identified as not meeting the satisfactory pass levels for an end-of-course assessment shall not receive credit on their transcript for the course related to the end-of-course assessment until the students are identified as having participated in remediation through an individualized Academic Improvement Plan. Prior to the 2009-2010 school year, remediation does not require that a student must pass a subsequent end-of-course assessment in order to receive credit for a course.

Beginning with the 2009-2010 school year, all initial end-of-course assessments shall be administered by grade ten (10) for each student. Any student that does not meet the satisfactory pass level on the initial assessment shall participate in an Individualized Academic Improvement Plan that shall include remediation activities and multiple opportunities for a student to take and pass subsequent end-of-course assessments.

For any student required to participate in an individualized Academic Improvement Plan, the individualized Academic Improvement Plan shall identify the student's specific areas of deficiency on the end-of-course exam, the desired levels of performance necessary for the student to meet the satisfactory pass levels, and the instructional and support services to be provided to meet the desired levels of performance.

Schools shall also provide for the frequent monitoring of the student's progress in meeting the desired levels of performance. Remedial activities and instruction provided during high school shall not be in lieu of English, mathematics, science, history, or other core courses required for graduation.

Beginning with the 2009-2010 school year, if a student fails an initial end-of-course assessment, he/she shall not receive a credit on his /her transcript for the course related to the end-of-course assessment until one of the following occurs:

- A. The student passes a subsequent end-of -course assessment; or
- B. by the end of 12th grade the student finishes an Alternative Exit Course and the corresponding assessment.

In summary, the Arkansas Department of Education provides multiple opportunities by which a student may satisfy proficiency requirements on the high school level.

1. The student should pass an initial end-of-course exam as required to receive credit for a course, (Algebra I, Geometry, and 11th grade English/Literacy).
2. If the student does not pass the initial end-of-course exam, he/she may complete an Academic Improvement Plan.
3. A student may pass a subsequent end-of-course exam for that course beginning with the 2009-2010 year.
4. The student may complete an alternative exit course and its alternative course exam beginning with the 2009-2010 year.

If the student does not complete any of these opportunities, he/she will not be granted a high school diploma from Mena High School. (*Act 2243 of 2005*)

F. GENERAL REQUIREMENTS FOR GRADUATION

Promotion from one grade to the next in senior high school is accomplished by subject on a semester basis. All required courses or pre-requisite courses failed must be repeated.

General requirements for graduation from Mena High School are found in the student handbook for the high school. These handbook requirements are considered school policy.

Act 275 of 1997 states any student who is enrolled in a public high school in Arkansas and has earned the number of credits required by the local school district for graduation shall be eligible to graduate from the high school without regard to the grade level the student is enrolled in at the time such credits are earned.

GRADUATION REQUIREMENTS FOR THE CLASSES OF 2005, 2006, 2007, AND 2008

The number of units students must earn to be eligible for high school graduation are to be earned from the following categories.

COMMON CORE: Fifteen (15) units

English: four (4) units

Oral Communications: one-half (1/2) unit

Social Studies: three (3) units:

One (1) unit of world history, one (1) unit of U.S. history, one-half (1/2) unit of civics or government

Mathematics: three (3) units:

one (1) unit of algebra or its equivalent* and one (1) unit of geometry or its equivalent.* All math units must build on the base of algebra and geometry knowledge and skills.

*A two-year algebra equivalent or a two-year geometry equivalent may be counted as two units of the three-unit requirement.

Science: three (3) units:

At least one (1) unit of biology or its equivalent and one (1) unit of physical science

Physical Education: one-half (1/2) unit

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit

Fine Arts: one-half (1/2) unit

CAREER FOCUS:

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the Mena School District and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

ELECTIVES:

Units required = total required by Mena School District minus [Common Core + Career Focus]

All the common core, career focus, and elective units must total at least twenty-three (23) units to graduate. ¹

¹The twenty-one (21) units required by the state for graduation eligibility may be increased by your district, but may not be decreased.

GRADUATION REQUIREMENTS FOR THE CLASS OF 2009

The number of units students must earn to be eligible for high school graduation are to be earned from the following categories.

COMMON CORE: Sixteen (16) units

English: four (4) units

Oral Communications: one-half (1/2) unit

Social Studies: three (3) units:

one (1) unit of world history, one (1) unit of U.S. history, one-half (1/2) unit of civics or government

Mathematics: four (4) units:

one (1) unit of algebra or its equivalent* and one (1) unit of geometry or its equivalent.* All math units must build on the base of algebra and geometry knowledge and skills. Comparable concurrent credit college courses may be substituted where applicable.

*A two-year algebra equivalent or a two-year geometry equivalent may be counted as two units of the three-unit requirement.

Science: three (3) units:

At least one (1) unit of biology or its equivalent and one (1) unit of a physical science

Physical Education: one-half (1/2) unit

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit

Fine Arts: one-half (1/2) unit

CAREER FOCUS

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the Mena School District and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

ELECTIVES:

Units required = total required by Mena School District minus [Common Core + Career Focus]

All the common core, career focus, and elective units must total at least twenty-three (23) units to graduate. ¹

¹ The twenty-two (22) units required by the state for graduation eligibility may be increased by your district, but may not be decreased.

GRADUATION REQUIREMENTS FOR THE CLASS OF 2010 and ALL CLASSES THEREAFTER

The number of units students must earn in grades nine through twelve (9-12) to be eligible for high school graduation are to be earned from the following categories. A minimum of 22 units¹ is required for graduation for students participating in either the Smart Core or Common Core curriculum. There are some distinctions made between Smart Core and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements. The provisions of a student's Individualized Education Plan (IEP) serve as his/her graduation plan.

SMART CORE: Sixteen (16) units

English: four (4) units (years) – 9th, 10th, 11th, and 12

Oral Communications: one-half (1/2) unit (1/2 year)

Mathematics: four (4) units (years) (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.)

- Algebra I or Algebra A & B* which may be taken in grades 7-8 or 8-9
- Geometry or Investigating Geometry or Geometry A & B* which may be taken in grades 8-9 or 9-10

*A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four unit requirement for the purpose of meeting the **graduation** requirement, but only serve as one unit each toward fulfilling the **Smart Core** requirement.

- Algebra II
- Choice of: Transitions to College Math, Pre-Calculus, Calculus, Trigonometry, Statistics, Computer Math, Algebra III, or an Advanced Placement math

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

Natural Science: three (3) units (years) with lab experience chosen from

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

Social Studies: three (3) units (years)

- Civics or Civics/American Government
- World History
- American History

Physical Education: one-half (1/2) unit (1/2 year)

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit (1/2 year)

Fine Arts: one-half (1/2) unit (1/2 year)

CAREER FOCUS: Six (6) units - at least two of the Career Focus units must be of the same foreign language.

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through course sequencing and career course concentrations where appropriate.

The Smart Core and career focus units must total at least twenty-three (23) units¹ to graduate.

COMMON CORE: Sixteen (16) units

English: four (4) units (years) – 9, 10, 11, and 12

Oral Communications: one-half (1/2) unit (1/2 year)

Mathematics: four (4) units (years)

- Algebra or its equivalent* - 1 unit
- Geometry or its equivalent* - 1 unit
- All math units must build on the base of algebra and geometry knowledge and skills.
- (Comparable concurrent credit college courses may be substituted where applicable)

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

Science: three (3) units (years)

- at least one (1) unit of biology or its equivalent
- one unit of a physical science

Social Studies: three (3) units (years)

- Civics or government, one-half (1/2) unit
- World history, one (1) unit
- U.S. history, one (1) unit

Physical Education: one-half (1/2) unit (1/2 year)

Note: While one-half (1/2) unit is required for graduation, no more than one (1) unit may be applied toward fulfilling the necessary units to graduate.

Health and Safety: one-half (1/2) unit (1/2 year)

Fine Arts: one-half (1/2) unit (1/2 year)

CAREER FOCUS: Six (6) units

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated work aspirations. Career focus courses shall conform to the curriculum policy of the district and reflect state curriculum frameworks through sequencing and career course concentrations where appropriate.

The Common Core and career focus units must total at least twenty-three (23) units to graduate.

Honor Graduate Requirements for Seniors graduating in 2006 or later

Beginning with the Senior Class of May 2006, candidates for honor graduate status must meet the criteria below.

General Requirements are as follows:

1. No course may be repeated for the purpose of improving a student's GPA.
2. A student must complete at least sixteen (16) courses selected from the honor core. The subjects are marked with either a full or half credit.
3. Students must be enrolled in a minimum of four (4) academic core classes during their senior year.
4. Students must maintain a 3.2500 or better cumulative GPA for eight (8) consecutive semesters during grades 9-12.

Recognition will be earned as follows:

1. Distinguished honors: Minimum of 3.9200 GPA including designated courses (Gold Stole and Cord)
2. High Honors: Minimum of 3.7600 GPA including designated courses (Gold Stole)
3. Honors: Minimum of 3.2500 GPA (Silver Stole)

English: Need four (4) credits from the following list:

Honor graduate requirements

English 9 (1 credit)

English 10 (1 credit)

English 11 (1 credit)

English 12 (1 credit)

English Composition I (1/2 credit)

English Composition II (1/2 credit)

Additional English requirements are as follows:

- To earn Distinguished or High Honors, students must take a full year from the following options: Either Advanced Placement Literature or English Comp I and II. For Distinguished and High Honors, if students take college courses, they must be courses offered during release time on RMCC Mena campus only.

Math: Need four (4) courses from the following list:

Incoming 2005-06 freshmen must plan to take four full credits from the following list.

Honor graduate requirements

Algebra I (1 credit)

Algebra II (1 credit)

Geometry (1 credit)

Trig / Pre-Calculus (1 credit)

Calculus (1 credit)

College Algebra (1/2 credit)

College Trig. (1/2 credit)

Functional Math (1 credit)

Additional Math requirements for Distinguished and High Honors are as follows:

Must take one of the following courses: Calculus, College Algebra, or College Trig, or Advanced Placement Calculus.

-Distinguished and High Honors require that if students take college courses, they must be courses offered during release time on RMCC Mena campus only.

-Algebra A and B cannot be substituted for Algebra I.

Science: Need three (3) courses from the following list:

Honor graduate requirements

Physical Science (1 credit)

Biology (1 credit)

Chemistry I (1 credit)

AP Chemistry (1 credit)

Physics (1 credit)

Additional Science requirements are as follows:

-Distinguished and High Honors require students to include AP Chemistry or Physics within their choices

Social Studies: Need three (3) courses from the following list:

Honor graduate requirements

World History (1 credit)

U.S. History (1 credit)

American Government (1 credit)

Civics/Geography

Additional Social Studies requirements are as follows:

Distinguished and High Honors require Advanced Placement U.S. Government and Politics, or American National Government, or American Government. If students take college courses, they must be courses offered during release time on RMCC Mena campus only.

Foreign Language: Need two (2) courses from the following list:

French I (1 credit)

French II (1 credit)

Spanish I (1 credit)

Spanish II (1 credit)

Spanish III (1 credit)

G. SELECTION SERVICE REGISTRATION

Arkansas law (Act 229 of 1997) requires that each local school district provide information, at least thirty (30) days before the student's eighteenth birthday, to any student who is enrolled in the district and is required to register with the selective service system in accordance with the Military Selective Service Act. The Mena superintendent has designated the Mena High School Assistant Principal as the person responsible for distributing selective service information to students.

H. APPEARANCE AND DRESS CODE

The school recognizes that it is both the prerogative and the responsibility of parents to determine how their children shall dress, wear their hair, and otherwise present themselves in public. We assume that what a student wears to school has the approval and reflects the attitude of his/her parents as to what is proper and fitting. We take pride in our students and feel that their individual dress and appearance may indicate their attitude toward school, their desire to learn, their quality of work, and their conduct. Therefore, all students are expected to present a neat, well-groomed appearance suitable for school.

The school will not permit students to attend when their cleanliness, clothing, or hairstyles are determined to be bizarre or in any way distracting or disruptive to the normal and reasonable atmosphere of the schools.

I. DISTRIBUTION OF LITERATURE

The distribution of any literature on campus must have prior approval of the school principal. Literature will be prohibited if its possession or distribution will cause, or is causing substantial disruption of school activities.

J. PUBLICATIONS

Section 1

Students attending school in the Mena School District may exercise their right of expression within the framework of this publications policy. This right includes expression in school-sponsored publications, whether such publications are supported financially by the school or by use of school facilities, or are produced in conjunction with a class.

Section 2

Publications staff members in the Mena School District recognize truth, fairness, accuracy, and responsibility as essential to the practice of journalism, and that the following types of publications by students are not authorized:

1. publications that are obscene as to minors, as defined by state law;
2. publications that are libelous or slanderous, as defined by state law;
3. publications that constitute an unwarranted invasion of privacy, as defined by state law; and
4. publications that so incite students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations or the material and substantial disruption of the orderly operation of the school.

Section 3

Publications staff members will create all editorial content for student publications and choose all local advertising for student publications. The journalism adviser(s) may review such content and advertising and make suggestions for change. When the editors and the adviser(s) disagree about the appropriateness or quality of material scheduled for publication, the building principal will be consulted and his advice followed. If a disagreement concerns a legal issue, free legal advice will be sought.

Section 4

Editorial material (defined as stories and commentary) shall not be excluded from student publications merely because such material is controversial, unpopular, or supports minority opinion; however, editorial or advertising content that advocates unlawful activity or promotes products illegal for minors shall be excluded. School-sponsored publications in the Mena School District are forums for students to openly discuss issues. Each publication should provide a full opportunity for students to inquire, question, and exchange ideas, and content should reflect all areas of student interest.

Section 5

The adviser(s) for each school-sponsored publication, in conjunction with student editors, shall create a publications style guide to govern design and layout of student publications and to govern language usage in student publications. Items addressed in the style guide might include the following elements and related material: the range of headline and copy styles and sizes, spacing rules, byline specifications, column width, jump lines, photo captions, capitalization, punctuation grammar, use of humor or parody, titles, and advertising rates and guidelines.

Section 6

Student publications may be distributed on school grounds during regular school hours in such areas and at such times that school operations will not be disrupted.

K. INTERNET Student Computer & Internet Use Agreement

The Mena School District agrees to allow students to use the district's technology to access the Internet under the following terms and conditions:

1. Conditional Privilege: The Student's use of the district's access to the Internet is a privilege conditioned on the Student's abiding to this agreement. No student may use the district's access to the Internet unless the Student and his/her parent or guardian have read and signed this agreement.
2. Acceptable Use: The Student agrees that he/she will use the District's Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal and state laws and regulations. The Student also agrees to abide by any Internet use rules instituted at the Student's school or class, whether those rules are written or oral.
3. Penalties for Improper Use: If the Student violates this agreement and misuses the Internet, the Student shall be subject to disciplinary action.
4. "Misuse of the District's access to the Internet: includes, but is not limited to, the following:
 - a. using the Internet for other than educational purposes;
 - b. gaining intentional access or maintaining access to materials which are "harmful to minors" as defined by Arkansas law;
 - c. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
 - d. making unauthorized copies of computer software;
 - e. accessing "chat lines" unless authorized by the instructor for a class activity directly supervised by a staff member;

- f. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack other;
- g. posting anonymous messages on the system;
- h. using encryption software;
- i. wasteful use of limited resources provided by the school including paper;
- j. causing congestion of the network through lengthy downloads of files;
- k. vandalizing data of another user;
- l. obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
- m. gaining or attempting to gain unauthorized access to resources for files;
- n. identifying oneself with another person's name or password or using an account or password of another user without proper authorization;
- o. invading the privacy of individuals;
- p. divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email. Personally identifying information includes full names, address, and phone number.
- q. using the network for financial or commercial gain without district permission;
- r. theft or vandalism of data, equipment, or intellectual property;
- s. attempting to gain access or gaining access to student records, grades, or files;
- t. introducing a virus to, or otherwise improperly tampering with the system;
- u. degrading or disrupting equipment or system performance;
- v. creating a web page or associating a web page with the school or school district without proper authorization;
- w. providing access to the District's Internet Access to unauthorized individuals;
- x. failing to obey school or classroom Internet use rules;
- y. taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools.
- z. installing or downloading software on district computers without prior approval of technology coordinator or his/her designee.

5. Liability for debts: Students and their cosigners shall be liable for any and all costs (debts) incurred through the student's use of the computers or the Internet including penalties for copyright violations.

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

7. No Guarantees: The District will make good faith efforts to protect children from improper or harmful matter which may be on the Internet. It is the policy of this school district to equip each student access computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.

L. SCHOOL ORGANIZATIONS

Where appropriate, school clubs or organizations may be formed provided they meet the following requirements:

- Have a sponsor who is a school employee.
- Have a reasonable purpose and interest for forming.
- Have enough interested students to form and maintain a club.
- Have a meeting time and place arranged which does not interfere or conflict with the normal school day.

School fraternities and secret organizations are banned in Arkansas Public Schools.

The Mena School Board adopts all the provisions of Arkansas Code Annotated 6-18-601 through Arkansas Code Annotated 6-18-607, ***Fraternities, Sororities***, etc., and Arkansas Code Annotated 6-5-201 through 6-5-204, ***Hazing***, and defines and places the consequences of “gang” and “gang membership” as being the same as described in these statutes.

The Mena Board of Education issues this policy to prohibit such behavior and membership in non-school sponsored organizations in the Mena School District while individual(s) are at school, traveling to and from school, or while attending school-sponsored events.

When there is a question as to whether the behavior of any student is associated with membership in gangs or any such prohibited organization, the determination shall be made by the respective principal or his designee subject to appeal to the superintendent of schools. After such steps, further appeal may be made to the Mena Board of Education.

Prohibited activities include, but are not limited to, the following:

1. Soliciting and/or recruiting others for membership.
2. Participating in and/or inciting physical violence.
3. Extorting or soliciting money or services and/or requesting any person to pay for protection, insurance, or payment of dues.
4. Coercing, harassing, and/or otherwise intimidating, threatening, or causing harm to any student or school employee.
5. Wearing, possessing, using, displaying in any manner, distributing, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other item commonly associated with membership in or affiliation with a gang.
6. Using any communication, verbal or non-verbal, (gestures, handshakes, etc.) suggesting or showing membership in or affiliation with a gang.
7. Engaging in any activity intended to promote or further the interests of any gang activity including distributing literature, drawing or displaying unauthorized symbols on any surface, teaching others to “represent,” or acting like a member of a gang.
8. Engaging in hazing activities by one student, acting alone or with others, on or off the property of the Mena School District including:
 - Any willful act directed at any student or school employee which subjects him/her to social ostracism, dishonor, shame, or disgrace with fellow students or school employees.
 - Playing abuse tricks or savage, cruel tricks upon another student or school employee to frighten or scare the person.

- Any willful act directed against any student or school employee for the purpose of humbling the pride, stifling the ambition, impairing the courage, or discouraging him/her from remaining in the Mena School District, or causing the attacked person to leave the Mena School District rather than to submit to such acts.
9. Any act by one (1) student, acting alone or with others, on or off the property of the Mena School District which violates local, state, or federal laws or Mena Board Policies when such act or activity is taken to further the interests of the gang and/or any gang member.

In accordance with Arkansas Code Annotated 6-5-203 and Arkansas Code Annotated 6-18-605, the consequence of gang membership or gang-related behavior shall be **suspension** and/or **expulsion** from Mena Public Schools. Such membership or behavior will be reported to appropriate authorities for possible criminal and/or civil prosecution.

M. REQUIREMENTS FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

The Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student's educational experience. At the same time, the Board believes that a student's participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted)*. **To participate in extracurricular activities a student must be a full time student of Mena Public Schools.** Additionally, a student's participation in, and the District's operation of, extracurricular activities shall be subject to the following policy.

Definitions:

Extracurricular activities are defined as: any school sponsored program where students from two or more schools are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, interscholastic athletics, cheerleading, band, choral, math, or science competitions, and club activities.

Academic Courses are those courses that are identified in the Arkansas Department of Education's Standards for Accreditation of Arkansas Public Schools as one of the 38 course offerings or is a definable course for which class time is scheduled and which can be credited to meet the minimum requirements for graduation and is taught by a teacher required to have State certification in the course, and has been approved by the Arkansas Department of Education. Any of these courses for which concurrent high school credit is earned may be from an institution of higher education recognized by the Arkansas Department of Education. If a student passes an academic course offered on a block schedule, the course can be counted twice toward meeting the requirement for students to pass four (4) academic courses per semester as required by this policy.

Supplemental Improvement Program is an additional instructional opportunity for identified students outside of their regular classroom and meets the criteria outlined in the Arkansas Department of Education's Regulations Governing School District Academic Requirements for Student Participation in Competitive Interscholastic Activities. The Arkansas Activities Association standards allow a student to participate in a SIP for a maximum of two consecutive semesters and require the student to improve his/her GPA by at least 10% by the end of the first semester to remain eligible for the second semester. By the end of the second semester, the student must have attained a 2.0 GPA to be eligible for competitive interscholastic activities. Following one or more semesters where the student has attained a 2.0 GPA, this cycle may be repeated.

ELEMENTARY SCHOOL REQUIREMENTS: Extracurricular activities will be held at a time to not interfere with instruction times of reading and math. Students in Louise Durham Elementary, Hatfield Elementary, and Holly Harshman Elementary should maintain a C average or above in order to participate in extracurricular activities; however, since extracurricular activities on the elementary level arise from curriculum frameworks and complement academic instruction, all students are encouraged to participate.

ACADEMIC REQUIREMENTS: Junior High

A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the

first semester. The second semester eight-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester, three (3) of which shall be in the core curriculum areas of math, science, social studies, and language arts.

The first semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester, three (3) of which shall be in the core curriculum areas of math, science, social studies, and language arts.

The second semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed (4) academic courses the previous semester which count toward his/her graduation requirements.

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

ACADEMIC REQUIREMENTS: Senior High

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

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

STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM

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

ARKANSAS ACTIVITIES ASSOCIATION

In addition to the foregoing rules, the district shall abide by the rules and regulations of the Arkansas Activities Association (AAA) governing interscholastic activities.

N. HOMEWORK AND INDEPENDENT STUDY

It is recognized that homework is important and essential for the maximum academic growth of students. Homework should be included as an integral part of the instructional program and a means by which students are provided extended time to master learning concepts and objectives. Homework should be a positive experience and provide students the opportunity to: (1) reinforce skill development; (2) manage learning time away from the school setting; and (3) communicate to parents learning activities provided during the school day.

It is recognized that independent study can be a vital part of the instructional program. Independent study may encourage the developmental skills in academic subjects, research, and inquiry through experimentation. Students working within the independent study program will have assessment sessions with the sponsoring teacher.

O. SEARCH AND SEIZURE

Lockers and desks belong to the school district and the lockers and students' property in lockers are subject to periodic searches by teachers and administrators without student consent. Any illegal or contraband material or material evidence of a school rule being violated will be seized.

A search of a student's person may be made by a school official of the same sex and with an adult witness of the same sex present, when the administration has probable cause that the student is concealing evidence of an illegal act, contraband, or has violated a school rule. A reasonable attempt will be made to notify parents prior to the search unless an emergency situation exists.

Student parking lots are school property. Therefore, cars using those parking lots are subject to search by teachers and administrators without student consent. Any illegal or contraband material or material evidence of a school rule being violated will be seized.

P. LOITERING ON OR NEAR SCHOOL GROUNDS--Penalty

Any person who shall loiter upon or near the school grounds of any public or private school during school hours, or at any school-sponsored activity such as ball games, dances, and other school-sponsored activities after regular school hours, without any lawful business or purpose shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00).

If a person wishes to visit on the school grounds or in the school building, that person shall present himself to the office of the school and receive permission to visit and a pass to indicate that proper permission has been granted.

As used in this section, "Loiter" means the hanging around or lingering upon the grounds of any public school of this state, or within one hundred feet (100') of the grounds of any public school in this state, unless any such person is on his own property, walking or driving to some destination other than the school grounds, transacting some lawful business at a business establishment located near the school grounds, or has meaningful business to transact at such school.

STUDENT CONDUCT CODE – Jurisdiction

A student may be suspended or expelled for immorality, refractory conduct, insubordination, infectious disease, habitual uncleanness, or other conduct that would tend to impair the discipline of the school or harm the other pupils, regardless of whether the student's conduct occurs on or off campus and during or between school terms and regardless of whether a specific prohibition of the conduct is contained in this student handbook.

1. Disregard of Direction or Commands

A student shall comply with reasonable directions or commands of teachers, student teachers, substitute teachers, teacher aides, principals, administrative personnel, superintendent, school bus drivers, school security officers or other authorized school personnel. Students will be considered insubordinate when they refuse to obey any rule or regulation of the school or school district, or the reasonable instructions of school district personnel, or refuse to identify themselves when asked to do so.

<u>Minimum Penalty:</u>	<i>Verbal reprimand.</i>
<u>Maximum Penalty:</u>	<i>Expulsion.</i>

2. Disruptions and Interference With School Operations

No student shall disrupt or interfere with the normal operation of the school, refuse to identify himself on the request of any school employee; or encourage other students to violate any rule or School Board policy.

Act 567 of 2001 makes it a Class D felony for a person to communicate a false alarm. A student commits this offense if he purposely initiates or circulates a report of a present, past, or impending bombing, fire, offense, catastrophe, or other emergency knowing that the report is false or baseless and knowing that it is likely to cause action of any sort by an official or volunteer agency organized to deal with emergencies; or to place any person in fear of physical injury to himself or another person or of damage to his property or that of another.; or to cause total or partial evacuation of any occupiable structure, vehicle, or vital public facility.

<u>Minimum Penalty:</u>	<i>Verbal reprimand.</i>
<u>Maximum Penalty:</u>	<i>Expulsion from school and legal action in the courts for any damages.</i>

3. Immorality

A student shall abstain from indecent and immoral acts.

<u>Minimum Penalty:</u>	<i>Verbal reprimand.</i>
<u>Maximum Penalty:</u>	<i>Expulsion.</i>

4. Fireworks

A student shall not possess, handle, or store fire crackers, smoke bombs, cherry bombs or any other kind of fireworks.

Minimum Penalty:

Verbal reprimand and confiscation of materials.

Maximum Penalty:

Expulsion plus legal action in courts for damages.

5. Gambling

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

Minimum Penalty:

Verbal reprimand.

Maximum Penalty:

Expulsion.

6. Physical Abuse, Assault or Threatened Assault of School Staff Members and Students

A student shall not cause or attempt to cause physical injury to a school employee, fellow student or any other individual. Under Arkansas law physical injury to any school employee must be reported to proper legal authorities. Furthermore, a student is guilty of the crime of second degree battery if he/she causes injury to a teacher (Act 207 of 1997). Act 1046 of 2001 makes it a Class D felony to communicate a death threat concerning a school employee or student.

Students are to keep their hands to themselves, and treat teachers and fellow students with respect and courtesy. Horseplay and physical teasing, as well as shoving, striking, fighting or threatening others with physical injury, etc., constitute battery and/or assault, and are strictly forbidden. Profanity and rude and abusive language directed at others is considered abuse, and this is also strictly forbidden. **Act 1565 of 2001** also makes it unlawful for any person to use profane, violent, vulgar, abusive or insulting language toward any public school employee during the course of his or her duties. It is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common acceptance, is calculated to:

- Cause a breach of the peace;
- Materially and substantially interfere with the operation of the school; or
- Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation.

Violation of this policy will result in disciplinary action, and may also constitute a criminal offense. By law, local law enforcement must be notified whenever a felony or an act of violence may have been committed on campus. Moreover, school authorities can regulate students' vulgar expressions while on school grounds. It is the responsibility of the school to maintain civility and decency. The school will not capitulate to a student's preference for vulgar expressions.

"Assault" is the willful attempt or threat to inflict injury upon the person of another. Threats must be reported to police. Any display of force that would give the victim reason to fear bodily harm is assault, even if touching or striking does not occur.

"Battery" is similar to assault, but requires unexcused physical touching or injury.

"Abuse" means to wrong in speech, reproach coarsely, disparage, revile, or malign. Use of profanity or vulgar expressions directed at another person is considered abuse.

Minimum Penalty:

Verbal reprimand and counseling.

Maximum Penalty:

Expulsion for a period of one year and legal action to recover any damages. The Superintendent of Schools may modify the expulsion requirement on a case-by-case basis.

7. Possession of any Firearm or Other Weapon Prohibited on School Campus

A student shall not possess, handle or transmit any object that reasonably can be considered a weapon or dangerous instrument, or any contraband materials. Under Arkansas law possession of weapons at school is to be reported to the proper legal authorities. **ACT 1282 of 1999** makes it a criminal offense to possess "firearms" on school property, school buses and school bus stops. Additionally, when the parent, or any person that has legal custody, of a minor is aware that a minor is in illegal possession of a firearm on school property or public park, playground or civic center, and they fail to report it to the proper authorities, they shall be guilty of a Class B Misdemeanor.

Minimum Penalty:

Confiscation of materials and verbal reprimand.

Maximum Penalty:

Expulsion for a period of not less than one year and referral to criminal authorities for the filing of appropriate legal charges. The Superintendent of Schools may modify the expulsion requirement on a case-by-case basis.

8. Using, Offering for Sale or Selling Beer, Alcoholic Beverages or Other Illicit Drugs by Students on School Property

A student shall not possess, sell, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other controlled substance, as **defined in Act 590 of 1971 of the State of Arkansas, as amended**. A student shall not possess, sell, use, transmit, or be under the influence of any beverage containing alcohol or intoxicants of any kind. Controlled substances may be possessed and used by a student who has a prescription for the substance provided the substance remains in the container in which it was obtained from the pharmacist. Act 1694 of 2005 requires school districts to allow students to carry and use prescription asthma inhalers and auto-injectable epinephrine while in school, at on-site school-sponsored activities, and at off-site school-sponsored activities. In order to permit a student to carry an inhaler parents must complete and return to the student's school a "Medication Self-Administration Consent Form." Under law violations of this policy are to be reported to legal authorities.

Minimum Penalty:

Parent Conference and Counseling.

Maximum Penalty:

Expulsion and the offender will be required to go through some rehabilitation program including but not limited to professional counseling in order to return to school.

9. Prohibition on Paging Devices and Hand-Held Laser Pointers

Possession of paging devices, beepers, or similar electronic communication devices on the school campus is forbidden during regular school hours. However, an exemption for possession of such a device may be obtained by any student who is required to use such a device for health or other compelling reasons, or for extracurricular activities occurring after normal school hours. Possession of hand-held laser pointers is also forbidden. All such devices will be seized by school personnel (**ACT 1408 of 1999**).

Minimum Penalty:

Confiscation of device and Parent Conference.

Maximum Penalty:

Expulsion and filing of appropriate legal charges.

10. Tobacco and Tobacco Products Policy

Use or possession of tobacco and tobacco products such as matches, lighters, paper, etc. is prohibited from the beginning of the school day to the end of the school day.

If you ride a bus, the school day begins when you get on the bus in the morning and ends when you get off the bus in the afternoon. If you drive on campus or walk to school, the school day begins when you arrive on the school campus in the morning and ends when you leave the school campus in the afternoon. Any violation of this policy will result in the following disciplinary action:

First Offense:

Three days In-School Suspension and Parent Contact.

Second Offense: *Five (5) day Suspension, Parent-Pupil-Principal Conference upon return to school.*

Third Offense: *Expulsion for the remainder of the semester.*

Any use of tobacco or tobacco products on the school campus is prohibited by all school employees during the school day inclusively. The school day shall begin whenever you arrive on the school campus and end at the time you leave the campus.

Extracurricular Activities: Smoking or use of tobacco or products containing tobacco in any form in or on any property or buses owned or leased by Mena Schools, is prohibited [Act 1555]

11. Damage or Theft of School or Private Property

A student shall not cause or attempt to cause damage to school or private property or steal or attempt to steal school or private property. Parents of minor students under the age of eighteen (18) living with the parents may be liable for damages caused by said minor. Any person who shall willfully destroy or injure any building used as a schoolhouse, or for educational purposes, or any furniture, fixtures, or apparatus thereto belonging, or who shall deface, mar, or disfigure any such building, furniture, or fixtures, by writing, cutting, painting, or pasting thereon any likeness, figure, words, or device without the consent of the teacher or other person having control of that house, furniture, or fixtures shall be fined in a sum double the value of the building, furniture, fixtures, or apparatus so destroyed or damaged.

<u>Minimum Penalty:</u>	<i>Verbal reprimand.</i>
<u>Maximum Penalty:</u>	<i>Expulsion plus legal charges filed.</i>

12. Gangs and Gang Activity

Gangs, secret societies, or other similar groups, whether organized in the community or in other settings, are prohibited on the school grounds and campus and at any school-sponsored activity. Gang-related activity—whether genuine or a pretense—that is identified by school officials will result in a minimum (5) day out-of-school suspension up to a maximum of expulsion for the remainder of the semester. A second offense of gang-related activity will result in a recommendation for expulsion for the remainder of the semester, the remainder of the school year, for one calendar year, or permanently.

Students who are arrested for gang-related offenses, regardless of where the offense may have occurred, may be expelled for the remainder of the semester, for the remainder of the school year, for one calendar year or permanently, depending on the circumstances of the arrest. Gang-related activities include but are not limited to such activities as wearing apparel associated with gangs, displaying gang insignia, “throwing signs” or other gestures or language (however expressed) associated with gangs, intimidation, and threats.

13. Sexual Harassment

Sexual harassment is sex discrimination under Title IX. It is the policy of the Mena District to maintain a learning and working environment that is free from sex discrimination, including sexual harassment.

Authority:

It shall be a violation of this policy for any member of the district staff to harass a student through conduct or communications of a sexual nature as defined below. It shall also be a violation of this policy for students to harass other students or members of the district staff through conduct or communications of a sexual nature as defined below.

Definitions:

Unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the school staff to a student or when made by any student to another student or school staff member constitute sexual harassment when:

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

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

- Verbal harassment or abuse.
- Pressure for sexual activity.
- Repeated remarks to a person with sexual or demeaning implications.
- Inappropriate patting or pinching.
- Intentional brushing against a student's or an employee's body.
- Any sexually motivated unwelcome touching.
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

Procedures:

Any person who alleges sex discrimination or sexual harassment by any staff member or student may use the District's equity complaint procedure (detailed below) or may complain directly to the building principal or his designee, guidance counselor, or to Equity Coordinator Danny Hale, the individual designated to receive such complaints. Filing of a complaint or otherwise reporting sexual harassment or sex discrimination will not reflect upon the individual's status nor will it affect future employment, grades, or work assignments.

Upon receipt of a report of sexual harassment, the building principal or his designee, or guidance counselor or other staff members shall immediately notify the Equity Coordinator without screening or investigating the report. If the report is given verbally, the principal or his designee, counselor, or staff member will reduce it to a written form within 24 hours and forward it to the Equity Coordinator. Failure to report any sexual harassment report or complaint as provided will result in disciplinary action taken against that employee.

If the complaint involves the building principal, the principal's designee, or counselor, the complaint may be filed directly with the Superintendent or Equity Coordinator. If the complaint involves the Equity Coordinator, the complaint may be filed with the Superintendent. If the complaint involves the Superintendent, the complaint may be filed with the Equity Coordinator.

The Equity Coordinator shall immediately authorize an investigation, which may be conducted by school officials. A written report on the investigation will be provided to the Equity Coordinator within 10 school days of the complaint or report of sexual harassment.

The investigation may consist of personal interviews with the person filing a complaint, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident or circumstances surrounding the complaint.

In addition, the District may take immediate steps, at its discretion, to protect the person filing the complaint, students and employees pending the completion of the investigation.

The Equity Coordinator shall make a report to the Superintendent within two school days of the completion of the investigation.

School District Action:

Upon receipt of a recommendation that the complaint is valid, the District will take such action as appropriate based on the results of the investigation. If the harasser is a student, disciplinary action may include suspension or expulsion. If the harasser is an employee, disciplinary action may include termination or non-renewal. **Act 1732 of 2001** says that any public school district employee who commits a sexual offense against a minor shall, upon conviction, be dismissed from employment and shall not thereafter be eligible for employment by any school in this state.

The result of the investigation of each complaint filed under these procedures will be reported in writing to the person filing the complaint by the district. If the harasser is a student, the report will document the action taken as a result of the complaint to the extent permitted by FERPA. If the harasser is an employee of the District, the report will document the action taken as a result of the complaint to the extent permitted by law.

Reprisal:

The district will discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies assists or participates in an investigation proceeding related to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Minimum Penalty: *Verbal reprimand.*
Maximum Penalty: *Expulsion.*

14. Prohibition Against Harassment, Intimidation and Bullying

The board prohibits acts of harassment, intimidation or bullying.

A safe and civil environment in school is necessary for students to learn and achieve high academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment; and since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying.

"Harassment, intimidation or bullying" means any gesture or written, verbal or physical act that takes place while in school, on school property, at any school-sponsored function, in school vehicles, or on school buses, at designated school bus stops, or at school sanctioned events, and that:

- a. is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or,
- b. by any other distinguishing characteristic; and
- c. a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- d. has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

The board of education expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

The board of education believes that standards for student behavior must produce an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff and community members.

The board of education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities to help students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent discipline problems and encourage students' abilities to grow in self-discipline.

The school district prohibits reprisal or retaliation in any form against any person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature and circumstances of the act.

Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying range from positive behavioral interventions up to and including suspension or expulsion.

Minimum Penalty: *Verbal reprimand.*
Maximum Penalty: *Expulsion plus legal charges filed.*

15. Other Behavior Not Specifically Stated Above

The school district reserves the right to correct behavior which is not conducive to good order and discipline in the schools, even though such behavior is not specified in the preceding written policy.

<u>Minimum Penalty:</u>	<i>Verbal reprimand.</i>
<u>Maximum Penalty:</u>	<i>Expulsion plus legal charges filed.</i>

16. Alternative Discipline

An alternative discipline that may be offered to a student as an option to another punishment would be an activity that is a service to the school community such as picking up trash, helping in the cafeteria, working in flower beds, etc. The student would be supervised by a district employee while performing this alternative discipline.

17. Additional Provisions

Individual schools in the district may add specific rules that are applicable to that school only, provided said rules are not in conflict with any of the above policies.

<u>Minimum Penalty:</u>	<i>Verbal reprimand.</i>
<u>Maximum Penalty:</u>	<i>Expulsion.</i>

18. In-School Suspension

The classroom for In-School Suspensions is located on the Mena Middle School campus. Both elementary and secondary students may be assigned to it. Assigned students will be isolated from their fellow classmates and will work on class assignments prepared and graded by their regular classroom teachers and/or other assignments as directed by the Supervisor of In-School Suspensions.

Examples of reasons for referral to the In-School Suspension Classroom will range from misconduct to lack of homework/class work. Students may be assigned one (1), two (2) or three (3) days depending on the seriousness of the offense. The minimum length of assigned time is one day. The maximum number of days that a student may be assigned to In-School Suspension during the course of one semester is six (6). Expulsion may be recommended for any student who has been assigned for an accumulated total of seven (7) days that semester. Students will not be permitted to participate in any extra-curricular activities (after school practices or games, band concerts, plays, etc.) during the assigned time.

Students must complete the days assigned to the In-School Suspension Classroom before they will be reinstated in regular classes. Failure to report to the In-School Suspension Classroom, or tardiness, unless excused by the administrator making the assignment, may result in additional days assigned.

For purposes of the attendance policy, days assigned to the In-School Suspension Classroom will not be counted as absences from school. Those students assigned will comply with rigid disciplinary expectations. Failure to comply with established rules may result in suspension or expulsion from school.

19. Violation of Student Internet Use Agreement

Under Arkansas law, students shall be subject to disciplinary action for violations of the Internet Use Agreement. For each additional infraction by the same student, stiffer penalties will be imposed.

20. Cheating, copying, or claiming another's work to be his/her own

Minimum Penalty: Verbal reprimand

Maximum Penalty: Expulsion

21. Alternative Learning Environment

The Mena district has initiated a non-traditional educational program for at-risk students by establishing the Alternative Learning Environment (ALE). Consistent with state and national goals, the district's program of objectives includes:

- To decrease the dropout rate and retain students considered at-risk.
- To enable students to earn a diploma.
- To promote a positive change in attitude and self-esteem.
- To develop decision-making skills.
- To promote awareness of various job skills.
- To promote an appreciation of the rights and responsibilities of citizenship.
- To developing a mentoring and parenting system(s).

The purpose of the ALE program is to raise the level of expectation and self-esteem of students, and to create change by promoting positive attitudes toward the learning environment.

The program is located on the Hatfield campus. It meets from 7:45 a.m. to 3:45 p.m., Monday thru Friday. The Alternative Learning Environment utilizes non-traditional teaching approaches, integrating applied academics and reading in concept areas with life and vocational skills to better focus upon the learning styles of individuals. The curriculum is individualized and self-paced allowing students to work at a rate that enables them to learn effectively. Academic and vocational instruction is supplemented with counseling, decision-making skills, drug education units, parenting skills, and community service projects and activities. Teachers certified in English, math, science, social studies, special education and counseling provide instruction.

Students eligible to attend the ALE program have special needs, which cannot be met in the setting of the traditional school. Any student enrolling in the Alternative Learning Environment must remain there for a minimum of twenty (20) school days.

To be considered for attendance at the ALE program the following criteria is taken into consideration:

- The student must be between the ages of 12 and 21.
- The student has had a lack of academic success.
- The student is two or more years below grade level in math and/or reading ability, or in accumulating credits toward graduation.
- The student is presently failing one or more subjects.
- The student has already dropped out of school.
- The student has high absenteeism.
- The student has disruptive behavior.

Students may apply for admission into the program or may be assigned to the Alternative Learning Environment by the administration due to one or more problems listed above. Once enrolled in the ALE program, each student is evaluated at least once a semester for possible exit by the administration and the ALE instructors. The parent or guardian of the child may be involved in the exit decision. Possible program exits include reentry into the regular school setting, graduation, program completion, assignment to other agencies/programs, or age of majority.

R. STUDENT SCHOOL AND EDUCATIONAL RECORDS

The school may, without the consent of either students or parents, release student academic records to school officials who have a proper educational purpose in examining the information. No other person would have access to student records except when proper written consent to the release of such records has been obtained. The consent must be given by the student's parents or guardian except when students reach the age of eighteen (18) years; **their** consent and not that of their parents must be obtained to release the information at age eighteen (18). Students who meet these requirements must consent to parental access to their records. The school principal is the designated contact person for parents who wish to inspect their child's academic record.

Upon request, the school district may release directory information to the public unless refusal to release

said information has been requested by the parent, guardian, or student. Parents of minor children or students of the age of 18 have five days from receipt of this document to object to the release of directory information. Refusal to release directory information should be renewed yearly. A form, ***"Information Release Refusal,"*** will be provided and can be obtained in the Principal's Office or Counselor's Office if parent or a student of the age of eighteen (18) desires that the school not release directory information. Directory information about a student is defined as the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U. S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605**

S. DISCIPLINE FOR HANDICAPPED STUDENTS

Any of the penalties mentioned in the student behavior code, when applied to a handicapped student, will be imposed after consideration of the student's handicapping condition to determine if the improper action was a result of the handicap. When suspension of a handicapped student is necessary, the student's Individual Educational Plan Committee, if applicable, will be convened as soon as possible to determine suitable educational programming alternatives.

T. DUE PROCESS

Due process is afforded to students in disciplinary cases. Where students are involved in disciplinary incidents of great magnitude such as suspensions and/or expulsions the following due process steps are followed in the enforcement and administration of school policies by both school administrators and the Board of Education:

- notice of charge;
- opportunity for denial;
- evidence against him/her (if denies);
- opportunity to tell his/her side; and
- decision, and timely notice and an opportunity for a fair hearing.

The appeal process for students who are suspended or expelled is as follows:

Suspension means dismissal from school for a period of time that does not exceed (10) days.

Expulsion means dismissal from school for a period of time that exceeds ten days.

The Board of Directors of the Mena District may suspend or expel any student from school for violation of the school district's written discipline policies.

The board of directors may authorize a teacher or administrator to suspend any student for a maximum of 10 days for violation of the school district's written discipline policies, subject to appeal to the superintendent or his designee.

If the Superintendent initiates the suspension process, the decision may be appealed to the board.

The Mena Superintendent may recommend the expulsion of a student for more than 10 days for violation of the school district's written discipline policies, subject to appeal to the board of directors and to requirements of the federal Individuals with Disabilities Education Act.

All Mena district board meetings entertaining such appeals shall be conducted in executive session if requested by the parent or guardian of the student, provided that after hearing all testimony and debate, the board of directors shall conclude the executive session and reconvene in public session to vote on such an appeal.

The Mena Superintendent shall recommend the expulsion of any student from school for a period of not less than one (1) year for possession of any firearm or other weapon prohibited upon the school campus by law; provided, however, that the Superintendent shall have discretion to modify such expulsion requirement for a student on a case-by-case basis.

U. USE OF REASONABLE FORCE

Teachers, principals, administrators, and service personnel, such as bus drivers and teacher aides, have authority to take customary and reasonable measures to maintain proper control and discipline among students placed under their care and supervision. Such measures may include the use of reasonable force in the exercise of lawful authority to restrain a refractory student, to protect a student from harm or to maintain order in any school building, on any school property or at any school sponsored event.

V. CORPORAL PUNISHMENT

The administration of corporal punishment by any certified employee of the district to any pupil is authorized for insubordination, disruptive conduct, refractory conduct, use of profane, violent, vulgar or insulting language, or other conduct that tends to disrupt the educational process or harm other pupils or school officials. This type of punishment should be used only after other measures have been tried without success. When the use of corporal punishment is being considered, the student will be given the opportunity to present his side of the incident. Corporal punishment must be administered in the presence of the principal or his designee. It is recognized that this type of punishment is sometimes very effective, but should not be used so frequently that its effectiveness is lost.

W. SUSPENSION

A principal has the authority to suspend any student from school for up to ten (10) days if the student's behavior tends to be disruptive or if it is felt that the student's presence is detrimental to the welfare of the school.

A student may be suspended or expelled for immorality, refractory conduct, insubordination, infectious disease, habitual uncleanness, or other conduct that would tend to impair the discipline of the school or harm the other pupils, regardless of whether the student's conduct occurs on or off campus and during or between school terms and regardless of whether a specific prohibition of the conduct is contained in this student handbook.

The principal shall inform the student as to why he is being considered for suspension. The student will be given the opportunity to present his or her side of the incident before a decision to suspend or not suspend is made.

The parent or guardian will be notified by the principal about the suspension, its duration, and the manner in which the student may be re-admitted to school.

Written notice of suspension and the reason(s) for the suspension shall be given to the pupil.

When a student is suspended from school, he shall remain away from all school premises and school activities until the principal reinstates him.

Suspension is a possible penalty for all acts listed in the Student Conduct Code.

X. EXPULSION

The Board of Education is authorized to expel a student for the remainder of the school year for conduct it deems to be of such gravity as to make a relatively short temporary suspension inappropriate, or where it finds that the student's continued attendance at school would be unacceptably disruptive to the educational program, or would be attended with unreasonable danger to other students and faculty members.

The Superintendent, or his designee, shall give written notice to the parent or guardian (mailed to the address reflected on the school district records by certified mail with return receipt requested) that he has recommended to the Board of Education that a student be expelled for the balance of the school year. The notice shall contain a statement of reasons for this recommendation. The notice shall reflect the date, hour, and place where the Board of Education will consider and dispose of the recommendation, and such hearing shall be conducted not earlier than three (3) calendar days, nor more than ten (10) calendar days, following the date of the notice, except that representatives of the Board and student may agree in writing to a date not conforming to this limitation.

The President of the Board, or in his absence, another member selected by the Board, shall preside at the hearing, which will be a public hearing. The student as well as the Board shall be entitled to representation by a lawyer or lay counsel.

The Superintendent, or his designee, may present any evidence including statements of those persons having personal knowledge of the events or circumstances relevant to the issues. Normally, formal cross-examination will not be permitted. However, if during the course of the hearing, the Board determines that credibility of any witnesses is in issue, then it will permit cross examination by the student and the Superintendent (or their representative) of those witnesses as to whom credibility has become an issue. Such cross-examination shall be limited to the question or questions as to which the credibility of the witnesses has become an issue.

When a student is expelled from school, he shall remain away from all school premises and school activities.

Y. REGULATIONS FOR PUPILS RIDING SCHOOL BUSES

It is a privilege to ride to school on a bus, not a right. The right of all pupils to ride the conveyance is conditioned on their good behavior and observance of the following rules and regulations. Any pupil who violates any of these rules will be reported to the school principal.

1. The driver is in full charge of the bus and pupils. Pupils shall obey the driver promptly.
2. Pupils shall occupy the space designated for them by the driver.
3. Pupils shall observe the following:
 - a. Never stand in the road while waiting for the bus. Stand back about ten feet from the bus stop and wait until the bus door is opened before moving closer to the bus.
 - b. Do not spit on the floor of the bus. Anyone doing so will be reported to the principal.
 - c. Do not throw waste paper or other rubbish on the floor or out of the windows of the bus.
 - d. Do not mark or otherwise deface the bus. Report to the driver at once any damages to the bus.
 - e. No helium balloons, radios, cassette players, pets or other living animals are allowed on the bus.
 - f. Pupils are not to distract the attention of the bus driver or disturb other riders on the bus (which includes keeping your hands to yourself, attend to your own matters, let other people alone).
 - g. Abstain from the use of tobacco, snuff, alcohol, and profane language.
 - h. At all times keep arms and head inside the bus window.
 - i. No knives, sharp objects, or firearms.
 - j. Do not leave the bus without the driver's consent, except at home or at school.
 - k. No rude gestures are to be made to persons on or off the bus.
 - l. Walk on the left side of the road facing traffic.
 - m. While loading or unloading, enter or leave the bus orderly and quickly
 - n. Do not tamper with any of the safety devices such as emergency doors, windows, fire extinguishers, etc.
 - o. Remain seated while the bus is in motion. **[Act 1744 of 2001]**
 - p. Keep aisle of the bus clear from books, coats, etc. Do not put feet in the aisle.
4. Pupils shall be at the bus stop on time; the bus cannot wait for those who are not on time.
5. Pupils shall always be taken to their designated stop unless previous arrangements have been made.
6. Pupils who must cross the road after alighting from the bus should pass in front of the bus and not behind it. The driver should see that the way is clear before the child is permitted to cross the road. Students unloading at their respective school should use marked crosswalks when exiting from the bus.
7. Should any pupil persist in violating any of these regulations it shall be the duty of the driver to notify the principal, and after due warning has been given to the pupil, the principal shall then forbid such disobedient pupil the privilege of riding the bus.

8. Any complaints of driver, pupils, or parents not specified in the above regulations shall be reported promptly to the principal or Director of Transportation.
9. Should the conduct of a pupil on the bus endanger the lives or morals of other people and the offending pupil fails to cease such conduct when requested by the bus driver to do so, with permission of the principal the offender may be removed from the bus.
10. It is unlawful, during regular school hours, and in a place where a public school employee is required to be in the course of his or her duties, for any person to address a public school employee using language which, in its common acceptance, is calculated to:
 - Cause a breach of the peace;
 - Materially and substantially interfere with the operation of the school; or
 - Arouse the person to whom it is addressed to anger, to the extent likely to cause imminent retaliation. [Act 1565 of 2001]

Z. PROGRESSIVE DISCIPLINE STEPS FOR STUDENTS WHO CHOOSE TO BREAK RULES FOR RIDING THE BUS:

- 1st Incident — Driver warns student and documents warning.
- 2nd Incident — Driver reports student to principal, parents are contacted, punishment at the discretion of the principal.
- 3rd Incident — 3 day suspension from bus transportation
- 4th Incident — 5 day suspension from bus transportation
- 5th Incident — 10 day suspension from bus transportation
- 6th Incident — Bus suspension for up to thirty (30) days

The administration has the authority to adjust the bus discipline policy at anytime deemed necessary without prior notification of parents, for the safety of passengers on the school bus.

The following inappropriate behavior could result in suspension of transportation privileges on the first offense:

- ♦ Physical harm to another student.
- ♦ Physical harm or threat of physical harm to driver.
- ♦ Property damage.
- ♦ Refusal to obey driver.
- ♦ Possession of alcohol, drugs or tobacco products.
- ♦ Total disruption.

Children with Special Health Care Needs

[ACT 1146 of 1995]

Defining the Population

Students with special health care needs are those who require individualized health care intervention to enable participation in the educational process. Included within this population are students:

- who may require administration of medication and/or special procedures during the school day;
- who may use a particular health care device that compensates for the loss of a vital body function;
- who may require the provision of substantial, special, or frequent health care to avert death or further disability.

Educational and health care professionals use a variety of terms to describe students with chronic or special health conditions. Such students may be referred to as chronically ill, other health impaired, medically fragile or technology dependent. Each of these terms share overlapping features.

“**Chronically ill**” is the term used to describe a student whose condition is long-term and results in decreased strength, vitality, and alertness. Chronic conditions often seen in students include asthma, diabetes, rheumatoid arthritis, cancer, and epilepsy. Students who have a chronic illness often present a fluctuating

state of health care needs. The condition may adversely affect the student's educational performance and require supervision to maintain, regulate, or intervene, as appropriate.

"Medically fragile" describes a condition in which the absence of immediate, health-related, special-skilled care threatens the life or health of the student. A medical protocol is required to ensure a person's safety. There is no foreseeable end to this condition.

"Technology dependent" describes a condition which a student requires a medical device, such as mechanical ventilation, tracheotomies, oxygen, or respirator, to compensate for the loss of a vital body function.

In Arkansas, the term **"other health impaired"** is used in the educational setting to identify a student who requires special education and related services because of a health condition which results in "limited strength, vitality, or alertness, due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle-cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes, that adversely affects a child's educational performance.

Child Find

The Mena School District will actively seek those who could be determined to be medically fragile, chronically ill, or technology dependent.

Medical Assessment and Evaluation

The Mena School District is not responsible for conducting health related assessments. The primary care physician of the student will be contacted after the parent has signed for release of medical information and asked to send the medical information available on the student to the school.

Equipment Procurement and Maintenance

The parent will provide equipment deemed necessary per individual student's prescribing physician.

The committee will develop specific guidelines and procedures for service maintenance per qualified personnel and "back-up" planning in the event of equipment failure. Appropriate in-service training will be provided and documented for designated persons to be familiar with operation and maintenance of the equipment at least annually.

Individual Health Plan

When a student with special health care needs is identified, a committee should be convened to develop an individual health plan for the student. The committee should be comprised of the student's parents, regular classroom teacher, building administrator, school nurse, and other personnel, as appropriate. The health plan for the student will be based on the specific requirements for that child.

Procedure

1. A medical information form should be included in the registration packets of new students.
2. The school nurse should review all medical information forms at the beginning of each school year.
3. The school nurse should review the existing medical information and contact the parents of the child involved. A consent for release of medical information should be obtained from the parents. The primary care physician of the child should be contacted and medical information obtained.
4. After the review of all available medical information the school nurse may convene a committee to develop an individual health plan for the child.
5. The school nurse may invite parents, regular classroom teachers of the student, principal, special education personnel, etc., to participate in the development of the individual health plan.

OFFICE OF CIVIL RIGHTS REQUIREMENTS

It is hereby declared the intent of the Board of Education of the Mena School District to comply with Title VI, Title IX and Section 504 of the Rehabilitation Act of 1973. No person in the United States, shall, on the grounds of race, color, national origin, age, sex or handicap be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. In addition, Mena School District shall provide a free appropriate public education to each qualified handicapped person who resides in the district regardless of the nature or severity of the person's handicap. Provision will be made for the necessary related aids and services to meet the handicapped student's individual needs.

Related services include, but are not limited to developmental, corrective, supportive, or evaluative services, not instructional in nature, that may be required for the proper development and implementation of a handicapped student's individualized educational program, including but not limited to special transportation, school health services, counseling with students or families, psychological services, audiological services, visual training, medical or psychiatric diagnostic services, occupational therapy, physical therapy, recreational therapy, social work services, parent counseling and training, adaptive equipment, special seating, orientation and mobility training, speech therapy, music therapy and corrective therapy.

An educational placement committee shall include provisions for related services in a student's individual educational program when the related service is necessary to enable the student to benefit educationally from:

- Special education instruction provided by special education personnel;
- An otherwise regular education program; or
- A regular education program that has been modified through the use of special education support services, supplementary aids, or other special arrangements.

Any person having inquiries concerning compliance with Title VI (race), Title IX (sex) or Section 504 (handicap) is directed to contact:

Kimberly Pymn, Coordinator of Federal Programs
Foster Care Liaison
Mena Public Schools
501 Hickory Avenue
Mena, AR 71953-1945
Telephone: (479) 394-1710

VII. BUSINESS AND OPERATIONAL PROCEDURES

A. FINANCE

1. Budgets

The Superintendent shall present the ensuing year's budget to the Board for consideration at the August meeting of the Board. All expenditures shall be based upon the approved budget, unless an authorized change is made by the Board.

The Superintendent shall submit the proposed budget and millage rate for the second succeeding year so the Board can approve it in ample time for publication, as required by law, before the annual school election.

2. Purchasing

Purchases shall be made, in accordance with the budget, by the Superintendent or his authorized representative. He shall develop procedures for taking bids on those items requiring bid by State Law, or other items determined by the Board to be purchased by bid.

That in any purchase situation where written bids in excess of \$10,000 are requested from suppliers of products or services by Mena Special School District #23, the responding bids shall be opened by a presiding officer of the Board and inventoried by the Board at a regular or special meeting.

School districts may enter into public-private partnerships whereby the school district enters into lease-purchase agreements for the acquisition or construction of a school building or related facilities, or acquired by the private entities with facilities bonds exempt from federal taxes under 26 U.S.C. 142(a) (13), as it existed on January 1, 2005.

3. Expenditures and Financial Records

The Superintendent, as *ex-officio* financial secretary, shall be bonded in the amount prescribed by law, and shall be responsible for the receipt and disbursement of all public school funds of the district. All public monies shall be deposited in depository as prescribed by law. The standard code forms approved for the financial records of all State schools shall be used. Financial statements shall be made to the Board monthly or as desired by the Board.

4. Auditing of School Accounts

All financial records for the school shall be closed at the end of the fiscal year and kept in readiness for the State auditor and/or CPA firm. These records shall be stored in a place that furnishes reasonable protection from fire, storm, tampering, or vandalism.

5. School Activity Funds

The Superintendent, as executive officer of the school district, shall be responsible for proper accounting of all special funds. He may permit the handling of activity funds by the Principals of the various schools.

6. Insurance

The Superintendent shall determine that reliable, adequate, and economical insurance coverage is carried on all school property and facilities as prescribed by the Board. Builders risk insurance shall be adequate for each job.

B. OPERATIONAL PROCEDURES

The Superintendent shall recommend for employment such personnel as is needed for the upkeep, repair, and maintenance of school property and facilities. He shall stress to both professional and non-professional employees the importance of regular inspection and care of building and equipment.

C. INVESTMENT OF SURPLUS FUNDS

Surplus funds may be invested in government securities in accordance with **Act 273 of 1943 and Statutes of 1947, Sec. 13-901.**

D. FIXED ASSETS

Definitions:

Fixed Asset – an individual item of land, building, machinery, equipment, vehicle, or furniture/fixture that costs \$2500 or more and

- (a) Retains its original shape, appearance and/or character with use.
- (b) Does not lose its identity through fabrication or incorporation into a different or more complex unit or substance. [For example, it is not a bus transmission or a computer memory chip or software.]
- (c) Is not expendable; that is, if the item is damaged or some of its parts are lost or worn out, it is more feasible to repair the item than replace it with an entirely new unit, most of the time.
- (d) Under normal conditions of use, including reasonable care and maintenance, it can be expected to serve its principal purpose for more than one year.

Land and Improvements – Expenditures for the purchase and improvement of sites. These consist of such work as grading, landscaping, seeding and planting of shrubs and trees; constructing new sidewalks, roadways, retaining walls, sewers and storm drains; installing hydrants; initial surfacing and soil treatment of athletic fields and tennis courts; furnishing and installing for the first time fixed playground apparatus, flagpoles, gateways, fences and playground storage tanks which are not parts of building service systems; and demolition work. [Special assessments against the district for capital improvements such as streets, curbs and drains are also recorded here.]

Buildings – Expenditures for acquiring existing buildings. Included are expenditures for installment or lease payments (except interest) which have a terminal date and result in the acquisition of buildings, except payments to public schoolhousing authorities or similar agencies. Expenditures for the contracted construction of buildings, for major permanent structural alterations, and for the *initial or additional* installation of heating and ventilating systems, fire protection systems and other service systems in existing buildings are recorded under 645xx. Buildings built and alterations performed by the districts own staff are charged to salaries, benefits, supplies and equipment as appropriate.

Machinery – Expenditures for equipment usually composed of a complex combination of parts (excluding vehicles). Examples are lathes, drill press, copiers, etc.

Vehicles – Expenditures for equipment used to transport persons or objects. Examples are automobiles, trucks, buses and vans.

Furniture and Fixtures – Expenditures for equipment used for sitting; as a support for writing and work activities; and as storage for material items.

Technology Equipment – Expenditures for equipment used for technology. The cost of the computer system is the sum of the cost of the monitor and the CPU. The CPU is tagged with the district I.D. number. Examples are computer systems, file servers, printers, scanners, digital cameras, LCD projectors, etc. Initial cabling, hubs, switches, etc. expended to install a network are charged to the cost of buildings.

Purchase of New Assets:

1. Individual assets with a cost of \$2500 or more are added to the Fixed Asset Schedule. When a invoice is submitted for payment, a Fixed Asset Form (Exhibit A) and purchase order will be completed in full and attached. The person receiving the items and submitting the invoice and purchase order will be responsible for tagging the asset. (i.e. If the principal approves and submits the invoice for an asset, he/she will be the party responsible for tagging the item upon receipt from the assistant treasurer. If the asset is purchased from a federal fund, the director of the fund will be the responsible party.)

2. All assets costing \$2500 or more are posted to a "Property" account number of xxxxx, which indicates an addition to the district Fixed Asset Schedule. If an individual asset will not be added to the Fixed Asset Schedule, the account number of xxxxx will not be used.
3. If, upon review by the Assistant Treasurer, the complete Fixed Asset Form is not attached to the invoice and purchase order for the purchase of a fixed asset and completed in full, the invoice and purchase order will be returned for proper documentation.

Relocation of Assets:

1. Assets permanently moved from one location to another location are reported to the Assistant Treasurer at Central Office using the Fixed Asset Form (Exhibit A). Relocations include movement from building to building as well as room to room. Relocations do not include temporary movement of assets.
2. Building principals and department or federal program directors should report relocations by the 1st of each month. Should assistance from the maintenance department or technology department be required for the relocation, it will still be the principal's or director's responsibility to report the relocation of any assets.

Disposal of Assets:

1. Due to the increase in our capitalization rate from \$500 to \$2500 on July 1, 2002, many items have district Asset ID Numbers which are no longer on our fixed asset lists. Prior to disposal of any item with a district Asset ID Number, a request should be made to the school principal or director's office.
2. If the asset is listed on the district Fixed Asset List, an Inventory Disposal Request Form (Exhibit A) should be completed and approved by the principal or director. The form should be submitted to the Assistant Treasurer at Central Office.

Physical Inventories:

1. A physical inventory of fixed assets will be conducted at least once a year.
2. The Assistant Treasurer will generate inventory worksheets from the district inventory system and distribute them to the buildings. The building principal or department head will assign responsibilities from that point.
3. The inventory worksheets list the Asset ID Numbers and the description of the asset by location. Any adjustments should be noted on these worksheets. It is the principal's/department head's responsibility to resolve all exceptions of items not located.
4. The worksheets will be returned to the Assistant Treasurer to make adjustments as necessary.

The same form will be used for all added, deleted & transferred equipment. Form will be identified at time of use (added, deleted, transferred).

[illegible]

EXHIBIT A

VIII. SCHOOL-COMMUNITY RELATIONS

The atmosphere desired by the schools and the community of Mena is one of cooperation and mutual understanding. This can be accomplished in a two-way relationship; (1) the Board and the school making all information and intentions available to the patrons of the district; and (2) the community expressing its interests and desires to the Board and school.

A. ELECTIONS

1. Regular Elections

General elections will be held on the date set in accordance with the general election laws of the State. At this time the community will vote on regular board positions, the millage for the coming year and whatever else is pertinent to that election. The annual school election shall only concern issues authorized to be on the ballot by the Arkansas Constitution or by statute and no other issues shall appear on the ballot. (Seven members are elected to a three year term in the following order: Three members will be elected in years divisible by three beginning in 1968, and two members in all other years.)

2. Community Responsibility

Each member of the community has a responsibility to study qualifications of candidates and questions on the ballot and to vote his convictions in view of what is best for our schools.

B. MEETINGS

1. Regular Meetings

The regular meeting of the Board is the second Tuesday of each month at 7:30 p.m. in the board room in the Superintendent's Office.

2. Special Meetings

Special meetings may be called at any time and are open to the public. All board members must be notified of such meetings and a quorum will be necessary for any official action. When privileged matters such as personnel problems (employees or students) are discussed, the Board may meet in executive session which is closed to the public.

3. Announcement of Meetings

Each meeting is open to the public and shall be announced in *The Mena Star* and on radio station **KENA** on the Wednesday preceding the meeting.

C. COMMUNICATIONS

1. Media

The media of news through which the school will keep in touch with the Mena School District community will be *The Mena Star* and radio station **KENA**. At certain times the services of the television stations serving this area may be used.

2. Individual School Publicity

The individual schools are urged to publish and broadcast special events. The Board will make known its activities through special reports. The various clubs within the schools and other agencies of the schools are urged to inform the public of their activities.

3. Publicity for Public Relations

Board members and the Superintendent should avail themselves of all opportunities to create a friendly feeling and understanding with the community by attending functions where school interest can be shown, by conversation with individuals and by speaking when called upon.

4. Prior Approval of School Publicity

All speeches to be made and items to be published under school sanction should be reviewed and approved by the Superintendent or Board.

D. ADVISORY COMMITTEE

The Board of Education wishes every layman in our community to feel that he is in partnership with our professional educators and the Board of Education who have the responsibility for continuous planning, analysis, and evaluation to see that the most effective educational opportunities are made available to our children consistent with the aspiration, cultural pattern, and financial ability of the community.

Special citizens' groups shall be formed from time to time to study certain aspects of school mechanics. Each group shall be appointed by the Board for a specific purpose and after final reports have been filed, shall be dissolved. The Superintendent shall be a member *ex-officio* of all citizen committees.

E. COMMUNITY VOLUNTEER POLICY

The Mena School District recognizes and appreciates the support of the patrons who live within the district. Further, the use of those patrons as volunteers within the school district offers the district a means to utilize the vast resources those patrons possess. The Principal of the appropriate school will accept and screen all volunteer applicants to assure that the necessity and quality of the volunteer is appropriate. The Principal will notify the applicants upon acceptance. The Principal will be responsible for the appropriate training and scheduling, utilization and evaluation of the volunteer.

Under the provisions of Act 1012 of 1997, volunteers in the schools are required to meet the following criteria:

- Criminal background check.
- Certificate of health stating that he/she is free of tuberculosis.
- 6 – 12 hours of training.

F. ACCEPTANCE OF GIFTS

Gifts of pictures, books, or articles given to a school must be approved by the Superintendent. Such property as may be donated to a school shall become the property of the district but shall normally remain in the school to which it was donated.

The Board shall in all cases recognize receipt of gifts or donations by a letter of appreciation.

G. USE OF SCHOOL PROPERTY BY PUBLIC

1. Limitations

School facilities may be used by parents' organizations, civic associations, and other similar organizations devoted to the instruction of children or the well-being of the community.

2. Securing Permission

Permission to use school buildings and property shall be obtained through the Superintendent's Office. Any usage of school properties shall not interfere with regular school activities or be in conflict with the purposes of the school.

3. Charges for the Use of Specific Buildings

Charges shall be made for the use of all buildings which shall be adequate for the payment of the janitor, utilities, etc. Charges for the various buildings will vary depending upon the special uses of each.

A schedule of charges is on file in the Superintendent's Office. These charges will be reviewed annually by the Board in the July meeting.

A school district may sublease a portion of a school building or facility whenever that building or facility is not being used for educational purposes.

H. CURRICULUM RESPONSIBILITY

1. Board

It is the duty of the School Board to be familiar with the required curriculum of the school system as set forth by the State Board of Education. It is further a responsibility to study the needs of the day, both abroad and within the community and to make available to the students as high degree of excellence as possible. All members are encouraged to inform themselves of school business through local, regional, state and national meetings and publications.

2. Community

The community is responsible, also, to study the local school curriculum and needs to make recommendations, either in writing or by personal contact to the Superintendent or Board members.

I. RULES AND REGULATIONS

The youth of the community and its welfare is the prime interest of the School Board. All rules and regulations set forth by the Board will be for the protection and education of its students.

J. VISITORS

Regular School Days

Parents of students and other patrons of the schools are extended an invitation to visit the schools. Visitors to any of the schools are to report to the office of the Principal.

IX. AUXILIARY SERVICES

A. TRANSPORTATION

It shall be the policy of the Mena School Board to provide the best transportation service feasible for the greatest number of children, taking into account the needs of the students and money available.

It is recognized that bus drivers as well as other employees are in a position to contribute much to the efficient operation of the schools of this district, not only by the competent performance of their duties, but also in the area of public relations. It is expected that each employee will be well informed as to school policy and responsibilities accompanying his particular duties.

1. Supervision

The Superintendent of Schools shall be responsible for the maintenance and operation of all district owned vehicles, and scheduling, routing, and supervision of student transportation. He shall make regular reports to the Board concerning the efficiency, safety, and economy of the transportation system.

2. Bus Routes

Buses shall be routed to provide the best service for the greatest number of students. Bus routes shall be planned to get within one-half mile of each student if other factors permit. Bus routes shall be established on roads maintained by the city of Mena or the County of Polk. No driver shall deviate from his established route except on instructions from the Superintendent. The Superintendent is authorized to change routes at any time when, in his judgment, better service can be provided for a greater number of students by such change. Additionally, alternate bus routes have been established to enable buses to run and schools to be in session at times when weather conditions would prevent buses from running established routes. District patrons will be notified by local radio and television outlets when alternate routes are to be used.

3. Use of School Buses

The principle use of school buses is for the transportation of students to and from school, and other uses of buses shall be limited to school sponsored activities.

The following regulations shall apply to all school sponsored trips:

- a. Any trip involving students shall be planned long enough in advance of the date it occurs to allow detailed arrangements including the obtaining of parental consent for each student involved.
- b. All trips involving any sizable number of students will be made on school buses driven by regular drivers or by regular substitute drivers.
- c. On every trip, a teacher other than the driver will be assigned to each bus. This teacher will be in charge of the students on his or her bus for the duration of the trip.
- d. Students or adults other than those who are a part of the class or group scheduled to take the trip must not be allowed to ride on the trip buses.
- e. A **Vehicle Request for Activity Trip** form, which includes the names of students being transported and home telephone numbers, shall be completed and forwarded to the building principal, who shall notify the Director of Transportation of the impending activity and the need for vehicle(s).
- f. Drivers making extra trips shall be paid extra for such trips. When it is necessary for them to remain overnight, all necessary expenses shall be paid, such as meals, parking, lodging, etc. An expense form will be signed and turned in at the central office showing all expenses when requesting reimbursement.
- g. Students who are transported in a school vehicle to an event or place will be expected to return to the home community in a school vehicle. The only exception which may ever be made to this rule is in case a parent of a child also attends the same event and personally contacts the teacher in charge and assumes responsibility for the return of his or her child to the home community.

4. Driver Requirements

- a. All drivers shall have a current Commercial Drivers License as required of all bus drivers by State Law.
- b. All school bus drivers employed by the Mena School District shall be required to undergo a complete physical examination semi-annually, at the expense of the school district, and undergo a drug examination, as set forth in the Omnibus Transportation Employee Testing Act of 1991, before such employment begins.
- c. *Act 1825 of 2005* requires school bus drivers to report certain violations of the traffic laws to the Superintendent of the school district and requires the superintendent to provide the report to a local law enforcement authority.

5. Use of Employer Provided Vehicles

Mena Public Schools own and/or lease several vehicles for the business use of its employees. These vehicles include the following:

- Three (3) school cars
- Seven maintenance vehicles

The primary, but not sole, users of these vehicles are:

- School car—Mena Superintendent of Schools
- Maintenance trucks—Maintenance Supervisor and Bus Mechanic

Mena Public Schools prohibits **all** personal use of these vehicles by any employee. Only "business use" is allowed. "Business use" includes the following:

1. Necessary travel in the ordinary course of business.
2. Travel between individual segments of the business.
3. Travel in the course of representing the interest of the business (i.e., business trip, seminars, functions, events, etc.).

The primary users (listed above) all have responsibilities that extend past normal business hours in case of emergencies or matters that need urgent attention. Therefore, the transportation to and from their homes is included in "business use" due to the nature of their employment.

B. SCHOOL LUNCH PROGRAM

The school lunch supervisor shall operate an adequate school lunch program in accordance with federal and state regulations and be responsible for the performance of all school lunch personnel.

All cafeterias must meet minimum standards as to quantities and qualities of food served. They must also meet the State Health Department standards as to cleanliness and must provide a healthful meal of "A" quality as rated by the School Lunch Service Division of the State Department of Education.

A monthly financial report shall be made to the Superintendent's Office, supporting records being maintained and prepared for an annual audit.

X. RULES AND REGULATIONS

Rules and regulations governing the orderly conduct of the students and the efficient operation of the schools are necessary in any school district. Rules and regulations for the Mena School District shall be contained in a separate binder from these policies and shall not be in conflict with them. The rules and regulations shall be specific whereas these policies are meant to be general.

Rules and regulations shall have Board approval and shall carry the same weight as policies. They are less flexible than policies and shall be adopted annually at the regular August meeting of the Board but may be amended at any properly convened meeting by the approval of a minimum of four (4) members of the Board.

XI OFFICE OF CIVIL RIGHTS REQUIREMENTS

It is hereby declared the intent of the Board of Education of the Mena School District to comply with Title VI, Title IX and Section 504 of the Rehabilitation Act of 1973. No person in the United States, shall, on the grounds of race, color, national origin, age, sex or handicap be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. In addition, Mena School District shall provide a free appropriate public education to each qualified handicapped person who resides in the district regardless of the nature or severity of the person's handicap. Provision will be made for the necessary related aids and services to meet the handicapped student's individual needs.

Related services include, but are not limited to developmental, corrective, supportive, or evaluative services, not instructional in nature, that may be required for the proper development and implementation of a handicapped student's individualized educational program, including but not limited to special transportation, school health services, counseling with students or families, psychological services, audiological services, visual training, medical or psychiatric diagnostic services, occupational therapy, physical therapy, recreational therapy, social work services, parent counseling and training, adaptive equipment, special seating, orientation and mobility training, speech therapy, music therapy and corrective therapy.

An educational placement committee shall include provisions for related services in a student's individual educational program when the related service is necessary to enable the student to benefit educationally from:

1. special education instruction provided by special education personnel;
2. an otherwise regular education program; or
3. a regular education program that has been modified through the use of special education support services, supplementary aids, or other special arrangements.

Any person having inquiries concerning compliance with Title VI (race), Title IX (sex) or Section 504 (handicap) is directed to contact:

**Kimberly Pymn, Federal Coordinator
Mena Public Schools
501 Hickory Avenue
Mena, AR 71953-1945
Telephone: (479) 394-1710**

EQUAL OPPORTUNITY EMPLOYER

All vacancies shall be filled by employment of the best qualified available applicant without regard to race, color, national origin, age, sex, religion, or handicap, and it is hereby declared to be the policy of this district to accept and consider all applications for employment without regard to race, color, national origin, age, sex, religion, or handicap.