

# **Midland School District**

741 Main St  
PO BOX 630  
Pleasant Plains, AR. 72568



**Student/Parent  
Handbook  
2025-2026**

# MIDLAND SCHOOL DISTRICT ACADEMIC CALENDAR

Students begin August 13, 2025 and End May 15, 2026

Elementary 7:50-3:00 480 Min  
High School 7:50-3:19 395 Min

## Teacher PDI/Contract Days

August 5-7 Staff Development  
August 11-12 Staff Development  
October 14 Staff Development  
December 19 Staff Development  
January 5 Staff Development  
February 17 Staff Development  
May 18-22 Staff Development

## Holidays/Non-Student Days

Sept 1 Labor Day Holiday  
October 10 & 13 Fall Break  
November 24-28 Thanksgiving Holiday  
Dec 22-Jan 5 Christmas Holiday  
February 13-17 Winter Break  
March 23-27 Spring Break  
April 3 Good Friday  
May 15 Last Day of School

## Grading Periods

1st Quarter Aug 13-Oct 9 (41 days) 269.92 hr  
2nd Quarter Oct 15-Dec 18 (42 days) 276.5 hr  
3rd Quarter Jan 6-Mar 12 (45 days) 296.25 hr  
4th Quarter Mar 13-May 15 (40 days) 263.33 hr  
State Required 1068 hours 168 days 1,186 hrs.

## Parent-Teacher Conference Days

Oct 9  
February 12

## LEGEND

	Summer Break
	PDI/Contract Day (Student Holiday)
	PDI/Contract Day (Open House)
	Student/Staff Holiday
	MHS Graduation Ceremony
	Parent-Teacher Conference
[	Start of Grading Period
]	End of Grading Period
.....	Interim Progress Reports
	9 week Report Cards

## Make-up Days

\*If school is closed for any reason, make-up days are listed below.

Day 1 May 18  
Day 2 May 19  
Day 3 May 20  
Day 4 May 21  
Day 5 May 22

Hours of Operation are Monday-Friday 7:55AM-3:15PM

# 2025-2026 Opt. A

July 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUGUST 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

SEPTEMBER 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

OCTOBER 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NOVEMBER 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

DECEMBER 2025						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JANUARY 2026						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY 2026						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH 2026						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL 2026						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY 2026						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE 2026						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**MIDLAND HIGH SCHOOL  
BELL SCHEDULE 2025-2026**

PERIOD	BEGIN & END	MINUTES
1 <sup>st</sup> Bell	7:45	
1st Period	7:50 – 8:37	47
2nd Period	8:40 – 9:27	47
3rd Period	9:30 – 10:17	47
4th Period	10:20 – 11:07	47
5A Lunch (7th-9th)	11:10 – 11:40	30
5B Lunch (10th-12th)	11:40 – 12:10	30
6th Period (WIN)	12:13 – 12:49	36
7th Period	12:52 – 1:39	47
8th Period	1:42 – 2:29	47
9th Period	2:32 – 3:19	47

## **MIDLAND HIGH SCHOOL ALMA MATER**

HAIL TO THEE, OH ALMA MATER  
MAY YOUR SPIRIT NEVER DIE  
TO THE RED, WHITE, AND THE BLUE  
WE WILL ALWAYS BE TRUE

AS THE FIGHTING MUSTANG PRIDE  
LEADS US TO OUR VICTORY  
WE WILL PLEDGE OUR FAITHFUL HEARTS  
TRUE TO MIDLAND, WE WILL BE

## **SCHOOL COLORS**

The Midland School colors are red and royal blue. These colors are used in all uniforms worn by athletic teams.

## **SCHOOL EMBLEM/MASCOT**

The mascot is a Mustang. This name applies to all athletic teams and may be used on all class rings.

## **ACCREDITATION**

Midland Elementary School and Midland High School are both accredited by the Arkansas Department of Education.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance will be done each school day followed by a moment of silence.

## **MISSION**

Midland School District will educate, encourage, and inspire all learners to be the best version of themselves.

## **VISION**

We envision a district where all learners:

- Focus on the wellbeing of the whole person - emotionally, socially, and academically.
- Engage in learning at high levels.
- Embrace challenges without fear of failure.
- Expand their passions and potential to achieve success.

## **COLLECTIVE COMMITMENTS**

- Be committed to the PLC process
- Be collaborative
- Be unified in direction

## **Administrative Office Directory**

Valerie Hibbitts	Early Childhood Director	vhibbitts@midlandschools.org
Meghan Swaim	Pre-K Teacher	mswaim@midlandschools.org
Kiernan O'Dell	Pre-K Paraprofessional	kodell@midlandschools.org
Lisa Stewart	Pre-K Teacher	lstewart@midlandschools.org
Brittni Neville	Pre-K Paraprofessional	bneville@midlandschools.org
Heather Baker	Pre-K Teacher	hbaker@midlandschools.org
Audrey Jones	Pre-K Paraprofessional	ajones@midlandschools.org
Chelsie McCollum	Pre-K Teacher	cmccollum@midlandschools.org
Cyndil Johns	Pre-K Paraprofessional	cjohns@midlandschools.org
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Rebecca Pierce	Tiny Tots Teacher	rpierce@midlandschools.org
Hope Smith	Tiny Tots Teacher	hsmith@midlandschools.org
Tiffany Baker	Tiny Tots Paraprofessional	tbaker@midlandschools.org
	Tiny Tots Teacher	
Naomie McMahan	Tiny Tots Paraprofessional	nmcMahon@midlandschools.org
Michelle Reeves	Tiny Tots Too Teacher	mreeves@midlandschools.org
Sarah Soliday	Tiny Tots Too Paraprofessional	ssoliday@midlandschools.org
Christy Dodd	Early Childhood Special Education	cdodd@midlandschools.org

## Elementary Directory

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**Midland School District will:**

1. Involve parents in the planning, review, improvement and development of the school's parental involvement policy.
2. Hold an annual meeting to inform parents of the school's participation in Title I Part A programs, and to explain the Title I, Part A requirements, and the right of parents to be involved in Title I, Part A programs.
3. Provide information to parents of participating students in an understandable and uniform format, including alternative formats upon the request of parents with disabilities, and to the extent practicable in a language that parents can understand.
4. Provide to parents of participating children information in a timely manner about Title I, Part A programs that includes a description and explanation of the school's curriculum, the forms of academic assessment used to measure the child's progress and the proficiency levels students are expected to meet.
5. On the request of parents, provide opportunities for regular meetings for parents to formulate suggestions, and to participate, as appropriate, in decisions about the education of their children. The school will respond to any such messages as soon as practicably possible.
6. Provide to each parent an individual student report about the performance of their child on the State Assessment in at least; Math, English Language Arts (ELA), Reading, and Science.
7. Provide each parent a timely notice when their child has been assigned or has been taught for four (4) or more consecutive weeks by a teacher who is not highly qualified within the meaning of the term in section 200.56 of the Title I Final Regulations (67 Fed. Reg. 71710, December 2, 2002).

**Miscellaneous Information**

Parents of students at MSD, a Title I eligible school, may request the school to be given information regarding the professional qualification of their child's teachers and paraprofessionals. MSD neither receives nor expends any funds derived from the sale of product or contracts with the soft drink and snack food industry.



Midland School District  
Title 1 Parent/Student Compact  
2025 - 2026

1. **The School District agrees to support learning by providing:** High-quality age appropriate curriculum and instruction
2. Trained personnel to deliver instructional services
3. A safe orderly learning environment, free from distractions
4. Timely information about programs and student progress
5. Reasonable access to staff
6. Provide ALL parents the opportunity to be involved in their child's educational progress.

**The parent agrees to support learning in the following ways:**

1. Sending children to school regularly, on time, well rested, clean, and ready to learn
2. Encouraging student appropriate behavior at home and at school
3. Attending school activities with a positive, encouraging attitude
4. Participating as appropriate, in decisions relating to my child's education
5. Staying informed and responding promptly by reading all school or district communications  
(student notices, mail, email, surveys, DOJO, Google Classroom, etc.).
6. Making sure homework is completed.
7. Encouraging life long learning by reading and listening to children read at home.
8. Monitoring the amount of screen time (Television, laptops, tablets, ipads, phones)
9. Being involved in my child's educational progress
10. Serving to the extent possible, on policy advisory groups.

**The student agrees to support learning in the following ways:**

1. Attend school regularly, on time, well rested, clean, and ready to learn
2. Show respect for adults, classmates and self
3. Participate in learning activities
4. Read, write, and practice math daily
5. Take responsibility for his/her learning
6. Exhibit a positive attitude

Superintendent: Mr. Toby Crosby

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High School Administrator: Cindy Armstrong  
(and High School Faculty)

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Elementary Administrator: Jessica Gilmer  
(and Elementary Faculty)

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Parent:

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Student:

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#### 4.0

#### Letter From The Superintendent

Dear Mustang Students, Parents and Families,

It is truly an honor and a privilege for me to open the 2025-2026 school year as your Superintendent. My focus for this year is to create a safe and secure learning environment where strong partnerships and a community of students and teachers can flourish. Only by working together can we build the kind of momentum that will launch the Midland School District into a new era of possibilities for students, parents, and the entire Midland School District.

During the summer we have continued our work in collaborative teams to develop and enhance our focus on student learning. Teachers have worked to recognize the most important standards in each grade level and trained in the practice of professional learning communities to better understand how to use assessment data to individualize instruction to match student needs. Throughout the school year, we will be showcasing these great programs and highlighting the joy of teaching and learning.

Our goal this year is to ensure that every student attends school regularly. Chronic absenteeism negatively impacts learning to such a degree that we recognize it as a top priority second only to student safety. Parents and families play an important role in promoting student attendance; teachers, administrators, and counselors can offer student support and programs to improve attendance, but parent involvement makes all the difference in ensuring regular student attendance. Everyone in our community can make a difference by helping students and families understand that going to school everyday is critical to their academic achievement. Together we can make school attendance a community priority so that all our students achieve success!!!

As we begin this new school year, I cannot express how fortunate I feel to be part of such a wonderful school district and community. It is an honor for me to serve the students, parents and the Midland School District Community. Welcome Back!!

Sincerely,

*Toby Crosby*

Toby Crosby, Superintendent

Midland School District

## 4.1

## RESIDENCE REQUIREMENTS

“Reside” means to be physically present and to maintain a permanent place of abode for an average of no fewer than four (4) calendar days and nights per week for a primary purpose other than school attendance.

“Resident” means a student whose parent, legal guardian, person having legal, lawful control of the student under order of a court, or persons standing in loco parentis reside in the school district.

“Residential address” means the physical location where the student’s parents, legal guardians, persons having legal, lawful control of the student under order of a court, or persons standing in loco parentis reside. A student may use the residential address of a legal guardian, person having legal, lawful control of the student under order of a court, or person standing in loco parentis only if the student resides at the same residential address and if the guardianship or other legal authority is not granted solely for educational needs or school attendance purposes.

The schools of the District shall be open and free through the completion of the secondary program to all persons between the ages of five (5) and twenty-one (21) years whose parents, legal guardians, or other persons having lawful control of the person under an order of a court reside within the District’s and to all persons between those ages who have been legally transferred to the District for educational purposes.

In order for a person under the age of eighteen (18) years to establish a residence for the purpose of attending the District’s schools separate and apart from his or her parents, guardians, or other persons having lawful control of him or her under an order of a court, the person must actually reside in the District for a primary purpose other than that of school attendance. However, a student previously enrolled in the district who is placed under the legal guardianship of a noncustodial parent living outside the district by a custodial parent on active military duty may continue to attend district schools.

A child or ward of an employee of the district or of the education co-op to which the district belongs may enroll in the district even though the employee and child may reside outside the district.

### Legal References:

A.C.A. § 6-4-302

A.C.A. § 6-18-202

A.C.A. § 6-18-203

A.C.A. § 6-28-108

A.C.A. § 9-28-113

## **4.2**

### **ENTRANCE REQUIREMENTS**

To enroll in a school in the District, the child must be a resident of the District as defined in District policies. The district shall make no attempt to ascertain the immigration status of any student.

Students who move into the District from an accredited school shall be assigned to the same grade as they were attending in their previous school or as they would have been assigned in their previous school. Home-schooled students shall be evaluated by the District to determine their appropriate grade placement.

#### **Prior to the child's admission to Midland School District:**

1. The parent, guardian, or other responsible person shall furnish the child's Social Security number, or upon request, the District will assign the child a nine (9) digit number. The Social Security Number is not a requirement.

2. The parent, guardian, or other responsible person shall provide the 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;
- Military records;
- Foster children will be enrolled immediately regardless of required records documentation.
- A child enrolling in a district school and living in the household of a person on active military duty shall have 30 days to receive the initial required immunizations and 12 months to be current on the required immunizations for the age of the child.

3. The parent, guardian, or other responsible person shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding. The Board of Education reserves the right, after a hearing before the Board, not to allow any person who has been expelled from another school district to enroll as a student until the time of the person's expulsion has expired.

4. The child shall be age appropriately immunized from poliomyelitis, diphtheria, tetanus, pertussis, red (rubella) 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.

5. Arkansas Code requires that a student be dropped from attendance if the student is absent for ten consecutive days and is unaccounted for by school officials. Students will not be dropped if absent for illness and will be returning to class.

6. Foster children residing within the district, who have a change of residence to outside the district may stay enrolled unless the presiding judge rules otherwise.

7. The District will consider transfers on an individual basis and the transportation of transfer students unless otherwise required by law will be the responsibility of the student or parents. School choice will be considered on applications postmarked no later than July 1.

8. Parents of multiple birth siblings may request that siblings be placed in the same classroom or separate classrooms.

9. The District will follow entrance requirements for eligible children of uniformed services members in accordance with BOEP 5.102. Also reference: 4.52 and 4.53

#### Legal References:

A.C.A. § 6-1-114

A.C.A. § 6-10-132

A.C.A. § 6-16-2001 et seq.

A.C.A. § 6-18-514

A.C.A. § 14-1-403

28 C.F.R. § 35.106

34 C.F.R. § 100.6

34 C.F.R. § 104.8

34 C.F.R. § 106.8

34 C.F.R. § 106.9

34 C.F.R. § 108.9

34 C.F.R. § 110.25

### **4.3**

### **COMPULSORY ATTENDANCE REQUIREMENTS**

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

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

Legal References: A.C.A. § 6-18-201

A.C.A. § 6-18-207

### **4.4**

### **STUDENT TRANSFERS**

Transfer applications received by the District shall be placed on the Board's next meeting agenda. At least five (5) days before the meeting where the transfer application appears on the agenda, the superintendent shall notify the Board regarding:

- All transfer applications received since the last meeting; and
- The superintendent's recommendation concerning each transfer application.

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

The Board may reject a nonresident's application for admission if its acceptance would necessitate the addition of staff or classrooms; exceed the capacity of a program, class, grade level, or school building; or cause the District to provide educational services not currently provided in the affected school.<sup>24</sup> The District shall reject applications that would cause it to be out of compliance with applicable laws and regulations regarding desegregation.

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

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

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

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

Any person who has been expelled from any other school district shall receive a hearing before the Board at the time the student is seeking enrollment in the District. The Board reserves the right to not allow the enrollment of such students until the time of the person's expulsion has expired following the hearing before the Board.<sup>35</sup>

Except as otherwise required or permitted by law,<sup>46</sup> the responsibility for transportation of any nonresident student admitted to a school in this District shall be borne by the student or the student's parents. The District and the resident district may enter into a written agreement with the student or student's parents to provide transportation to or from the District, or both.

Cross Reference: 4.6—HOME SCHOOLING

Legal References: A.C.A. § 6-15-504

A.C.A. § 6-18-316

A.C.A. § 6-18-317

A.C.A. § 6-18-510

A.C.A. § 9-28-113(b)(4)

A.C.A. § 9-28-205

DESE Rules Governing Petitions For Student Transfers



#### **4.5**

#### **SCHOOL CHOICE**

The Midland School District follows all Arkansas Law and Arkansas Department of Education guidelines with respect to School Choice and Student Transfer requests.

Legal References:

A.C.A. § 6-1-106

A.C.A. § 6-13-113

A.C.A. § 6-15-2915

A.C.A. § 6-18-202

A.C.A. § 6-18-213

A.C.A. § 6-18-227

A.C.A. § 6-18-233

A.C.A. § 6-18-320

A.C.A. § 6-18-510

A.C.A. § 6-18-1901 et seq.

A.C.A. § 6-21-812

DESE Rules Governing Public School Choice

#### **4.6**

#### **HOMESCHOOL**

Parents or legal guardians desiring to provide a home school for their children must give written notice to the Superintendent of their intent to do so and sign a waiver acknowledging that the State of Arkansas is not liable for the education of their children during the time the parents choose to home school. Notice shall be given:

1. At the beginning of each school year, but no later than August 15;
2. By December 15th, for parents who decide to start homeschooling at the beginning of the spring semester, or
3. Fourteen (14) calendar days prior to withdrawing the child (provided the student is not currently under disciplinary action for violation of any written school policy, including, but not limited to excessive absences) and at the beginning of each school year thereafter. The parents or legal guardians shall deliver written notice in person to the Superintendent the first time such notice is given and the notice must include:
  1. The name, date of birth, grade level, and the name and address of the school last attended, if any;

2. The location of the home school;
3. The basic core curriculum to be offered;
4. The proposed schedule of instruction; and

The qualifications of the parent-teacher.

To aid the District in providing a free and appropriate public education to students in need of special education services, the parents or legal guardians home-schooling their children shall provide information, which might indicate the need for special education services.

#### **4.7 ATTENDANCE**

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. In recognition of the need for students to regularly attend school, the district's policy governing student absences is as follows:

If any student's Individual Education Program (IEP) or 504 Plan conflicts with this policy, the requirements of the student's IEP or 504 Plan take precedence.

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

### **ATTENDANCE REQUIREMENTS**

All classes K-12 begin at 7:50 am. All elementary (K - 6) classes dismiss at 3 p.m. All high school (7-12) classes dismiss at 3:19 p.m.

Students who are scheduled to have a dedicated period for a digital class onsite that fails to be physically present for an assigned period may be disciplined in accordance with the District's attendance policy.

### **ABSENCES**

**"A student is absent if he or she is not participating in instruction on school grounds unless the student is participating in a district approved activity at an off-grounds location for the school day." (Dept. of Elem. And Secondary Education)**

Students are not allowed to have more than 10 (ten) absences a semester unless there is administration approval prior to the absence. Missing 10 or more days within a semester will be considered excessive and may result in loss of credit for each class or retention for the grade level attending. Extenuating circumstances will be considered by the administration on a case by case basis.

1. A maximum of 8 such days are allowed per semester unless the condition(s) causing such absences is of a chronic or recurring nature and approved by the principal. An official letter (letterhead) written and signed by the doctor has to be delivered to the office within five (5) school days of the student returning to school for the chronic or recurring nature medical issue. Medical excuses will not be accepted after five (5) school days upon returning to school following the absence .
2. Students may bring doctor's notes to put in their files, all other absences will be considered as an unexcused absence. NO Parent Notes will be accepted for sickness. To participate in the election poll workers program for high school students;

3. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional absences shall be at the discretion of the superintendent or designee. An excused absence will be provided to children of fallen uniformed service members and first responders due to: a mental health concern; or to attend an event from a sponsoring organization that provides support to families of fallen service members or first responders or provides support for traumatic loss.
4. Attendance at an appointment with a government agency. A letter from the agency with the student's name on it has to be brought in or prior approval from the administration.
5. Student is excused if he/she is sent home from school by the school nurse only for the day sent home. If the student is sent home for vomiting, diarrhea or fever he/she will be excused for that day and the next consecutive day at the nurse's discretion. The school nurse will inform the parent/guardian and notify the building secretary/administrator of the excused absence(s).
6. Observance of recognized holidays observed by the student's faith with prior approval by administration;
7. **Funerals:** Students will only be excused from immediate family funerals unless administration approval is given before the funeral date.
8. **Extracurricular Class Attendance Requirements:**
  - On the day of participation in an extracurricular event, students are required to be on campus for all enrolled courses unless approved by principal or designee beforehand. All students are required to ride the bus to and from events unless other arrangements have been made and cleared with administration or designee.
  - Absences granted, at the Superintendent's discretion, to seventeen (17) year-old students who join the Arkansas National Guard while in eleventh grade to complete basic combat training between grades eleven (11) and (12).
9. Absences for students excluded from school by the Arkansas Department of Health during a disease outbreak because the student has an immunization waiver or whose immunizations are not up to date.
10. 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.
11. Absences due to conditions related to pregnancy or parenting, including without limitation:
  - Labor, delivery, and recovery;
  - Prenatal and postnatal medical appointments and other medically necessary, pregnancy-related absences;
  - The illness or medical appointment of a child belonging to a parent who is enrolled at a District school;
  - A legal appointment related to pregnancy or parenting, including without limitation:
    - Adoption;
    - Custody; and
    - Visitation;
  - A reasonable amount of time to accommodate a lactating student's need to express breast milk or to breastfeed the student's child on the District's campus; and
  - At least ten (10) school days of absences for both a parenting mother and a parenting father after the birth of a child.
12. An 11<sup>th</sup> or 12<sup>th</sup> grader is allowed two (2) college days per year to visit colleges. College visits should be prearranged with administration. A letter from the college with the student's name on it has to be turned in within 48 hours of the return date from the student.
13. Absences for a student who is the child of a fallen service member or fallen first

responder:

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

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

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

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

It is the Arkansas General Assembly's intention that students having excessive excused absences be given the least restrictive environment in obtaining credit for their courses. Excessive absences may, however, be the basis for the denial of course credit, promotion, or graduation.

When a student has, three (3), five (5), eight (8), and ten (10) absences his/her parents/guardians, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. Notification shall be by telephone or by regular mail with a return address.

Whenever a student has reached 8 (eight) absences in a semester, the District shall notify the prosecuting authority and the parent, legal guardian, person having lawful control of the student, or persons standing in loco parentis shall be subject to a civil penalty as prescribed by law.

Students who attend ISS shall not be counted absent for those days.

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

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

### **Immunization Absences**

In lieu of the timeline above, assignments for students who are excluded from school by the Arkansas Department of Health during a disease outbreak are to be made up as set forth in Policy 4.57—IMMUNIZATIONS.

Legal References: A.C.A. § 6-4-302, A.C.A. § 6-18-209, A.C.A. § 6-18-21, A.C.A. § 6-18-220, A.C.A. § 6-18-222, A.C.A. § 6-18-229, A.C.A. § 6-18-231, A.C.A. § 6-18-234, A.C.A. § 6-18-236, A.C.A. § 6-18-237, A.C.A. § 6-18-239, A.C.A. § 6-18-507(g), A.C.A. § 6-18-702, A.C.A. § 6-28-114, A.C.A. § 7-4-116, A.C.A. § 9-28-113(f), A.C.A. § 27-16-701, Division of Elementary and Secondary, Education Rules Governing Distance and Digital Learning

## **STUDENT ILLNESS/ACCIDENT**

The school assumes no responsibility for treatment of the student. When available, current, and applicable, the student's emergency contact numbers and medical information will be utilized. It is the responsibility of the parents to notify the school district of any changes to contact information.

Any student with pink eye shall remain home until they have been on prescription eye drops for 24 hours.

## **TRUANCY**

**A student shall not be absent from school or arriving after the tardy bell without parents' and/or school authorities' prior knowledge and consent or they will be considered truant. After arrival on campus, a student absent from his/her assigned learning station without permission from school authorities shall be considered as truant. This includes athletics in the last period of the day. The parent must come in for a parent/administrator conference to discuss this matter. Disciplinary action will be determined by administration.**

## **STUDENTS CANNOT LEAVE CAMPUS ONCE HE/SHE ARRIVES ON CAMPUS**

Students are not permitted to loiter in parking areas and are not to return to their vehicles during the school day for any reason unless given permission to do so by school personnel. If a student leaves campus once the student has arrived on campus, discipline procedures will follow ranging from detention hall to suspension depending on the administrator's or designee's discretion.

It is understood that there is no expectation of privacy in vehicles in parking areas. Drivers of vehicles parked on a school campus will be held accountable for illegal substances or any other item prohibited by District policy found in their vehicle. The act of a student parking a vehicle on campus is a grant of permission for school or law enforcement authorities to search that vehicle.

## **CHECKING STUDENTS OUT EARLY for K-6**

In order to promote security, maximize instructional time and minimize class disruptions, students **may not** be checked out after 2:45 p.m in grades K-6. Parents/guardians arriving to check out a student after that time must wait until students have been dismissed from class and may not leave the car rider parking lot until all car riders have been released. On early dismissal days, students may not be checked out within 30 minutes of dismissal time.

## **Checking In and Checking Out (7-12th grades)**

If a student in 7-12 grades checks in 10 minutes or more after a class has started that student will be counted absent for that period and not tardy. If a student checks out of a class period

and misses more than 10 minutes of that class he/she will be counted absent for that class period.

**Disputing Absences/Tardies (7-12 graders) (Must be updated in Tac)**

From the day you are absent or tardy you have one week to dispute that absence/tardy to get it changed.

**CHECK-OUT AND CHECK IN PROCEDURES**

Attendance is extremely important to a student's success and learning in each class. Therefore, checking students out of school for any other reasons than the following will result in an unexcused absence: 1) Medical, 2) Court Appearance, or 3) Family Crisis (approved by the principal/designee).

1. A student can be checked out by one of the following methods:
  - a. The student may present a note signed by the parent stating the reason for checking out, the time to be released, a phone number where the parent can be reached for verification.
  - b. The parent may call the office and give permission for the student to check out. The telephone number of the receiving call must match a telephone number in the student's demographic information.
  - c. The parent may come in person to the front office and check out his/her child.
2. Students in grades 7-12 who wish to checkout during the day, or those students who arrive at school after the school day has started must report to the office and properly sign in or out.
3. A student will not be allowed to check out for a period or more and then check back in on the same day without verification of the reason for checking out. Upon checking-out a student will leave campus immediately.

**Legal References:**

A.C.A. § 6-4-302  
A.C.A. § 6-18-209  
A.C.A. § 6-18-213  
A.C.A. § 6-18-220  
A.C.A. § 6-18-222  
A.C.A. § 6-18-229  
A.C.A. § 6-18-231  
A.C.A. § 6-18-507(g)  
A.C.A. § 6-18-702  
A.C.A. § 6-28-114  
A.C.A. § 7-4-116

A.C.A. § 9-28-113(f)

A.C.A. § 27-16-701

Division of Elementary and Secondary Education Rules Governing Distance and Digital Learning

## 4.8

### MAKE-UP WORK

Students who miss school due to an excused absence shall be allowed to make up the work they missed during their absence under the following rules:

- Students are responsible for asking the teachers of the classes they missed what assignments they need to make up.
- Teachers are responsible for providing the missed assignments when asked by a returning student.
- Students are required to ask for their assignments on their first day back at school or their first class day after their return.
- Make-up tests are to be rescheduled at the discretion of the teacher, but must be aligned with the schedule of the missed work to be made up.
- Students shall have one class day to make up their work for each class day they are absent.
- Make-up work which is not turned in within the make-up schedule for that assignment shall receive a zero.
- Students are responsible for turning in their make-up work without the teacher having to ask for it.
- Students who are absent on the day their make-up work is due must turn in their work the day they return to school whether or not the class for which the work is due meets the day of their return.
- As required/permitted by the student's Individual Education Program or 504 Plan.

Work for students serving an out-of-school suspension or expulsion shall be in accordance with the District's programs, measures, or alternative means and methods to continue student engagement and access to education during the student's period of suspension or expulsion, including offering an expelled student an opportunity for enrollment in digital learning courses or other alternative educational courses that result in the receipt of academic credit that is at least equal to credit the expelled student may have received from the District if the student had not been expelled.

Legal References:

A.C.A. § 6-16-1406

A.C.A. § 6-18-502

DESE Rules Governing Student Discipline and School Safety



## 4.9

## TRUANCY AND TARDINESS

### TRUANCY

Truancy is unexcused and defined as a student that is not present at school without the prior consent of parents and/or without permission from the office of the principal.

### TARDINESS

#### Excused Tardy:

- School bus is late
- Staff member detains a student after class
- Students running late from a program on campus

This policy will be in effect for each semester and will start over at the beginning of each semester. Parents may appeal decisions to school or district administration in writing before reaching the maximum number of days. **A student is considered tardy if they are not in the classroom when the tardy bell rings.** Tardiness is a form of absenteeism and disrupts the learning environment. Tardies are calculated by the semester and are cumulative for each class period.

A tardy list will be generated weekly and appropriate consequences will be assigned.

#### Unexcused Tardy:

Students will be considered late and incur an unexcused tardy for any reason that is not listed above as excused.

#### Elementary

Checking a student into school after the 1st bell or out of school before the last bell in the elementary will be counted as a tardy. Tardiness is disruptive and repeated tardiness cannot be tolerated. **Students arriving at school after 7:55 AM, must have a parent or guardian come into the main office.** As a student's tardiness starts to add up, the following actions will occur:

- |                          |   |
|--------------------------|---|
| • First unexcused tardy  | Warning                                     |
| • Second unexcused tardy | Warning                                     |
| • Third unexcused tardy  | Phone call                                  |
| • Fourth unexcused tardy | Parent Meeting                              |
| • Fifth unexcused tardy  | Lunch Detention/Counts as unexcused absence |

Additional unexcused tardies will result in additional unexcused absences and/or further disciplinary actions.

For students in rotational classes, a tardy may be issued if students are not in the classroom when class begins.

## High School

- First unexcused tardy      Warning
- Second unexcused tardy      Warning
- Third unexcused tardy      Lunch Detention
- Fourth unexcused tardy      Lunch Detention & Parent Contact
- Fifth unexcused tardy      Parent Contact/Counts as an unexcused absence
- Sixth unexcused tardy      ISS (1 Full Day)
- Additional unexcused tardies may result in additional unexcused absences and/or further disciplinary actions.

## SEMESTER TEST EXEMPTIONS

A comprehensive final evaluation will be given in every class at the conclusion of each semester. Semester exams will count 20% of the semester grade.

In order for a student to be granted a semester exemption, the following criteria must be met in the class:

Semester Grade in Class	Semester Absences in Class	Discipline For the Semester
A	No more than 5	No Out of School Suspensions, No more than one In-School Suspension.
B	No more than 4	
C	No more than 3	
D or F	No Semester exemptions will be granted for students with semester grades of D or F.	

#### **4.10     CLOSED CAMPUS**

Midland School District is a closed campus. Parents/guardians must provide written permission before any student under the age of 18 will be permitted to leave the school grounds with someone other than the parent/guardian. Students 18 or over must have written consent on file to check out. All students must check out through the office. School trips will be supervised by a teacher, coach, school official, approved parent or adult sponsor. Parents will be informed prior to field trips as to departure and return times and asked to return written approval on trips requiring bus transportation.

#### 4.11

#### EQUAL EDUCATIONAL OPPORTUNITY

No student in the Midland School District shall be excluded from participation in, or denied the benefits of, or subjected to discrimination under any educational program or activity sponsored by the District on the basis of color, religion, national origin, sex, age, or disability. The District has a limited open forum granting equal access to the Boy Scouts of America and other youth groups.

Inquiries on non-discrimination may be directed to the Title IX Coordinator, who may be reached at 501-345-8844 or P.O. Box 630, Pleasant Plains, AR 72568.

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, or telephone number. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.

For further information on notice of non-discrimination or to file a complaint, visit <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

#### Legal References:

A.C.A. § 6-1-114

A.C.A. § 6-10-132

A.C.A. § 6-16-2001 et seq.

A.C.A. § 6-18-514

A.C.A. § 14-1-403

28 C.F.R. § 35.106

34 C.F.R. § 100.6

34 C.F.R. § 104.8

34 C.F.R. § 106.8

34 C.F.R. § 106.9

34 C.F.R. § 108.9

34 C.F.R. § 110.25

#### **4.12**

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

Non-curriculum-related secondary school student organizations wishing to conduct meetings on school premises during non-instructional time shall not be denied equal access on the basis of the religious, political, philosophical, national origin, or other content of the speech at such meetings. Such meetings must meet the following criteria.

1. The meeting is to be voluntary and student initiated;
2. There is no sponsorship of the meeting by the school, the government, or its agents or employees;
3. The meeting must occur during non-instructional time;
4. Employees or agents of the school are present at religious meetings only in a non-participatory capacity,
5. The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
6. Non-school persons may not direct, conduct, control, or regularly attend activities of student groups.

All meetings held on school premises must be scheduled and approved by the principal. The school, its agents, and employees retain the authority to maintain order and discipline, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary. Fraternities, sororities, and secret societies are forbidden in the District's schools. Membership to student organizations shall not be by a vote of the organization's members, nor be restricted by the student's race, religion, sex, national origin, or other arbitrary criteria. Hazing as defined by law is forbidden in connection with the introduction or affiliation with any student organization, extracurricular activity or sports program.

#### **4.13 PRIVACY OF STUDENTS' RECORDS/DIRECTORY INFORMATION**

Except when a court order regarding a student has been presented to the district to the contrary, all students' education records are available for inspection and copying by the parents of his/her student who is under the age of eighteen (18). At the age of eighteen (18), the right to inspect and copy a student's records transfers to the student. A student's parent or the student, if over the age of 18, requesting to review the student's education records will be allowed to do so within no more than forty-five (45) days of the request. The district forwards education records, including disciplinary records, to schools that have requested them and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

The district shall receive written permission before releasing education records to any agency or individual not authorized by law to receive and/or view the education records without prior parental permission. The District shall maintain a record of requests by such agencies or individuals for access to, and each disclosure of, personally identifiable information hereinafter "PII") from the education records of each student. Disclosure of education records is authorized by law to school officials with legitimate educational interests of the student. A personal record kept by a school staff member is not considered an education record if it meets the following tests.

- it is in the sole possession of the individual who made it;
- it is used only as a personal memory aid; and
- information contained in it has never been revealed or made available to any other person, except the maker's temporary substitute

For the purposes of this policy 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. For the purposes of this policy, 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, contracted duty, or duty of elected office.

The District discloses PII from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The superintendent or designee shall determine who will have access to and the responsibility for disclosing information in emergency situations.

When deciding whether to release PII in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose

information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

For purposes of this policy, the Midland School District does not distinguish between a custodial and noncustodial parent, or a non-parent such as a person acting in loco parentis or a foster parent with respect to gaining access to a student's records. Unless a court order restricting such access has been presented to the district to the contrary, the act of a person's status as parent or guardian, alone, enables that parent or guardian to review and copy his/her child's records.

If there exists a court order, which directs that a parent not have access to a student or his/her records, the parent, guardian, person acting in loco parentis, or an agent of the Department of Human Services must present a file-marked copy of such order to the building principal and the Superintendent. The school will make good-faith efforts to act in accordance with such court order, but the failure to do so does not impose legal liability upon the school. The actual responsibility for enforcement of such court orders rests with the parents or guardians, their attorneys and the court which issued the order.

A parent or guardian does not have the right to remove any material from a student's records, but such parent or guardian may challenge the accuracy of a record. The right to challenge the accuracy of a record does not include the right to dispute a grade, which must be done only through the appropriate teacher and/or administrator, the decision of whom is final. A challenge to the accuracy of material contained in a student's file must be initiated with the building principal, with an appeal available to the Superintendent or his designee. The challenge shall clearly identify the part of the student's record the parent wants changed and specify why he/she believes it is inaccurate or misleading. If the school determines not to amend the record as requested, the school will notify the requesting parent or student of the decision and inform them of their right to a hearing regarding the request for amending the record. The parent or eligible student will be provided information regarding the hearing procedure when notified of the right to a hearing.

Unless the parent or guardian of a student (or student, if above the age of eighteen [18]) objects, directory information about a student may be made available to the public, military recruiters, post-secondary educational institutions, prospective employers of those students, as well as school publications such as annual yearbooks and graduation announcements. "Directory information" includes, but is not limited to, a student's name, address, telephone number, electronic mail address, photograph, date and place of birth, dates of attendance, his/her placement on the honor roll (or the receipt of other types of honors), as well as his/her participation in school clubs and extracurricular activities, among others. If the student participates in inherently public activities (for example, basketball, football, or other interscholastic activities), the publication of such information will be beyond the control of the District. "Directory information" also includes a student identification (ID) number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems and a student ID number or other unique personal identifier that is displayed on a student's ID badge, provided the ID cannot be used to gain

access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user.

A student's name and photograph will only be displayed on the district or school's web page(s) after receiving the written permission from the student's parent or student if over the age of 18. Failure to file an objection by that time is considered a specific grant of permission. The district is required to continue to honor any signed-opt out form for any student no longer in attendance at the district. The right to opt out of the disclosure of directory information under FERPA does not prevent the District from disclosing or requiring a student to disclose the student's name, identifier, or institutional email address in a class in which the student is enrolled.

#### Legal References:

A.C.A. § 9-28-113(b)(6)

20 U.S.C. § 1232g

20 U.S.C. § 7908

34 CFR 99.3, 99.7, 99.21, 99.22, 99.30, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37, 99.63, 99.64



#### **4.14**

### **DISTRIBUTION OF LITERATURE**

A student or group of students who distribute 10 or fewer copies of the same non-school literature, publication or material, shall do so in a time, place and manner that does not cause a substantial disruption to the school environment. Students wishing to distribute more than 10 copies of non-school materials shall have the superintendent, or his designee review the materials at least three days in advance of the distribution. The superintendent/designee will review the materials and bar from distribution those materials that are obscene, libelous, indecent, or advertise illegal products or services. Material may be barred which reasonably supports a forecast that a substantial disruption of the orderly operation of the school will likely result. Concerns related to denial of distribution by the principal shall be heard by the superintendent whose decision shall be final.

The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of literature.

The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur, and;
5. Not inhibit a person's right to accept or reject any literature distributed in accordance with the regulations.
6. Provide that students who distribute materials shall be responsible for picking up any materials thrown on school grounds.

The Superintendent, along with the student publication advisor, shall develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and timelines for the review of materials.

Legal References:

A.C.A. § 6-18-514

A.C.A. § 6-18-1201 et seq.

Tinker v. Des Moines ISD, 393 U.S. 503 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

#### 4.15

#### CONTACT WITH STUDENTS WHILE AT SCHOOL

Parents wishing to visit their children during the school day shall register first with the office. If there is any question concerning the legal custody of the student, the parent shall present documentation to the principal or his/her designee establishing the parent's custody of the student or legal right of visitation. It shall be the responsibility of the custodial parent to make any visitation restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Estranged parents may visit their child during school hours with the consent of the custodial parent.

Questioning of students by non-school personnel shall be granted only with a court order directing questioning, with permission of the parents of a student (or the student if above eighteen (18) years of age), in response to a subpoena or arrest warrant, or other entities such as state mandated personnel. If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis on student enrollment forms unless it jeopardizes student safety.

Principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of the social services. Upon release of the student, the principal or designee shall give the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis notice that the student has been taken into custody by law enforcement personnel or a social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and after hours' telephone number.

#### SCHOOL TELEPHONE

The school telephone is a business phone. Students are not to use it for making social arrangements or unnecessary calls. Messages will be delivered to students in case of emergencies. Students will not be taken out of class to talk on the phone unless it is an emergency. **Parents are encouraged to always make prior arrangements with students as to car rider, walker, or bus rider status before the student leaves for school in the morning.** This pre-planning helps prevent disruption of the instructional day.

Legal References:

A.C.A. § 6-18-513

A.C.A. § 9-13-104

A.C.A. § 12-18-609, 610, 613

A.C.A. § 12-18-1001, 1005

**ALL VISITORS TO MSD MUST REPORT DIRECTLY TO THE OFFICE OF THE PRINCIPAL.**

Parents wishing to visit their child during the school day shall register first with the office. If there is any question concerning the legal custody of the student, the parent shall present documentation to the principal or his/her designee establishing the parent's custody of the student or legal right of visitation. It shall be the responsibility of the custodial parent to make any visitation restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Estranged parents may visit their child during school hours with the consent of the custodial parent.

Questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of the student, or in response to a subpoena or arrest warrant. State law, however, requires that Department of Human services employees, local law enforcement, or agents of the Crimes Against Children Division of the Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis on student enrollment forms.

Principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of the social services with a court order signed by a judge. Upon release of the student, the principal or designee shall give the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis notice that the student has been taken into custody by law enforcement personnel or a social services agency. If the principal or designee is unable to reach the parent, he or she shall make a reasonable, good faith effort to get a message to the parent to call the principal or designee, and leave both a day and after hours' telephone number.

#### **4.17**

#### **STUDENT DISCIPLINE**

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

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

The District's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to: a felony or an act that would be considered a felony if committed by an adult; an assault or battery; drug law violations; or sexual misconduct of a serious nature. Any disciplinary action pursued by the District shall be in accordance with the student's appropriate due process rights.

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

The District's personnel policy committees shall annually review the District's student discipline policies, including State and District student discipline data, and may recommend changes in the policies to the Midland School Board. The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies.

The District's student discipline policies shall be distributed to each student during the first week of school each year and to new students upon their enrollment. Each student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall sign and return to the school an acknowledgement form documenting that they have received the policies.

The District shall develop and provide programs, measures, or alternative means and methods for continued student engagement and educational access during periods of suspension or expulsion.

The superintendent is authorized to modify the penalties set forth in the District's student discipline policies on a case-by-case basis.

It is required by law that the principal or the person in charge report to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or any crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the Superintendent, that person shall also inform the Superintendent of the incident. Additionally, the principal shall inform any school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The Superintendent or designee shall inform the Board of Directors of any such report made to law enforcement. The superintendent shall make a report annually to the Board of Directors on student discipline data, which shall include, without limitation: the number of incidents of bullying reported and the actions taken regarding the reported incidents of bullying.

**Video surveillance cameras will be in use at MSD, school grounds and buses. Students will be held responsible for disciplinary issues captured on camera. Exterior doors at MSD will be locked during the school day. Visitors will be identified by visual contact at the front doors before being admitted to the office area to conduct business or receive a visitor badge as needed.**

Legal References:

A.C.A. § 6-17-113

A.C.A. § 6-18-502

A.C.A. § 6-18-514

A.C.A. § 6-18-2401 et seq.

DESE Rules Governing Student Discipline and School Safety

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

1. Disrespect toward school employees and failing to comply with reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior/Horseplay that interferes with orderly school operations;
3. Willfully and intentionally assaulting, or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or theft of personal or school property;
7. Possession and use of a personal electronic device except as authorized by Policy 4.47 or by the student's IEP or 504 Plan;
8. Inappropriate Use of Technology/Damage to Technology devices;
9. Sexual harassment;
10. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, analogs, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
11. Inappropriate public displays of affection;
12. Indecent exposure, sexual advances, or sexual comments;
13. Cheating, copying, or claiming another person's work to be his/her own;
14. Forgery and/or falsification of general information;
15. Gambling;
16. Inappropriate student dress, refer to 4.60 section;
17. Use of vulgar, profane, or obscene language, literature, or gestures;
18. Truancy;
19. Excessive tardiness;
20. Leaving Designated Area Without Permission;
21. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability;
22. Bullying: Including on and off campus and cyberbullying through any/all social media sites;
23. Hazing or aiding in the hazing of another student;
24. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;
25. Fighting, Threatening, Assault, or Abuse;
26. Possess, view, distribute, or electronically transmit sexually explicit images,

fights, or vulgar images or representations in electronic or hard copy format, or sexually harass in any manner.

27. Possession of any type of firearms/weapons;

a. Students should not bring pepper spray, mace, breath spray, or any aerosol or non-aerosol spray bottles to school, or share, divert, or transfer items such as needles, lancets, or in any way misuse medical supplies in their possession;

28. Students should not wear or bring skate shoes or skateboards to school;

29. Violation of Parking and Driving Regulations;

30. Loitering by suspended Students;

31. Damage or Destruction of Property due to Student Pranks;

32. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;

33. Operating a vehicle on school grounds while using a wireless communication device;

34. Antisemitism

**Level 1--Routine classroom or school disruption** are considered minor in nature. Minimum punishment is a verbal warning and maximum punishment is in-school suspension.

**Level 2--Disruptions** are considered excessive in nature, consistent over time, incompatible with the educational process, or demeaning and threatening in nature. Minimum punishment is In School Suspension and maximum punishment is out-of-school suspension.

**Level 3--Extreme violation(s)** are serious in nature and may be referred to Law Enforcement. Prohibitive behaviors include, but are not limited to, all of the above and/or excessive disruption of the educational process, fighting, alcohol, harassment, tobacco, vandalism, pornography, weapons or drug violations, and any behaviors not conducive to good order in the school.

The minimum penalty for student misconduct will be in-school suspension and the maximum penalty will be expulsion by the board or legal action dependent upon the severity and frequency of the misconduct.

Levels will be determined by school officials using all available information in a systematic and orderly manner to determine the severity and significance of the offense in question. Factors to be considered in level determination include but are not limited to the following: frequency and severity of the violations, amount of disruption to the educational process, potential dangers to students or staff, legal issues, nature and intent of the event and school safety issues.

Legal References:

A.C.A. § 6-5-201

A.C.A. § 6-15-1005

A.C.A. § 6-16-2001 et seq.

A.C.A. § 6-18-222

A.C.A. § 6-18-502

A.C.A. § 6-18-514

A.C.A. § 6-18-515

A.C.A. § 6-18-707

A.C.A. § 6-21-609

A.C.A. § 27-51-1602

A.C.A. § 27-51-1603

A.C.A. § 27-51-1609

DESE Rules Governing Student Discipline and School Safety

### **ACADEMIC DISHONESTY**

Any student involved in an act of academic dishonesty (cheating, plagiarism, or other attempts of deception involving academic grades) will face disciplinary action. This includes both the student who is attempting to benefit from this deception and any student who is involved in aiding this deception. In addition to any disciplinary action that is taken, students will also receive a zero on the grade for the assignment/test involved in the academic dishonesty.

Plagiarism is defined as follows: "Copying or imitating the language, ideas, and/or thoughts of another and passing off the same as one's original work." (This includes the usage of Artificial Intelligence programs.)

1st Offense-grade of a zero

2nd Offense-grade of zero, parent/guardian will be notified for a conference with the teacher or facilitator, and/or the administration

3rd Offense-Student will not receive credit for the course. Parent/guardian will be notified

### **SCHOOL PROPERTY**

As good citizens, students are obligated to respect and protect all school property and help keep the building, furniture and school equipment as attractive as possible. Intentional damage to school property can result in disciplinary action and restitution.

### **LOST AND FOUND**

The school cannot assume responsibility for the loss of personal items. However, if it is reported immediately, every effort will be made to help locate the lost item. **ALL PERSONAL ITEMS SHOULD BE CLEARLY MARKED FOR IDENTIFICATION WITH THE CHILD'S NAME. ITEMS NOT NEEDED FOR SCHOOL SHOULD BE LEFT AT HOME.** Please be sure to mark your child's coat each winter. The coat and lunch box are the most frequently



lost items. After a specified period of time, items remaining in the Lost and Found will be donated to students/organizations in need.

## **STUDENT EXPECTATIONS**

Students and staff require a safe and orderly learning environment that is conducive to student achievement. Certain behavioral expectations are required to achieve a successful learning environment. Expected behaviors include, but shall not be limited to the following:

### **ASSEMBLY EXPECTATIONS:**

- Enter and exit the auditorium quietly.
- Find a place and stay in your seat.
- Keep hands, feet and all objects to yourself.
- Settle down quickly and pay attention to the presentation.
- Food, drinks, candy and gum are not allowed in the auditorium.

### **BUS EXPECTATIONS:**

- No running to or from the bus.
- Use a quiet voice and listen to the driver's instructions.
- Stay in your own seat and face forward.
- Keep the aisle clear.
- Remain seated until the bus comes to a complete stop.
- No open food, drinks, candy, or gum on the bus.
- If you must cross the road, cross at least 15 feet in front of the bus.

**\*IF YOU CAN'T SEE THE BUS DRIVER'S EYES, HE/SHE CAN'T SEE YOU!**

### **CAFETERIA EXPECTATIONS:**

- Walk to and from the cafeteria.
- Come in quietly and stay in your place in the line.
- Sit at your designated table and do not get up without permission.
- Talk quietly and respectfully to everyone.
- Use food, utensils and trays properly.
- Raise your hand to speak with a teacher.
- Face the front of the line and the table.
- Stay in your seat until your table has been dismissed.
- Clean up your mess or trash around you.
- No food, drinks or candy may be taken out of the cafeteria.

### **COMPUTER LAB EXPECTATIONS:**

- Listen and follow all directions.
- Wait patiently for help.
- Use all technology appropriately.
- Stay in your space.
- Clean your space before leaving.
- Food, drinks, candy and gum are not allowed in the computer lab.

#### **FIELD TRIP EXPECTATIONS:**

- Listen to adults and use good manners.
- Stay with your group.
- Hold onto your belongings.
- Pay attention and ask appropriate questions.
- Follow all bus expectations.

#### **FIRE/TORNADO DRILL EXPECTATIONS:**

- Move quietly to hear further instructions.
- Follow all HALLWAY expectations.
- Keep hands, feet and all objects to yourself.
- Know what to do ahead of time.

#### **HALLWAY EXPECTATIONS:**

- Walk on the right side of the hallway.
- Stay in your space and keep up the pace.
- Keep hands, feet and all objects to yourself.
- Be quiet and respectful of other students.
- Face forward, watch where you are going.

#### **PLAYGROUND EXPECTATIONS:**

- Use all equipment properly.
- Leave all toys, cards and balls at home.
- Keep hands, feet and all objects to yourself.
- Use only positive language (pick-ups not put downs).
- Food, drinks, candy and gum are prohibited on the playground.
- Ask permission from the duty teacher before leaving the playground.

#### **RESTROOM EXPECTATIONS:**

- Use a quiet voice.
- Keep hands, feet and all objects to yourself.
- Flush the toilet when finished.
- Wash hands properly and place paper towels in the trash can.
- Climbing or writing on the stalls is prohibited.
- Playing in the restroom is unacceptable.
- Return to class quickly.
- Sign bathroom log when going to and from the bathroom in the classroom. Give time leaving and returning.

**Exclusive to high school: ALL students must possess a hall pass if in the hall during class time.**

## **HOMEWORK**

Homework is considered to be part of the educational program of the District. Assignments shall be an extension of the teaching/learning experience that promotes the student's educational development. As an extension of the classroom, homework must be planned and organized and should be viewed by the students as purposeful.

Teachers are aware of the potential problem students may have completing assignments from multiple teachers and vary the amount of homework they give from day to day.

The district recommends a *reasonable* amount of homework comparable with a student's ability for reinforcing the concepts taught in class and/or lesson preparations.

- Kindergarten 15 minutes per day
- First and Second 30 minutes per day
- Third and Fourth 45 minutes per day
- Fifth and Sixth 1 hour per day
- Seventh through Twelfth Varies by Subject area and need

## **GRADING**

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 teachers shall attempt to schedule a parent-teacher conference. In the conference, a remediation plan may be developed to enhance the probability of student success. 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.

Parents may request a password from HAC at any time by contacting the principal's offices, counselor or eSchool administrator.

The evaluation of each student's performance on a regular basis serves to give the parents/guardians, students, and the school necessary information to help affect academic improvement. Students' grades shall reflect only the extent to which a student has achieved the expressed educational objectives of the course as is consistent with laws and regulations.

The grading scale for all schools in the district shall be as follows:

A=100-90

B=89-80

C=79-70

D=69-60

F=59

MSD has an Honor Roll designed to recognize academic excellence. Any parent or student who does not want to have the student identified as an honor student shall submit a written request to the principal stating that the student not be identified. This request needs to be submitted one week prior to the end of the grading period.

#### 4.19

#### TRANSPORTATION

Students are subject to the same rules of conduct while traveling to and from school as they are while on school grounds and disciplinary response will be the responsibility of the Director of Transportation and/or the principal. Appropriate disciplinary actions may be taken against commuting students who violate the code of conduct rules. Students will be instructed in safe riding practices.

Boundary lines have been determined for all pupils who are eligible to ride school buses. Consult the transportation supervisor for information regarding routes or pick-up and drop-off times.

Students who ride motorized bikes, scooters, or automobiles to school will file with the school resource officer and office all evidence of proper licensure and insurance as requested. This practice is discouraged due to high traffic and other safety concerns.

Local radio, TV stations, and district Facebook page will carry school information related to schedule changes or closings due to inclement weather.

#### **Rules of Conduct for Bus Transportation**

**Students are under the supervision of the driver and must obey the driver at all times.**

- Students should be at the bus stop five minutes before the scheduled time of pick-up.
- Students should stand back at least 10 feet from the bus stop and wait until the door is opened before attempting to board the bus.
- Students should not play on or near the highway or road while waiting for the school bus. Should a student miss the bus, no attempt to walk or hitchhike to or from school should be initiated. Parents must supervise the delivery to or from school in these instances.
- Students must board the bus quietly and orderly and be seated quickly. Students must remain seated until the bus arrives at school or at the approved stop.
- Students will keep hands, feet, books, etc. to themselves. (No hitting, slapping, kicking, or throwing things)
- Students are not permitted to yell or talk loud, use vulgar language, tease other students, use rude gestures, or put down others while riding the school bus.
- Students are expected to conduct themselves in such a manner that will not distract the attention of the driver or disturb other riders on the bus.
- Students are not to tamper with any of the safety devices such as door latches, fire extinguishers, etc. Students are not permitted to put their hands, arms, or head out of the window.
- Students are not to deface the school bus by writing on the bus or damaging the seats. Students are not allowed to eat, drink, chew gum or use tobacco while riding the bus. Aisles should be kept clear of books, lunches, coats, feet, etc. Students are encouraged to keep the bus clean.

- In the interest of safety, glass containers, inflated balloons, flowers/vases, or any items which block the vision of the driver will not be allowed on the bus.
- Students are not allowed to bring knives, sharp objects, skateboards, fireworks, or firearms on the bus. Pets or other live animals are not permitted on the bus.
- Students are only allowed to get off the bus at school and at their designated bus stop.
- Students who must cross the road or highway to enter the bus must wait until the bus has come to a complete stop and the driver has signaled to cross in front of the bus
- Students who must cross the road after leaving the bus must go to a point on the shoulder of the road ten feet in front of the bus and cross the road only after the driver has signaled them to cross.
- Students cannot ride any bus except their assigned bus unless they present the driver with a note signed by a parent/guardian and endorsed by a school official. The notes should be approved in the morning for afternoon trips.

#### **4.20**

#### **Disruption of School**

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

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

"Violent or abusive behavior" means, without limitation:

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

#### **When should a student be removed from class?**

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

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

#### **A student who is removed from class shall:**

- a. Be sent to the office of the principal or the principal's designee;
- b. Be escorted from the classroom by the school administration if the student refuses to leave the classroom voluntarily;
- c. Not to be returned to the teacher's class until a conference is held; and
- d. Be placed in another appropriate classroom learning environment until the conference is completed.

#### **Conference shall be held for the purpose of:**

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

removed from the class due to violent behavior.

**The following individuals shall be present at the conference:**

- a. The principal or the principal's designee;
- b. The teacher;
- c. The school counselor;
- d. A 504/special education representative (if applicable);
- e. The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis to attend the conference shall not prevent the conference from being held nor prevent any action from being taken as a result of that conference.

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

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

**A student who is removed from class three (3) times during the same school year and is determined that is in need of a different placement, shall be placed in another appropriate learning environment for the remainder of the school year.**

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

Legal References:     A.C.A. § 6-18-511  
                              DESE Rules Governing Student Discipline and School Safety

Reference Policy 3.49 from Certified Policy



#### **4.21**

#### **STUDENT ASSAULT OR BATTERY**

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

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

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

Students guilty of such an offense may be subject to legal proceedings in addition to any student disciplinary measures.

Legal References: A.C.A. § 6-17-106 DESE Rules Governing Student Discipline and School Safety

Date Adopted: July, 2016

Last Revised: July, 2021

**Definitions**

“Firearm” means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use

“Possession” means having a weapon on the student’s body or in an area under the student’s control.

“Weapon” means any: · Firearm; · Knife; · Razor; · Ice pick; · Dirk; · Box cutter; · Nunchucks; · Pepper spray, mace, or other noxious spray; · Explosive; · Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or · Any other instrument or substance capable of causing bodily harm.

No student, except for Military personnel (such as ROTC cadets) acting in the course of their official duties or as otherwise expressly permitted by this policy, shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon before or after school while:

- In a school building;
- On or about school property;
- At any school sponsored activity or event;
- On route to or from school or any school sponsored activity; or
- Off the school grounds at any school bus stop.

If a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be considered to be in possession of a weapon unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student’s parent/legal guardian shall pick up the weapon from the school’s office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of one (1) year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.

Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the student. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a

statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The mandatory expulsion requirement for possession of a firearm does not apply to a firearm brought to school for the purpose of participating in activities approved and authorized by the district that include the use of firearms. Such activities may include ROTC programs; hunting safety or military education; or before or after-school hunting or rifle clubs. Firearms brought to school for such purposes shall be brought to the school employee designated to receive such firearms. The designated employee shall store the firearms in a secure location until they are removed for use in the approved activity.

The district shall report any student who brings a firearm to school to the criminal justice system or juvenile delinquency system by notifying local law enforcement.

Cross Reference: 4.31—EXPULSION

Legal References: A.C.A. § 5-4-201 A.C.A. § 5-4-401 A.C.A. § 5-27-210 A.C.A. § 5-73-119(b) (e)(8), (9), (10) A.C.A. § 5-73-133 A.C.A. § 6-18-502 A.C.A. § 6-18-507 A.C.A. § 6-21-608 DESE Rules Governing Student Discipline and School Safety 20 USC § 7961

#### **4.23 TOBACCO, ELECTRONIC NICOTINE DELIVERY SYSTEMS, & RELATED PRODUCTS**

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any real property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures. With the exception of recognized tobacco cessation products, this policy's prohibition includes any tobacco or nicotine delivery system or other vaping product. Specifically, the prohibition includes any product that is manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under any other name or descriptor.

Law enforcement officers and employees of a school are immune from civil liability for the confiscation from a minor on a school campus or at a school-sponsored event of:

- Nicotine, tobacco products, vapor products, alternative nicotine products, e-liquid products, or cigarette papers; or
- A product that the individual reasonably believes to be a vapor product.

Legal References:   A.C.A. § 6-21-609  
                          A.C.A. § 20-65-103

An orderly and safe school environment that is conducive to promoting student achievement requires a student population free from the deleterious effects of alcohol and drugs. Their use is illegal, disruptive to the educational environment, and diminishes the capacity of students to learn and function properly in our schools.

Therefore, no student in the Midland School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy.

This policy applies to any student who:

- Is on or about school property;
- Is in attendance at school or any school sponsored activity;
- Has left the school campus for any reason and returns to the campus; or
- Is on route to or from school or any school sponsored activity.

Prohibited substances shall include, but are not limited to:

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

After meeting with authorized school officials, a student found to be involved in the sale of drugs/alcohol on campus or at school activities will be disciplined. Discipline may include, but is not limited to suspension or permanent expulsion, depending on the severity of the offense.

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

Students are encouraged to seek treatment and/or counseling for drug problems. A referral/resource list is available in the counselor's office. Midland School District will not assume any expense incurred in such treatment/counseling. Compliance with this policy is mandatory. Students who violate this policy may be subject to criminal sanctions in addition to student disciplinary measures.

Legal References: A.C.A. § 6-18-502; DESE Rules Governing Student Discipline and School Safety

## **CHEMICAL SCREEN TEST (DRUG TEST)**

### **PHILOSOPHY**

It is the philosophy of the Midland School Board of Education that students should be encouraged and supported in their efforts to develop and maintain a chemical-free lifestyle. The Board recognizes the use of mood-altering chemicals as a significant health problem for many students, resulting in negative effects on behavior, learning and the total development of each individual. The misuse and abuse of mood-altering chemicals for some students affects academic growth, achievement, activities participation and the development of related skills.

### **PURPOSE**

The purpose of the Chemical Screen Test of the Midland School District is to:

1. Emphasize concerns for the health of students in areas of safety while participating in activities and the long-term physical and emotional effects of chemical use on their health.
2. Promote a sense of order and discipline among students.
3. Confirm and support existing state laws which restrict the use of drugs and alcohol.
4. Establish standards of conduct for those students who are leaders and standard-bearers among their peers.
5. Assist students who desire to resist peer pressure which directs them toward the use of mood-altering chemicals.
6. Assist students who should be referred for assistance or evaluation regarding their use of mood-altering chemicals.

7. To work with the parents to assist in keeping their children free of mood-altering chemicals.

## **METHOD**

During the school year the Principal, or designee will randomly select students to be screened. Refusal to submit to testing results in the removal of the student from extracurricular activities and driving on campus. The student that refuses to test will receive the same consequence for the first positive test. A student/parent can submit evidence of a valid prescription in response to a positive and no penalties will be applied. Evidence could include a doctor's note, a prescription note, a prescription bottle with a student's name on it, etc.

## **CONSEQUENCES FOR A POSITIVE TEST**

**First Positive Test:** Students testing positive for being under the influence of drugs and/or alcohol while on school property or at school sanctioned events. The student will be placed on probation for thirty (30) days during which the student will not be allowed to park on campus or participate in extracurricular activities. After thirty (30) days the student will be tested again. If the test is negative, the probation will be lifted. If the test is positive, the student will not be allowed to continue in school activities or to park on campus for the remainder of the school year. During this time the student cannot participate in any form of extra-curricular activity involving Midland Schools. To regain eligibility for participation in activities after this period, a student must have a negative chemical screening test. Another screen test can be administered by the school nurse after 30 days so that the student can participate again and be allowed to park on campus. Students will receive counseling after the first positive test. Students will be subject to legal proceedings.

**Second Positive Test:** One calendar year (365 days from the second offense) suspension from parking on campus and no participating in extracurricular activities for the rest of the school year (2025-2026) with the option of extending the penalty for participation of extracurricular activities under the discretion of the committee.

**Third Positive Test:** The student will be suspended from participating in extracurricular activities and parking on campus for the remainder of his/her enrollment with the school (may be appealed to the board).

Parents will be notified of any positive tests. The principal or designee will notify club or activity sponsors and/or coaches of the positive test. The principal will communicate with the parents and student and counseling may be provided for all students that test positive.

## **RANGE of RANDOM DRUG TESTING**

- All athletes, grades 7-12
- Cheerleaders
- Students that are participating in a school play
- Club members
- Students involved in extracurricular activities

- Any student that is driving to school (registered in the high school office) and has obtained a school parking pass.

### **SUBSTANCE ABUSE SCREEN**

1. Amphetamines
2. Barbiturates
3. Benzodiazepines
4. Cocaine
5. Quaaludes
6. Opiates
7. PCP
8. THC (Marijuana)
9. Ethyl Alcohol
10. Specimen: 60 ml random urine
11. Synthetic drugs (K2, spice, etc.)
12. Nicotine



## 4.25

## STUDENT DRESS AND GROOMING

### Minimum Requirements:

1. Clothing must cover areas from one armpit across to the other armpit, down to approximately 6 inches above the knee when seated. Tops must have 2 inch shoulder straps. Rips or tears in clothing should be lower than fingertip length.

**\*\*Leggings/Spandex may only be worn with a shirt/jacket that covers the buttocks.**

2. Shoes must be worn at all times and should be safe for the school environment (pajamas, bedroom shoes or slippers shall not be worn, except for school activities approved by the principal).

3. See-through or mesh garments must not be worn without appropriate coverage underneath that meet the minimum requirements of the dress code.

4. Hoodies may be worn but hoods are not allowed unless permitted for religious, medical, or other reasons by school administration.

5. Specialized courses may require specialized attire, such as sports uniforms or safety gear. Sports Uniforms that do not comply with these requirements may only be worn during that course period or activity time. Additional Requirements:

6. Clothing may not depict, imply, advertise, or advocate illegal, violent, or lewd conduct, weapons, or the use of alcohol, tobacco, marijuana or other controlled substances.

7. Clothing may not depict or imply pornography, nudity, or sexual acts.

8. Clothing may not display or imply vulgar, discriminatory, or obscene language or images.

9. Clothing may not state, imply, or depict hate speech/imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected classification.

10. Sunglasses may not be worn inside the building.

11. Clothing and accessories that endanger student or staff safety may not be worn.

12. Apparel, jewelry, accessories, tattoos, or manner of grooming that, by virtue of its color, arrangement, trademark or any other attribute, denotes membership in a gang that advocates illegal or disruptive behavior is prohibited.

The administration at each school reserves the right to determine what constitutes appropriate dress. Students who do not adhere to these guidelines will not be allowed to attend class. Parents will be called if appropriate clothing is not available or the student refuses dress-code appropriate clothing. Expectations for Student Dress at Extracurricular Activities Student dress requirements at after school and extracurricular activities will be slightly relaxed. However, student attire should closely reflect the student dress code expectations. Students who violate this expectation will not be allowed to attend these activities. Students that are participating in an extracurricular activity shall wear a uniform that is required for that activity during the event. Students involved in an extracurricular activity during the day or night, that requires a special uniform, will still be required to meet the student dress code during class time.

### **Expectations for Student Dress at Extracurricular Activities**

Student dress requirements at after school and extracurricular activities will be slightly relaxed. However, student attire should closely reflect the student dress code expectations. Students who violate this expectation will not be allowed to attend these activities. Students that are participating in an extracurricular activity shall wear a uniform that is required for that activity during the event. Students involved in an extracurricular activity during the day or night, that requires a special uniform, will still be required to meet the student dress code during class time.

The Board is committed to ensuring a safe school environment conducive to promoting a learning environment where students and staff can excel. An orderly environment cannot exist where unlawful acts cause fear, intimidation, or physical harm to students or school staff. Gangs and their activities and symbols create such an atmosphere and shall not be allowed on school grounds or at school functions.

**The following actions are prohibited by students on school property or at school functions:**

1. Wearing or possessing any clothing, bandanas, jewelry, symbol, or other sign associated with membership in, or representative of, any gang;
2. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or handshakes representative of membership in any gang;
3. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang; and/or
4. Extorting payment from any individual in return for protection from harm from any gang.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion.

Legal References:   A.C.A. § 5-74-201 et seq.  
                          A.C.A. § 6-15-1005(b)(2)

The Midland School District is committed to providing an academic environment that treats all students with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

The District believes the best policy to create an educational environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to students, parents/legal guardians/other responsible adults, and employees on sexual harassment. The informational materials and training on sexual harassment shall be age appropriate and, when necessary, provided in a language other than English or in an accessible format. The informational materials and training shall include, but are not limited to:

- the nature of sexual harassment;
- The District's written procedures governing the formal complaint grievance process;
- The process for submitting a formal complaint of sexual harassment;
- That the district does not tolerate sexual harassment;
- That students can report inappropriate behavior of a sexual nature without fear of adverse consequences;
- The supports that are available to individuals suffering sexual harassment; and
- The potential discipline for perpetrating sexual harassment.

- Legal References: Legal References: 20 USC 1681 et seq., 34 C.F.R. Part 106, A.C.A. § 6-15-1005, A.C.A. § 6-18-502, A.C.A. § 12-18-102

#### Definitions

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances where the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting an investigation of the allegation of sexual harassment.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee:
  - a. Conditions the provision of an aid, benefit, or service of the District on an individual's participation in sexual conduct; or
  - b. Uses the rejection of sexual conduct as the basis for academic decisions affecting that individual;
2. The conduct is:
  - a. Unwelcome; and
  - b. Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. Constitutes:
  - a. Sexual assault;
  - b. Dating violence
  - c. Domestic violence; or
  - d. Stalking.

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

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

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is

not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

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

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

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

### **Supportive Measures**

The District shall offer supportive measures to the complainant and make supportive measures available to the respondent that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party before or after the filing of a formal complaint or where no formal complaint has been filed. The District shall provide individualized supportive measures to the complainant unless declined in writing by the complainant and shall provide individualized supportive measures that are non-disciplinary and non-punitive to the respondent. A complainant who initially declined the District's offer of supportive measures may request supportive measures at a

later time and the District shall provide individualized supportive measures based on the circumstances when the subsequent request is received.

### **Formal Complaint**

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email. Upon receipt of a formal complaint, a District shall simultaneously provide the following written notice to the parties who are known:

- Notice of the District's grievance process and a copy of the procedures governing the grievance process;
- Notice of the allegations of sexual harassment including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.  
Sufficient details include:
  - The identities of the parties involved in the incident, if known;
  - The conduct allegedly constituting sexual harassment; and
  - The date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- That the parties may inspect and review evidence relevant to the complaint of sexual harassment; and
- That the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the previous notice, the District shall simultaneously provide notice of the additional allegations to the parties whose identities are known.

The District may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the District has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.

When investigating a formal complaint and throughout the grievance process, a District shall:

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the District and not on the parties;
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege or access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party unless the District obtains the parent, legal guardian, or other responsible adult of that party's voluntary, written consent or that party's voluntary, written consent if the party is over the age of eighteen (18) to do so for the grievance process;
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;
- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation; this includes evidence:
  - Whether obtained from a party or other source;
  - The District does not intend to rely upon in reaching a determination regarding responsibility; and
  - That is either Inculpatory or exculpatory; and
- Create an investigative report that fairly summarizes relevant evidence.

At least ten (10) days prior to completion of the investigative report, the District shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties shall have at least ten (10)3 days to submit a written response to the evidence. The investigator will consider the written responses prior to completion of the investigative report. All evidence subject to inspection and review shall be available for the parties' inspection and review at any meeting to give each party equal opportunity to refer to such evidence during the meeting.



After the investigative report is sent to the parties, the decision-maker shall:

- Provide each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness;
- Provide each party with the answers;
- Allow for additional, limited follow-up questions from each party; and
- Provide an explanation to the party proposing the questions any decision to exclude a question as not relevant. Specifically, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

No earlier than ten (10) days following the completion of the investigation period, the decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility. The written determination shall include—

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including:
  - a. Any notifications to the parties;
  - b. Interviews with parties and witnesses;
  - c. site visits;
  - d. Methods used to gather other evidence; and
  - e. Hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the District's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
  - a. A determination regarding responsibility;
  - b. Any disciplinary sanctions imposed on the respondent; and
  - c. Whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
6. The procedures and permissible bases for the complainant and respondent to appeal.

The written determination shall be provided to the parties simultaneously. The determination regarding responsibility shall become final on the earlier of:

- If an appeal is not filed, the day after the period for an appeal to be filed expires; or
- If an appeal is filed, the date the written determination of the result of the appeal is provided to the parties.

The District shall investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved; did not occur in the District's education program or activity; or did not occur against a person in the United States, then the District shall dismiss the complaint as not meeting the definition of sexual harassment under this policy. A dismissal for these reasons does not preclude action under another provision of the District's code of conduct.

The District may dismiss the formal complaint or any allegations therein, if at any time during the grievance process:

- The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled at the District; or
- Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon the dismissal of a formal complaint for any reason, the District shall promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The District may hire an individual or individuals to conduct the investigation or to act as the determination-maker when necessary.

### **Appeals**

Either party may appeal a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, on the following bases:

- a. The existence of a procedural irregularity that affected the outcome of the matter;
- b. Discovery of new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- d. An appeal of the disciplinary sanctions from the initial determination.<sup>4</sup>

For all appeals, the District shall:

1. Notify the other party in writing when an appeal is filed;
2. Simultaneously Provide all parties a written copy of the District's procedures governing the appeal process;
3. Implement appeal procedures equally for both parties;
4. Ensure that the decision-maker for the appeal is not the same person as the decision-maker that reached the original determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
5. Provide all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

### **Confidentiality**

Reports of sexual harassment, both informal reports and formal complaints, will be treated in a confidential manner to the extent possible. Limited disclosure may be provided to:

- Individuals who are responsible for handling the District's investigation and determination of responsibility to the extent necessary to complete the District's grievance process;
- Submit a report to the child maltreatment hotline;
- Submit a report to the Professional Licensure Standards Board for reports alleging sexual harassment by an employee towards a student; or
- The extent necessary to provide either party due process during the grievance process.<sup>5</sup>

Except as listed above, the District shall keep confidential the identity of:

- Any individual who has made a report or complaint of sex discrimination;
- Any individual who has made a report or filed a formal complaint of sexual harassment;
- Any complainant;
- Any individual who has been reported to be the perpetrator of sex discrimination;
- Any respondent; and
- Any witness.

Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

### **Emergency removal**

The District may remove a respondent from the District's education program or activity on an emergency basis only after the completion of an individualized safety and risk analysis that determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. A removed student will be provided with notice and an opportunity to challenge the removal decision immediately following the removal.

### **Retaliation Prohibited**

Students, or the parents/legal guardians/ other responsible adult of a student, who submit a report or file a formal complaint of sexual harassment,; testified; assisted; or participate or refused to participate in any manner in an investigation, proceeding, or hearing on sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats; intimidation; coercion; discrimination; or charges for code of conduct violations that do not involve sex discrimination or sexual harassment, arise out of the same facts or circumstances as a report or formal complaint of sex discrimination, and are made for the purpose of interfering with any right or privilege under this policy. The District shall take steps to prevent retaliation and shall take immediate action if any form of retaliation occurs regardless of whether the retaliatory acts are by District officials, students, or third parties.

### **Disciplinary Sanctions**

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following the completion of the District's grievance process, any student who is found by the evidence to more likely than not<sup>7</sup> have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion. No disciplinary sanction or other action that is not a supportive measure may be taken against a respondent until the conclusion of the grievance process.

Students who knowingly fabricate allegations of sexual harassment or purposely provide inaccurate facts shall be subject to disciplinary action up to and including expulsion. A determination that the allegations do not rise to the level of sexual harassment alone is not sufficient to conclude that any party made a false allegation or materially false statement in bad faith.

### **Records**

The District shall maintain the following records for a minimum of seven (7) years:

- Each sexual harassment investigation including:
- Any determination regarding responsibility;
- any disciplinary sanctions imposed on the respondent;

- Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
- Any appeal and the result therefrom;
- All materials used to train Title IX Coordinators, investigators, and decision-makers;
- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, which must include:
  - The basis for the District's conclusion that its response was not deliberately indifferent; and
  - Document:
    - If supportive measures were provided to the complainant, the supportive measures taken designed to restore or preserve equal access to the District's education program or activity; or
    - If no supportive measures were provided to a complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

A.C.A. § 6-15-1005

A.C.A. § 6-18-502

A.C.A. § 12-18-102

**4.28****LASER POINTERS**

Students shall not possess any hand held laser pointer at any time while on school property or at any school sponsored activity.

Legal References: A.C.A. § 6-18-512

DESE Rules Governing Student Discipline and School Safety

#### **4.29 INTERNET SAFETY and ELECTRONIC DEVICE POLICY** (CELL PHONE, INTERNET SAFETY, AND ELECTRONIC DEVICES)

Definition: For the purposes of the policy “electronic device” means anything that can be used to transmit or capture images, sound, or data.

The Midland School District makes electronic devices and/or internet access available to students, to permit students to perform research and to allow students to learn how to use electronic device technology. Use of district devices is for educational and/or instructional purposes only. The district reserves the right to restrict or terminate access at any time and for any prudent reason. The opportunity to use the District’s technology to access the Internet is a privilege and not a right.

##### **Technology Protection Measures**

The District is dedicated to protecting students from materials on the Internet or world wide web that are inappropriate, obscene, or otherwise harmful to minors; therefore it is the policy of the district to protect each electronic device with internet filtering software that is designed to prevent students from accessing such materials. For the purposes of this policy “harmful to minors is defined as any picture, image, graphic image file, or other visual depiction that--(a) taken as a whole and with respect to minors, appeals to the prurient interest in nudity, sex or excretion; (b) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals;; and (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Student use of devices shall only be as directed or assigned by staff or teachers; students are advised that they enjoy no expectation of privacy in any aspect of their electronic device usage, including email, and that monitoring of student electronic device use is continuous. All monitoring information shall be and will remain the property of the School District and no user shall have any expectation of privacy regarding such materials under Arkansas law. Both email and device use records maintained by the district are subject to disclosure under the Freedom of Information Act.

Students who misuse electronic devices or Internet access in any way will face disciplinary action, as specified in the student handbook and/or Internet safety and electronic device use agreement. Misuse of the Internet includes:

- The disabling or bypassing of security procedures, compromising, attempting to Compromise, or defeating the district’s technology network security or Internet filtering software, including any use of a VPN or VPN software;
- The altering of data without authorization;
- Disclosing, using, or dissemination passwords, whether the passwords are the student's own or those of another student/faculty/community member, to other students;
- Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student’s

academic endeavor. Personally identifying information includes full names, addresses, and phone numbers;

- Using electronic devices for any illegal activity, including electronic device hacking and copyright or intellectual property law violations;
- Using electronic devices to access or create sexually explicit or pornographic text or graphics;
- Using electronic devices to violate any other policy or is contrary to the Internet safety and electronic device use agreement.

### **Internet Use and Safety**

The District is dedicated to ensuring that students are capable of using the Internet in a safe and responsible manner. The District uses technology protection measures to aid in student safety and shall also educate students on appropriate online behavior and Internet use including, but not limited to:

1. Interacting with other individuals on social networking websites and in chat rooms;
2. Cyberbullying awareness; and
3. Cyberbullying response

### **Warranties/Indemnification**

- The Midland School District makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this Policy. It shall not be responsible for any claims, losses, damages or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user or his or her parent or guardian arising out of the user's use of its device networks or the Internet under this Policy. By signing this Policy, users are taking full responsibility for their use. The user who is 18 or older or, in the case of a user under 18, the parent or guardian are agreeing to indemnify and hold the School, the School District, the Data Acquisition Site that provides the computer and Internet access opportunity to the School District and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims or damages resulting from the user's access to its device network, email, and the Internet, whether that use is on a School device or on another device outside the School District's network.
- Students and their cosigners shall be liable for any and all costs incurred through the student's use of the devices or the Internet including penalties for copyright violations.
- The District will make good faith efforts to protect children from improper or harmful matter, which may be on the Internet. At the same time, the parent and student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student. (Note: The District holds no responsibility for student access or usage of the Internet or Email outside of the District Network.)
- No students will be granted internet access until and unless an Internet and electronic device use agreement, signed by both the student and the parent or legal guardian (if the student is under the age of eighteen (18) is on file. The current version of the Internet and electronic device use agreement is incorporated by reference into board



policy and is considered part of the student handbook.

Legal References:

Children's Internet Protection Act; PL 106-554  
FCC Final Rules 11-125 August 11, 2011  
20 USC 6777  
47 USC 254(h)(l)  
47 CFR 54.520  
47 CFR 520(c)(4)  
A.C.A. § 6-21-107  
A.C.A. § 6-21-111

#### 4.30

#### SUSPENSION FROM SCHOOL

Students not present at school lose the benefit from the educational opportunities the school environment affords. Administrators, therefore, shall strive to find ways to keep students in school as participants in the educational process. There are instances, however, when the needs of the other students or the interests of the orderly learning environment require the removal of a student from school. The Board authorizes school principals or their designees to suspend students for disciplinary reasons for a period of time not to exceed ten (10) school days, including the day upon which the suspension is imposed. The suspension may be in school or out of school. Students are responsible for their conduct that occurs: at any time on the school grounds; off school grounds at a school-sponsored function, activity, or event; going to and from school or a school activity.

A student may be suspended for behavior including, but not limited to that which:

1. Violation of school policies, expectations, or regulations;
2. Substantially interferes with the safe and orderly educational environment;
3. School administrators believe will result in the interference of a safe and orderly educational environment; and/or
4. Is insubordinate, incorrigible, violent, or involves moral turpitude.
  - The school principal or designee shall proceed as follows in deciding whether or not to suspend a student.
  - The student shall be given written notice or advised orally of the charges against him/her;
  - If the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts;
  - If the principal finds the student guilty of misconduct, he/she may be suspended.

When possible, notice of the suspension, its duration, and any stipulations for the student's re-admittance to class will be given to the parent(s), legal guardian(s), or to the student if age 18 or older prior to the suspension. Such notice shall be handed to the parent(s), legal guardian(s), or to the student if age 18 or older or mailed to the last address reflected in the records of the school district.

Generally, notice and hearing should precede the student's removal from school, but if prior notice and hearing are not feasible, as where the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school, the necessary notice and hearing should follow as soon as practicable.

It is the parents' or legal guardians' responsibility to provide current contact information to the district which the school shall use to immediately notify the parent or legal guardian upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:

1. A primary call number
2. The contact may be by voice, voice mail, or text message
3. An email address

4. A regular first class letter to the last known mailing address

The district shall keep a log of contacts attempted and made to the parent or legal guardian. During the period of their suspension, students serving out-of-school suspensions shall not be permitted on campus except to attend a student/parent/administrator conference.

During the period of their suspension, students serving any school suspension shall not attend any school-sponsored activities during the imposed suspension nor shall the student participate in any school-sponsored activities.

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

Suspensions initiated by the Superintendent may be appealed to the Board.

Any work completed during IN-SCHOOL suspension will have the opportunity to receive full credit.

Any work completed during OUT-OF-SCHOOL suspension will only receive a maximum of ½ credit value. (Example: test worth 100 points= maximum of 50 points available to be earned out of the 100)

Legal References: A.C.A. § 6-18-507

DESE Rules Governing Student Discipline and School Safety

Goss v Lopez, 419 U.S. 565 (1975)

#### 4.31

#### EXPULSION

The Board of Education may expel a student for a period longer than ten (10) school days for violation of the District's written discipline policies. The Superintendent may make a recommendation of expulsion to the Board of Education for student conduct deemed to be of such gravity that suspension would be inappropriate, or where the student's continued attendance at school would disrupt the orderly learning environment or would pose an unreasonable danger to the welfare of other students or staff.

The Superintendent or his/her designee shall give written notice to the parents or legal guardians (mailed to the address reflected on the District's records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider dispose of the recommendation.

The hearing shall be conducted not earlier than ten (10) school 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, Board attorney, or other designated Board member shall preside at the hearing. The student may choose to be represented by legal counsel. Both the district administration and School Board may be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent, or student if age 18 or older, requests that the hearing be conducted in executive session. Any action taken by the Board will be in open session.

During the hearing, the Superintendent, or designee, or representative will present evidence, including the calling of witnesses that gave rise to the recommendation of expulsion. The student, or his/her representative, may then present evidence including statements from persons with personal knowledge of the events or circumstances relevant to the charges against the student. Formal cross-examination will not be permitted. However, any member of the Board, the Superintendent, or designee, the student, or his/her representative may question anyone making a statement and/or the student. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

Legal References:   A.C.A. § 6-15-1406  
                              A.C.A. § 6-18-502  
                              A.C.A. § 6-18-507  
                              DESE Rules Governing Student Discipline and School Safety

The superintendent or school board shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis.\*Represents possible charges filed with law enforcement

Discipline Infraction	Minimum	Maximum
Assault	OSS	Recommendation for Expulsion*
Behavior not covered	Warning	Recommendation for Expulsion*
Bomb Threat	Law Enforcement Notification	Recommendation for Expulsion
Bullying	ISS	Recommendation for Expulsion
Cheating	ISS	Recommendation for Expulsion
Damage, Destruction, or theft of School Property	ISS	Recommendation for Expulsion
Discrimination	ISS	Recommendation for Expulsion
Disruptive Behavior	ISS	Recommendation for Expulsion
Dress Code Warning	Warning	Recommendation for Expulsion
Drugs or Alcohol 10 days	OSS	Recommendation for Expulsion*
Electronic and Internet use	Warning	Recommendation for Expulsion
Firearms	Law Enforcement Notification	Recommendation for Expulsion*
Failure to serve ISS	Two ISS	ISS
Forgery	ISS	Recommendation for Expulsion
Gangs	OSS	Recommendation for Expulsion
Hazing	OSS	Recommendation for Expulsion
Insubordination	Warning	Recommendation for Expulsion
Persistent disregard of school rules	ISS	Recommendation for Expulsion
Possession and use of electronic devices	Warning	OSS
Pornography	OSS	Recommendation for Expulsion*
Profanity, verbal abuse, obscene gestures	ISS	Recommendation for Expulsion
Public Displays of Affection	Warning	Recommendation for Expulsion
Racial Harassment or Ridicule	ISS	Recommendation for Expulsion

Tardiness	ISS	Recommendation for Expulsion
Theft or Extortion	OSS	Recommendation for Expulsion*
Tobacco	ISS	Recommendation for Expulsion
Truancy	ISS	Recommendation for Expulsion
Unauthorized sales	ISS	Recommendation for Expulsion
Vehicles	ISS	Driving Privileges Suspended (Year)
Weapons	Law Enforcement Notification	Recommendation for Expulsion*

#### 4.32

#### SEARCH, SEIZURE, AND INTERROGATIONS

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

**School authorities may seize evidence found in the search and disciplinary action may be taken. Evidence found which appears to be in violation of the law shall be reported to the appropriate authority.**

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

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

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

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72 –hour hold" without first obtaining a court order.

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of the court with a court order signed by a judge. Upon release of the student, the principal or designee shall make a good faith effort to notify the parent or guardian that the student has been taken into custody.

If the District makes a report to any law enforcement agency concerning student misconduct or if student access is granted to a law enforcement agency due to a court order, the principal

or designee will make a good faith effort to contact parents or guardians listed on school enrollment cards. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that such notification is prohibited because the parent/guardian is named as an alleged offender of child maltreatment.

Legal References: A.C.A. § 6-18-513

A.C.A. § 9-13-104

A.C.A. § 12-18-609, 610, 613

A.C.A. § 12-18-1001, 1005



#### **4.33**

#### **STUDENTS' VEHICLES**

A student who has presented a valid driver's license and proof of insurance to the appropriate office personnel, may drive his/her vehicle to school. Vehicles driven to school shall be parked in the area designated for student parking. Parking on school property is a privilege which may be denied to a student for any disciplinary violation, at the discretion of the student's building principal.

Students are not permitted to loiter in parking areas and are not to return to their vehicles during the school day for any reason unless given permission to do so by school personnel.

It is understood that there is no expectation of privacy in vehicles in parking areas. Drivers of vehicles parked on a school campus will be held accountable for illegal substances or any other item prohibited by District policy found in their vehicle. The act of a student parking a vehicle on campus is a grant of permission for school or law enforcement authorities to search that vehicle.

#### **4.34**

#### **COMMUNICABLE DISEASES AND PARASITES**

Students with communicable diseases or with human host parasites that are transmittable in a school environment shall demonstrate respect for other students by not attending school while they are capable of transmitting their condition to others. Students whom the school nurse determines are unwell or unfit for school attendance or who are believed to have a communicable disease or condition will be required to be picked up by their parent or guardian. Specific examples include, but are not limited to: chicken pox, measles, scabies, conjunctivitis (Pink Eye), impetigo/MRSA (Methicillin-resistant *Staphylococcus aureus*), streptococcal and staphylococcal infections, ringworm, mononucleosis, Hepatitis B or C, mumps, vomiting, diarrhea, and fever (100.4 F when taken orally). A student who has been sent home by the school nurse will be subsequently readmitted, at the discretion of the school nurse or administration, when the student is no longer a transmission risk. In some instances, a letter from a health care provider may be required prior to the student being readmitted to the school.

To help control the possible spread of communicable diseases, school personnel shall follow the District's exposure control plan when dealing with any blood borne, foodborne, and airborne pathogens exposures. Standard precautions shall be followed relating to the handling, disposal, and cleanup of blood and other potentially infectious materials such as all body fluids, secretions and excretions (except sweat).

The District shall maintain a copy of each student's immunization record and a list of individuals with exemptions from immunization, which shall be education records as defined in policy 4.13. That policy provides that an education record may be disclosed to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

A student enrolled in the District who has an immunization exemption may be removed from school at the discretion of the Arkansas Department of Health during an outbreak of the disease for which the student is not vaccinated. The student may not return to the school until the outbreak has been resolved and the student's return to school is approved by the Arkansas Department of Health.

The parents or legal guardians of students found to have live human host parasites that are transmittable in a school environment, will be asked to pick their child up. The parents or legal guardians will be given information concerning the eradication and control of human host parasites. A student may be readmitted after; the school nurse or designee has determined the student no longer has live human host parasites that are transmittable in a school environment.

Each school may conduct screenings of students for human host parasites that are transmittable in a school environment as needed. The screenings shall be conducted in a manner that respects the privacy and confidentiality of each student.

Legal References: A.C.A. § 6-18-702

Arkansas State Board of Health Rules Pertaining To  
Immunization Requirements Division of Elementary and  
Secondary Education Rules Governing Kindergarten  
Through 12th Grade Immunization Requirements

#### 4.35

#### STUDENT MEDICATIONS

Prior to the administration of any medication to any student under the age of eighteen (18), written parental consent is required. The consent form shall include authorization to administer the medication and relieve the Board and its employees of civil liability for damages or injuries resulting from the administration of medication to students in accordance with this policy. All signed medication consent forms are to be maintained by the school nurse.

Unless authorized to self-administer, students are not allowed to carry any medications, including over-the-counter medications or any perceived health remedy not regulated by the US Food and Drug Administration, while at school. **THE PARENT OR LEGAL GUARDIAN SHALL PROVIDE THE STUDENT'S MEDICATION INCLUDING ANY OVER THE COUNTER MEDICATIONS, TO THE SCHOOL NURSE. STUDENTS MAY NOT TRANSPORT MEDICATION.** When medications are brought to the school nurse, the nurse shall document, in the presence of the parent, the quantity and type of medication(s). If the medications are brought by the student, the school nurse shall ask another school employee to verify, in the presence of the student, the quantity of the medication(s). Each person present shall sign a form verifying the quantity and type of medication(s).

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

Students with an individualized health plan (IHP), which includes parent/guardian signatures may be given over-the-counter medications to the extent that such medications are included in the student's IHP.

The district's supervising registered nurse shall be responsible for creating both on campus and off campus procedures for administering medications in the presence or absence of the school's registered nurse.

#### **Schedule II Medications**

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

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

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

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

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

A student may be authorized to self-administer a stress dose medication to treat the student's adrenal insufficiency with:

1. The written authorization of the student's parent, legal guardian, or person standing in loco parentis; and
2. A written order from the student's treating physician stating that the student:
  - a. Is capable of completing the proper method of self-administration of the stress dose medication,; and
  - b. Has been instructed on the details of the student's medical condition and the events that may lead to an adrenal crisis.

The parent, legal guardian, or person standing in loco parentis of a student who is authorized to self-administer a stress dose medication shall sign an IHP developed by the school nurse for the school where the student is enrolled. The IHP shall include a requirement for the notification of appropriate staff following the self-administration of a stress dose medication,

which shall include the school nurse, teacher of the classroom where the stress dose medication was administered, and a school administrator.

Students who have a current consent form on file shall be allowed to carry and self-administer such medication while:

- In school;
- At an on-site school sponsored activity;
- While traveling to or from school; or
- At an off-site school sponsored activity.

A student is prohibited from sharing, transferring, or in any way diverting the student's medications to any other person. The fact that a student with a completed consent form on file is allowed to carry a rescue inhaler;; auto-injectable or nasal spray epinephrine;; diabetes medication;; stress dose medication;; or combination does not require the student to have such on the student's person. The parent or guardian of a student who qualifies under this policy to self-carry a rescue inhaler;; auto-injectable or nasal spray epinephrine;; diabetes medication;; stress dose medication;; or any combination on the student's person shall provide the school with the appropriate medication, which shall be immediately available to the student in an emergency.

Students may possess and use a topical sunscreen that is approved by the United States Food and Drug Administration for OTC use to avoid overexposure to the sun without written authorization from a parent, legal guardian, or healthcare professional while the student is on school property or at a school-related event or activity. The parent or guardian of a student may provide written documentation authorizing specifically named District employee(s), in addition to the school nurse, to assist a student in the application of sunscreen. The District employee(s) named in the parent or legal guardian's written authorization shall not be required to assist the student in the application of sunscreen.

Students may be administered Glucagon in emergency situations by the school nurse or, in the absence of the school nurse, a trained volunteer school employee designated as a care provider, provided the student has:

- an IHP developed under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of Glucagon in emergency situations; and
- a current, valid consent form on file from their parent or guardian.

The school shall not keep outdated medications or any medications past the end of the school year. By this policy, parents are notified that ten (10) days after the last day of school, all medications will be disposed of that are left at the school. Medications not picked up by the parents or legal guardians within the ten (10) day period shall be disposed of by the school

nurse in accordance with current law and regulations.

### **Emergency Administration of Glucagon and Insulin**

Students may be administered Glucagon, insulin, or both in emergency situations by the school nurse or, in the absence of the school nurse, a trained volunteer school employee designated as a care provider, provided the student has:

1. An IHP that provides for the administration of Glucagon, insulin, or both in emergency situations; and
2. A current, valid consent form on file from their parent or guardian. When the nurse is unavailable, the trained volunteer school employee who is responsible for a student shall be released from other duties during:
  - A. The time scheduled for a dose of insulin in the student's IHP; and
  - B. Glucagon or non-scheduled insulin administration once other staff have relieved him/her from other duties until parent, guardian, other responsible adult, or medical personnel has arrived.

A student shall have access to a private area to perform diabetes monitoring and treatment functions as outlined in the student's IHP.

### **Emergency Administration of Epinephrine**

The school nurse or other school employees designated by the school nurse as a care provider who have been trained and certified by a licensed physician may administer epinephrine either through an auto-injector or nasal spray in emergency situations to students who have an IHP developed under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of epinephrine in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other school employee certified to administer auto-injector or nasal spray epinephrine to the student when the employee believes the student is having a life-threatening anaphylactic reaction.

Students with an order from a licensed health care provider to self-administer epinephrine, either through an auto-injector or nasal spray, and who have written permission from their parent or guardian shall provide the school nurse either an auto-injector or nasal spray epinephrine. This epinephrine will be used in the event the school nurse, or other school employee certified to administer epinephrine, in good faith professionally believes the student is having a life-threatening anaphylactic reaction and the student is either not self-carrying epinephrine or the nurse is unable to locate it.

The school nurse for each District school shall keep epinephrine on hand that are suitable for students the school serves. The school nurse or other school employees designated by the school nurse as a care provider, who has been trained and certified by a licensed physician, may administer epinephrine to those students who the school nurse or other school employee certified to administer epinephrine in good faith professionally believes is having a life-threatening anaphylactic reaction. The school shall not keep outdated medications or any medications past the end of the school year. By this policy, parents are notified that ten (10) days after the last day of school, all medications will be disposed of that are left at the school. Medications not picked up by the parents or legal guardians within the ten (10) day period shall be disposed of by the school nurse in accordance with current law and regulations.

### **Emergency Administration of Albuterol**

The school nurse or other trained<sup>6</sup> school employees designated by the school nurse as a care provider who have been certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol in emergency situations to students who have an IHP that provides for the administration of albuterol in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained<sup>6</sup> school employee(s) certified to administer albuterol to administer albuterol to the student when the employee believes the student is in perceived respiratory distress.

The school nurse for each District school shall keep albuterol on hand. The school nurse or other trained<sup>6</sup> school employee designated by the school nurse as a care provider who has been certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol to those students who the school nurse, or other trained<sup>6</sup> school employee certified to administer albuterol, in good faith professionally believes is in perceived respiratory distress.

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

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

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



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

The school nurse or other trained<sup>6</sup> school employees designated by the school nurse as a care provider who have been certified by a licensed physician may administer an injectable emergency dose medication in emergency situations to students who have an IHP that provides for the administration of an injectable emergency dose medication in emergency situations.

The parent of a student who has an authorizing IHP, or the student if over the age of eighteen (18), shall annually complete and sign a written consent form provided by the student's school nurse authorizing the nurse or other trained<sup>6</sup> school employee(s) certified to administer an injectable emergency dose medication to administer an injectable emergency dose medication to the student when the employee believes the student is having an adrenal crisis due to adrenal insufficiency.

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

## **Seizure Disorder Medications**

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

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

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

Legal References: Ark. State Board of Nursing: School Nurse Roles and Responsibilities  
Division of Elementary and Secondary Education and Arkansas State Board of Nursing Rules Governing the Administration of Insulin, Glucagon, and Medication for Adrenal Insufficiency or Adrenal Crisis to Arkansas Public School Students  
A.C.A. § 6-18-701  
A.C.A. § 6-18-707  
A.C.A. § 6-18-711  
A.C.A. § 6-18-714  
A.C.A. § 6-18-717  
A.C.A. § 6-18-720  
A.C.A. § 6-18-721  
A.C.A. § 17-87-103 (11) and (14)  
A.C.A. § 20-13-405

#### 4.36

#### STUDENT ILLNESS/ACCIDENT

If a student becomes too ill to remain in class and/or could be contagious to other students, the principal or designee will attempt to notify the student's parent or legal guardian. The student will remain in the school's health room or a place where he/she can be supervised until the parent/legal guardian can check the student out of school.

If a student becomes seriously ill or is injured while at school and the parent/legal guardian cannot be contacted, the failure to make such contact shall not unreasonably delay the school's expeditious transport of the student to an appropriate medical care facility. The school assumes no responsibility for treatment of the student. When available, current, and applicable, the student's emergency contact numbers and medical information will be utilized. **Parents are strongly encouraged to keep this information up to date.**

#### INSURANCE

The Midland School District does not provide accident or medical insurance for its students. Student is available, however, to all students through the school. The cost of insurance coverage varies from year to year. In-School insurance protection is required of all students participating in athletic programs. It is offered strictly as a service to the students and the patrons of the school district.

#### ARKids First Program/Wellness for All Children

ARKids First is health care insurance for children. There are two types. Type A is Medicaid for children and Type B is for families who do not qualify for regular Medicaid but have no health insurance for children. Information on ARKids First information can be obtained from the county Department of Health and Human Services, or by calling 501-321-2583.

#### HOMEBOUND INSTRUCTION

Midland School District will provide homebound instruction to eligible students under the following guidelines:

1. The student has a medical condition/injury, which prevents him/her from participating in core academic instruction for a period longer than two consecutive weeks within the school year, which is documented by the student's physician.
2. The student has an educational disability, which prevents him/her from participating in core academic instruction for a period longer than two consecutive weeks within the school year, which is documented by the student's IEP committee.

To initiate homebound services for a medical condition/injury, the student or student's parent/guardian contacts the student's school counselor to obtain a Physician

Recommendation for Homebound Services form to be completed by the student's physician. To initiate homebound services for a student with an educational disability, the student or student's parent/guardian contacts the student's special education teacher to convene an IEP committee meeting.

The final decision to approve homebound instruction lies with the MSD administrative staff, including one or more of the following: the School Principal, Special Services Supervisor, and Superintendent.

#### 4.37

#### EMERGENCY DRILLS

All schools in the District conduct emergency drills monthly. These may include, but are not limited to:

- Fire
- Tornado
- Earthquake
- Lockdown Procedures
- Active Shooter
- School Bus Evacuation

The District shall annually conduct an active shooter drill and school safety assessment. This may be conducted for all District schools in collaboration, when possible, with local law enforcement and emergency management personnel. Students will be included in the drills to the extent that is developmentally appropriate to the age of both the students' configuration of the school and grade.

Legal References: A.C.A. § 12-13-109

A.C.A. § 6-10-110

A.C.A. § 6-10-121

A.C.A. § 6-15-1302

A.C.A. § 6-15-1303

A.C.A. § 6-15-1304

Ark. Division of Academic Facilities and Transportation  
Rules Governing Maintenance and Operations of Ark.  
Public School Buses and  
Physical Examinations of School Bus Drivers 4.03.1

**4.38****PERMANENT RECORDS**

Permanent school records, as required by the Arkansas Department of Education, shall be maintained for each student enrolled in the District until the student receives a high school diploma or its equivalent or is beyond the age of compulsory school attendance. A copy of the student's permanent record shall be provided to the receiving school district upon the transfer of the student to another district within 10 days after the date of the request. A student must use his/her legal birth name for all official documents. Name changes will only be accepted upon receipt of a court order.

Legal References: A.C.A. § 6-18-901

A.C.A. § 6-28-107

DESE Rules Governing Student Permanent Records

The Midland School Board authorizes the use of corporal punishment to be administered in accordance with this policy by the Superintendent or his/her designated staff members who are required to have state-issued licenses as a condition of their employment. Prior to the administration of corporal punishment, the student receiving the corporal punishment shall be given an explanation of the reasons for the punishment and be given an opportunity to refute the charges.

All corporal punishment shall be administered privately, i.e. out of the sight and hearing of other students, and shall be administered in the presence of another certified staff member as a witness, shall not be excessive, or administered with malice. A school district that authorizes use of corporal punishment, shall not use corporal punishment on a child who is intellectually disabled, non-ambulatory, non-verbal, or autistic.

Legal References: A.C.A. § 6-18-503(b)  
DESE Rules Governing Student Discipline and School Safety  
DESE Rules Governing Special Education and Related  
Services Section 11.00 - Discipline

#### 4.40

#### HOMELESS STUDENTS

The Midland School District will afford the same services and educational opportunities to homeless children as are afforded to non-homeless children. The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational agency (LEA) liaison for homeless children and youth whose responsibilities shall include, but are not limited

To:

- Receive appropriate time and training in order to carry out the duties required by law and this policy;
- Coordinate and collaborate with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensure that school personnel receive Professional development and other support regarding their duties and responsibilities for homeless youths;
- Ensure that unaccompanied homeless youths:
  - o Are enrolled in school;
  - o Have opportunities to meet the same challenging State academic standards as other children and youths; and
  - o Are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid;

Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable. To the extent possible, the LEA liaison and the building principal shall work together to ensure no homeless child or youth is harmed due to conflicts with District policies solely because of the homeless child or youth's living situation; this is especially true for District policies governing fees, fines, and absences. Notwithstanding Policy 4.1, homeless students living in the district are entitled to enroll in the district's school that non-homeless students who live in the same attendance area are eligible to attend. If there is a question concerning the enrollment of a homeless child due to a conflict with Policy 4.1 or 4.2, the child shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute, including all appeals. It is the responsibility of the District's LEA liaison for homeless children and youth to carry out the dispute resolution process. For the purposes of this policy "school of origin" means:

- The school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool; and
- The designated receiving school at the next grade level for all feeder schools when the child completes the final grade provided by the school of origin.

The District shall do one of the following according to what is in the best interests of a homeless child: Continue the child's or youth's education in the school of origin for the



duration of Homelessness: In any case in which a family becomes homeless between academic years or during an academic year; and For the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or Enroll the child or youth in any public school that no homeless students who live in the attendance areas in which the child or youth is actually living are eligible to attend. In determining the best interest of the child or youth, the District shall:

- Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- Consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth.

If the District determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, the District shall provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal. For an unaccompanied youth, the District shall ensure that the LEA liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

The homeless child or youth must be immediately enrolled in the selected school regardless of whether application or enrollment deadlines were missed during the period of homelessness. The District shall be responsible for providing transportation for a homeless child, at the request of the parent or guardian (or in the case of an unaccompanied youth, the LEA Liaison), to and from the child's school of origin.

For the purposes of this policy, students shall be considered homeless if they lack a fixed, regular, and adequate nighttime residence and:

- A. Are:
- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
  - Living in emergency or transitional shelters;
  - Abandoned in hospitals; or
- B. Have a primary nighttime residence that is a public or private place not designed for or Ordinarily used as a regular sleeping accommodation for human beings;
- C. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- D. Are migratory children who are living in circumstances described in clauses (a) through (c). In accordance with Federal law, information on a homeless child or youth's living situation is part of the student's education record and shall not be

considered, or added, to the list of directory information in Policy 4.13.

Legal References: 42 U.S.C. § 11431 et seq.

42 U.S.C. § 11431 (2)

42 U.S.C. § 11432(g)(1)(H)(I)

42 U.S.C. § 11432 (g)(1)(J)(i), (ii), (iii), (iii)(I), (iii)(II)

42 U.S.C. § 11432 (g)(3)(A), (A)(i), (A)(i)(I), (A)(i)(II), (A)(ii)

42 U.S.C. § 11432 (g)(3)(B)(i), (ii), (iii)

42 U.S.C. § 11432 (g)(3)(C)(i), (ii), (iii)

42 U.S.C. § 11432 (g)(3)(E)(i), (ii), (iii)

42 U.S.C. § 11432 (g)(3)(G)

42 U.S.C. § 11432 (g)(4) (A), (B), (C), (D), (E)

42 U.S.C. § 11434a

Commissioner's      Memo      COM-18-04

#### **4.41**

#### **PHYSICAL EXAMINATIONS OR SCREENINGS**

The district conducts routine health screenings such as hearing, vision, and scoliosis due to the importance these health factors play in the ability of a student to succeed in school. The intent of the exams or screenings is to detect defects in hearing, vision, or other elements of health that would adversely affect the student's ability to achieve to his/her full potential.

The rights provided to parents under this policy transfer to the student when he/she turns eighteen (18) years old.

Except in instances where a student is suspected of having a contagious or infectious disease, parents shall have the right to opt their student out of the exams or screenings by using form 4.41F or by providing certification from a physician that he/she has recently examined the student.

In compliance with the Family Education Rights and Privacy Act (FERPA) (20U.S.C. & 1232g; 34 CFR Part 99), I give permission for my child's personally identifiable information/student education records to be disclosed to Third Party Billing Vendor for the purpose of billing Medicaid and/or private insurance related to health screenings if applicable. \*\*If object, the parent/guardian should submit in writing to the district within 10 school days upon receipt of this notice.

Legal References: A.C.A. § 6-18-701

**Junior High**

- A student promoted from the sixth to the seventh grade automatically meets the academic eligibility (scholarship) requirements. A student promoted from the seventh to the eighth grade automatically meets the academic eligibility requirements for the first semester.
- The second semester eighth grade student and the first semester ninth grade student meet the academic eligibility requirements for junior high by successfully passing four (4) academic courses the previous semester as specified by the Arkansas Department of Education's Standards for Accreditation of Arkansas Public Schools.
- First semester ninth grade students must pass four academic classes to be eligible for the second semester of the ninth grade. Ninth grade students must meet senior high academic eligibility by the end of the second semester in order to be eligible to participate in the fall of their tenth grade year. Students who have finished two semesters of the ninth grade must follow all senior high (10-12) academic requirements.

NOTE: After the second semester of the ninth grade, students who have not earned enough credits to be classified as a sophomore must meet the scholarship requirements for senior high (10-12) eligibility.

**Senior High**

- The requirement for senior high (10-12) eligibility shall include:  
Passing four academic courses; and A minimum GPA of 2.0, based on the previous semester. The student must have passed four academic courses in the previous semester. Any of these four courses for which concurrent high school credit is earned may be from an institution of higher learning recognized by the Arkansas Department of Education.

Midland School district does not participate in SIP and abides by the Arkansas Activities Association (AAA) guidelines.

**Activity Policy***Purpose for Policy*

The purpose of this policy is to go above and beyond the requirements set forth by the Arkansas Athletic Associations policy of eligibility to play in sporting functions and to include all activities provided by the Midland School District.

*Policy*

The Midland School District activity teachers and coaches will check grades for each active student that participates in any school-led activity(ies) and sporting events that is provided by the Midland School District on each Monday morning by 10:00AM.

If a student is flagged for having an “F” at any time during the nine weeks, they will be given one week to correct their grades due to missing assignments, low scores on assignments, etc. If a student has been absent, that advisor/coach will follow the student handbook absentee policy for make-up work.

- A. IF, the student is able to bring their grades up above an “F” during that week, the student will be eligible to participate during the next weeks’ scheduled activity(ies).
- B. IF, the student is not able to bring their grades up above an “F” during that week, the student will be ineligible to participate during the next week’s scheduled activity(ies).
- C. IF, the student has an “F” during any of the Monday reviews for grades, the student must have above the “F” each week, in order to participate in any activity.

### **Discipline**

- Coaches should be fair and consistent.
- Our general philosophy will be that we will attempt to help someone who makes a mistake. However, if this is repeated, the welfare of the team must take priority. This violation might mean breaking training rules, missing practice, having a poor attitude, etc.
- Coaches have the right to discipline athletes on their individual teams but should exercise sound judgment in administering specific penalties, keeping in mind the welfare of the team as well as the individual.
- No coach should dismiss an athlete from a team before discussing it with the head coach, athletic director and principal, allowing a 24–hour evaluation period except in extenuating circumstances. Remember that the easiest thing to do is remove a problem; saving a student and keeping them in your program takes wisdom and courage.
- Coaches should regularly encourage students to attend practice and classes. Any athlete who does not practice should not play. A medical reason, however, should be considered when holding athletes out of contests for missing practice.
- Athletes assigned in-school suspension cannot be taken out of ISS for practice or to go on team trips. However, they can go with the team on a trip after school is out or play at home.
- Athletes suspended from school (ISS or OSS) cannot attend a practice or a game while suspended.
- Coaches should remind athletes that hazing another student is against state law and will be turned over to the administration of Midland School District and the Independence County Sheriff’s Department.

### **ATTENDANCE REQUIREMENT FOR ACTIVITIES**

Students who are not in attendance for all assigned classes on the day of the activity, will not be allowed to participate in any school activity that day or night unless prior approval or arrangements have been made with the principal before the absence occurs.

#### 4.43

#### CYBER BULLYING/BULLYING POLICY

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

“Bullying” means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public-school employee by a written, verbal, electronic, or physical act that may address an attribute of the other student, public school employee, or person with whom the other student or public-school employee is associated and that causes or creates actual or reasonably foreseeable:

- Physical harm to a public school employee or student or damage to the public school employee’s or student’s property;
- Substantial interference with a student’s education or with a public school employee’s role in education;
- A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
- Substantial disruption of the orderly operation of the school or educational environment;

Examples of “Bullying”; include, but are not limited to, a pattern of behavior involving one or more of the following:

1. Cyberbullying;
2. Sarcastic comments “compliments”; about another student’s personal appearance or actual or perceived attributes,
3. Pointed questions intended to embarrass or humiliate,
4. Mocking, taunting or belittling,
5. Non-verbal threats and/or intimidation such as “fronting” or “chesting” a person,
6. Demeaning humor relating to a student’s actual or perceived attributes,
7. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
8. Blocking access to school property or facilities,
9. Deliberate physical contact or injury to person or property,
10. Stealing or hiding books or belongings,
11. Threats of harm to student(s), possessions, or others,
12. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
13. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether the student self-identifies as

homosexual or transgender (Examples: “Slut”, “You are so gay.”, “Fag”, “Queer”).

“Cyberbullying”; means any form of communication by electronic act that is sent with the purpose to:

- Harass, intimidate, humiliate, ridicule, defame, or threaten a student, school employee, or person with whom the other student or school employee is associated; or
- Incite violence towards a student, school employee, or person with whom the other student or school employee is associated.

Cyberbullying of School Employees includes, but is not limited to:

- a. Building a fake profile or website of the employee;
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
- c. Posting an original or edited image of the school employee on the Internet;
- d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee;
- e. Making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
- f. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;
- g. Signing up a school employee for a pornographic Internet site; or
- h. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

Cyberbullying is prohibited whether or not the cyberbullying originated on school property or with school equipment, if the cyberbullying results in the substantial disruption of the orderly operation of the school or educational environment or is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school and has a high likelihood of succeeding in that purpose.

“Harassment” means a pattern of unwelcome verbal or physical conduct relating to another person’s constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the others performance in the school environment; and

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

- Necessary cessation of instruction or educational activities;

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

Respect for the dignity of others is a cornerstone of civil society. Bullying creates an atmosphere of fear and intimidation, robs a person of his/her dignity, detracts from the safe environment necessary to promote student learning, and will not be tolerated by the Board of Directors. Students who bully another person shall be held accountable for their actions whether they occur on school equipment or property; off school property at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops.

Students are encouraged to report behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, to their teacher or the building principal. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the building principal, or designee, as soon as possible. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the building principal, or designee.

The person or persons reporting behavior they consider to be bullying shall not be subject to retaliation or reprisal in any form.

A building principal, or designee, who receives a credible report or complaint of bullying shall:

1. As soon as reasonably practicable, but by no later than the end of the school day following the receipt of the credible report of bullying:
  - a. Report to a parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student that their student is the victim in a credible report of bullying; and
  - b. Prepare a written report of the alleged incident of bullying;
2. Promptly investigate the credible report or complaint of bullying, which shall be completed by no later than the fifth (5th) school day following the completion of the written report.
3. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis of a student who was the alleged victim in a credible report of bullying whether the investigation found the credible report or complaint of bullying to be true and the availability of counseling and other intervention services.
4. Notify within five (5) days following the completion of the investigation the parent, legal guardian, person having lawful control of the student, or person acting in loco



parentis of the student who is alleged to have been the perpetrator of the incident of bullying:

- a. That a credible report or complaint of bullying against their student exists;
  - b. Whether the investigation found the credible report or complaint of bullying to be true;
  - c. Whether action was taken against their student upon the conclusion of the investigation of the alleged incident of bullying; and
  - d. Information regarding the reporting of another alleged incident of bullying, including potential consequences of continued incidents of bullying;
5. Make a written record of the investigation, which shall include:
- a. A detailed description of the alleged incident of bullying, including without limitation a detailed summary of the statements from all material witnesses to the alleged incident of bullying;
  - b. Any action taken as a result of the investigation; and
6. Discuss, as appropriate, the availability of counseling and other intervention services with students involved in the incident of bullying.

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

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

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

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

Copies of this policy shall be available upon request.

Legal References: A.C.A. § 5-71-217

A.C.A. § 6-18-514

DESE Rules Governing Student Discipline and School Safety

#### **4.44**

#### **NATIONAL ANTHEM**

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

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

Legal References: A.C.A. § 6-10-136

DESE Rules Governing the Star-Spangled Banner Act

#### **4.45 GRADUATION REQUIREMENTS FOR THE CLASS OF 2026**

Information regarding Graduation requirements will be sent home with students prior to their enrolling in seventh (7<sup>th</sup>) grade, or when a seventh (7<sup>th</sup>) through twelfth (12<sup>th</sup>) grade student enrolls in the district for the first time. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. All students are required to fulfill the Core curriculum or the Alternate Pathway to Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians as part of the creation of the student's Student Success Plan.

This policy and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district strategic plan development process<sup>91</sup> to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or the superintendent's designee, shall select the composition of the review panel.

Sufficient information relating to the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding; this shall be accomplished through holding an informational meeting for parents, legal guardians, or persons standing in loco parentis to students enrolled in grades six through twelve (6-12) with the school counselor and may be accomplished through any or all of the additional following means:

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

Administrators, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.<sup>63</sup>

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

#### **GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation.

All students must receive a passing score on the Arkansas Civics Exam in order to graduate.

Students shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation and the use of automated external defibrillators in order to graduate.

## **HONOR GRADUATES, VALEDICTORIAN, AND SALUTATORIAN HONORS COURSES**

To be an honor graduate, the senior must have a **3.5** cumulative GPA. In addition, beginning with the graduating class of 2023, honor graduates must have taken and passed at least four AP classes or Concurrent Credit College Course classes or combination of AP/Concurrent College classes finishing with 24 total credits.

**Students whose GPA is 3.5 or higher and who take the required classes will be considered honor graduates. All ranks will be based on a 5.0 scale. In addition, honor graduates must take the following courses: • 2 years of AP English or Composition I & Composition II • 4 years of math including Algebra I, Geometry, Algebra II, and PreCalculus (or equivalent) • 4 years of Science including Physical Science, Biology, Chemistry, and one of the following: AP Environmental Science, AP Biology, Physics, Anatomy & Physiology, a Concurrent Credit Science • A minimum of 3 AP or concurrent credit courses.**

The honor student with the highest GPA and who has been enrolled in public school in grades 9 through 12 and in Midland High School continuously from the beginning of their sophomore year for a total of six (6) semesters shall serve as the valedictorian.

The honor student with the second highest GPA and who has been enrolled in public school in grades 9 through 12 and in Midland High School continuously from the beginning of their sophomore year for a total of six (6) semesters shall serve as the salutatorian.

**In the case of a tie for valedictorian, all students who tie will be named co-valedictorians. In this case, no salutatorian honor will be bestowed.**

**In the case of a tie for salutatorian, all students who tie will be named co-salutatorian.**

**In the case that no students qualify as an honor graduate, then the student with the highest GPA will be named as the valedictorian. The student with the second highest GPA will be named as salutatorian.**

## **Personal and Family Finance**

All students shall receive credit in a course covering the Personal and Family Finance Standards in order to graduate.

## **Computer Science**

All students shall earn one (1) unit of credit in a computer science or computer science related career and technical education course in order to graduate.

English: four (4) units – 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>

Oral Communications: one-half ( $\frac{1}{2}$ ) unit

Mathematics: four (4) units

- 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 accelerated learning courses may be substituted where applicable)
- A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry.

\* 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

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - o An additional science credit approved by DESE; or
  - o A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- Civics one-half ( $\frac{1}{2}$ ) unit
- World history, one (1) unit
- American History, one (1) unit
- Other social studies – one-half ( $\frac{1}{2}$ ) unit

Physical Education: one-half ( $\frac{1}{2}$ ) unit

**Note:** While one-half (½) 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 (½) unit

Economics – one half (½) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>75</sup>

Fine Arts: one-half (½) unit

### **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 course sequencing and career course concentrations where appropriate.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

A student who completes at least seventy-five (75) clock hours of documented community service in grades nine (9) through twelve (12) at any certified service agency or a part of a service-learning school program shall receive one (1) Career Focus credit.

Cross References: 4.55—STUDENT PROMOTION AND RETENTION

5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT

5.12—COMPUTER SCIENCE INTERNSHIPS AND INDEPENDENT STUDIES

5.16—COMPUTER SCIENCE COURSE PREREQUISITES AND PROGRESSION

Legal References: Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3

DESE Rules Governing Distance and Digital Learning

Commissioner's Memo LS-18-082

A.C.A. § 6-4-302

A.C.A. § 6-15-2906

A.C.A. § 6-15-2911

A.C.A. § 6-16-122

A.C.A. § 6-16-143

A.C.A. § 6-16-149

A.C.A. § 6-16-150

A.C.A. § 6-16-152

A.C.A. § 6-28-115

### **GRADUATION CEREMONY**

In order to be eligible to participate in the commencement exercises, a student must meet the following criteria:

- Each student must be attending on a full-time basis during the eighth semester unless the student has completed all requirements for graduation and has been previously approved for the early graduation status.
- Students must meet all credit and GPA requirements for graduation to participate in commencement exercises.
- Students who owe any fines or fees may not participate in the graduation ceremony.
- Students must attend the full session of graduation practice in order to participate in commencement, unless prior permission has been granted by a principal.
- The Senior class president will present a short welcome on behalf of the class.

### **EARLY GRADUATION**

**In addition to the above graduation ceremony criteria**, beginning in the 2025-26 school year, all of the following requirements must be in place in order for a student to be considered for early graduation:

1. Those desiring early graduation must pick up a form in the counselor's office and receive permission from the principal. The early graduation form must be completed and approved before the start of the student's junior year.
2. Early graduates who wish to participate in the graduation ceremony must do so in the spring immediately following their last completed semester.
3. The student wishing to participate in early graduation must have met the attendance policy guideline with no excessive absences during their ninth and tenth grade year.

### **GRADUATION ATTIRE**

- **Decorated graduation caps are not allowed to be worn during any school activity.**



- **All additional cords/sashes/pins etc. that have not been issued by the school must be pre-approved by the principal in order to wear during any graduation ceremony or activity.**
- **Students are expected to follow all graduation ceremony clothing/shoe requirements communicated to them by their Senior class sponsors.**

### **SCHEDULE CHANGES**

Students and parents need to be aware that the choices made on the pre-registration form are binding because faculty and scheduling are based on the pre-registration choices. Both students and parents/guardians must sign the pre-registration form. If a student fails to list enough courses or alternates on their pre-registration form, they will be assigned to classes their counselor deems appropriate.

### **SCHEDULE CHANGES WILL ONLY BE ACCOMMODATED THE FIRST TWO WEEKS OF THE SEMESTER. With the following exceptions:**

- when a change is required due to a clerical error, to balance class loads, or to meet graduation requirements.
- when enrollment in a course is insufficient, the course may be dropped from the schedule for one year.
- students who drop a class after the 10th day of the semester will receive an "F" in the course.

**STUDENTS MAY SUBMIT ONE SCHEDULE CHANGE FORM PER SEM.  
ADDITIONAL SCHEDULE CHANGE FORMS WILL NOT BE PROCESSED.  
STUDENTS ARE NOT ALLOWED TO REQUEST SPECIFIC TEACHERS.**

#### 4.45.1 GRADUATION REQUIREMENTS FOR THE CLASS OF 2027 AND THEREAFTER

Information regarding Graduation requirements will be sent home with students prior to their enrolling in seventh (7<sup>th</sup>) grade, or when a seventh (7<sup>th</sup>) through twelfth (12<sup>th</sup>) grade student enrolls in the district for the first time. This policy is to be included in student handbooks for grades six (6) through twelve (12) and both students and parents must sign an acknowledgement they have received the policy. All students are required to fulfill the Core curriculum or the Alternate Pathway to Graduation when required by their IEP to be eligible for graduation. Counseling by trained personnel shall be available to students and their parents or legal guardians as part of the creation of the student's Student Success Plan.

This policy and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district strategic plan development process<sup>91</sup> to determine if changes need to be made to better serve the needs of the district's students. The superintendent, or the superintendent's designee, shall select the composition of the review panel.

Sufficient information relating to the district's graduation requirements shall be communicated to parents and students to ensure their informed understanding; this shall be accomplished through holding an informational meeting for parents, legal guardians, or persons standing in loco parentis to students enrolled in grades six through twelve (6-12) with the school counselor and may be accomplished through any or all of the additional following means:<sup>42</sup>

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

Administrators, or their designees, shall train newly hired employees, required to be licensed as a condition of their employment, regarding this policy. The district's annual professional development shall include the training required by this paragraph.<sup>63</sup>

To the best of its ability, the District shall follow the requirements covering the transfer of course credit and graduation set forth in the Interstate Compact on Educational Opportunity for Military Children and the Arkansas Military Child School Transitions Act of 2021 for all students who meet the definition of "eligible child" in Policy 4.2—ENTRANCE REQUIREMENTS including the waiving of specific courses that are required for graduation if similar coursework has been satisfactorily completed.

#### **GRADUATION REQUIREMENTS**

The number of units students must earn to be eligible for high school graduation is to be earned from the categories listed below. A minimum of twenty-two (22) units is required for graduation. All students must receive a passing score on the Arkansas Civics Exam in order to graduate.

Students shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation and the use of automated external defibrillators in order to graduate.

### **HONOR GRADUATES, VALEDICTORIAN, AND SALUTATORIAN HONORS COURSES**

To be an honor graduate, the senior must have a 3.5 cumulative GPA. In addition, beginning with the graduating class of 2023, honor graduates must have taken and passed at least four AP classes or Concurrent Credit College Course classes or combination of AP/Concurrent College classes finishing with 24 total credits.

Students whose GPA is 3.5 or higher and who take the required classes will be considered honor graduates. All ranks will be based on a 5.0 scale. In addition, honor graduates must take the following courses: • 2 years of AP English or Composition I & Composition II • 4 years of math including Algebra I, Geometry, Algebra II, and PreCalculus (or equivalent) • 4 years of Science including Physical Science, Biology, Chemistry, and one of the following: AP Environmental Science, AP Biology, Physics, Anatomy & Physiology, a Concurrent Credit Science • A minimum of 3 AP or concurrent credit courses.

The honor student with the highest GPA and who has been enrolled in public school in grades 9 through 12 and in Midland High School continuously from the beginning of their sophomore year for a total of six (6) semesters shall serve as the valedictorian.

The honor student with the second highest GPA and who has been enrolled in public school in grades 9 through 12 and in Midland High School continuously from the beginning of their sophomore year for a total of six (6) semesters shall serve as the salutatorian.

In the case of a tie for valedictorian, all students who tie will be named co-valedictorians. In this case, no salutatorian honor will be bestowed.

In the case of a tie for salutatorian, all students who tie will be named co-salutatorian.

In the case that no students qualify as an honor graduate, then the student with the highest GPA will be named as the valedictorian. The student with the second highest GPA will be named as salutatorian.

### **Personal and Family Finance**

All students shall receive credit in a course covering the Personal and Family Finance Standards in order to graduate.

### **Computer Science**

All students shall earn one (1) unit of credit in a computer science or computer science related career and technical education course in order to graduate.

## Community Service

Except as otherwise provided by this policy or the student's IEP, each student must receive seventy-five (75) clock hours of community service that is certified by the service agency or organization where the student volunteers or the student's parent. The community service must be in programs or activities, either in Arkansas or outside of Arkansas, that meet the requirements established by the State Board and the District Board of Directors and include preparation, action, and reflection components. A student who transfers into the District after ninth (9th) grade must receive at least the following documented clock hours of community service each year:

- o Fifteen (15) hours for students in grade nine (9);
- o Twenty (20) hours for students in grade ten (10);
- o Twenty (20) hours for students in grade eleven (11); and
- o Twenty (20) hours for students in grade twelve (12).

Students transferring into the District after grade nine (9) or students who are graduating early may receive a diploma provided that the minimum requirement for each year the student attends the District is met. The District Board of Directors may grant a waiver of the community service requirement for extenuating circumstances on a case-by-case basis, which may include without limitation:

- A major illness associated with a student or a family member of a student;
- Student homelessness or housing insecurity; and
- Notice to the public school district board of directors if the student is a major contributor to family income.

English: four (4) units – 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>

Oral Communications: one-half (½) unit

Mathematics: four (4) units

- 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 accelerated learning courses may be substituted where applicable)

- A computer science flex credit may be taken in the place of a math credit beyond Algebra I and Geometry.

\* 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

- a. DESE approved biology – 1 credit;
- b. DESE approved physical science – 1 credit; and
- c. A third unit that is either:
  - o An additional science credit approved by DESE; or
  - o A computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

- Civics one-half ( $\frac{1}{2}$ ) unit
- World history, one (1) unit
- American History, one (1) unit
- Other social studies – one-half ( $\frac{1}{2}$ ) unit

Physical Education: one-half ( $\frac{1}{2}$ ) unit

**Note:** While one-half ( $\frac{1}{2}$ ) 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 ( $\frac{1}{2}$ ) unit

Economics – one half ( $\frac{1}{2}$ ) unit – dependent upon the licensure of the teacher teaching the course, this can count toward the required three (3) social studies credits or the six (6) required Career Focus elective credits.<sup>75</sup>

Fine Arts: one-half ( $\frac{1}{2}$ ) unit

**CAREER FOCUS: - Six (6) units**

All career focus unit requirements shall be established through guidance and counseling based on the student's contemplated student success plans. 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.

A student who enlists in a branch of the United States Armed Forces or the National Guard through the military delayed entry program, the National Guard Split Training Option, or other similar early entry program and completes basic training before graduating from high school shall receive two (2) units of the Career Focus graduation requirements.

Cross References:    4.55—STUDENT PROMOTION AND RETENTION  
                              5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT  
                              5.12—COMPUTER SCIENCE INTERNSHIPS AND INDEPENDENT STUDIES  
                              5.16—COMPUTER SCIENCE COURSE PREREQUISITES AND PROGRESSION

Legal References:    Standards for Accreditation 1-C.2, 1-C.2.1, 1-C.2.2, 1-C.2.3

DESE Rules Governing Distance and Digital Learning

Commissioner’s Memo COM-24-021

Commissioner’s Memo LS-18-082

A.C.A. § 6-4-302

A.C.A. § 6-15-2906

A.C.A. § 6-15-2911

A.C.A. § 6-16-122

A.C.A. § 6-16-143

A.C.A. § 6-16-149

A.C.A. § 6-16-150

A.C.A. § 6-16-152

A.C.A. § 6-16-1901 et seq.

A.C.A. § 6-28-115

**Any pre-approved concurrent credit course will be placed on the student's high school transcript. Students/guardians must sign a contract provided by the MSD explaining Arkansas Act 456 and other requirements.**

**Beginning with the 2025-26 school year, Concurrent Credit Courses—including both CTE and non-CTE—may now be taken for weighted credit without needing approval.**

**This includes secondary career center classes, such as college welding courses, as long as they meet the standard concurrent credit requirements (e.g., being transcribed through a regionally accredited institution and aligned with high school graduation credit).**

**If a student has taken a concurrent credit course prior to the 2025-26 school year, that course will not be weighted.**

**\*One (1) high school credit will be given for each 3 or more credit-hour college course.**

**\*One half (.5) high school credit will be given for each 1 credit-hour college course.**

**\*No high school credit will be given for College Orientation or College Seminar.**

- **Students not meeting the requirements of Act 456 and making a 'D' or 'F' in a concurrent credit class OR withdrawing from a class, either by choice or by the instructor, will reimburse the Midland School District for the cost of the class(\$125) and the cost of the textbook/online access fee.**
- **Students not meeting the requirements of any concurrent class a SECOND time will reimburse the Midland School District for the cost of the class(\$125), the cost of the textbook/online access fee, and will no longer be able to take concurrent credit classes through NPC while a student of the Midland School District.**
- **The courses that are taken will be courses deemed necessary and as determined by the school administration**

#### **CREDIT RECOVERY BEGINNING 2023-2024**

A requirement of a student to retake a course or complete credit recovery via the software used by the school for the course shall be primarily based on the pass or failure grade assigned from the student's prior enrollment in that course. A student assigned to a credit recovery semester course shall complete the assigned curriculum within the semester. The grade will be added to the student's transcript at semester's end. The high school principal or designee may waive this paragraph's provisions when the student's failure to complete the assigned curriculum was due to exceptional or extraordinary circumstances. A maximum of seven (7) credits may be recovered through credit recovery options.

## **MARKETING OF PERSONAL INFORMATION**

The Midland School District shall not collect, disclose, or use personal information for the purpose of marketing or selling that information or to otherwise provide that information to others for that purpose.

Personal information is defined, for the purposes of this policy only, as individually identifiable information including:

1. a student or parent's first and last name;
2. a home or other physical address (including street name and the name of the city or town);
3. telephone number; and
4. social security identification number.

The District may collect, disclose, or use personal information that is collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutional such as the following:

1. college or other postsecondary education recruitment, or military recruitment;
2. book clubs, magazines, and programs providing access to low cost literary products;
3. curriculum and instructional materials used by elementary schools and secondary schools;
4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. the sale by students of products or services to raise funds for school related or education related activities; and
6. student recognition programs.



#### 4.47

#### CELL PHONE USE

For the purpose of the policy below, the Midland School District defines "personal electronic device" to be without limitation cellular telephone; paging device; beeper; mobile telephone that offers advanced computing and internet accessibility; digital media player; portable game console; tablet, notebook, or laptop computer; digital camera; and digital video or audio recorder; smart watch; and device that can connect and transmit data through Bluetooth technology; and "school day" means from the time students are required to be at school until the time students are dismissed from school.

In accordance with Arkansas State Law "Bell to Bell, No Cell" Act (122), school districts shall restrict student possession of any type of personal electronic device during the school day.

Midland School District Students may not keep Cell Phones, Earbuds, Headphones, Smartwatches, Personal Laptops, and any other personal electronic devices on their person or in their pocket at any time during the school day. Devices should be powered off and left in a backpack, locker, or vehicle and remain unseen until the end of the school day.

A student may use a personal electronic device during the school day if:

- The personal electronic device is required by the student's individual education plan (IEP), 504 Plan, or Individual Health Plan for health reasons
- The use of the personal electronic device is during an emergency as defined by this policy
- The student is enrolled in an endorsed concurrent enrollment course at an institution of higher education, and the use of the personal electronic device is necessary in order to utilize two-factor authentication to access course work and resources for the endorsed concurrent enrollment course. The use of the personal electronic device shall be limited to the time necessary to complete the two-factor authentication process.
- The use of the personal electronic device is during a special event during the school day

UNAUTHORIZED LIVE STREAMING, VIDEOING, AND AUDIO RECORDING OR POSSESSION OF AN UNAUTHORIZED VIDEO OR AUDIO RECORDING IS STRICTLY PROHIBITED.

Refusing to follow the school cell phone policy, or not turning in your cell phone when asked, will be considered an act of insubordination and may result in disciplinary actions up to and including 5 days out of school suspension (OSS) and parent notification on the first offense. Additional acts of insubordination may result in additional out of school suspension and/or recommendation for expulsion.

#### **Consequences for failure to follow policy:**

- Any student found in possession of any personal electronic device during the regular school day will face the following consequences:
  - **1st Offense:** 1 Day Lunch Detention + Student's device will be placed in a locked container and parents pick it up.
  - **2nd Offense:** 1 Day In School Suspension + Student's device will be placed in a

- locked container and parents pick it up.
- **3rd Offense:** 3 Days In-School Suspension + Student's device will be placed in a locked container and parents pick it up daily.
- **4th Offense:** 5 Days In-School Suspension + Student's device will be turned into the superintendent's office and parents will pick it up daily.
- **5th Offense:** 3 Days Out of School Suspension + Student's device will be turned into the school office daily for the remainder of the school year upon the student's return to school.
- Continued offenses will be treated and disciplined as insubordination.

Midland School District will not assume responsibility for any electronic device brought on the premises.

**4.47-2****CELL PHONE USE (TESTING POLICY)**

The possession of ALL electronic devices with recording/picture capability (phones, Ipads, Apple Watches, Etc.) is prohibited in the proximity of testing materials and rooms. Students and teachers will turn cell phones and electronic devices off and place them into a designated, secure location provided by the teacher. Student devices will be taken up and students will follow the 3rd Offense from the (6.10 Cell Phone Use).

During state assessments, teachers and students are not allowed to have cell phones or any electronic communication devices on their person. Preferably, they should not bring them into the testing room; if they do, these devices must be turned off and placed in the tub provided by the teacher. Alarms on watches or other electronic devices are also prohibited, as this can also distract other students.

**Legal References:**

A.C.A. § 6-15-2907

A.C.A. § 6-18-515

A.C.A. § 27-51-1602

A.C.A. § 27-51-1603

A.C.A. § 27-51-1609

DESE Test Administration Manual

DESE Rules Governing Student Discipline and School Safety

**4.48****VIDEO SURVEILLANCE**

The Midland School Board authorizes the use of video surveillance cameras in the buildings, district property, and buses. Signs are posted in each building to notify staff, patrons and visitors that cameras may be in use. Students will be held responsible for rule violations caught by the cameras.

**Legal References:**

20 USC 1232g

20 U.S.C. 7115

34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31

#### 4.49

#### SPECIAL EDUCATION

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

- Within the district boundaries; or
- Outside of the District boundaries but are enrolled in the District. It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA. For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the state and federal statutes governing special education. Implementation of an Individualized Education Program (IEP) in accordance with the IDEA satisfies the district's obligation to provide a free and appropriate education under Section 504.

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

Legal References: 34 C.F.R. part 300

20 U.S.C. §1400 et seq.

29 U.S.C. § 794

42 U.S.C. §12101 et seq.

A.C.A. § 6-41-102

A.C.A. § 6-41-103

A.C.A. § 6-41-201 et seq.

#### **4.50 SCHOOL MEAL MODIFICATIONS**

The district only provides modified meal components on menus to accommodate students with a disability. A parent/guardian wishing to request dietary accommodations for their student with a disability must submit to the district's Director of Child Nutrition a medical statement completed by a State licensed healthcare professional.

#### **BREAKFAST and LUNCH**

Midland School District serves two meals per day, breakfast and lunch. All students receive free breakfast daily and are ENCOURAGED to eat in the cafeteria. Breakfast is served from 7:20-7:50 on both the elementary and high school campuses.

Credit is not offered for purchases in the school cafeteria.

**4.54/4.55****PROMOTION/RETENTION/LOSS OF CREDIT**

Parents will be informed when there is a possibility that the continuation of current academic achievement levels may result in student retention or loss of credit at grade level or subject area. The parents will then work with school staff to develop a plan to promote success. The final decision regarding promotion/retention will take into consideration multiple factors, which include grades, standardized test data, IEP goal attainment if appropriate, RTI data, staff and parental input, and attendance. The principal has the final decision regarding promotion/retention/Loss of Credit. If retention is recommended, notice and the reason for the retention will be promptly communicated to parents in a personal conference.

Students in grades one through six that are identified for academic distress by past performance on the most recent standardized test who refuses to participate in the remediation program will be retained at grade level in accordance with state statute. Any student that has been deemed in academic distress and fails to accept remediation, but scores Proficient on the State approved standardized test shall not be retained in accordance with state law.

Legal References:

A.C.A. § 6-15-2001

A.C.A. § 6-15-2005

A.C.A. § 6-15-2006

A.C.A. § 6-15-2907

A.C.A. § 6-15-2911

A.C.A. § 9-28-205

DESE Rules Governing the Arkansas Educational Support and Accountability Act

DESE Rules Governing Grading and Course Credit

Murphy v. State of Ark., 852 F.2d 1039 (8th Cir. 1988)

#### **4.60**

### **STUDENT BEHAVIORAL INTERVENTION**

If a student is in crisis and in danger of hurting themselves or others, restraint by trained/certified school personnel may be used to deescalate the situation.

Legal Reference: A.C.A. § 6-18-2401 et seq.

#### **DISCIPLINE FOR DISABLED**

- Disabled students who engage in misbehavior are subject to normal school disciplinary rules and procedures so long as such treatment does not abridge the right to free appropriate public education.
- The Individualized Education Plan (IEP) team for a disabled student should consider whether particular discipline procedures should be adopted for that student and included in the IEP.
- Disabled students may be excluded from school only in emergencies and only for the duration of the emergency. In no case should a disabled student be excluded for more than ten days in a school year.
- After an emergency suspension is imposed on a disabled student, an immediate meeting of the student's IEP team should be held to determine the cause and effect of the suspension with a view toward assessing the effectiveness and appropriateness of the student's placement.
- The suspended student should be offered alternate educational programming for the duration of the exclusion should the exclusion exceed ten days.
- A school district that authorizes use of corporal punishment, shall not use corporal punishment on a child who is intellectually disabled, non-ambulatory, non-verbal, or autistic.



## **2025-26 STUDENT HANDBOOK COMMITTEE MEMBERS**

1. Toby Crosby, Administrator
2. Jessica Gilmer, Administrator
3. Cindy Armstrong, Administrator
4. Kassy Whitener, Teacher
5. Misty Lindsey, Teacher
6. Jennifer Crumby, Teacher
7. Cassie Holt, Teacher
8. Tonya Lamb, Administrative Assistant
9. Ashley Conder, District Nurse
10. Stefani Adams, Parent
11. Andrea Wood, Parent
12. Cooper Adams, Student
13. Aiden Wood, Student