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BOARD GOVERNANCE AND OPERATIONS
1.1—LEGAL STATUS OF THE BOARD OF DIRECTORS

By the authority of Article 14 of the Arkansas Constitution, the General Assembly has provided that locally elected school boards will be responsible for the lawful operation and maintenance of its local schools.

While the Board has a broad range of powers and duties, its individual members only have authority when exercising their responsibilities in a legally convened meeting acting as a whole. The sole exception is when an individual member has been delegated authority to represent the Board for a specific, defined purpose. In matters such as personnel discipline, expulsions, and student suspensions initiated by the superintendent, the Board serves as a finder of fact, not unlike a jury. For this reason, the board should not be involved in or, to the extent practicable, informed of the facts or allegations of such matters prior to a board hearing on those disciplinary matters in which the Board could become involved.

It is the policy of the Bryant School Board that its actions will be taken with due regard for its legal responsibilities and in the belief that its actions shall be in the best interests of its students and the District as a whole.

Legal Reference: A.C.A. § 6-13-620

Date Adopted: November 17, 2014

Last Revised:
1.2—BOARD ORGANIZATION and VACANCIES

Membership of Local Board
The Board of Education shall consist of seven (7) members. Membership on the Board requires that the person seeking election be a bona fide resident and a qualified elector in the Bryant School District. The term of office shall be five (5) years, unless completing the unfilled term of a previous Board member.

The annual school election shall be held in accordance with Arkansas Statutes, and is administered by the County Board of Election Commissioners.

In addition to qualifications already mentioned, a person wishing to have his/her name placed on the ballot as a candidate for a place on the Board of Education is required to circulate a petition securing the signatures of no fewer than twenty (20) qualified electors of the school district. This petition shall be filed with the County Clerk no later than forty-five (45) days prior to the annual school election.

Election of Officers
The Board shall elect a president, vice president, and secretary at the first regular meeting following the later of the certification of the results of the annual school election or if there is a runoff election, at the first regular meeting following the certification of the results of a run-off election. Officers shall serve one-year terms and perform those duties as prescribed by policy of the Board. The Board shall also elect one of its members to be the primary board disbursing officer and may designate one or more additional board members as alternate board disbursing officers.

When the position of an officer of the board becomes vacant, the officer’s position shall be filled for the remainder of the year in the same manner as for the annual election of officers after the annual school election. Election of Board officers shall not occur except on a once per year basis or to fill an officer vacancy.

Vacancies
A vacancy shall exist on the Board if a board member:

1. Moves his or her bona fide permanent residence outside the boundaries of the school district;
2. Fails to physically attend three (3) consecutive regular meetings of the school district board of directors;
3. Fails to physically attend six (6) regularly scheduled board meetings of the school board of directors in a calendar year;
4. Fails to receive the mandatory hours of training within the statutory time period;
5. Is convicted of a felony;
6. Is called to active military duty;
7. Has served a full-length term as a holdover and has not subsequently been elected to another term;
8. Resigned from the school board of directors; or

If credible evidence of a vacancy existing due to numbers 1 through 4 is presented to the president, vice president, or secretary of a school district board of directors, a majority of the members of the school district board of directors shall:

- Vote on whether to appoint an independent investigator to investigate the credible evidence presented; and
- Hold a hearing on the existence of a vacancy.
A vacancy does not exist for numbers 2, 3, and 4 if the reason for the member’s absences or failure to receive training is either:

a. Military service of the board member; or
b. Illness of the board member that is verified by a written sworn statement of the board member’s attending physician.

If a vacancy occurs on the board of directors, provided at least a quorum of the Board remains, the Board has thirty (30) days in which to appoint a successor to a vacated position on the Board. The successor must be registered to vote in the District and, if applicable, resides in the zone of the vacant position. If less than a quorum of the Board remains or the Board fails to fill the vacancy within thirty (30) days of the vacancy, the position shall be filled by the county quorum court.

When a vacancy on the Board resulted from a board member’s failure to receive the required training within the statutory time period, the board shall not appoint the individual who failed to receive the required training to fill the vacancy.

Except for a temporary vacancy due to military service, an individual appointed to fill a vacancy shall serve until the annual school election following the appointment. An individual appointed to fill a temporary vacancy due to military service shall serve until either the Board member who has been called to active military service returns and notifies the Board secretary of his/her desire to resume service on the Board or the Board member's term expires. If a Board member's term expires while the board member is on active military duty, the board member may run for re-election; if re-elected, the re-elected Board member's temporary vacancy shall be filled again in the manner prescribed in this policy.

The secretary of the school district board of directors shall notify the county clerk of an appointment to the school district board of directors within five (5) days of the appointment being made. The notice shall include the name of the appointed board member and the expiration date of his or her term.

An individual appointed to fill a vacancy must submit proof of having received the oath of office to the county clerk before the individual may assume any duties.

Cross References: 1.3—DUTIES OF THE PRESIDENT
1.4—DUTIES OF THE VICE-PRESIDENT
1.5—DUTIES OF THE SECRETARY
1.11—BOARD MEMBER TRAINING
1.16—DUTIES OF BOARD DISBURSING OFFICER
1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS

Legal References: A.C.A. § 6-13-611
A.C.A. § 6-13-612
A.C.A. § 6-13-613
A.C.A. § 6-13-616
A.C.A. § 6-13-618
A.C.A. § 6-13-629
Date Adopted: November 17, 2014

Last Revised: June 20, 2019
**1.3—DUTIES OF THE PRESIDENT**

The duties of the president of the Board of Education shall include, but shall not be limited to:

1. Presiding at all meetings of the Board;

2. Calling special meetings of the Board;

3. Working with the Superintendent to develop Board meeting agendas;

4. Signing all official documents that require the signature of the chief officer of the Board of Education;

5. Appointing all committees of the Board and serving as ex-officio member of such committees; and

6. Performing such other duties as may be prescribed by law or action of the Board.

The president shall have the same right as other members to offer resolutions, make or second motions, discuss questions, and to vote.

Legal Reference: A.C.A. § 6-13-619 (a) (1)

Date Adopted: November 17, 2014

Last Revised:
1.4—DUTIES OF THE VICE-PRESIDENT

The duties of the Vice President of the Board shall include:

1. Serving as presiding officer at all school board meetings from which the president is absent; and

2. Performing such other duties as may be prescribed by action of the Board.

Date Adopted: November 17, 2014

Last Revised:
1.5—DUTIES OF THE SECRETARY

The duties of the Secretary of the Board shall include:

1. Being responsible to see that a full and accurate record of the proceedings of the Board are permanently kept and shall;
   a. Record in the minutes, the members present, by name, at the meeting including the time of any member's late arrival to, or early departure from, a meeting;
   b. Record the outcome of all votes taken including the time at which the vote is taken.

2. Serving as presiding officer in the absence of the President and the Vice President;

3. Being responsible for official correspondence of the Board;

4. Signing all official documents that require the signature of the Secretary of the Board of Education;

5. Calling special meetings of the Board; and

6. Performing such other duties as may be prescribed by the Board.

Legal Reference: A.C.A. § 6-13-619 (a)(1)(b)

Date Adopted: November 17, 2014

Last Revised:
1.6—BOARD MEETINGS - PROCEDURES

Regular Meetings

The superintendent shall confer with the President of the Board in setting the exact date and time of the meetings of the Board. The meetings of the Board shall be open to the public and the public is urged to attend. Any person may call the superintendent's office for information about the time and place of the meetings. The press shall be notified in accordance with state law concerning the meetings of the Board.

Except as otherwise provided, the Board shall observe Robert's Rules of Order Revised in conducting its meetings and shall operate as a committee of a whole.

A proper record of each meeting shall be maintained. This record will constitute the official minutes of the Board and shall be kept in the superintendent's office. All School Board meetings (regular and special meetings) may be audio taped. The minutes of the proceedings of any regular or special meeting of the Board shall be posted on the district website.

The Student Senate will select a member to make monthly presentations to the Board.

Special Called Meetings

The president may call a special meeting of the Board when expedience demands. The vice-president, the secretary, or three members of the Board have the right to call a special meeting. A petition in writing signed by fifty (50) electors in the district may require the president to call a special meeting. No business shall be transacted at a special meeting which does not come within the purpose of the called meeting unless all members are present and agree to the consideration of the additional items.

Procedures with the Board

Changes in policies and regulations may be amended by a majority vote of the Board. The superintendent shall take the necessary steps to give the Board ample notice and full information on any proposed change. Any motion changing Board policy must first be presented at a meeting of the Board with no action taken. Action on the policy change motion will be taken at the following regular Board meeting; or with the unanimous vote of the Board, action may be taken at the meeting in which the policy change is presented.

The Board reaffirms its past practice toward dealing with anyone asking to meet with the Board. Before anyone meets with the Board to discuss their grievance, they must meet first with the teacher involved; and if no satisfaction is reached, then with the principal. If there is still no satisfaction, an appointment should be made with the superintendent or designee to discuss the problem. If still unsatisfied, they may ask to be put on the Board's agenda – to be done not later than fourteen (14) calendar days in advance of the Board meeting. Only facts are to be discussed in order for the Board to have an opportunity to check into the grievances to be discussed. These charges are to be stated in writing and signed by the aggrieved party.
For members of the school staff, the proper procedure in resolving problems not covered in the written policies of the district shall first be to contact the principal. If satisfaction is not reached at this level, then the superintendent will give the final decision.

**Establishment of a Quorum**
A quorum of the Board is a majority of the membership of the Board. No vote or other board action may be taken unless there is a quorum present. Except as provided in Policy 1.6.1 – ATTENDING MEETINGS REMOTELY, a Board member must be physically present at a meeting to be counted toward establishing a quorum or to be eligible to vote. A majority of the quorum voting affirmatively is necessary for the passage of any motion. A quorum must be physically present for a board to enter executive session.

**Voting and failure to vote**
Except as provided in Policy 1.6.1 – ATTENDING MEETINGS REMOTELY, all Board members, including the President, shall vote on each motion, following a second and discussion of that motion.

Failure of any Board member to vote, while physically present in the meeting room, shall be counted as a “no” vote, i.e., a vote against the motion.

Only those votes taken by the Board in open session are legally binding. No motion made or vote taken in executive session is legally binding, although a non-binding, unofficial and non-recorded vote may be taken in executive session to establish consensus or further discussion.

**Abstentions from Voting**
In order for a Board member to abstain from voting, he must declare a conflict and remove himself from the meeting room during the vote. A Board member who removes himself/herself from a meeting during a vote due to a conflict of interest shall not be considered present at the meeting for the purpose of establishing a quorum until the member returns to the meeting after the vote.

Cross Reference: 1.6.1 – ATTENDING MEETINGS REMOTELY

Legal Reference: A.C.A. § 6-13-619 (c)
A.C.A. § 25-19-106(c)(4)

Date Adopted: November 17, 2014
Last Revised: April 18, 2018
1.6.1—ATTENDING MEETINGS REMOTELY

The Board of Directors permits members who would be otherwise unable to physically attend a board meeting to attend the meeting remotely. Except where prohibited by this policy, a board member who attends remotely shall have the same rights and privileges as if the board member were physically present. A board member who will be unable to physically attend a board meeting is responsible for notifying the superintendent at least one (1) hour prior to the schedule meeting time that the member will be unable to physically attend the meeting and intends to attend remotely.

The method used to permit members of the board of directors to attend remotely shall:
1) Provide a method for the president or secretary of the board of directors to verify the identity of the member(s) attending remotely;
2) Allow the members of the Board physically present and members of the public to hear the member(s) attending remotely at all times; and
3) Allow the member(s) attending remotely to hear the members of the board of directors physically present at the meeting at all times and any public comment.

A board member attending remotely shall not:
a) Attend an executive session or closed hearing; or
b) Vote on an issue that is the subject of an executive session or closed hearing.

The Board minutes shall indicate if a board member is attending remotely and the method used to permit the member to attend remotely. If an executive session occurs during a meeting when a board member is attending remotely, the minutes will treat the board member attending remotely as though the member had left the room for any vote on a subject discussed in the executive session.

Up to three (3) times per calendar year, the board of directors may count a board member attending remotely for the purpose of establishing a quorum. Each director shall only be allowed to vote remotely a maximum of three (3) board meetings per calendar year. A board member attending remotely used to establish a quorum shall not be counted to determine if the board may enter executive session.

Legal Reference: A.C.A. § 6-13-619

Date Adopted: June 15, 2015

Last Revised:
1.7—POWERS AND DUTIES OF THE BOARD

The Bryant Board of Education, operating in accordance with state and federal laws, assumes its responsibilities for the operation of Bryant Public Schools. The Board shall concern itself primarily with the broad questions of policy as it exercises its legislative and judicial duties. The administrative functions of the District are delegated to the Superintendent who shall be responsible for the effective administration and supervision of the District.

Some of the duties of the Board include:

1. Developing and adopting policies to affect the vision, mission, and direction of the District;

2. To delegate to the superintendent the interpretation of the Board's policies and the administration of the school system in accordance with these policies. The Board shall support the superintendent in the discharge of his/her duties.

3. Understanding and abiding by the proper role of the Board of Directors through study and by obtaining the necessary training and professional development;

4. Electing and employing a Superintendent and giving him/her the support needed to be able to effectively implement the Board’s policies;

5. Conducting formal and informal evaluations of the Superintendent annually or no less often than prior to any contract extension;

6. Employing, upon recommendation of the administrative staff and by written contract, the staff necessary for the proper conduct of the schools;

7. Approving the selection of curriculum and seeing that all courses for study and educational content prescribed by the State Board or by law for all grades of schools are offered and taught;

8. To present to the public the needs and progress of the educational program of the district.

9. Reviewing, adopting, and publishing the District’s budget for the ensuing year;

10. To approve the annual school calendar;

11. Being responsible for providing sufficient facilities, grounds, and property and ensuring they are managed and maintained for the benefit of the district;

12. Monitoring District finances and receiving, reviewing, and approving each annual financial audit;

13. Understanding and overseeing District finances to ensure alignment with the District’s academic and facility needs and goals;

14. Visiting schools and classrooms when students are present no less than annually;

15. Setting an annual salary schedule;
16. Being fiscally responsible to the District’s patrons and maintaining the millage rate necessary to support the District’s budget;

17. To provide, within the financial ability of the district, adequate supplies, and instructional materials.

18. Involving the members of the community in the District’s decisions to the fullest extent practicable; and

19. Striving to assure that all students are challenged and are given an equitable educational opportunity.

Legal References: A.C.A. § 6-13-620, 622

Date Adopted: November 17, 2014

Last Revised:
1.8—GOVERNANCE BY POLICY

The district shall operate within the legal frameworks of the State and Federal Constitutions, and appropriate statutes, regulations, and court decisions. The legal frameworks governing the district shall be augmented by policies adopted by the board of directors which shall serve to further define the operations of the district.

When necessitated by unforeseen circumstances, the Superintendent shall have the power to decide and take appropriate action for an area not covered by the legal frameworks or a policy of the Board. The Superintendent shall inform the members of the Board of such action. The Board shall then consider whether it is necessary to formulate and adopt a policy to cover such circumstances.

The official copy of the policy manual for the District shall be kept in the Superintendent’s office. Copies of the manual within the District shall be kept current, but if a discrepancy occurs between manuals, the Superintendent’s version shall be regarded as authoritative.

Administrative regulations shall be formulated to implement the intentions of the policies of the Board. Regulations may be highly specific. The Board shall review administrative regulations prior to their implementation.

Date Adopted: November 17, 2014

Last Revised:
1.9—POLICY FORMULATION

The Board affirms through its policies and its policy adoption process, its belief that: (1) the schools belong to the people who create them by consent and support them by taxation; (2) the schools are only as strong as an informed citizenry and knowledgeable school staff allow them to be; and (3) the support is based on knowledge of, understanding about, and participation in the efforts of its public schools.

The following shall be the guidelines for policy adoption for the Bryant School District.

General Policies

Policies that are not personnel policies may be recommended by the Board or any member of the Board; by the Superintendent, Deputy Superintendent, Assistant Superintendent, any other administrator or employee of the District; committee appointed by the Board; or by any member of the public. Policies adopted by the Board shall be within the legal framework of the State and Federal Constitutions, and appropriate statutes, rules, and court decisions.

Except for personnel policies, when reviewing a proposed policy, the Board may elect to adopt, amend, or refer back to the person proposing the policy for further consideration, take it under advisement, reject it, or refuse to consider the proposal.

Licensed and Classified Personnel Policies

Personnel policies (including employee salary schedules) shall be created, amended, or deleted in accordance with State law:

(1) Board Proposals:

The Board may adopt a proposed personnel policy by a majority vote. Such policies may be proposed to the Board by a Board member or the Superintendent. The Board may choose to adopt the proposal, as a proposal only, by majority vote.

Following the adoption of a proposed personnel policy, the proposal must be presented to the appropriate Personnel Policy Committee (PPC). Such presentation shall be in writing, to all members of the Committee.

When the PPC has possessed the proposed personnel policy for a minimum of ten (10) working days from the date the PPC received the proposed policy (i.e., ten (10) workdays, not including weekends or state or national holidays), the Chairman of the PPC, or the Chairman’s designee, shall be placed on the Board of Director's meeting agenda to make an oral presentation to the Board to address the proposed policy. Following the presentation, the Board may vote at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting to:

(a) Adopt the Board's original proposed policy as a policy;

(b) Adopt the PPC's counter proposed policy as a policy; or
(c) Refer the PPC's counter proposed policy back to the PPC for further study and revision. Any such referral is subject to the same adoption process as a proposed policy originating from the board.

(2) Personnel Policies Committee Proposals:

Either PPC may recommend changes in personnel policies to the Board. When making such a proposal, the Chairman of the PPC, or the Chairman’s designee, shall be placed on the Board of Director's meeting agenda to make an oral presentation to the Board.

The Board may vote on the proposed policy at the same meeting at which the proposal is made, or, in any case, no later than the next regular Board meeting. In voting on a proposed policy from the Personnel Policies Committee, the Board may:

(a) Adopt the proposal;

(b) Reject the proposal; or

(c) Refer the proposal back to the Personnel Policies Committee for further study and revision.

When the Board is revising the licensed and classified personnel salaries, the Board of Directors shall, as required by Arkansas law, review and approve by a written resolution any employee's salary increase of five percent (5%) or more for the employee.

A copy of all personnel policies shall be signed by the president of the Board of Directors and kept in a central records location.

All personnel policies must be sent to the PPC for the minimum ten (10) days regardless of the intended effective date of the policy.

**Effective date of policy changes:**

All personnel policy changes enacted during one fiscal year will become effective on the first day of the following fiscal year, July 1. This specifically includes any changes made between May 1 and June 30 to ensure compliance with state or federal laws, state rules, or federal regulations or the Division of Elementary and Secondary Education Commissioner’s Memos. In addition, changes to policies to maintain compliance with state or federal laws, state rules, federal regulations, or Commissioner’s Memos that are after June 30 but are adopted within ninety (90) days from the effective date of the legal change that created the need for the policy adoption shall become effective on the final date of adoption.

Changes made to personnel policies between May 1 and June 30 that are **not** made to ensure compliance with state or federal laws, state rules, or federal or regulations will take effect on July 1 of the same calendar year provided no later than five (5) working days after final board action, a notice of the change is sent to each affected employee by first class mail to the address on record in the personnel file. The notice of the change must include:

a. The new or modified policy or policies provided in a form that clearly shows the additions underlined and the deletions stricken;
b. A statement that due to the change(s), the employee has the power to unilaterally rescind his/her contract for a period of thirty (30) days after the school board took final action on the policy (policies). The rescission must be in the form of a letter of resignation within the thirty (30) day period.

Except for policy changes to ensure compliance with changes in the law that are adopted within the ninety (90) day window, for a policy change to be made effective prior to July 1 of the following fiscal year, a vote must be taken of all licensed personnel or all classified personnel, as appropriate, with the vote conducted by the appropriate PPC.

If, by a majority vote, the affected personnel approve, the policy becomes effective as of the date of the vote, unless otherwise specified by the Board in requesting such vote. No staff vote taken prior to final board action will be considered effective to make a policy change.

All non-personnel policy changes may become effective upon the Board’s approval of the change, unless the Board specifies a different date.

The District's personnel policy committees shall annually review the District’s student discipline policies along with State and District discipline data. Based on the committees’ annual review, the committees may recommend changes to such policies to the Board of Directors.

Parents, students, and school district personnel, including teachers, shall be involved in the development of student discipline policies.

Cross References: Policy 3.1—LICENSED PERSONNEL SALARY SCHEDULE
Policy 8.1—CLASSIFIED PERSONNEL SALARY SCHEDULE

Legal References: A.C.A. § 6-13-619(c)
A.C.A. § 6-13-635
A.C.A. § 6-17-201 et. seq.
A.C.A. § 6-18-502(b)(1)(2)

Date Adopted: November 17, 2014

Last Revised: June 20, 2019
1.10—ASSOCIATION MEMBERSHIPS

The Board shall be a member of the Arkansas School Boards Association and may be a member of the National School Boards Association and other organizations which, in the opinion of the Board, will be beneficial to the Board in carrying out its duties more effectively.

Legal Reference: A.C.A. § 6-13-107

Date Adopted: November 17, 2014

Last Revised:
1.11—BOARD MEMBER TRAINING

Individuals who are elected to serve on the District’s board of directors are required to receive annual training related to board service. Board members who are elected to serve an initial or non-continuous term shall obtain a minimum of nine (9) hours of training by December 31 of the year following their election and a minimum of six (6) hours of training by December 31 of each calendar year thereafter. The initial nine (9) hours of training a board member receives shall include:
- Training on how to read and interpret an audit report; and
- Information regarding school safety and student discipline for board members elected after January 1, 2019.

Board members who have served on the Board for twelve (12) or more consecutive months are required to obtain a minimum of six (6) hours of training by December 31 of each calendar year. Hours a board member obtains in excess of the required minimums may be carried forward through December 31 of the third (3rd) calendar year following the year in which the hours were earned.

A board member who has not previously received training on information regarding school safety and student discipline shall receive such training by no later than December 31, 2020.

The superintendent shall annually prepare a report of:
1. The hours of training each school board member received during the previous calendar year; and
2. Hours of training, if any, a board member carried forward from a previous year that were eligible to be counted by the board member towards the previous year.

The superintendent will present the report to the Board at the Board's regular January meeting. A board member who failed to receive or carry forward the required number of hours of training, as indicated by the report, shall:
- Have thirty (30) days from the date of the January board meeting to complete the deficient hours of training; and
- Not participate in official business, except for school board training, until the board member obtains the deficient hours of training.

A board member who fails to receive the deficient hours of training within the thirty (30) days provided shall be removed from the board in accordance with Policy 1.2—BOARD ORGANIZATION AND VACANCIES unless the failure to receive the required hours of training was due to the board member’s military service or a serious medical condition as indicated by a written sworn statement from the board member's treating physician. A board member who provides the necessary documentation demonstrating that the failure to receive the required hours of training was due to military service or a serious illness shall have until December 31 of the current calendar year to receive both the hours of training for the current calendar year and those the board member failed to obtain during the previous calendar year.

The training shall be focused on topics relevant to school laws, school operations, and the powers, duties, and responsibilities of the members of the board of directors. The responsibilities include, but are not limited to: legal requirements; role differentiation; financial management; improving student achievement; reading and interpreting an audit report, the duties and responsibilities of the various levels of employees within the district as well as those of the board of directors; and information regarding school safety and student discipline.
The district is responsible for maintaining a record of the hours of training received by each board member. Board members shall make a concerted effort to submit documentation of training they have received to the superintendent or the superintendent’s designee. In the absence of such documentation, the district shall attempt to obtain records of training received from training providers.

Such training may be obtained from an institution of higher learning, from instruction provided by the Division of Elementary and Secondary Education (DESE), the Arkansas School Boards Association, or from other providers approved by the DESE.

Attendance at out-of-state workshops more than once per year shall require approval by a majority of the Board.

A statement regarding the number of hours of training received each preceding calendar year shall be:
- Part of the district’s comprehensive school plan and goals;
- Published in the same way as other components of the comprehensive plan and goals are required to be published;
- Part of the annual school performance report required to be submitted to, and published by the ADE.

Board members shall be reimbursed, from school funds, for expenses relating to such training and Board members shall be paid a per diem stipend for days necessary to attend such training with the amount of such stipend to be determined by the Board in July of each year.

Legal References: A.C.A. § 6-13-629
ADE Rules Governing Required Training for School Board Members

Date Adopted: November 17, 2014
Last Revised: June 20, 2019
1.12—COMMITTEES

From time to time, in order to obtain and/or encourage public participation in the operation of the District, the Board may appoint committees, which may include members of the public, students, parents, and school employees, as well as members of the Board.

Any committee, which includes among its members a member of the School Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.

Legal Reference: A.C.A. § 25-19-106

Date Adopted: November 17, 2014

Last Revised:
1.13—SUPERINTENDENT/ BOARD RELATIONSHIP

The Board’s primary responsibility is to develop, working collaboratively with the community, a vision and mission for the District. The Board formulates and adopts policies to achieve that vision and elects a Superintendent to implement its policies. The Board and the Superintendent and the relationship between them set the tone for the district to follow. The relationship is enhanced when both parties understand their roles and carry them out in an ethical and professional manner working to develop a relationship of mutual trust and respect.

The Superintendent and staff are responsible for administering the Board’s policies and will be held responsible for the effective administration and supervision of the District. The Superintendent is authorized to develop and implement administrative regulations to fulfill the Board’s policies, provided such regulations are consistent with the intent of the Board’s policies.

Date Adopted: November 17, 2014

Last Revised:
1.14—MEETING AGENDA

The agenda guides the proceedings of the Board meeting. The Superintendent shall prepare the agenda with consultation from the Board President. Other members of the Board who desire to have an item placed on the monthly agenda may do so by contacting the Superintendent or, in writing, the Board President by the date established in this policy and the item will be duly considered for inclusion.

The chairman of the PPC, or the chairman’s designee, shall be placed on the Board of Director's meeting agenda to make an oral presentation to the Board to address either a personnel policy proposed by the Board that the PPC committee has possessed for no less than ten (10) work days or a personnel policy that the PPC wishes to propose to the Board.

District patrons wishing to have an item placed on the Board meeting's agenda must submit their requests, in writing to the Superintendent, at least fourteen (14) days prior to the meeting of the Board. The written request must be sufficiently descriptive to enable the Superintendent and Board President to fully understand and evaluate its appropriateness to be an agenda item. Such requests may be accepted, rejected, or referred back to the individual for further clarification. Presentations may only be made at the regular monthly meeting of the Board; no presentations will be made at special meetings.

The Superintendent shall notify the Board President of all written requests to be placed on the agenda along with the Superintendent's recommendation concerning the request. No item shall be placed on the agenda that would operate to prejudice the Board concerning a student or personnel matter that could come before the Board for disciplinary or employment considerations or that is in conflict with other District policy or law.

A patron whose written request to be placed on the meeting's agenda has been accepted shall limit his/her comments to the approved topic/issue or forfeit his/her right to address the Board. The members of the Board will listen to the patron's presentation, but shall not respond to the presenter during the meeting in which the presentation is made. The Board may choose to discuss the issue presented at a later meeting, but is under no obligation to do so.

Public Comment

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. Therefore, the Board has set aside time for statements by guests during each regular monthly school board meeting. Such statements will not be permitted during special school board meetings. Individuals may sign in to address the board on relevant educational issues, but this time may not be used for personal attack toward any individual(s). In the event that such personal attacks occur, the speaker may lose the privilege of addressing the Board. The time limit for each person speaking will not exceed five (5) minutes, with a maximum of thirty (30) minutes total for all speakers.

Other than in the few instances where statutorily allowed or required, student discipline and personnel matters may not be discussed in Board meetings. District constituents are reminded that the Board serves as a finder of fact, not unlike a jury, in matters such as student suspensions initiated by the Superintendent, expulsions, and personnel discipline. For this reason, the board may not be involved or informed prior to a board hearing on particular student or personnel disciplinary matters.
Legal References:  
A.C.A. § 6-13-619(a)(2)  
A.C.A. § 6-17-205(c)

Cross Reference:  1.9—POLICY FORMULATION

Date Adopted:  November 17, 2014

Last Revised:  June 20, 2019
1.15—TORT IMMUNITY

The District, as well as its agents, officers, employees, and volunteers are immune from liability for negligence, pursuant to A.C.A. § 21-9-301. When allegations of negligence are raised, whether in litigation or not, the statutory grant of immunity will be asserted.

Date Adopted: November 17, 2014

Last Revised:
1.16 —DUTIES OF BOARD DISBURSING OFFICER

The disbursing officer, along with the superintendent, shall be responsible for signing, manually or by facsimile, all warrants and checks other than those issued for food service and activity funds.

Legal Reference: A.C.A. § 6-13-618(c)

Date Adopted: November 17, 2014

Last Revised:
1.17—NEPOTISM

DEFINITIONS:

“Family or family member” means:

a. An individual’s spouse;
b. Children of the individual or children of the individual’s spouse;
c. The spouse of a child of the individual or the spouse of a child of the individual’s spouse;
d. Parents of the individual or parents of the individual’s spouse;
e. Brothers and sisters of the individual or brothers and sisters of the individual’s spouse;
f. Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual’s spouse; or
g. Anyone acting or serving as an agent of the individual or acting or serving as an agent of the individual’s spouse.

“Initially employed” means:

A. Employed in either an interim or permanent position for the first time or following a severance in employment with the school district;
B. A change in the terms and conditions of an existing contract, excluding:
   I. Renewal of a teacher contract under A.C.A. § 6-17-1506;
   II. Renewal of a noncertified employee’s contract that is required by law; or
   III. Movement of an employee on the salary schedule which does not require board action.

NEW HIRE OF SCHOOL BOARD MEMBER’S RELATIVE AS SCHOOL EMPLOYEE

The district shall not initially employ a present board member’s family member for compensation in excess of $10,000 unless the district has received approval from the Commissioner of the Department of Education. The employment of a present board member’s family member shall only be made in unusual and limited circumstances. The authority to make the determination of what qualifies as “unusual and limited circumstances” rests with the Commissioner of the Department of Education whose approval is required before the employment contract is effective, valid, or enforceable.

Initial employment for a sum of less than $10,000 per employment contract or, in the absence of an employment contract, calendar year does not come under the purview of this policy and is permitted.

The board member whose family member is proposed for an employment contract, regardless of the dollar amount of the contract, shall leave the meeting until the voting on the issue is concluded and the absent member shall not be counted as having voted.

EXCEPTION: SUBSTITUTES

Qualified family members of board members may be employed by the district as substitute teachers, substitute cafeteria workers, or substitute bus drivers for a period of time not to exceed thirty (30) days per fiscal year. A family member of a school board member having worked as a substitute for the district in the past does not “grandfather” the substitute. The 30 day maximum limit is applied in all cases.
EXISTING EMPLOYEES WHO ARE FAMILY MEMBERS OF SCHOOL BOARD MEMBERS—RAISES, PROMOTIONS OR CHANGES IN COMPENSATION

Any change in the terms or conditions of an employment contract including length of contract, a promotion, or a change in the employment status of a present board member’s family member that would result in an increase in compensation of more than $2,500, and that is not part of a state mandated salary increase for the employee in question, must be approved by the Commissioner of the Department of Education before such changes in the employment status is effective, valid, or enforceable.

QUALIFICATIONS FOR RUNNING FOR SCHOOL BOARD MEMBER UNCHANGED

The employment status of a citizen’s family member does not affect that citizen’s ability to run for, and, if elected, serve the school board provided he/she meets all other statutory eligibility requirements.

Legal References: A.C.A. § 6-24-102, 105

Date Adopted: November 17, 2014

Last Revised: June 15, 2015
1.18—DISTRICT AUDITS

The District’s annual audit serves as an important opportunity for the Board of Directors to review the fiscal operations and health of the district. As such, it is vital Board members receive sufficient explanation of each audit report to enable the members to understand the report’s findings and help them better understand the District’s fiscal operations.

The District shall have an audit conducted annually within the timelines prescribed by law. The audit shall be conducted by the Division of Legislative Audit or through the audit services of a private certified public accountant(s) approved by the Board.

The Board of Directors shall review each annual audit at the first regularly scheduled board meeting following the receipt of the audit if the District received the audit prior to ten (10) days before the regularly scheduled meeting. If the audit report is received less than ten (10) days prior to a regularly scheduled board meeting, the board may review the report at the next regularly scheduled board meeting following the ten (10) day period.

The Superintendent shall present sufficient supporting/background information relating to the report’s findings and recommendations which will enable the Board of Directors to direct the Superintendent to take appropriate action in the form of a motion or motions relating to each finding and recommendation contained in the audit report. Actions to be taken will be in sufficient detail to enable the Board of Directors to monitor the District’s progress in addressing substantial findings and recommendations and subsequently determine that they have been corrected. The minutes of the Board’s meeting shall document the review of the audit’s findings and recommendations along with any motions made by the Board or actions directed to be taken by the Superintendent or designee.

The Board of Directors is responsible for presenting the audit’s findings each year to the public.

A.C.A. § 6-13-620(6)(F)

Date Adopted: November 17, 2014
Last Revised:
1.19—BOARD MEMBER LENGTH OF TERM and HOLDOVERS

The District has seven Board of Directors members. Each member is elected for a term of service of five years. Members may be re-elected to serve consecutive terms so long as the member continues to meet the eligibility requirements for board service.

A board member remains in office until the member’s successor has been sworn into office. In the event a board member’s term of office has expired and no one is elected to replace the member, or the individual elected fails to receive the oath of office within the time set in statute, the board member becomes a "holdover" and is treated as having been re-elected to office for another term. Board members may only serve one term as a holdover and may be re-elected to the board at the expiration of his/her term. Consequently, should no individual be elected to the position at the expiration of the holdover term, the position shall be declared to be vacant and filled in accordance with Policy 1.2—BOARD ORGANIZATION AND VACANCIES and Arkansas law. Board members not wishing to continue as a holdover may resign from office and the position is to be filled in accordance with Policy 1.2.

Cross Reference: Policy 1.2—BOARD ORGANIZATION AND VACANCIES

Legal References: A.C.A. § 6-13-608
A.C.A. § 6-13-611
A.C.A. § 6-13-616
A.C.A. § 6-13-617
A.C.A. § 6-13-630
A.C.A. § 6-13-631
A.C.A. § 6-13-634
Attorney General Opinion 2003-319
Attorney General Opinion 2015-112
Arkansas Constitution Article 19, Section 5

Date Adopted: June 15, 2015
Last Revised: April 18, 2018
1.20 – BOARD ATTORNEY

The Board shall utilize an attorney for legal counsel and services in the affairs of the district. The attorney is authorized to render services as are approved in advance by either the Board or the Superintendent.

Date Adopted: November 17, 2014

Last Revised:
1.21—DATE OF ANNUAL SCHOOL BOARD ELECTION

The annual school board election for the Bryant School District shall be held on the:

- Date of the preferential primary election in even-numbered years; and
- Third Tuesday in May in odd-numbered years.

Individuals wishing to run for office in the election may begin circulating petitions to collect signatures ninety (90) days before the close of the party filing period under:

- A.C.A. § 7-7-203(c)(1)(B) for elections held concurrently with a preferential primary election for years when the office of President of the United States will appear on the ballot at the general election; or
- A.C.A. § 7-7-203(c)(1)(A) for elections held concurrently with a preferential primary election for years in which the office of Governor will appear on the ballot at the general election and elections held in odd years.

Candidates may file their petition, affidavit of eligibility, and political practices pledge with the county clerk during the party filing period under:

- A.C.A. § 7-7-203(c)(1)(B) for elections held concurrently with a preferential primary election for years when the office of President of the United States will appear on the ballot at the general election; or
- A.C.A. § 7-7-203(c)(1)(A) for elections held concurrently with a preferential primary election for years in which the office of Governor will appear on the ballot at the general election and elections held in odd years.

A copy of this policy will be provided annually to the county clerk at least one hundred (100) days before the day the candidate filing period opens.

Legal References:  
Ark. Code Ann. § 6-14-102  
Ark. Code Ann. § 6-14-111  
Ark. Code Ann. § 7-7-203

Date Adopted:  December 14, 2017

Last Revised:  June 20, 2019
1.22—RECORDING OF BOARD MEETINGS

The District shall record (audio only, or audio and video) all meetings of the District’s Board of Directors, including subcommittee meetings, except as follows:
• Executive sessions of the Board of Directors;
• Employee termination or non-renewal hearings that are closed to the public; and
• Student disciplinary hearings that are closed to the public.

The District shall retain meeting recordings for one (1) year.

Cross References: 1.12—COMMITTEES
6.1—COMMUNICATION GOALS
7.15—RECORD RETENTION AND DESTRUCTION

Legal Reference: A.C.A. § 25-19-106

Date Adopted: June 20, 2019

Last Revised:
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ADMINISTRATION
2.1—DUTIES OF THE SUPERINTENDENT

The Superintendent, as the chief executive officer of the Board and the school system, shall be the administrative head of all departments in the District. The Superintendent shall be responsible to the Bryant Board of Education for administering the school system according to the mandates of the laws, Division of Elementary and Secondary Education, other agencies of jurisdiction, and policies governing school operations. While the Superintendent may delegate his/her duties when and where necessary and appropriate, he/she shall be responsible to the Board for the results of those duties delegated.

The Superintendent shall be the Ex officio financial secretary as provided for in A.C.A. § 6-17-918(a).

Some of the Superintendent’s duties include:

1) Implementing the policies of the Board;

2) Being responsible for the planning and implementation of an educational program in accordance with State and Federal requirements and the needs of the District;

3) Reporting to the Board concerning the status of the educational program, personnel, and operations, and making recommendations for improving instruction, activities, services, and facilities;

4) Acting as a liaison between the Board and school personnel;

5) Making recommendations to the Board concerning personnel employment, discipline, and termination;

6) Communicating the District’s vision and mission to staff, students, parents, and the community;

7) Being responsible for the development of short- and long-term goals for the District;

8) Preparing and presenting an annual budget for the District to the Board for its consideration;

9) Administering the District’s budget and regularly reporting to the Board on the financial condition of the District;

10) Attending and participating in all meetings of the Board except when his/her employment is being considered;

11) Preparing, in consultation with the Board President, the agenda for all Board meetings;

12) Being responsible for the planning and implementation of an effective personnel evaluation system that is aligned with the goals of the District; and

13) Maintaining a current knowledge of developments in curriculum and instruction, as well as pertinent legal changes, and advising the professional staff and Board of such information.
Date Adopted: November 17, 2014

Last Revised: June 20, 2019
2.2—SUPERINTENDENT COMPENSATION

The salary and employment benefits of the Superintendent shall be determined by the Board. This includes such benefits as insurance, transportation allowances, annual vacations, holidays, and any other entitlements as deemed appropriate.

Date Adopted: November 17, 2014

Last Revised:
2.3—SUPERINTENDENT ATTENDANCE AT SCHOOL BOARD TRAINING CONFERENCES

The Bryant School District Board of Directors recognizes the District benefits from the superintendent and the members of the Board of Directors jointly attending school board member training conferences. The joint attendance provides an opportunity for the superintendent and members of the Board of Directors to develop their working relationship in a less formal setting and allows the superintendent and members of the Board of Directors to jointly build upon the training received. These benefits are even more evident when the superintendent is new to the District.

In recognition of these benefits, the Board of Directors authorizes the Bryant School District to cover the costs associated with the current superintendent or the individual who has a signed superintendent contract with the Bryant School District for the upcoming school year to jointly attend school board training conferences with the members of the Board of Directors.

Date Adopted: April 18, 2018

Last Revised:
2.4 – EMPLOYMENT OF ADMINISTRATORS

Administrators shall be considered for contract renewal on the following annual schedule:

January        Superintendent

February       Deputy Superintendent and Assistant Superintendents

All other administrators will be renewed or non-renewed as set forth in Arkansas law.

Date Adopted: November 17, 2014

Last Revised: April 18, 2019
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3.0—LICENSED PERSONNEL POLICIES COMMITTEE

For the statutes governing the licensed personnel policies committee, please refer to A.C.A. § 6-17-201 et. seq. These statutes specifically are not made a part of this policy by this reference.

Legal Reference: A.C.A. § 6-17-201 et. seq.

Date Adopted: March 16, 2015

Last Revised:
3.1—LICENSED PERSONNEL SALARY SCHEDULE

State law requires each District to include its teacher salary schedule, including stipends and other material benefits, in its written personnel policies. In developing the salary schedule, the District will establish a normal base contract period for teachers. The District is required to post the salary schedule on its website by September 15 of each year.

Salary for the individual teacher is determined on the basis of training and experience. Documentation of degrees/hours received is based upon official transcripts which are issued by a college or university. Evaluation of experience and training is the responsibility reserved by the administration. It shall be the responsibility of the teacher to establish proof of teaching experience outside the district. Beginning with the 2015-2016 school year, all certified staff members shall receive, up to the maximum number of experience/education increments contained in the district salary schedule, credit for (a) their total years of experience in any public or accredited in-state private school in Arkansas, (b) up to 10 years experience as a licensed teacher in out-of-state public schools and/or accredited private schools, or (c) up to 3 years experience as a speech language pathologist (SLP), school psychology specialist (SPS), or licensed psychological examiner (LPE) in a pediatric setting in the United States or USDOE-accredited school in a foreign country, if applicable. Beginning with the 2016-2017 school year and thereafter, the number of years experience for teachers from out-of-state schools, or for SLP’s, SPS’s, and LPE’s in a pediatric setting shall be increased by 3 years each year until all years of experience are accepted toward the salary schedule. The district reserves the right to accept/reject teaching experience from private schools that are not members of recognized accrediting groups/organizations. No certified person may waive payment according to the salary schedule.

Supplemental salaries will be paid for the functions and in the amounts set out in the Supplemental Salary Schedule.

Certified personnel will be paid in 12 payments of the contract salary on (a) the 15th of the month, or (b) the Friday preceding the 15th if it falls within the weekend, or (c) the last business day before a holiday if the 15th is a holiday or a day when schools are not in session.

For teachers on a 190-day contract, the first check of the school year will be on the 15th of August, with two checks paid on the 15th of June.

For administrators on twelve-month (240 day) contracts, the first payment will be on the 15th of July. Administrators with less than 240 day contracts shall receive the first salary payment on August 15th.

**Increments on Salary Schedule**

Either the base salary schedule or the experience increments may be changed at the discretion of the Board from year to year to make salary adjustments as a result of changing revenue and Arkansas school laws.

Adjustments in contracts due to additional degrees or college hours that will result in an increased
salary shall be made at the beginning of the contract period following the completion of the semester hours required for the next pay scale. For budgetary purposes, employees must submit a written intent to the Business Office by August 1st if they anticipate the submission of documentation for a salary increase for the current school year. Transcripts reflecting the additional work must be in the superintendent’s office before October 8th in order to receive this additional salary. No salary upgrades will be made until official documentation (transcripts or other official documentation of a graduate degree from a university official with authority to grant degrees) is in the District business office.

Documentation must be in the business office by August 7th in order to receive salary upgrades in the August paycheck. If official documentation is not in the personnel office by October 8th, the employee will not receive the upgrade until the following year. Temporary documentation (grade reports and/or a confirming letter from the granting university) may be accepted until transcripts are received. If an August upgrade is based on temporary documentation and the official documents are not received by October 8, then the contract will revert to the original amount.

College coursework (hours) accepted toward incremental increases on the district certified salary schedule must meet the following criteria:
1. The hours must be on the graduate level, i.e. 5000+ level courses and come from an institution that has NCATE accreditation or its equivalent.
2. The hours must have been earned after the date on the teacher’s transcript when the minimum of a bachelor’s degree has been conferred by the college/university. No hours will be considered graduate level on the salary schedule (even if they are 5000+ level courses) until a teacher has completed at least a bachelor’s degree. All hours earned prior to the granting of a degree will be considered as counting toward that degree and any additional hours to be considered for interim steps on the salary schedule (Bachelors+ or Masters+) must be earned after the granting of the degree.
3. Online courses must be from an institution that is approved by the District.
4. Hours will be accepted without prior written administrative approval if they are courses in the area of education and otherwise meet eligibility requirements.
5. Hours not in the area of education may be counted toward the salary schedule with prior written approval of the Superintendent. These hours must provide knowledge that will enhance the teacher’s effectiveness.
6. At the discretion of the Superintendent, salary schedule credit for hours taken during a workshop can be counted toward salary schedule increments, subject to the following requirements:
   a. Prior written approval must be obtained from the Superintendent.
   b. The workshop must be approved for the option of receiving course credit from an appropriately accredited college or university through the payment of tuition or fees.
   c. The teacher must pay the tuition or fees in order for credit to be given on the salary schedule.
7. For courses requiring written approval from the Superintendent, a course approval form must be filled out and submitted to the Central Office. After the Superintendent’s approval, a copy will be returned to the teacher. The course approval forms are available on the district website.
For the purposes of the salary schedule, a teacher will have worked a “year” if he/she has worked at least 50% of the contract days associated with the position.

For the purposes of this policy, a master’s degree or higher is considered “relevant to the employee’s position” if it is related to education, guidance counseling, or the teacher’s content area and has been awarded for successful completion of a program at the master’s level or higher by an institution of higher education accredited under Arkansas statutory requirements applicable at the time the degree was awarded.

Teachers who have earned additional, relevant degrees or sufficient college hours to warrant a salary change are responsible for reporting and supplying a transcript to the district business office.

**Arkansas Professional Pathway to Educator Licensure (APPEL) Program**

Each employee newly hired by the district to teach under the Arkansas Professional Pathway to Educator Licensure (APPEL) Program shall initially be placed on the salary schedule in the category of a bachelor’s degree with no experience, unless the APPEL program employee has previous teaching experience or an advanced degree in the content area which requires a different placement on the schedule as determined by administration. Upon receiving his/her initial or standard teaching license, the employee shall be moved to the position on the salary schedule that corresponds to the level of education degree earned by the employee which is relevant to the employee’s position. Employee’s degrees which are not relevant to the APPEL program's position shall not apply when determining his/her placement on the salary schedule. A teacher with a non-traditional provisional license shall be eligible for step increases with each successive year of employment, just as would a teacher possessing a traditional teaching license.

**Licensed employee, seeking additional area or areas of licensure**

Licensed employees who are working on an alternative licensure plan (ALP) to gain licensure in an additional area are entitled to placement on the salary schedule commensurate with their current license, level of education degree and years of experience. Degrees which are not relevant to the employee’s position shall not apply when determining his/her placement on the salary schedule.

Cross References:  
Policy 1.9—POLICY FORMULATION  
Policy 7.23 – HEALTH CARE COVERAGE AND THE AFFORDABLE CARE ACT

Legal References:  
A.C.A. § 6-17-201, 202, 2403  
A.C.A. § 6-20-2305(f)(4)  
A.C.A. § 21-5-405  
ADE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites
3.2—LICENSED PERSONNEL EVALUATIONS

Definitions

"Beginning administrator" means a building level or district level leader who has not completed three (3) years of experience as a building level or district level administrator.

“Building level or district level leader” means an individual employed by the District whose job assignment is that of a building level or district level administrator or an equivalent role, including an administrator licensed by the State Board of Education, an unlicensed administrator, or an individual on an Administrator Licensure Completion Plan. Building level or district level leader does not include the superintendent or deputy superintendent.

“Novice teacher” is a teacher who has less than three (3) years of public school classroom experience.

"Teacher" has the same definition as A.C.A. § 6-17-2803(16).

Teachers

Teachers will be evaluated under the provisions and timelines of the Teacher Excellence and Support System (TESS).

The superintendent or designee(s) shall develop procedures to govern the evaluation process and timelines for the evaluations.

Teachers will be evaluated under the schedule and provisions required by TESS. All teachers, other than novice teachers, will have a summative evaluation over all domains and components at least once every four (4) years. Novice teachers will receive a summative evaluation in the year following the completion of their novice period and will be added to the four (4) year summative evaluation rotation for following years. A teacher who transfers into the District from another Local Educational Agency (LEA) shall have a summative evaluation at the end of the year that teacher transfers into the district regardless of when the teacher’s most recent summative evaluation took place.

All teachers shall develop a Professional Growth Plan (PGP) annually that identifies professional growth outcomes to advance the teacher's professional skills and clearly links personalized, competency-based professional learning opportunities to the professional growth outcomes. The teacher’s PGP must be approved by the teacher's evaluator. If there is disagreement between a teacher and the teacher’s evaluator concerning the PGP, the decision of the evaluator shall be final.

Following a summative evaluation, the teacher shall receive an overall performance rating that is derived from:
1. A written evaluation of the teacher’s performance on all evaluation domains as a whole;
2. The evaluation framework and evaluation rubric appropriate to the teacher’s role;
3. Multiple sources of evidence of the teacher’s professional practice including, but not limited to:
   a. Direct observation;
   b. Indirect observation;
   c. Artifacts; and
   d. Data; and
4. Presentations of evidence chosen by the teacher, the evaluator, or both.

The summative evaluation shall provide an opportunity for the evaluator and the teacher to discuss the review of the evidence used in the evaluation and provide feedback that the teacher can use to improve his/her teaching skills and student learning.

While teachers are only required to be summatively evaluated once every four (4) years, the teacher's evaluator may conduct a summative evaluation in any year.

A teacher shall continue to demonstrate a commitment to student learning in formative years by furthering the teacher’s professional growth and development as guided by the teacher’s PGP. The teacher’s evaluator, or one or more individuals selected by the evaluator, shall support the teacher on an ongoing basis throughout the formative years by:
   o Providing teachers with immediate feedback about teaching practices;
   o Engaging teachers in a collaborative, supportive learning process; and
   o Helping teachers use assessment methods supported by evidence-based research that inform the teacher of student progress and provide a basis for adapting teaching practices.

An overall performance rating is not required in a formative year.

**Building Level or District Level Evaluations**

Building level or district level leaders will be evaluated under the schedule and provisions required by the Leader Excellence and Development System (LEADS).

The superintendent or designee(s) shall develop procedures to govern the evaluation process and timelines for the evaluations.

Building level or district level leaders who have been placed in the Intensive category, and those building level or district level leaders who have not had a summative evaluation the previous three (3) years will have a summative evaluation to establish the initial four-year rotation schedule for inquiry category building level or district level leaders to be evaluated on a summative basis. Beginning building level or district level leaders shall have a summative evaluation in the year following the completion of their beginning building level or district level leader period and will be added to the four (4) year summative evaluation rotation for following years.

Building level or district level leaders, except for beginning administrators, shall have a summative evaluation at least once every four (4) years. Beginning administrators shall have a summative evaluation in the year following the completion of their beginning administrator period and will be added to the four (4) year summative evaluation rotation for following years. A building level or district level leader who transfers into the District from another LEA shall have a summative evaluation at the end of the year that
administrator transfers into the district regardless of when the administrator’s most recent summative evaluation took place.

A building level or district level leader shall complete a PGP based on the standards and functions determined during the initial summative evaluation meeting with the superintendent or designee. If there is disagreement between a building level or district level leader and the leader’s evaluator concerning the PGP, the decision of the evaluator shall be final.

The building level or district level leader shall annually revise his/her PGP and associated documents required under LEADS. In a non-summative evaluation year, his/her job performance will be measured on how well the PGP’s goals have been met.

The Superintendent, or designee shall use the evaluation framework and rubric that is appropriate to the role and responsibilities of the building level or district level leader when conducting the building level or district level leader’s summative evaluation. The Building level or district level leader’s summative evaluation shall result in a written overall performance rating that is based on multiple sources of evidence of the building level or district level leader’s professional practice, which may include:

a. Direct observation;
b. Indirect observation;
c. Artifacts; and
d. Data.

When the Superintendent or designee conducts a summative evaluation, he/she will base the building level or district level leader's continuing employment recommendation on:

- The level of performance based on the performance functions and standards of the evaluation rubric;
- The evidence of teacher performance and growth applicable to the building-level or district-level leader; and
- The building-level or district-level leader’s progression on his or her professional growth plan.

While building level or district level leaders are required to be summatively evaluated once every four (4) years, the Superintendent or designee may conduct a summative evaluation in any year.

Legal References: A.C.A. § 6-17-2801 et seq.
ADE Rules Governing the Teacher Excellence and Support System
ADE Rules Governing the Leader Excellence and Development System (LEADS)

Date Adopted: March 16, 2015

Last Revised: April 18, 2018
3.3—EVALUATION OF LICENSED PERSONNEL BY RELATIVES

No person shall be employed in, or assigned to, a position which would require that he/she be evaluated by any relative, by blood or marriage, including spouse, parent, child, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, or first cousin.

Date Adopted: March 16, 2015

Last Revised:
3.4—LICENSED PERSONNEL REDUCTION IN FORCE

The School Board acknowledges its authority to conduct a reduction in force (RIF) when a decrease in enrollment or other reason(s) make such a reduction necessary or desirable. A RIF will be conducted when the need for a reduction in the work force exceeds the normal rate of attrition for that portion of the staff that is in excess of the needs of the district as determined by the superintendent.

In effecting a reduction in force, the primary goals of the school district shall be: what is in the best interests of the students; to maintain accreditation in compliance with the Standards of Accreditation for Arkansas Public Schools; and the needs of the district. A reduction in force will be implemented when the superintendent determines it is advisable to do so and shall be effected through non-renewal, termination, or both. Any reduction in force will be conducted by evaluating the needs and long- and short-term goals of the school district, and by examining the staffing of the district in each licensure area and/or, if applicable, specific grade levels.

If a reduction in force becomes necessary in a licensure area and/or specific grade level(s), the teacher’s length of service in the district shall be the initial determining factor. The teacher with the most years of employment as a licensed teacher in the district as compared to other teachers in the same licensure area and/or specific grade level(s) shall prevail. Length of service in a classified position shall not count for the purpose of length of service for a licensed position. Total years of service to the district shall include non-continuous years of service. Being employed fewer than 120 days in a school year shall not constitute a year.

In the event that two employees subject to a RIF have the same length of service, the employee with the higher number of points as determined by the schedule contained in this policy shall be retained. The teacher with the fewer points will be non-renewed or terminated first. In the event two or more employees have the same number of points, the teacher(s) shall be retained whose name(s) appear first in the board’s minutes of the date of hire. There is no right or implied right for any teacher to “bump” or displace any other teacher.

Points

- Years of service in the district—1 point per year
  All licensed position years in the district count including non-continuous years.
  Service in any position not requiring teacher licensure does not count toward years of service.
  Being employed fewer than 120 days in a school year shall not constitute a year.
- Graduate degree in any area of licensure in which the teacher will be ranked (only the highest level of points apply)
  1 point—Master’s degree
  2 points—Master’s degree plus thirty additional hours
  3 points—Educational specialist degree
  4 points—Doctoral degree
- National Board of Professional Teaching Standards certification—3 points
- Additional academic content areas of endorsement as identified by the State Board—1 point per area
- Licensure for teaching in a State Board identified shortage area—2 points
• Multiple areas and/or grade levels of licensure as identified by the State Board — 1 point per additional area or grade level as applicable. For example, a P-4 license or a 5-8 social studies license is each worth one point.

When the District is conducting a RIF, all potentially affected teachers shall receive a listing of licensed personnel with corresponding point totals. Upon receipt of the list, each teacher has ten (10) working days to appeal his or her assignment of points to the superintendent whose decision shall be final. Except for changes made pursuant to the appeals process, no changes will be made to the list that would affect a teacher’s point total after the list is released.

A teacher with full licensure in a position shall prevail over a teacher with greater points but who is lacking full licensure in that subject area. “Full licensure” means an initial, or standard, non-contingent license to teach in a subject area or grade level, in contrast with a license that is provisional, temporary, or conditional on the fulfillment of additional course work or passing exams or any other requirement of the Arkansas Department of Education, other than the attainment of annual professional development training.

Re-Employment of Personnel Affected by Staff Reductions

If any positions abolished are reinstated within one calendar year from the teacher's last working day, the positions will be made available to those teachers who were affected by the reductions in reverse order of their dismissal (the last dismissed will be the first rehired).

Teachers from outside the district will not be considered for employment until all teachers previously released by the Board have been considered for re-employment.

Legal Reference:   A.C.A. § 6-17-2407

Date Adopted:   March 16, 2015

Last Revised:
3.5 – LICENSED PERSONNEL CONTRACT RENEWAL

The superintendent is directed to prepare and submit to the Board of Education a list of administrative and supervisory personnel, principals, and teachers having contracts for the current year as follows:

Renewal of contract for the Deputy Superintendent and Assistant Superintendents shall be considered at a meeting of the Board in February.

In conformity with Arkansas’ continuing contract law, teachers are automatically re-employed unless they are notified in writing by May 1 of the contract year by the superintendent that the superintendent is recommending that the teacher's contract not be renewed.

When teachers sign a contract to accept employment with the Bryant School District, this is as binding on the part of the teacher as it is on the part of the school. Requests to be released from a contract will be considered but may be denied based on the inability of the District to find a suitable replacement for the person involved.

When teachers are initially employed in a position that involves duties in extra-curricular activities and they resign any part of the duties for which they were initially employed, they resign the entire position for which they were employed. Exceptions may only be considered if there is no expectation on the part of the teacher that other instructional duties will be increased in order to maintain his/her previous FTE.

All certified personnel, with the exception of the superintendent, the deputy superintendent, and assistant superintendents, shall be employed by written contract annually.

Date Adopted: March 16, 2015

Last Revised: April 18, 2019
3.5.1—LICENSED PERSONNEL CONTRACT RETURN

An employee shall have thirty (30) days from the date of the receipt of his or her contract for the following school year in which to return the contract, signed, to the office of the Superintendent. The date of receipt of the contract shall be presumed to be the date of a cover memo which will be attached to the contract.

The teacher shall have the right to unilaterally rescind any signed contract no later than ten (10) days after the end of the school year. For the purposes of this policy, the “end of the school year” means the last day of student-teacher interaction for that school year.

Failure of an employee to return the signed contract to the office of the Superintendent within thirty (30) days of the receipt of the contract shall be considered by the district as a resignation by the employee. No further action on the part of the employee, the Superintendent, or the School Board shall be required in order to make the employee’s resignation final.

Legal Reference: A.C.A. § 6-17-1506(c)(1)

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.6—LICENSED PERSONNEL EMPLOYEE TRAINING

For the purposes of this policy, professional development (PD) means a set of coordinated, planned learning activities for District employees who are required to hold a current license issued by the State Board of Education as a condition of employment or are an unlicensed employee teaching under a waiver of licensure that:

- Is required by statute or the Arkansas Department of Education (ADE); or
- Meets the following criteria:
  - Improves the knowledge, skills, and effectiveness of teachers;
  - Improves the knowledge and skills of administrators and paraprofessionals concerning effective instructional strategies and methods;
  - Leads to improved student academic achievement; and
  - Is researched-based and standards-based.

All employees shall attend all local PD training sessions as directed by his/her supervisor.

As part of the District’s School District Support Plan (SDSP), the District shall develop and implement a professional development plan (PDP) for its licensed employees. The District’s PDP shall, in part, align District resources to address the PD activities identified in each school’s school-level improvement plan (SLIP) and incorporate the licensed employee's professional growth plan (PGP). The PDP shall describe how the District’s categorical funds will be used to address deficiencies in student performance and any identified academic achievement gaps between groups of students. At the end of each school year, the District shall evaluate the PD activities’ effectiveness at improving student performance and closing achievement gaps.

Each licensed employee shall receive a minimum of thirty-six (36) hours of PD annually to be fulfilled between June 1-May 30. A licensed employee may be required to receive more PD than the minimum when necessary to complete the licensed employee’s PGP. All licensed employees are required to obtain thirty six (36) hours of approved PD each year over a five-year period as part of their licensure renewal requirements. PD hours earned in excess of each licensed employee's required number of hours in the designated year cannot be carried over to the next year.

Licensed employees who are prevented from obtaining the required PD hours due to their illness or the illness of an immediate family member as defined in A.C.A. § 6-17-1202 have until the end of the following school year to make up the deficient hours. Missed hours of PD shall be made up with PD that is substantially similar to that which was missed and can be obtained by any method, online or otherwise, approved by ADE. This time extension does not absolve the employee from also obtaining the following year’s required hours of PD. Failure to obtain required PD or to make up missed PD could lead to disciplinary consequences, up to termination or nonrenewal of the contract of employment.

The goal of all PD activities shall be improved teaching and learning knowledge and skills that result in individual, team, school-wide, and District-wide improvement designed to ensure that all students demonstrate proficiency on the state’s academic standards. The PDP shall be research-based and standards-based and in alignment with applicable ADE Rules and/or Arkansas code.
Teachers, administrators, and paraprofessionals shall be involved in the design, implementation, and evaluation of the plan for their own PD offerings. The results of the evaluation made by the participants in each program shall be used to continuously improve PD offerings and to revise the SLIP.

Flexible PD hours (flex hours) are those hours that an employee is allowed to substitute PD activities, different than those offered by the District, but are still aligned to the employee’s PGP, the employee’s school’s SLIP, or the District’s PDP. The District shall determine on an annual basis how many, if any, flex hours of PD it will allow to be substituted for District scheduled PD offerings. The determination may be made at an individual building, a grade, or by subject basis. The District administration and the building principal have the authority to require attendance at specific PD activities. Employees must receive advance approval from the building principal for activities they wish to have qualify for flex PD hours. To the fullest extent possible, PD activities are to be scheduled and attended such that teachers do not miss their regular teaching assignments. Six (6) approved flex hours credited toward fulfilling the licensed employee's required hours shall equal one (1) contract day. Hours of PD earned by an employee that are in excess of the employee's required hours, but are either not at the request of the District or not pre-approved by the building principal, shall not be credited toward fulfilling the required number of contract days for that employee. Hours earned that count toward the licensed employee's required hours also count toward the required number of contract days for that employee. Employees shall be paid the daily rate of pay for a beginning teacher for PD hours earned at the request of the District that require employees to work more than the number of days required by their contract.

Teachers and administrators who, for any reason, miss part or all of any scheduled PD activity they were required to attend, must make up the required hours in comparable activities which are to be pre-approved by the employee's appropriate supervisor.

To receive credit for his/her PD activity each employee is responsible for obtaining and submitting documents of attendance, or completion for each PD activity he/she attends. Documentation is to be submitted to the building principal or designee. The District shall maintain all documents submitted by its employees that reflect completion of PD programs, whether such programs were provided by the District or an outside organization.

To the extent required by ADE Rules, employees will receive up to six (6) hours of educational technology PD that is integrated within other PD offerings including taking or teaching an online or blended course.

The following PD shall count toward a licensed employee's required PD hours to the extent the District's PDP or the employee’s school’s SLIP includes such training, is approved for flex hours, or is part of the employee's PDP and it provides him/her with knowledge and skills for teaching:
- Students with intellectual disabilities, including Autism Spectrum Disorder;
- Students with specific learning disorders, including dyslexia;
- Culturally and linguistically diverse students;
- Gifted students.

Beginning in the 2013-14 school-year and every fourth year thereafter, all mandated reporters and licensed personnel shall receive two (2) hours of PD related to child maltreatment required under A.C.A. § 6-61-
For the purposes of this training, "mandated reporters" includes school social workers, psychologists, and nurses.

Beginning in school year 2014-15 and every fourth year thereafter, teachers shall receive two (2) hours of PD designed to enhance their understanding of effective parental involvement strategies.

Beginning in school-year 2014-15 and every fourth year thereafter, administrators shall receive two (2) hours of PD designed to enhance their understanding of effective parental involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parental participation.

Beginning in the 2015-16 school-year and every fourth year thereafter, all licensed personnel shall receive two (2) hours of PD in teen suicide awareness and prevention, which may be obtained by self-review of suitable suicide prevention materials approved by ADE.

Beginning in the 2016-17 school-year and every fourth year thereafter, teachers who provide instruction in Arkansas history shall receive at least two (2) hours of PD in Arkansas history as part of the teacher's annual PD requirement.

Beginning with the 2018-2019 school year, the District shall provide professional development to teachers licensed:

- At the elementary level for kindergarten through grade six (K-6), in special education for kindergarten through grade twelve (K-12), or reading specialists for kindergarten through grade twelve (K-12) for one (1) of the prescribed pathways to obtaining a proficiency credential in knowledge and practices in scientific reading instruction; and
- In an area other than elementary level for kindergarten through grade six (K-6), in special education for kindergarten through grade twelve (K-12), or reading specialists for kindergarten through grade twelve (K-12) for one (1) of the prescribed pathways to obtaining an awareness credential in knowledge and practices in scientific reading instruction.

The professional development will be designed so that, by the beginning of the 2021-2022 school year, all teachers employed in a teaching position that requires an elementary education license (K-6), special education license, or reading specialists in kindergarten through grade twelve (K-12) shall demonstrate proficiency in knowledge and practices of scientific reading instruction and all other teachers shall demonstrate awareness in knowledge and practices of the scientific reading instruction.

Beginning in the 2019-2020 school year, the District shall provide annual training instruction based on the science of reading as set forth in the literacy plan contained within the District’s SLIPs.

Anticipated rescuers shall receive training in cardiopulmonary resuscitation and the use of automated external defibrillators as required by ADE Rule. Such training shall count toward the required annual hours of PD.

At least once every three (3) years, persons employed as athletic coaches shall receive training related to the recognition and management of concussions, dehydration, or other health emergencies; students’ health and safety issues related to environmental issues; communicable diseases and sudden cardiac
arrest. The training may include a component on best practices for a coach to educate parents of students involved in athletics on sports safety.

All licensed personnel shall receive two (2) hours of training related to compliance with the District’s antibullying policies, to include:

a. Bullying prevention;
b. Recognition of the relationship between incidents of bullying and the risk of suicide; and
c. The licensed employee’s duties under the District’s antibullying policies.

For each administrator, the thirty-six (36) hour PD requirement shall include training in data disaggregation, instructional leadership, and fiscal management. This training may include the Initial, Tier 1, and Tier 2 training required for Superintendents and other designees by ADE’s Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Training Requirements.

Building level administrators shall complete the credentialing assessment for the teacher evaluation PD program prior to conducting any summative teacher evaluations.

Teachers’ PD shall meet the requirements prescribed under the Teacher Excellence and Support System (TESS).

By the end of the 2014-15 school year, teachers shall have received professional awareness on the characteristics of dyslexia and the evidence-based interventions and accommodations for dyslexia.

Teachers required by the superintendent, building principal, or their designee to take approved training related to teaching an advance placement class for a subject covered by the College Board and Educational Testing Service shall receive up to thirty (30) hours of credit toward the hours of PD required annually.

Licensed personnel may earn up to twelve (12) hours of PD for time they are required to spend in their instructional classroom, office or media center prior to the first day of student/teacher interaction provided the time is spent in accordance with state law and current ADE rules that deal with PD. Licensed personnel who meet the requirements of this paragraph, the associated statute, and ADE Rules shall be entitled to one (1) hour of PD for each hour of approved preparation.

Licensed personnel shall receive fifteen (15) PD hours for a three-hour undergraduate or graduate level college course that meets the criteria identified in law and applicable ADE rules. A maximum of eighteen (18) such hours may be applied toward the thirty-six (36) hours of PD required annually for license renewal.

The District shall make available annually to licensed personnel at least thirty (30) minutes of professional development on recognizing the warning signs that a child is a victim of human trafficking and reporting a suspicion that a child is a victim of human trafficking.

Employees who do not receive or furnish documentation of the required annual PD jeopardize the accreditation of their school and academic achievement of their students. Failure of an employee to receive his/her required annual hours of PD in any given year, unless due to illness as permitted by law, ADE Rule, and this policy, shall be grounds for disciplinary action up to and including termination.
Approved PD activities may include:
- Conferences/workshops/institutes;
- Mentoring/peer coaching;
- Study groups/learning teams;
- National Board for Professional Teaching Standards Certification;
- Distance and online learning (including ArkansasIDEAS);
- Micro-credentialing approved by ADE;
- Internships;
- State/district/school programs;
- Approved college/university course work;
- Action research; and
- Individually guided (to be noted in the employee's PGP).

Approved PD activities that occur during the instructional day or outside the licensed employee's annual contract days may apply toward the annual minimum PD requirement.

PD activities shall relate to the following areas:
- Content (K-12);
- Instructional strategies;
- Assessment/data-driven decision making;
- Advocacy/leadership/fiscal management;
- Systemic change process;
- Standards, frameworks, and curriculum alignment;
- Supervision; mentoring/peer coaching;
- Next generation learning/integrated technology;
- Principles of learning/developmental stages/diverse learners;
- Cognitive research;
- Parent involvement/academic planning and scholarship;
- Building a collaborative learning community;
- Student health and wellness; and
- The Code of Ethics for Arkansas Educators.

Additional activities eligible for PD credit, as included in the District’s PDP, employee’s school’s SLIP, and licensed employee's PGP, include:
- School Fire Marshall program (A.C.A. § 6-10-110);
- Tomato safety drills (A.C.A. § 6-10-121);
- Statewide student assessments (A.C.A. § 6-15-2912);
- Test security and confidentiality (A.C.A. § 6-15-2907);
- Emergency plans and the Panic Button Alert System (A.C.A. § 6-15-1302);
- TESS (A.C.A. § 6-17-2806);
- Student discipline training, behavioral intervention, and classroom management (A.C.A. § 6-18-502);
- Comprehensive School Counseling Program (A.C.A. § 6-18-2004);
• Training required by ADE under The Arkansas Educational Support and Accountability Act and fiscal and facilities distress statutes and rules; and
• Annual active shooter drills (6-15-1303).

Cross-References:
3.50—ADMINISTRATOR EVALUATOR CERTIFICATION
4.37—EMERGENCY DRILLS
5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT

Legal References:
Standards of Accreditation 1-B.4, 3-A.4, 3-B.1, 4-G.1, 4-G.2
ADE Rules Governing Professional Development
ADE Rules Governing the Arkansas Educational Support and Accountability Act
ADE Rules Governing the Arkansas Financial Accounting and Reporting System
and Annual Training Requirements
A.C.A. § 6-10-121
A.C.A. § 6-10-122
A.C.A. § 6-10-123
A.C.A. § 6-15-1004(e)
A.C.A. § 6-15-1302
A.C.A. § 6-15-1303
A.C.A. § 6-15-1703
A.C.A. § 6-15-2907
A.C.A. § 6-15-2911
A.C.A. § 6-15-2912
A.C.A. § 6-15-2913
A.C.A. § 6-15-2914
A.C.A. § 6-15-2916
A.C.A. § 6-16-1203
A.C.A. § 6-17-429
A.C.A. § 6-17-703
A.C.A. § 6-17-704
A.C.A. § 6-17-708
A.C.A. § 6-17-709
A.C.A. § 6-17-710
A.C.A. § 6-17-711
A.C.A. § 6-17-2806
A.C.A. § 6-17-2808
A.C.A. § 6-18-502(f)
A.C.A. § 6-18-514(f)
A.C.A. § 6-18-708
A.C.A. § 6-18-2004
A.C.A. § 6-20-2204
A.C.A. § 6-20-2303 (15)
A.C.A. § 6-41-608
A.C.A. § 6-61-133

Date Adopted: March 16, 2015
3.7—LICENSED PERSONNEL BUS DRIVER DRUG TESTING

Scope of Policy

Each person hired for a position that allows or requires the employee operate a school bus shall meet the following requirements:
1. The employee shall possess a current Class B Commercial Drivers License (CDL) with Passenger and School Bus endorsement for driving a school bus;
2. Have undergone a physical examination, which shall include a drug test, by a licensed physician or advanced practice nurse within the past two years; and
3. Have received 24 hours of pre-employment bus safety training as well as attending a bus safety course provided by the Arkansas Department of Education.

Each person’s initial employment for a job entailing a safety sensitive function is conditioned upon the district receiving a negative drug test result for that employee. The offer of employment is also conditioned upon the employee’s signing an authorization for the request for information by the district from the Commercial Driver Alcohol and Drug Testing Database.

Methods of Testing

The collection, testing methods and standards shall be determined by the agency or other medical organizations chosen by the School Board to conduct the collection and testing of samples. The drug and alcohol testing is to be conducted by a laboratory certified pursuant to the most recent guidelines issued by the United States Department of Health and Human Services for such facilities. (“Mandatory Guidelines for Federal Workplace Drug Testing Programs”).

Definitions

“Safety sensitive function” includes:
 a) All time spent inspecting, servicing, and/or preparing the vehicle;
 b) All time spent driving the vehicle;
 c) All time spent loading or unloading the vehicle or supervising the loading or unloading of the vehicle; and
 d) All time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

“School Bus” is a motorized vehicle that meets the following requirements:
1. Is designed to carry more than ten (10) passengers;
2. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
3. Is operated for the transportation of students from home to school, from school to home, or to and from school events.
Requirements

Employees shall be drug and alcohol free from the time the employee is required to be ready to work until the employee is relieved from the responsibility for performing work and/or any time they are performing a safety-sensitive function. In addition to the testing required as an initial condition of employment, employees shall submit to subsequent drug tests as required by law and/or regulation. Subsequent testing includes, and/or is triggered by, but is not limited to:
1. Random tests;
2. Testing in conjunction with an accident;
3. Receiving a citation for a moving traffic violation; and
4. Reasonable suspicion.

Prohibitions

A. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater;
B. No driver shall use alcohol while performing safety-sensitive functions;
C. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol;
D. No driver required to take a post-accident alcohol test under # 2 above shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first;
E. No driver shall refuse to submit to an alcohol or drug test in conjunction with # 1, 2, and/or 4 above;
F. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when used pursuant to the instructions of a licensed medical practitioner who, with knowledge of the driver’s job responsibilities, has advised the driver that the substance will not adversely affect the driver’s ability to safely operate his/her vehicle. It is the employee’s responsibility to inform his/her supervisor of the employee’s use of such medication;
G. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

Violation of any of these prohibitions may lead to disciplinary action being taken against the employee, which could include termination or non-renewal.

Testing for Cause

Drivers involved in an accident in which there is a loss of another person’s life shall be tested for alcohol and controlled substances as soon as practicable following the accident. Drivers shall also be tested for alcohol within eight (8) hours and for controlled substances within thirty two (32) hours following an accident for which they receive a citation for a moving traffic violation if the accident involved: 1) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or 2) one or more motor vehicles incurs disabling damage as a result of the accident requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
Refusal to Submit

Refusal to submit to an alcohol or controlled substance test means that the driver:

- Failed to appear for any test within a reasonable period of time as determined by the employer consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
- Failed to provide a urine specimen for any required drug test;
- Failed to provide a sufficient amount of urine without an adequate medical reason for the failure;
- Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
- Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
- Failed to cooperate with any of the testing process; and/or
- Adulterated or substituted a test result as reported by the Medical Review Officer.

School bus drivers should be aware that refusal to submit to a drug test when the test is requested based on a reasonable suspicion can constitute grounds for criminal prosecution.

Consequences for Violations

Drivers who engage in any conduct prohibited by this policy, who refuse to take a required drug or alcohol test, refuse to sign the request for information required by law, or who exceed the acceptable limits for the respective tests shall no longer be allowed to perform safety sensitive functions. Actions regarding their continued employment shall be taken in relation to their inability to perform these functions and could include termination or non-renewal of their contract of employment.

Drivers who exhibit signs of violating the prohibitions of this policy relating to alcohol or controlled substances shall not be allowed to perform or continue to perform safety-sensitive functions if they exhibit those signs during, just preceding, or just after the period of the work day that the driver is required to be in compliance with the provisions of this policy. This action shall be based on specific, contemporaneous, articulable observations concerning the behavior, speech, or body odors of the driver. The Superintendent or his/her designee shall require the driver to submit to “reasonable suspicion” tests for alcohol and controlled substances. The direction to submit to such tests must be made just before, just after, or during the time the driver is performing safety-sensitive functions. If circumstances prohibit the testing of the driver the Superintendent or his/her designee shall remove the driver from reporting for, or remaining on, duty for a minimum of 24 hours from the time the observation was made triggering the driver’s removal from duty.

If the results for an alcohol test administered to a driver is equal to or greater than 0.02, but less than 0.04, the driver shall be prohibited from performing safety-sensitive functions for a period no less than 24 hours from the time the test was administered. Unless the loss of duty time triggers other employment consequence policies, no further other action against the driver is authorized by this policy for test results showing an alcohol concentration of less than 0.04.
Legal References:  
A.C.A. § 6-19-108  
A.C.A. § 6-19-119  
A.C.A. § 27-23-201 et seq.  
49 C.F.R. § 382.101 – 605  
49 C.F.R. § part 40  
49 C.F.R. § 390.5  
Arkansas Division of Academic Facilities and Transportation Rules Governing  
Maintenance and Operations of Arkansas Public School Buses and Physical  
Examinations of School Bus Drivers  

Date Adopted:  March 16, 2015  

Last Revised:  April 21, 2016
3.8—LICENSED PERSONNEL SICK LEAVE

Definitions

1. “Employee” is a full-time employee of the District.

2. “Sick Leave” is absence from work due to illness, whether by the employee or a member of the employee’s immediate family. Sick leave may also be used due to a death in the family, to include husband, wife, father, mother, mother-in-law, father-in-law, son, daughter, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, grandson, granddaughter, niece, or nephew.

3. “Excessive Sick Leave” is absence from work, whether paid or unpaid, that exceeds twelve (12) days in a contract year for an employee and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American’s With Disabilities Act; or due to a compensable Workers’ Compensation claim.

4. “Grossly Excessive Sick Leave” is absence from work, whether paid or unpaid, that exceeds ten percent (10%) of the employee’s contract length and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the Americans With Disabilities Act; or due to a compensable Workers’ Compensation claim.

5. “Current Sick Leave” means those days of sick leave for the current contract year, which leave is granted at the rate of one (1) day of sick leave per contracted month, or major part thereof.

6. “Accrued Sick Leave” is the total of unused sick leave, up to a maximum of ninety (90) days accrued from previous contracts, but not used.

7. “Immediate family” means an employee’s spouse, child, parent, or any other relative provided the other relative lives in the same household as the employee.

Sick Leave

The superintendent or principal has the discretion to approve sick leave for an employee to attend the funeral of a person who is not related to the employee, under circumstances deemed appropriate by the superintendent or principal.

Employees shall be compensated for sick leave as follows:

a. Pay for sick leave as defined above shall be at the employee’s daily rate of pay, which is that employee’s total contracted salary, divided by the number of days employed as reflected in the contract. Absences for illness in excess of the employee’s accumulated and current sick leave shall result in a deduction from the employee’s pay at the daily rate as defined above. If an employee
resigns or leaves his teaching position for any reason before the end of the school term, the district may deduct from his/her last check full compensation for any days of sick leave used in excess of the number of days earned.

b. Annual payment for unused sick leave above 90 accumulated days will be paid to the employee at the substitute teacher rate of pay at the end of the contract year.

c. Retiring teachers will receive pay for unused accrued sick leave at the substitute teacher rate of pay upon retirement from the district and from the Arkansas Teacher Retirement System (ATRS). If a certified employee should die during a contract year, the employee’s estate shall be paid for any unused accrued sick leave at the substitute teacher rate of pay. In the event that a teacher’s contract is non-renewed or terminated, the teacher will forfeit the option of receiving pay for unused sick leave under this policy.

In the event of the absence of a teacher for less than 1/2 day for any reason, he/she will be reported absent for 1/2 day and the substitute will be credited with 1/2 day of service. The following may be applied at the discretion of the principal of each school:

Three times during a school year a teacher, after receiving prior approval from the principal, may be allowed to:

1. Leave school up to one hour early on a teacher contract day for approved sick leave reasons without being charged sick leave time or
2. Arrive at school up to one hour late on a teacher contract day for short doctor/dental appointments without being charged sick leave time.

The request must be approved by the building principal at least 24 hours in advance. Arriving later than one hour will result in 1/2 day sick leave use. Additional requests will result in 1/2 day sick leave use.

The teacher shall state the reason for being absent in writing on the Leave of Absence Notification/Request form to his/her principal or superintendent. At the discretion of the principal (or Superintendent), the District may require a written statement from the employee’s physician documenting the employee’s illness. Failure to provide such documentation of illness may result in sick leave not being paid, or in dismissal.

Temporary reassignment may also be offered or required in certain circumstances as provided in 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

If the employee's absences are excessive or grossly excessive as defined by this policy, disciplinary action may be taken against the employee, which could include termination or nonrenewal of the contract of employment. The superintendent shall have the authority when making his/her determination to consider the totality of circumstances surrounding the absences and their impact on district operations or student services. An employee who fraudulently requests sick leave is in violation of the Code of Ethics for Arkansas Educators and may be subject to disciplinary action up to and including non-renewal or termination of his/her employment contract.
An employee shall be credited with one (1) day of sick leave in the event the employee used one (1) day of sick leave on a mandatory professional development (PD) day so long as the employee makes up the missed mandatory PD day on a noncontract day. Costs and expenses associated with the make-up PD shall be the responsibility of the employee unless agreed to in writing by the superintendent or the superintendent’s designee for the expenses to be covered by the District.

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

Upon the fifth consecutive absence under sick leave, an employee shall submit a request for leave under FMLA. The District shall determine if the employee is eligible and if the leave qualifies for FMLA leave. The District may request additional information from the employee to help make the applicability determination. If the employee is eligible for FMLA leave and if the leave qualifies under the FMLA, the District will notify the employee in writing, of the decision within five (5) workdays. If the circumstances for the leave as defined in policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE don’t change, the District is only required to notify the employee once of the determination regarding the applicability of sick leave and/or FMLA leave within any applicable twelve (12) month period. To the extent the employee has accrued paid sick leave, any sick leave taken that qualifies for FMLA leave shall be paid leave and charged against the employee’s accrued leave including, once an employee exhausts his/her accrued sick leave, vacation or personal leave. See 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

**Sick Leave and Outside Employment**

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 3.44, if an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

Cross References: 3.18—LICENSED PERSONNEL OUTSIDE EMPLOYMENT 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE 3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION

Legal References: A.C.A. § 6-17-1201 et seq. 29 USC §§ 2601 et seq. 29 CFR part 825

Date Adopted: March 16, 2015

Last Revised: June 22, 2017
3.8.1 – BEREAVEMENT LEAVE

In the event of the death of the spouse, child, stepchild, parent, stepparent, mother-in-law, father-in-law, sibling, grandparent, grandchild, aunt, uncle, or legal guardian of any of the certified personnel or full-time employees, up to three days of additional leave will be granted in addition to the days allowable by the current sick leave policy. The days will not be cumulative.

In addition, employees may attend funerals for close friends with the approval of the superintendent, the superintendent’s designee, or principal with no loss of salary when absences will be for no more than two hours and arrangements are made in advance for classes to continue.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.8.2 – OTHER AUTHORIZED LEAVE

A teacher may be absent without loss of pay for any of the following reasons provided the absence is approved in advance by the principal:

1. School business or educational meetings.

2. Attendance at non-educational, professional, or civic organization meetings provided the teacher is an officer or elected delegate and the principal and the superintendent approved such absence in advance.

Leave for Study
The district cannot grant leave of absences for study to teachers with the assurance they will be able to return. However, any teacher who leaves the district to continue his/her educational studies will be given consideration on any vacancy that is available in the district for which they are qualified to teach.

Military Leave
The Bryant School District will comply with applicable state and federal laws concerning the protection of rights, privileges and benefits for teachers and administrators during military leave.

Extended Leave
Teachers who wish to be relieved of their teaching duties for an extended period of time may request an extended leave. This leave may be granted for no less than one semester and may not exceed one school year. A teacher wishing to take extended leave must write a letter requesting such a leave to the superintendent stating the date the teacher would like for the leave to begin, length of leave requested, and the date the teacher expects to be able to return to work from the leave. The leave request must be made at least four weeks prior to the time the teacher plans to begin the leave unless an emergency exists.

Teachers who request extended leave may return to teaching service subject to the availability of a vacancy for which they are qualified.

The superintendent will make the decision on whether an extended leave request will be approved or denied. The availability of a certified suitable substitute teacher to take the place of the regular teacher will weigh heavily in the decision making process.

Accumulated leave cannot be used to receive salary for any portion of extended leave.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.9—LICENSED PERSONNEL SICK LEAVE BANK

A sick leave bank is established for the purpose of permitting employees, upon approval, to obtain sick leave in excess of accumulated and current sick leave, when the employee has exhausted all such leave. Only those employees who contribute to the sick leave bank during a given contract year shall be eligible to withdraw from the sick leave bank.

This program in no way alters or modifies existing district sick leave policy. It is intended to provide additional leave in serious or catastrophic circumstances where none currently exists or all other is exhausted.

In each school year, employees must declare whether they intend to participate in the sick leave bank by September 1st (or 14 days after hiring date if hired later). Each employee electing to participate in the sick leave bank must contribute one (1) day of accumulated sick leave. Such declaration and contribution shall be made on a sick leave bank form annually.

If during the contract year, the sick leave bank runs out of contributed days, members will be notified and requests for an additional contribution will be distributed. Failure to contribute terminates the employee’s membership in the sick leave bank.

If the sick leave has a surplus of 100 days at the end of the school year, members will be notified that a contribution free period exists for the next school year and benefits are intact. New members must contribute one (1) day accumulated sick leave regardless of the contribution free period for current members.

**Governance**

A five member committee shall oversee the administration of the sick leave bank. The committee shall be comprised of the superintendent (or designee) and four elected certified staff members who serve staggered two-year terms. The election will be held in conjunction with the annual PPC election. The committee shall decide on requests based on the committee’s rules of operation. The committee chairperson shall be determined by committee vote.

**Rules of Operation**

A. Only those employees who are current members of the sick leave bank may make requests for granted leave.

B. The sick leave bank may only be used if:
   1. It meets the same criteria as sick leave as stated in district policy;
   2. Employee’s accumulated sick and personal leave is exhausted;
   3. Emergency leave, if applicable, is exhausted;
   4. Employee is not eligible for receiving income from an income protection insurance policy or similar coverage.
   5. A physician’s report shall be provided.

C. Requests for sick leave bank grants must be made on a request form obtained from the central office.

D. The sick leave bank committee must convene and determine grant status within ten (10) working days of receiving requests.
E. Sick leave bank grants are limited to no more than thirty (30) days per employee, per school year.
F. Days used from the sick leave bank are grants and do not require repayment.
G. Granted sick leave bank days not used by an employee will be returned to the sick leave bank.
H. Once a day is donated, it cannot be returned.
I. Sick leave bank days cannot be used for pregnancy unless complications arise which would be certified by a physician.
J. Sick leave bank days may only be used for illness or condition that is originally approved by the committee; days not used for this illness/condition may not be used for other reasons.

**Procedures for Requesting Days from Sick Leave Bank**
A. Obtain and complete the proper form from the District website.
B. Attach supporting documentation.
C. Submit the form and documentation to the Director of Human Resources who will then forward to the appropriate committee.
D. After review by the committee, the committee chairperson will notify the Director of Human resources of their decision.
E. The Director of Human Resources will then communicate with the employee making the request regarding the decision of the committee.

Legal Reference: A.C.A. § 6-17-1208

Date Adopted: March 16, 2015
Last Revised: April 21, 2016
3.10—LICENSED PERSONNEL PLANNING TIME

The principal is responsible for ensuring master schedules are created which determine the timing and duration of each teacher’s planning and scheduled lunch periods. Planning time is for the purpose of scheduling conferences, instructional planning, and preparation. Each teacher will have the ability to schedule these activities during his/her designated planning time. Teachers may leave campus during their planning time with prior permission from their building level supervisor.

The planning time shall be in increments of not less than forty (40) minutes and shall occur during the student instructional day unless a teacher requests, in writing, to have his/her planning time occur outside of the student instructional day. For the purposes of this policy, the student instructional day means the time that students are required to be present at school.

Legal Reference: A.C.A. § 6-17-114 (a)(d)

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.11—LICENSED PERSONNEL PERSONAL AND PROFESSIONAL LEAVE

Personal Leave

For the district to function efficiently and have the necessary personnel present to effect a high achieving learning environment, employee absences need to be kept to a minimum. The district acknowledges that there are times during the school year when employees have personal business that needs to be addressed during the school day. Each full-time employee shall receive two (2) days of personal leave per contract year. After the fifth year of Bryant teaching experience an employee may use one sick day as an additional personal day. After the tenth year of Bryant experience, an employee may use up to two sick days as additional personal days. Unused personal leave days will be accumulated from year to year until a total of four (4) days are accumulated. After four (4) days of accumulated personal leave, each day of unused personal leave will be credited as a sick leave day.

Personal leave may be taken in increments of no less than one-half day. The licensed employee may take approved personal leave for any reason. However, licensed personnel may not take more than two (2) consecutive personal leave days without the approval of the superintendent or his/her designee.

Employees shall take personal leave or leave without pay for absences not due to attendance at school functions which are related to their job duties and do not qualify for other types of leave (for sick leave see Policy 3.8, for professional leave see below).

School functions, for the purposes of this policy, means:
1. Athletic or academic events related to the school district; and
2. Meetings and conferences related to education.

For employees other than the superintendent, the determination of what activities meet the definition of a school function shall be made by the employee’s immediate supervisor or designee. For the superintendent, the school board of directors shall determine what activities meet the definition of a school function. In no instance shall paid leave in excess of allotted vacation days and/or personal days be granted to an employee who is absent from work while receiving remuneration from another source as compensation for the reason for their absence.

Any employee desiring to take personal leave may do so by making a written request to his or her supervisor at least twenty-four (24) hours prior to the time of the requested leave. The twenty-four hour requirement may be waived by the supervisor when the supervisor deems it appropriate.

Employees who fail to report to work when their request for a personal day has been denied or who have exhausted their allotted personal days, shall lose their daily rate of pay for the day(s) missed (leave without pay). While there are instances where personal circumstances necessitate an employee’s absence beyond the allotted days of sick and/or personal leave, any employee who requires leave without pay must receive advance permission (except in medical emergencies and/or as permitted by policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE) from their immediate supervisor. Failure to report to work without having received permission to be absent is grounds for discipline, up to and including termination.
Personal leave may not be taken the day before or the day after a holiday without the approval of the principal and the superintendent or his/her designee. Such leave may be approved only in limited or unusual circumstances. Personnel who seek leave for this purpose must do so on a specified form provided by the school district. Personnel will receive a response about whether the leave is approved or disapproved within forty-eight (48) hours.

**Professional Leave**

“Professional Leave” is leave granted for the purpose of enabling an employee to participate in professional activities (e.g., teacher workshops or serving on professional committees) which can serve to improve the school district’s instructional program or enhances the employee’s ability to perform his duties. Professional leave will also be granted when a school District employee is subpoenaed for a matter arising out of the employee’s employment with the school District. Any employee seeking professional leave must make a written request to his or her immediate supervisor, setting forth the information necessary for the supervisor to make an informed decision. The supervisor’s decision is subject to review and overruling by the superintendent. Budgeting concerns and the potential benefit for the District’s students will be taken into consideration in reviewing a request for professional leave.

Applications for professional leave should be made as soon as possible following the employee’s discerning a need for such leave, but, in any case, no less than two (2) weeks before the requested leave is to begin, if possible.

If the employee does not receive or does not accept remuneration for his/her participation in the professional leave activity and a substitute is needed for the employee, the District shall pay the full cost of the substitute. If the employee receives and accepts remuneration for his/her participation in the professional leave activity (e.g. scholastic audits), the employee shall forfeit his/her daily rate of pay from the District for the time the employee misses. The cost of a substitute, if one is needed, shall be paid by the employee.

**Legal Reference:** A.C.A. § 6-17-211

**Date Adopted:** March 16, 2015

**Last Revised:** April 21, 2016
3.12—LICENSED PERSONNEL RESPONSIBILITIES IN DEALING WITH SEX OFFENDERS ON CAMPUS

Individuals who have been convicted of certain sex crimes must register with law enforcement as sex offenders. Arkansas law places restrictions on sex offenders with a Level 1 sex offender having the least restrictions (lowest likelihood of committing another sex crime), and Level 4 sex offenders having the most restrictions (highest likelihood of committing another sex crime).

While Levels 1 and 2 place no restrictions prohibiting the individual’s presence on a school campus, Levels 3 and 4 have specific prohibitions. These are specified in Policy 6.10—SEX OFFENDERS ON CAMPUS (MEGAN’S LAW) and it is the responsibility of district staff to know and understand the policy and, to the extent requested, aid school administrators in enforcing the restrictions placed on campus access to Level 3 and Level 4 sex offenders.

It is the intention of the board of directors that district staff not stigmatize students whose parents or guardians are sex offenders while taking necessary steps to safeguard the school community and comply with state law. The district shall establish procedures so attention is not drawn to the accommodations necessary for registered sex offender parents or guardians.

Cross Reference: 6.10—SEX OFFENDERS ON CAMPUS (MEGAN’S LAW)

Legal References:  
A.C.A. § 5-14-132  
A.C.A. § 12-12-913 (g) (2)  
Arkansas Department of Education Guidelines for “Megan’s Law”

Date Adopted: March 16, 2015

Last Revised: June 20, 2019
3.13—LICENSED PERSONNEL PUBLIC OFFICE

An employee of the Bryant School District who is elected to the Arkansas General Assembly or any elective or appointive public office (not legally constitutionally inconsistent with employment by a public school district) shall not be discharged or demoted as a result of such service.

No sick leave will be granted for the employee’s participation in such public office. The employee may take personal leave or vacation (if applicable), if approved in advance by the Superintendent, during his/her absence.

Prior to taking leave, and as soon as possible after the need for such leave is discerned by the employee, he or she must make written request for leave to the Superintendent, setting out, to the degree possible, the dates such leave is needed.

An employee who fraudulently requests sick leave for the purpose of taking leave to serve in public office is in violation of the Code of Ethics for Arkansas Educators and may be subject to disciplinary procedures up to and including nonrenewal or termination of his/her employment contract.

Legal Reference: A.C.A. § 6-17-115

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.14—LICENSED PERSONNEL JURY DUTY

Employees are not subject to discharge, loss of sick leave, loss of vacation time or any other penalty due to absence from work for jury duty, upon giving reasonable notice to the District through the employee’s immediate supervisor.

The employee must present the original (not a copy) of the summons to jury duty to his or her supervisor in order to confirm the reason for the requested absence.

Legal Reference: A.C.A. § 16-31-106

Date Adopted: March 16, 2015
Last Revised: April 21, 2016
3.14.1 – LICENSED PERSONNEL COURT SUBPOENA

Employees are not subject to discharge, loss of sick leave, loss of vacation time, loss of salary, or any other penalty due to absence from work for responding to a court-issued subpoena upon giving reasonable notice to the District through the employee’s immediate supervisor.

Date Adopted:  March 16, 2015

Last Revised:  April 21, 2016
3.15—LICENSED PERSONNEL LEAVE — INJURY FROM ASSAULT

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

A leave of absence granted under this policy shall not be charged to the teacher’s sick leave.

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

The teacher shall not hold any other job during the time the employee is receiving full salary under the conditions of this policy and act.

Legal Reference: A.C.A. § 6-17-1209

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.16—LICENSED PERSONNEL REIMBURSEMENT FOR PURCHASE OF SUPPLIES

Prekindergarten through sixth grade teachers shall be allotted the amount required by law per student enrolled in the teacher’s class to be used for the purchase of classroom supplies and class activities. The amount shall be credited to an account from which the teacher shall be reimbursed for his/her covered purchases to the extent funds are available in the account. For the purposes of this policy, pre-kindergarten through sixth grade teachers shall be eligible for the allotted supply reimbursement for those students enrolled in the teacher’s class for more than fifty percent (50%) of the school day at the end of the first three months of the school year.

Teachers may purchase supplies and supplementary materials from the District at the District’s cost to take advantage of the school’s bulk buying power. To do so, teachers shall complete and have approved by their building principal a purchase order for supplies. The materials will then be purchased on the teacher’s behalf by the school and subtracted from the teacher’s total supply and material allocation. Teachers may also purchase materials and supplies using their own funds and apply for reimbursement by submitting itemized receipts. Supplies and materials purchased with school funds, or for which the teacher is reimbursed with school funds, are school property, and should remain on school property except to the extent they are consumed or the purchased supplies and/or materials are intended/designated for use away from the school campus.

Unused allotments shall not be carried over from one fiscal year to the next.

Legal Reference: A.C.A. § 6-21-303(b)(1)

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.17—RESERVED
3.18—LICENSED PERSONNEL OUTSIDE EMPLOYMENT

An employee of the District may not be employed in any other capacity during regular working hours.

An employee may not accept employment outside of his or her district employment which will interfere, or otherwise be incompatible with the District employment, including normal duties outside the regular work day; nor shall an employee accept other employment which is inappropriate for an employee of a public school.

The Superintendent, or his designee(s), shall be responsible for determining whether outside employment is incompatible, conflicting or inappropriate.

When a licensed employee is additionally employed by the District in either a classified capacity or by a contract to perform supplementary duties for a stipend or multiplier, the duties, expectations, and obligations of the primary licensed position employment contract shall prevail over all other employment duties unless the needs of the district dictate otherwise. If there is a conflict between the expectations of the primary licensed position and any other contracted position, the licensed employee shall notify the employee's building principal as far in advance as is practicable. The building principal shall verify the existence of the conflict by contacting the supervisor of the secondary contracted position. The building principal shall determine the needs of the district on a case-by-case basis and rule accordingly. The principal's decision is final with no appeal to the Superintendent or the School Board. Frequent conflicts or scheduling problems could lead to the non-renewal or termination of the classified contract of employment or the contract to perform the supplementary duties.

Sick Leave and Outside Employment

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 3.44, an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

Cross References: 3.8—LICENSED PERSONNEL SICK LEAVE
3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE
3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION

Legal References: A.C.A. § 6-24-106, 107, 111

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.19—LICENSED PERSONNEL EMPLOYMENT

All professional personnel employed by the Bryant School District must meet/exceed qualifications set forth by the Arkansas Department of Education.

Notice of staff openings will be posted in the superintendent's office, on the district website, and via e-mail to staff members district-wide.

All prospective employees must fill out an application form provided by the District, in addition to any resume provided; all of the information provided is to be placed in the personnel file of those employed. Building principals will use these files in contacting, screening, and referring applicants to the superintendent for consideration.

If the employee provides false or misleading information, or if he/she withholds information to the same effect, it may be grounds for dismissal. In particular, it will be considered a material misrepresentation and grounds for termination of contract of employment if an employee’s licensure status is discovered to be other than as it was represented by an employee or applicant, either in writing on application materials or in the form of verbal assurances or statements made to the school district.

It is grounds for termination of contract of employment if an employee fails a criminal background check or receives a true report on the Child Maltreatment Central Registry check.

All teachers who begin employment in the 2021-2022 school year and each school year thereafter shall demonstrate proficiency or awareness in knowledge and practices in scientific reading instruction as is applicable to their teaching position by completing the prescribed proficiency or awareness in knowledge and practices of the scientific reading instruction credential either as a condition of licensure or within one (1) year for teachers who are already licensed or employed as a teacher under a waiver from licensure.

Before the superintendent may make a recommendation to the Board that an individual be hired by the District, the superintendent or his or her designee shall check the Arkansas Educator Licensure System to determine if the individual has a currently suspended or revoked teaching license. An individual with a currently suspended license or whose license has been revoked by the State Board of Education is not eligible to be employed by the District; this prohibition includes employment as a substitute teacher, whether directly employed by the District or providing substitute teaching services under contract with an outside entity.

The District is an equal opportunity employer and shall not discriminate on the grounds of race, color, religion, national origin, sex, age, disability, or genetic information.

Inquiries on non-discrimination may be directed to the Bryant School District Human Resources Office, which may be reached at (501) 847-5600. Inquiries regarding issues related to Title IX shall be directed to the Bryant School District Deputy Superintendent, who may be reached at (501) 847-5600. Inquiries related to Section 504 shall be directed to the Bryant School District 504 Coordinator at (501) 847-5660.
For further information on notice of non-discrimination or to file a complaint, visit http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

In accordance with Arkansas law, the District provides a veteran preference to applicants who qualify for one of the following categories:
1. a veteran without a service-connected disability;
2. a veteran with a service-connected disability; or
3. a deceased veteran’s spouse who is unmarried throughout the hiring process.

For purposes of this policy, “veteran” is defined as:
1. A person honorably discharged from a tour of active duty, other than active duty for training only, with the armed forces of the United States; or
2. Any person who has served honorably in the National Guard or reserve forces of the United States for a period of at least six (6) years, whether or not the person has retired or been discharged.

In order for an applicant to receive the veterans preference, the applicant must be a citizen and resident of Arkansas, be substantially equally qualified as other applicants and do all of the following:
1. Indicate on the employment application the category the applicant qualifies for;
2. Attach the following documentation, as applicable, to the employment application:
   - Form DD-214 indicating honorable discharge;
   - A letter dated within the last six months from the applicant’s command indicating years of service in the National Guard or Reserve Forces as well as the applicant’s current status;
   - Marriage license;
   - Death certificate;
   - Disability letter from the Veteran’s Administration (in the case of an applicant with a service-related disability).

Failure of the applicant to comply with the above requirements shall result in the applicant not receiving the veteran preference; in addition, meeting the qualifications of a veteran or spousal category does not guarantee either an interview or being hired.

Individuals accepting employment in the District agree to accept the position and job responsibilities assigned by the superintendent. The administration will make teaching assignments based on what they feel is best for the total school program.

Legal References: Arkansas Department of Education Rules Governing Background Checks
A.C.A. § 6-17-301
A.C.A. § 6-17-410
A.C.A. § 6-17-411
A.C.A. § 6-17-428
A.C.A. § 6-17-429
A.C.A. § 21-3-302
A.C.A. § 21-3-303
28 C.F.R. § 35.106
29 C.F.R. part 1635
34 C.F.R. § 100.6
34 C.F.R. § 104.8
34 C.F.R. § 106.9
34 C.F.R. § 108.9
34 C.F.R. § 110.25

Date Adopted: March 16, 2015

Last Revised: April 18, 2018
3.19.1 – LICENSED PERSONNEL ASSIGNMENT

**Assignment of Employees**

Appointments of instructional personnel shall be made by the Board of Education upon consideration of recommendations made by the superintendent. It shall be the responsibility of the superintendent to see that persons selected and recommended for employment meet all qualifications established by the Board and by law for the type of position for which the recommendation is being made. Information on teacher candidates that is presented to the Board shall contain the following items: (a) Name; (b) Position recommended for; (c) Experience; (d) College/Degree information; (e) Areas of certification; (f) Number of candidates interviewed for the positions.

The selection will be based on the following considerations: (a) certification requirements; (b) personal interview; (c) experience and performance; (d) criminal background check; and (e) potential contribution to program.

The evaluation of experience and assignment of a position is a responsibility reserved by the administration.

Individuals accepting employment in the Bryant School District agree to accept the position and job responsibilities assigned by the superintendent. The administration will make teaching assignments based on what they feel is best for the total school program.

**Transfer of Employees**

Requests for transfers in assignment may be granted by the superintendent after written request has been filed, discussed with both principals concerned, and determined to be in the best interest of the school district.

The principal criterion for consideration of a request for transfer (voluntary or involuntary) is whether or not the request will result in the best educational program for the school district. The best educational program results from selection of a school faculty which is well balanced in terms of teacher experience, general background, and competence. The administration will make teaching assignments based on what is best for the total school program.

I. Voluntary

A teacher currently employed by the district may be considered for an opening within the district. A request for transfer will not be granted if the teacher does not qualify for the existing vacancy. The superintendent may grant a transfer after a written request has been filed and approved by both principals. The principals must decide that which is best for the overall educational program of their schools. The following criteria will be considered by the principals and shall include:

- a. Certification requirements
- b. Experience and performance
- c. Education
d. Potential contribution to program

e. Longevity of the teacher in the district

II. Involuntary

When it becomes necessary to transfer certified staff members from one building or campus who have not requested a transfer, the following criteria will govern their transfer:

A. When positions in a particular area are being transferred, probationary teachers will be transferred before non-probationary teachers.

B. If there is more than one probationary teacher being considered for transfer or if it is necessary to transfer non-probationary teachers due to the number of transfers needed, the following criteria will be used to determine who will be transferred:

   1. Longevity of the teacher in the district, to be based on:

      a. Date of hire
      b. The first working day in the District
      c. Teaching experience out of District
      d. Date and order of recommendations to the Superintendent for employment if available

C. If a teacher is involuntarily transferred out of a teaching position and the same teaching position becomes available, he/she will have the option to transfer back to that same teaching position.

D. If following the above criteria will result in an imbalance in terms of teacher experience, background, and competence, the administration will make teaching assignments based on what is best for the total school program.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.20—LICENSED PERSONNEL REIMBURSEMENT OF TRAVEL EXPENSES

Employees shall be reimbursed for approved travel expenses incurred while performing duties or attending workshops or other employment-related functions, provided that prior written approval for the activity for which the employee seeks reimbursement has been received from the Superintendent, principal (or other immediate supervisor with the authority to make school approvals), or the appropriate designee of the Superintendent and that the teacher’s attendance/travel was at the request of the district.

It is the responsibility of the employee to determine the appropriate supervisor from which he/she must obtain approval.

Reimbursement claims must be made on forms provided by the District and must be supported by appropriate, original receipts. Copies of receipts or other documentation are not acceptable, except in extraordinary circumstances. Guidelines for reimbursements are contained in the district business procedures manual.

The provisions of policy 7.12—EXPENSE ADVANCEMENT OR REIMBURSEMENT are incorporated by reference into this policy.

Cross Reference: Policy 7.12—EXPENSE ADVANCEMENT OR REIMBURSEMENT

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.21—LICENSED PERSONNEL TOBACCO USE

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 the Bryant School District, including school buses owned or leased by the District, or other school vehicles is prohibited.

With the exception of recognized tobacco cessation products, this policy’s prohibition includes any tobacco or nicotine delivery system or 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.

Violation of this policy by employees shall be grounds for disciplinary action up to, and including, dismissal.

Legal Reference: A.C.A. § 6-21-609

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.22—DRESS OF LICENSED EMPLOYEES

Employees shall ensure that their dress and appearance are professional and appropriate to their positions.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.23—LICENSED PERSONNEL POLITICAL ACTIVITY

Employees are free to engage in political activity outside of work hours to the extent that it does not affect the performance of their duties or adversely affect important working relationships.

It is specifically forbidden for employees to engage in political activities on the school grounds or during work hours. The following activities are forbidden on school property:

1. Using students for preparation or dissemination of campaign materials;
2. Distributing political materials;
3. Distributing or otherwise seeking signatures on petitions of any kind;
4. Using school-owned materials and/or technology to engage in political activity, including copy machines, e-mail, or any other school-owned system or device.
5. Posting political materials; and
6. Discussing political matters with students, in the classroom, in other than circumstances appropriate to the Frameworks and/or the curricular goals and objectives of the class.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.24—RESERVED
3.25—LICENSED PERSONNEL GRIEVANCES

The Board of Education recognizes that harmonious relations with its employees can be maintained and improved through effective communications. The interests of all parties can be best served by sincere efforts of all concerned to promote understanding and cooperation. Any certified employee has the right to present grievances. At any level of the grievance procedure, the employee may be represented by a person of his/her choosing but not by a member of his/her immediate family.

The purpose of this policy is to provide an orderly process for employees to resolve, at the lowest possible level, their concerns related to the personnel policies or salary payments of this District.

Definitions

Grievance: a claim or concern related to the interpretation, application, or claimed violation of the personnel policies, including salary schedules, federal or state laws and regulations, or terms or conditions of employment, raised by an individual employee of this school district. Other matters for which the means of resolution are provided or foreclosed by statute or administrative procedures shall not be considered grievances. Specifically, no grievance may be entertained against a supervisor for evaluating, directing, instructing, reprimanding, or “writing up” an employee under his/her supervision. A group of employees who have the same grievance may file a group grievance.

Group Grievance: A grievance may be filed as a group grievance if it meets the following criteria: (meeting the criteria does not ensure that the subject of the grievance is, in fact, grievable)
1. More than one individual has interest in the matter; and
2. The group has a well-defined common interest in the facts and/or circumstances of the grievance; and
3. The group has designated an employee spokesperson to meet with administration and/or the board;
4. All individuals within the group are requesting the same relief; and
5. The group grievance qualifies as a “grievance” as defined in this policy.

Employee: any person employed under a written contract by this school district.

Immediate Supervisor: the person immediately superior to an employee who directs and supervises the work of that employee.

Working day: Any weekday other than a holiday whether or not the employee under the provisions of their contract is scheduled to work or whether they are currently under contract.

Process

Level One: An employee who believes that he/she has a grievance shall inform the immediate supervisor of the potential grievance and discuss the matter with the supervisor within five working days of the occurrence of the grievance. The supervisor shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. (The five-day requirement does not apply to grievances concerning back pay.) If the grievance is not advanced to Level Two within five working days following the conference, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.
If the grievance cannot be resolved by the immediate supervisor, the employee can advance the grievance to Level Two. To do this, the employee must complete the top half of the Level Two Grievance Form within five working days of the discussion with the immediate supervisor, citing the manner in which the specific personnel policy was violated that has given rise to the grievance, and submit the Grievance Form to his/her immediate supervisor. The supervisor will have ten working days to respond to the grievance using the bottom half of the Level Two Grievance Form. If the employee’s immediate supervisor is the principal, or if the employee does not have a principal in his or her supervisory chain, the employee shall submit the Level Two Grievance Form to the superintendent.

**Level Two (when appeal is to the building principal):** Upon receipt of a Level Two Grievance Form, the building principal will have ten working days to schedule a conference with the employee filing the grievance. The principal shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. After the conference, the principal will have ten working days in which to deliver a written response to the grievance to the employee. If the grievance is not advanced to Level Three within five working days the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

**Level Two (when appeal is to the superintendent):** Upon receipt of a Level Two Grievance Form, the superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

**Level Three:** If the proper recipient of the Level Two Grievance was the building principal, and the employee remains unsatisfied with the written response to the grievance, the employee may advance the grievance to the superintendent by submitting a copy of the Level Two Grievance Form and the principal’s reply to the superintendent within five working days of his/her receipt of the principal’s reply. The superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

**Appeal to the Board of Directors:** An employee who remains unsatisfied by the written response of the superintendent may appeal the superintendent’s decision to the Board of Education within five working days of his/her receipt of the Superintendent’s written response by submitting a written request for a board hearing to the superintendent. If the grievance is not appealed to the Board of Directors within five working days of his/her receipt of the superintendent’s response, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

The school board will address the grievance at its next regular meeting, unless the employee agrees in writing to an alternate date for the hearing. After reviewing the Level Two Grievance Form and the superintendent’s reply, the board will decide if the grievance, on its face, is grievable under district policy. If the grievance is presented as a “group grievance,” the Board shall first determine if the composition of the group meets the definition of a “group grievance.” If the Board determines that it is a group grievance,
the Board shall then determine whether the matter raised is grievable. If the Board rules the composition of the group does not meet the definition of a group grievance, or the grievance, whether group or individual, is not grievable, the matter shall be considered closed. (Individuals within the disallowed group may choose to subsequently refile their grievance as an individual grievance beginning with Level One of the process.) If the Board rules the grievance to be grievable, they shall immediately commence a hearing on the grievance. All parties have the right to representation by a person of their own choosing who is not a member of the employee’s immediate family at the appeal hearing before the Board of Directors. The employee shall have no less than 90 minutes to present his/her grievance, unless a shorter period is agreed to by the employee, and both parties shall have the opportunity to present and question witnesses. The hearing shall be open to the public unless the employee requests a private hearing. If the hearing is open, the parent or guardian of any student under the age of eighteen years who gives testimony may elect to have the student’s testimony given in closed session. At the conclusion of the hearing, if the hearing was closed, the Board of Directors may excuse all parties except board members and deliberate, by themselves, on the hearing. At the conclusion of an open hearing, board deliberations shall also be in open session unless the board is deliberating the employment, appointment, promotion, demotion, disciplining, or resignation of the employee. A decision on the grievance shall be announced no later than the next regular board meeting.

Records
Records related to grievances will be filed separately and will not be kept in, or made part of, the personnel file of any employee.

Reprisals
No reprisals of any kind will be taken or tolerated against any employee because he/she has filed or advanced a grievance under this policy. In addition, the filing or pursuance of any grievance by an individual shall not be considered in relation to promotion, rehiring, etc. of that individual.

Legal References: A.C.A. § 6-17-208, 210

Date Adopted: March 16, 2015

Last Revised: April 18, 2018
3.25F—LICENSED PERSONNEL LEVEL TWO GRIEVANCE FORM

Name: _______________________________________________

Date submitted to supervisor: ____________

Personnel Policy grievance is based upon:
_________________________________________________________________________________

Grievance (be specific):
_____________________________________________________________________________

_____________________________________________________________________________

_____________________________________________________________________________

_____________________________________________________________________________

What would resolve your grievance?
_____________________________________________________________________________

_____________________________________________________________________________

_____________________________________________________________________________

Supervisor’s Response

Date submitted to recipient: ____________
_____________________________________________________________________________

_____________________________________________________________________________

_____________________________________________________________________________

_____________________________________________________________________________

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.26—LICENSED PERSONNEL SEXUAL HARASSMENT

The Bryant School District is committed to having an academic and work environment in which all students and employees are treated with respect and dignity. Student achievement and amicable working relationships are best attained in an atmosphere of equal educational and employment 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 and work environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to employees on sexual harassment. The informational materials and training shall include, but are not limited to: the nature of sexual harassment; the District’s written grievance procedures for complaints of sexual harassment; that the district does not tolerate sexual harassment; that students and employees can report inappropriate behavior of a sexual nature without fear of adverse consequences; the redress that is available to the victim of sexual harassment; and the potential discipline for perpetrating sexual harassment.

“Sexual harassment” means conduct that is:
1. Of a sexual nature, including, but not limited to:
   a. Sexual advances;
   b. Requests for sexual favors;
   c. Sexual violence; or
   d. Other personally offensive verbal, visual, or physical conduct of a sexual nature;
2. Unwelcome; and
3. Denies or limits an employee’s ability to participate in or benefit from any of the District’s educational programs or activities or employment environment through any or all of the following methods:
   a. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment;
   b. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting that individual; and/or
   c. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creates an intimidating, hostile, or offensive work environment.

The terms “intimidating,” “hostile,” and “offensive” include conduct of a sexual nature that has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive that it limits the student’s or employees ability to participate in, or benefit from, an educational program or activity or employment environment.

Within the educational or work environment, sexual harassment is prohibited between any of the following: students; employees and students; non-employees and students; employees; employees and non-employees.
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;
- Circulating or showing e-mails or Web sites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing 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 employee self-identifies as homosexual or transgender.

Employees who believe they have been subjected to sexual harassment are encouraged to file a complaint by contacting their immediate supervisor, an administrator, or the Title IX coordinator who will provide assistance on the complaint process. Under no circumstances shall an employee be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment.

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 to the extent necessary to complete a thorough investigation; the extent necessary to submit a report to the child maltreatment hotline; the Professional Licensure Standards Board for complaints alleging sexual harassment by an employee towards a student; or the extent necessary to provide the individual accused in the complaint due process during the investigation and disciplinary processes. Individuals who file a complaint have the right to request that the individual accused of sexual harassment not be informed of the name of the accuser; however, individuals should be aware that making such a request may substantially limit the District’s ability to investigate the complaint and may make it impossible for the District to discipline the accused.

Employees who file a complaint of sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats, intimidation, coercion, or discrimination. 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, District contractors, or students.

Following the completion of an investigation of a complaint, the District will inform the employee who filed the complaint:

- The final determination of the investigation;
- Remedies the District will make available to the employee; and
- The sanctions, if any, imposed on the alleged harasser relevant to the employee.
Following the completion of an investigation of a complaint, the District will inform the alleged perpetrator:

- The final determination of the investigation; and
- The sanctions, if any, the District intends to impose on the alleged perpetrator.

It shall be a violation of this policy for any student or employee to be subjected to, or to subject another person to, sexual harassment. Following an investigation, any employee who is found by the evidence to more likely than not have engaged in sexual harassment will be subject to disciplinary action up to, and including, termination.

Employees who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including termination.

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including termination.

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
34 CFR part 106
A.C.A. § 6-15-1005 (b) (1)

Date Adopted: March 16, 2015

Last Revised: April 18, 2018
3.27—LICENSED PERSONNEL SUPERVISION OF STUDENTS

All District personnel are expected to conscientiously execute their responsibilities to promote the health, safety, and welfare of the District’s students under their care. The Superintendent shall direct all principals to establish procedures ensuring faculty supervision of students throughout the school day and at extracurricular activities.

Date Adopted:  March 16, 2015

Last Revised:  April 21, 2016
3.28—LICENSED PERSONNEL COMPUTER USE POLICY

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

Network and Internet access is provided as a tool for education. The School District reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network, including e-mails, Instant Messages, and Internet access and any and all information transmitted or received in connection with such usage.

Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district’s technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. The District Information Technology Security Officer or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

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

Legal References: Children’s Internet Protection Act; PL 106-554
20 USC 6777
47 USC 254(h)
A.C.A. § 6-21-107
A.C.A. § 6-21-111

Date Adopted: March 16, 2015
Last Revised: June 22, 2017
3.28F—LICENSED PERSONNEL EMPLOYEE INTERNET USE AGREEMENT

Name (Please Print) ______________________________________________________________

School _______________________________ Date __________________

The Bryant School District agrees to allow the employee identified above (“Employee”) to use the district’s technology to access the Internet under the following terms and conditions:

1. Conditional Privilege: The Employee’s use of the district’s access to the Internet is a privilege conditioned on the Employee’s abiding by this agreement.

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

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

4. “Misuse of the District’s access to the Internet” includes, but is not limited to, the following:
   a. using the Internet for any activities deemed lewd, obscene, vulgar, or pornographic as defined by prevailing community standards;
   b. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
   c. posting anonymous messages on the system;
   d. using encryption software other than when required by the employee’s job duties;
   e. wasteful use of resources provided by the school;
   f. causing congestion of the network through lengthy downloads of files that are not for instructional use other than when required by the employee’s job duties;
   g. vandalizing data of another user;
   h. obtaining or sending information that could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
   i. gaining or attempting to gain unauthorized access to resources or files;
   j. identifying oneself with another person’s name or password or using an account or password of another user without proper authorization;
   k. using the network for financial or commercial gain without district permission;
   l. theft or vandalism of data, equipment, or intellectual property;
   m. invading the privacy of individuals other than when required or authorized by the employee’s job duties;
   n. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
   o. introducing a virus to, or otherwise improperly tampering with, the system;
   p. degrading or disrupting equipment or system performance;
   q. creating a web page or associating a web page with the school or school district without proper authorization;
r. attempting to gain access or gaining access to student records, grades, or files of students not under their jurisdiction;
s. providing access to unauthorized individuals;
t. taking part in any activity related to Internet use that creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools;
u. making unauthorized copies of computer software;
v. excessive personal use of computers, including during instructional time; or
w. installing software on district computers without prior approval of the Information Technology Security Officer or his/her designee except for District technology personnel as part of their job duties.

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

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

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

Employee’s Signature: ___________________________________________ Date _____________

Date Adopted: March 16, 2015

Last Revised: June 22, 2017
3.29—LICENSED PERSONNEL SCHOOL CALENDAR

A school calendar shall be developed each year and approved by the School Board. The calendar will designate workdays, holidays, and non-instructional days for students and employees.

The District shall not establish a school calendar that limits or interferes with any scheduled statewide assessment that might jeopardize or limit the valid assessment and comparison of student learning gains.

Legal References:

A.C.A. § 6-15-2907(f)
A.C.A. § 6-17-201
ADE Rules Governing the Arkansas Educational Support and Accountability Act

Date Adopted: March 16, 2015

Last Revised: June 22, 2017
3.30—PARENT-TEACHER COMMUNICATION

The district recognizes the importance of communication between teachers and parents/legal guardians. To help promote positive communication, parent/teacher conferences shall be held once each semester. Parent-teacher conferences are encouraged and may be requested by parents or guardians when they feel they need to discuss their child’s progress with his/her teacher.

Teachers are required to communicate during the school year with the parent(s) or legal guardian(s) to discuss the student’s academic progress unless the student has been placed in the custody of the Department of Human Services and the school has received a court order prohibiting parent or legal guardian participation in parent/teacher conferences. More frequent communication is required with the parent(s) or legal guardian(s) of students who are performing below grade level.

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

If a student is to be retained at any grade level, notice of, and the reasons for retention shall be communicated promptly in a personal conference.

Legal References:

Standards for Accreditation 5-A.1
A.C.A. § 6-15-1701(b)(3)(C)

Date Adopted: March 16, 2015

Last Revised: April 18, 2019
3.31—DRUG FREE WORKPLACE - LICENSED PERSONNEL

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

To help promote a drug free workplace, the district shall establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the district's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. Several online and hospital-based drug-free awareness programs and rehabilitation centers, such as Arkansas Rehab, Counseling Associates, and others are available in the Central Arkansas area.

Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance, whether or not engaged in any school or school-related activity, and the behavior of the employee, if under the influence, is such that it is inappropriate for a school employee in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination. This policy also applies to those employees who are under the influence of alcohol while on campus or at school-sponsored functions, including athletic events.

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

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

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

Any employee who is charged with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his/her immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive, excluding
holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately.

If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.

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

Any employee convicted of any criminal drug statute violation for an offense that occurred while at work or in the performance of official duties while off district property shall report the conviction within 5 calendar days to the superintendent. Within 10 days of receiving such notification, whether from the employee or any other source, the district shall notify federal granting agencies from which it receives funds of the conviction. Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

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

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

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

A report to the appropriate licensing agency shall be filed within seven (7) days of:

1. A final disciplinary action taken against an employee resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances, or
2. The voluntary resignation of an employee who is facing a pending disciplinary action resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances.

The report filed with the licensing authority shall include, but not be limited to:

1. The name, address, and telephone number of the person who is the subject of the report; and

2. A description of the facts giving rise to the issuance of the report.

When the employee is not a healthcare professional, law enforcement will be contacted regarding any final disciplinary action taken against an employee for the diversion of controlled substances to one (1) or more third parties.

Legal References: 41 USC § 702, 703, and 706

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.31F—DRUG FREE WORKPLACE POLICY ACKNOWLEDGEMENT

CERTIFICATION

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

Signature _________________________________________________

Date __________________
3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE

The Family and Medical Leave Act (FMLA) offers job protection for leave that might otherwise be considered excessive absences. Employees need to carefully comply with this policy to ensure they do not lose FMLA protection due to inaction or failure to provide the District with needed information. The FMLA provides up to twelve (12) workweeks (or in some cases, twenty-six (26) weeks) of job-protected leave to eligible employees with absences that qualify under the FMLA. While an employee can request FMLA leave and has a duty to inform the District, as provided in this policy, of foreseeable absences that may qualify for FMLA leave, it is the District’s ultimate responsibility to identify qualifying absences as FMLA or non-FMLA. FMLA leave is unpaid, except to the extent that paid leave applies to any given absence as governed by the FMLA and this policy.

SECTION ONE – FMLA LEAVE GENERALLY

Definitions:

“Eligible Employee” is an employee who has:

1. Been employed by the District for at least twelve (12) months, which are not required to be consecutive; and
2. Performed at least 1250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave.

“FMLA” is the Family and Medical Leave Act

“Health Care Provider” means:

a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices;
b. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;
c. Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;
d. Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement; or
e. Any other person determined by the U.S. Secretary of Labor to be capable of providing health care services.
“Instructional Employee” is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting and includes athletic coaches, driving instructors, preschool teachers, and special education assistants such as signers for the hearing impaired. The term does not include, and the special rules related to the taking of leave near the end of a semester do not apply to: teacher assistants or aides who do not have as their principal job actual teaching or instructing, counselors, librarians, psychologists, and curriculum specialists.

“Intermittent leave” is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee’s schedule for a period of time, normally from full-time to part-time.

“Next of Kin”, used in respect to an individual, means the nearest blood relative of that individual.

“Parent” is the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or a daughter. This term does not include parents “in-law.”

“Serious Health Condition” is an injury, illness, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility or continuing treatment by a health care provider.

“Son or daughter”, for numbers 1, 2, or 3 below: is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and “incapable of self-care because of a mental or physical disability” at the time that FMLA leave is to commence.

“Year”, the twelve (12) month period of eligibility shall begin on July first of each school year.

Policy

The provisions of this policy are intended to be in line with the provisions of the FMLA. If any conflict(s) exist, the Family and Medical Leave Act of 1993, as amended, shall govern.

Leave Eligibility

The District will grant up to twelve (12) weeks of leave in a year in accordance with the FMLA as amended, to its eligible employees for one or more of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;

2. Because of the placement of a son or daughter with the employee for adoption or foster care;

3. To care for the spouse, son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee; and

5. Because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. (See Section Two)

6. To care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury. (See Section Two)

The entitlement to leave for reasons 1 and 2 listed above shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

A legally married couple who are both eligible employees employed by the District may not take more than a combined total of twelve (12) weeks of FMLA leave for reasons 1, 2, or to care for a parent under number 3.

**Provisions Applicable to both Sections One and Two**

**District Notice to Employees**

The District shall post, in conspicuous places in each school within the District where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA’s provisions and providing information about the procedure for filing complaints with the Department of Labor.

**Designation Notice to Employee**

When an employee requests FMLA leave or the District determines that an employee’s absence may be covered under the FMLA, the District shall provide written notice within five (5) business days (absent extenuating circumstances) to the employee of the District’s determination of his/her eligibility for FMLA leave. If the employee is eligible, the District may request additional information from the employee and/or certification from a health care provider to help make the applicability determination. After receiving sufficient information as requested, the District shall provide a written notice within five (5) business days (absent extenuating circumstances) to the employee of whether the leave qualifies as FMLA leave and will be so designated.

If the circumstances for the leave don’t change, the District is only required to notify the employee once of the determination regarding the designation of FMLA leave within any applicable twelve (12) month period.

Employees who receive notification that the leave request does not qualify under the FMLA are expected to return to work; further absences that are not otherwise excused could lead to discipline for excessive absences, or termination for job abandonment.
Concurrent Leave Under the FMLA

All FMLA leave is unpaid unless substituted by applicable accrued leave. The District requires employees to substitute any applicable accrued leave (in the order of sick, personal, or vacation leave as may be applicable) for any period of FMLA leave.

An employee who does not have enough accrued leave to cover the number of days of FMLA leave taken shall not have his/her number of contract days altered because some of the FMLA leave taken was unpaid.

Working at another Job while Taking FMLA for Personal or Family Serious Medical Condition

No employee on FMLA leave for his or her own serious medical condition may perform work at another, non-district job while on FMLA leave. Except as provided in policy 3.44, employees who do perform work at another, non-district job while on FMLA leave for their own serious medical condition will be subject to discipline, which could include termination or nonrenewal of their contract of employment.

No employee on FMLA leave for the serious medical condition of a family member may perform work at another, non-district job while on FMLA leave. Employees who do perform work at another, non-district job while on FMLA leave for the serious medical condition of a family member will be subject to discipline, which could include termination or nonrenewal of their contract of employment.

Health Insurance Coverage

The District shall maintain coverage under any group health plan for the duration of FMLA leave the employee takes at the level and under the conditions coverage would have been provided if the employee had continued in active employment with the District. Additionally, if the District makes a change to its health insurance benefits or plans that apply to other employees, the employee on FMLA leave must be afforded the opportunity to access additional benefits and/or the same responsibility for changes to premiums. Any changes made to a group health plan that apply to other District employees, must also apply to the employee on FMLA leave. The District will notify the employee on FMLA leave of any opportunities to change plans or benefits. The employee remains responsible for any portion of premium payments customarily paid by the employee. When on unpaid FMLA leave, it is the employee’s responsibility to submit his/her portion of the cost of the group health plan coverage to the district’s business office on or before it would be made by payroll deduction.

The District has the right to pay an employee’s unpaid insurance premiums during the employee’s unpaid FMLA leave to maintain the employee’s coverage during his/her leave. The District may recover the employee's share of any premium payments missed by the employee for any FMLA leave period that the District maintains health coverage for the employee by paying his/her share. Such recovery shall be made by offsetting the employee’s debt through payroll deductions or by other means against any monies owed the employee by the District.

An employee who chooses to not continue group health plan coverage while on FMLA leave, is entitled to be reinstated on the same terms as prior to taking the leave, including family or dependent coversages, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc.
If an employee gives an unequivocal notice of intent not to return to work, or if the employment relationship would have terminated if the employee had not taken FMLA leave, the District’s obligation to maintain health benefits ceases.

If the employee fails to return from leave after the period of leave has expired, the District may recover the premiums it paid to maintain health care coverage unless:

a. The employee fails to return to work due to the continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under reasons 3 or 4 listed above; and/or

b. Other circumstances exist beyond the employee’s control.

Circumstances under “a” listed above shall be certified by a licensed, practicing health care provider verifying the employee’s inability to return to work.

**Reporting Requirements During Leave**

Unless circumstances exist beyond the employee’s control, the employee shall inform the district every two (2) weeks during FMLA leave of his/her current status and intent to return to work.

**Return to Previous Position**

An employee returning from FMLA leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An equivalent position must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, and authority. Specifically, upon returning from FMLA leave, an employee may be assigned to another position that is not necessarily the same as the employee’s former job assignment. The employee may not be restored to a position requiring additional licensure or certification.

The employee’s right to return to work and/or to the same or an equivalent position does not supersede any actions taken by the District, such as conducting a RIF, that the employee would have been subject to had the employee not been on FMLA leave at the time of the District’s actions.

**Provisions Applicable to Section One**

**Employee Notice to District**

Foreseeable Leave:

When the need for leave is foreseeable for reasons 1 through 4 listed above, the employee shall provide the District with at least thirty (30) days’ notice, before the date the leave is to begin, of the employee's intention to take leave for the specified reason. An eligible employee who has no reasonable excuse for his/her failure to provide the District with timely advance notice of the need for FMLA leave may have his/her FMLA coverage of such leave delayed until thirty (30) days after the date the employee provides notice.
If there is a lack of knowledge of approximately when the leave will be required to begin, a change in circumstances, or an emergency, notice must be given as soon as practicable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

When the need for leave is for reasons 3 or 4 listed above, the eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the District subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

If the need for FMLA leave is foreseeable less than thirty (30) days in advance, the employee shall notify the District as soon as practicable. If the employee fails to notify as soon as practicable, the District may delay granting FMLA leave for the number of days equal to the difference between the number of days in advance that the employee should have provided notice and when the employee actually gave notice.

Unforeseeable Leave:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case.

Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required, unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Medical Certification

Second and Third Opinions: In any case where the District has reason to doubt the validity of the initial certification provided, the District may require, at its expense, the employee to obtain the opinion of a second health care provider designated or approved by the employer. If the second opinion differs from the first, the District may require, at its expense, the employee to obtain a third opinion from a health care provider agreed upon by both the District and the employee. The opinion of the third health care provider shall be considered final and be binding upon both the District and the employee.

Recertification: The District may request, either orally or in writing, the employee obtain a recertification in connection with the employee’s absence, at the employee’s expense, no more often than every thirty (30) days unless one or more of the following circumstances apply:

- The original certification is for a period greater than thirty (30) days. In this situation, the District may require a recertification after the time of the original certification expires, but in any case, the District may require a recertification every six (6) months.

- The employee requests an extension of leave;
• Circumstances described by the previous certification have changed significantly; and/or

• The district receives information that casts doubt upon the continuing validity of the certification.

The employee must provide the recertification within fifteen (15) calendar days after the District’s request.

No second or third opinion on a recertification may be required.

The District may deny FMLA leave if an eligible employee fails to provide a requested certification.

Substitution of Paid Leave

When an employee’s leave has been designated as FMLA leave for reasons 1 (as applicable), 2, 3, or 4 above, the District requires employees to substitute accrued sick, vacation, or personal leave for the period of FMLA leave.

To the extent the employee has accrued paid vacation or personal leave, any leave taken that qualifies for FMLA leave for reasons 1 or 2 above shall be paid leave and charged against the employee’s accrued leave.

Workers Compensation: FMLA leave may run concurrently with a workers’ compensation absence when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will be charged for any paid leave accrued by the employee at the rate necessary to bring the total amount of combined income up to 100% of usual contracted daily rate of pay. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a “light duty job,” but is unable to return to the employee’s same or equivalent job, the employee may decline the District’s offer of a “light duty job.” As a result, the employee may lose his/her workers’ compensation payments, but for the duration of the employee’s FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

Return to Work

If the District’s written designation determination that the eligible employee’s leave qualified as FMLA leave under reason 4 above stated that the employee would have to provide a “fitness-for-duty” certification from a health care provider for the employee to resume work, the employee must provide such certification prior to returning to work. The employee’s failure to do so voids the District’s obligation to reinstate the employee under the FMLA and the employee shall be terminated.

If the District’s written designation determination that the eligible employee’s leave qualified as FMLA leave under reason 4 above stated that the employee would have to provide a “fitness-for-duty” certification from a health care provider for the employee to resume work and the designation determination listed the employee’s essential job functions, the employee must provide certification that the employee is able to perform those functions prior to returning to work. The employee’s failure to do so or his/her inability to perform his/her job’s essential functions voids the District’s obligation to reinstate the employee under the FMLA and the employee shall be terminated.
Failure to Return to Work:

In the event that an employee is unable or fails to return to work within FMLA's leave timelines, the superintendent will make a determination at that time regarding the documented need for a severance of the employee’s contract due to the inability of the employee to fulfill the responsibilities and requirements of his/her contract.

Intermittent or Reduced Schedule Leave

To the extent practicable, employees requesting intermittent or reduced schedule leave shall provide the District with not less than thirty (30) days’ notice, before the date the leave is to begin, of the employee's intention to take leave.

Eligible employees may only take intermittent or reduced schedule leave for reasons 1 and 2 listed above if the District agrees to permit such leave upon the request of the employee. If the District agrees to permit an employee to take intermittent or reduced schedule leave for such reasons, the agreement shall be consistent with this policy’s requirements governing intermittent or reduced schedule leave. The employee may be transferred temporarily during the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and which better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties.

Eligible employees may take intermittent or reduced schedule FMLA leave due to reasons 3 or 4 listed above when the medical need is best accommodated by such a schedule. The eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider.

When granting leave on an intermittent or reduced schedule for reasons 3 or 4 above that is foreseeable based on planned medical treatment, the District may temporarily transfer non-instructional, eligible employees for the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and that better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began. The employee will not be required to take more FMLA leave than necessary to address the circumstances requiring the need for the leave.

If an eligible employee who meets the definition of an instructional employee requests intermittent or reduced schedule leave for reasons 3 or 4 above that is foreseeable based on planned medical treatment and the employee would be on leave for greater than twenty percent (20%) of the total number of working days in the period during which the leave would extend, the district may require the employee to elect either to:

a. Take medical leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
b. Transfer temporarily to an available alternative position offered by the employer that the employee is qualified for, has equivalent pay and benefits, and better accommodates recurring periods of leave than the regular employment position of the employee.

If the employee chooses to transfer to an alternative position, the alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began. The employee will not be required to take more FMLA leave than necessary to address the circumstances requiring the need for the leave.

An eligible instructional employee who needs intermittent leave or leave on a reduced leave schedule for reasons 3 or 4 above may not be transferred to an alternative position during the period of the employee's intermittent or reduced leave schedule if, based on the foreseeable planned medical treatment, the employee would be on leave for twenty percent (20%) or less of the total number of working days over the period the leave would extend.

Instructional employees are not required to request intermittent leave when the instructional employee’s FMLA leave spans a period when school is closed, such as for winter, spring, or summer breaks; in addition, the time the school is closed is not counted when calculating the amount of FMLA leave the instructional employee has used.

**Leave taken by eligible instructional employees near the end of the semester**

In any of the following scenarios, if the District chooses to require the eligible, instructional employee to stay on leave until the end of the semester, only the portion of the leave until the employee is ready and able to return to work shall be charged against the employee’s FMLA leave entitlement. The required non-FMLA leave will not be considered excessive absenteeism.

**Leave more than five (5) weeks prior to end of the semester**

If the eligible, instructional employee begins leave, due to reasons 1 through 4 listed above, more than five (5) weeks prior to the end of the academic term, the District may require the employee to continue taking leave until the end of the semester, if:
1. The leave is of at least three (3) weeks duration; and
2. The return to employment would occur during the three (3)-week period before the end of the semester.

**Leave less than five (5) weeks prior to end of the semester**

If the eligible, instructional employee begins leave, due to reasons 1, 2, or 3 listed above, during the period that commences five (5) weeks prior to the end of the academic term, the District may require the employee to continue taking leave until the end of the semester, if:
1. The leave is of greater than two (2) weeks duration; and
2. The return to employment would occur during the two (2)-week period before the end of the semester.
Leave less than three (3) weeks prior to end of the semester

If the eligible, instructional employee begins leave, due to 1, 2, or 3 listed above, during the period that commences three (3) weeks prior to the end of the semester and the duration of the leave is greater than five (5) working days, the District may require the employee to continue to take leave until the end of the semester.

SECTION TWO

FMLA LEAVE CONNECTED TO MILITARY SERVICE

Leave Eligibility

The FMLA provision of military associated leave is in two categories. Each one has some of its own definitions and stipulations. Therefore, they are dealt with separately in this Section of the policy. Definitions different than those in Section One are included under the respective reason for leave. Definitions that are the same as in Section One are NOT repeated in this Section.

QUALIFYING EXIGENCE

An eligible employee may take FMLA leave for any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. Examples include issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other activities as defined by federal regulations.

Definitions:

“Covered active duty” means:

- in the case of a member of a regular component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country; and

- in the case of a member of a reserve component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country under a call to order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

“Son or daughter on active duty or call to active duty status” means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active duty status, and who is of any age.
**Certification**

The District may require the eligible employee to obtain certification to help the district determine if the requested leave qualifies for FMLA leave for the purposes of a qualifying exigency. The District may deny FMLA leave if an eligible employee fails to provide the requested certification.

**Employee Notice to District**

**Foreseeable Leave:**

When the necessity for leave for any qualifying exigency is foreseeable, whether because the spouse, son, daughter, or parent of the employee is on covered active duty, or because of notification of an impending call or order to covered active duty, the employee shall provide such notice to the District as is reasonable and practicable regardless of how far in advance the leave is foreseeable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

**Unforeseeable Leave:**

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

**Substitution of Paid Leave**

When an employee’s leave has been designated as FMLA leave for any qualifying exigency, the District requires employees to substitute accrued vacation, or personal leave for the period of FMLA leave.

**Interruption or Reduced Schedule Leave**

Eligible employees may take intermittent or reduced schedule leave for any qualifying exigency. The employee shall provide the district with as much notice as is practicable.

**Leave taken by eligible instructional employees more than five (5) weeks prior to end of the semester**

If an eligible, instructional employee begins leave due to any qualifying exigency more than five (5) weeks prior to the end of the semester, the District may require the employee to continue taking leave until the end of the semester, if:

1. The leave is of at least three (3) weeks duration; and
2. The return to employment would occur during the three (3)-week period before the end of the semester.
If the District chooses to require the eligible, instructional employee to stay on leave until the end of the semester, only the portion of the leave until the employee is ready and able to return to work shall be charged against the employee’s FMLA leave entitlement.

**SERIOUS ILLNESS**

An eligible employee is eligible for leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury under the following conditions and definitions.

**Definitions:**

“Covered Service Member” is:
1. A member of the Armed Forces, including a member of the National Guard or Reserves, who is a undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Outpatient Status: used in respect to a covered service member, means the status of a member of the Armed Forces assigned to:

1. A military medical treatment facility as an outpatient; or
2. A unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

“Parent of a covered servicemember” is a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”

“Serious Injury or Illness”:

1. In the case of a member of the Armed Forces, including the National Guard or Reserves, it means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
2. In the case of a veteran who was a member of the Armed Forces, including a member of the National Guard of Reserves, at any time during a period as a covered service member defined in this policy, it means a qualifying (as defined by the U.S. Secretary of Labor) injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.
“Son or daughter of a covered servicemember” means a covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.

“Year”, for leave to care for the serious injury or illness of a covered service member, the twelve (12) month period begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends twelve (12) months after that date.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of twenty-six (26) weeks of leave during one twelve (12)-month period to care for the service member who has a serious injury or illness as defined in this policy. An eligible employee who cares for such a covered service member continues to be limited for reasons 1 through 4 in Section One and for any qualifying exigency to a total of twelve (12) weeks of leave during a year as defined in this policy. For example, an eligible employee who cares for such a covered service member for sixteen (16) weeks during a twelve (12) month period could only take a total of ten (10) weeks for reasons 1 through 4 in Section One and for any qualifying exigency. An eligible employee may not take more than twelve (12) weeks of FMLA leave for reasons 1 through 4 in Section One and for any qualifying exigency regardless of how little leave the eligible employee may take to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury.

If a legally married couple are both eligible employees employed by the District, the legally married couple are entitled to a combined total of twenty-six (26) weeks of leave during one twelve (12) month period to care for their spouse, son, daughter, parent, or next of kin who is a covered service member with a serious injury or illness, as defined in this policy. The leave taken by a legally married couple who care for such a covered service member continues to be limited to a total of twelve (12) weeks of FMLA leave for reasons 1 through 4 in Section One and for any qualifying exigency during a year, as defined in this policy, regardless of whether or not the legally married couple uses less than a combined total of fourteen (14) weeks to care for a covered service member with a serious illness or injury; moreover, the legally married couple’s twelve (12) weeks are combined when taken for reasons 1, 2, or to care for a parent under reason 3 in Section One.

For example, a legally married couple who are both eligible employees and who care for such a covered service member for sixteen (16) weeks during a twelve (12) month period could:
1. Each take up to ten (10) weeks for reason 4 in section 1 or a qualifying exigency;
2. Take a combined total of ten (10) weeks for reasons 1, 2, or to care for a parent under reason 3 in Section One; or
3. Take a combination of numbers 1 and 2 that totals ten (10) weeks of leave.

**Medical Certification**

The District may require the eligible employee to obtain certification of the covered service member’s serious health condition to help the District determine if the requested leave qualifies for FMLA leave. The District may deny FMLA leave if an eligible employee fails to provide the requested certification.
Employee Notice to District

Foreseeable Leave:

When the need for leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury is clearly foreseeable at least thirty (30) days in advance, the employee shall provide the District with not less than thirty (30) days' notice before the date the employee intends for the leave to begin of the employee's intention to take leave for the specified reason. An eligible employee who has no reasonable excuse for his/her failure to provide the District with timely advance notice of the need for FMLA leave may have his/her FMLA coverage of such leave delayed until thirty (30) days after the date the employee provides notice.

If the need for FMLA leave is foreseeable less than thirty (30) days in advance, the employee shall notify the District as soon as practicable. If the employee fails to notify as soon as practicable, the District may delay granting FMLA leave for an amount of time equal to the difference between the length of time that the employee should have provided notice and when the employee actually gave notice.

When the need for leave is to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the district subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

Unforeseeable Leave:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required, unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Substitution of Paid Leave

When an employee’s leave has been designated as FMLA leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury, the District requires employees to substitute accrued sick, vacation, or personal leave for the period of FMLA leave.

Intermittent or Reduced Schedule Leave

To the extent practicable, employees requesting intermittent or reduced schedule leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury shall provide the District with at least (30) days' notice, before the date the leave is to begin, of the employee's intention to take leave.
Eligible employees may take intermittent or reduced schedule FMLA leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury when the medical need is best accommodated by such a schedule. The eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider.

When granting leave on an intermittent or reduced schedule to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury that is foreseeable based on planned medical treatment, the District may temporarily transfer non-instructional eligible employees for the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and that better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began. Specifically, upon returning from FMLA leave, an employee may be assigned to another position that is not necessarily the same as the employee's former job assignment. The employee will not be required to take more FMLA leave than necessary to address the circumstances requiring the need for the leave.

If an eligible employee who meets the definition of an instructional employee requests intermittent or reduced schedule leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury that is foreseeable based on planned medical treatment and the employee would be on leave for greater than twenty percent (20%) of the total number of working days in the period during which the leave would extend, the District may require the employee to choose either:

a. Take medical leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or

b. Transfer temporarily to an available alternative position offered by the employer that the employee is qualified for, and that has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee.

If the employee chooses to transfer to an alternative position the alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began. Specifically, upon returning from FMLA leave, a teacher may be assigned to another position that is not necessarily the same as the teacher’s former job assignment. The employee will not be required to take more FMLA leave than necessary to address the circumstances that required the need for the leave.

An eligible instructional employee, who needs intermittent leave or leave on a reduced leave schedule leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury, may not be transferred to an alternative position during the period of the employee's intermittent or reduced leave schedule if, based on the foreseeable planned medical treatment, the employee would be on leave for twenty percent (20%) or less of the total number of working days over the period the leave would extend.
Leave taken by eligible instructional employees near the end of the academic semester

In any of the following scenarios, if the district chooses to require the eligible, instructional employee to stay on leave until the end of the semester, only the portion of the leave until the employee is ready and able to return to work shall be charged against the employee’s FMLA leave entitlement. The excess non-FMLA leave will not be considered excessive absenteeism.

**Leave more than five (5) weeks prior to end of the semester**

If the eligible, instructional employee begins leave, for any qualifying exigency or to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury more than five (5) weeks prior to the end of the semester, the District may require the employee to continue taking leave until the end of the semester, if:

1. The leave is of at least three (3) weeks duration; and
2. The return to employment would occur during the three (3)-week period before the end of the semester.

**Leave less than five (5) weeks prior to end of the semester**

If the eligible, instructional employee begins leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury during the period that commences five (5) weeks prior to the end of the semester, the District may require the employee to continue taking leave until the end of the semester, if:

1. The leave is of greater than two (2) weeks duration; and
2. The return to employment would occur during the two (2)-week period before the end of the semester.

**Leave less than three (3) weeks prior to end of the semester**

If the eligible, instructional employee begins leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury during the period that commences three (3) weeks prior to the end of the semester and the duration of the leave is greater than five (5) working days, the District may require the employee to continue to take leave until the end of the semester.

Cross References: 3.8—LICENSED PERSONNEL SICK LEAVE  
3.18—LICENSED PERSONNEL OUTSIDE EMPLOYMENT  
3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION
Legal References: 29 USC §§ 2601 et seq.
29 CFR part 825

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.33—ASSIGNMENT OF EXTRA DUTIES FOR LICENSED PERSONNEL

Extra-curricular and supervisory duties are, in accordance with Arkansas law, considered a normal part of teachers' work; therefore, it will be expected that all teachers will share in these assignments. The principal of each school shall have the responsibility of assigning such duties.

Legal Reference: A.C.A. § 6-17-201

Date Adopted: March 16, 2015
Last Revised: April 21, 2016
3.34—LICENSED PERSONNEL CELL PHONE USE

Excessive use of cell phones or other electronic communication devices by employees during instructional time for other than instructional purposes is strictly forbidden unless specifically approved in advance by the superintendent, building principal, or their designees.

District staff shall not be given cell phones or computers for any purpose other than their specific use associated with school business. School employees who use school issued cell phones and/or computers for non-school purposes, except as permitted by District policy, shall be subject to discipline, up to and including termination. School employees who are issued District cell phones due to the requirements of their position may use the phone for personal use on an “as needed” basis provided it is not during instructional time.

Except when authorized in Policy 3.51—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES, all employees are forbidden from using school issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including termination.

Except when authorized in Policy 3.51—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES, no employee shall use any device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle which is in motion and on school property. Violation may result in disciplinary action up to and including termination.

Cross References:
3.51—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES
4.47—POSSESSION AND USE OF CELL PHONES, ETC.
7.14—USE OF DISTRICT CELL PHONES AND COMPUTERS

Legal Reference: IRS Publication 15 B

Date Adopted: March 16, 2015

Last Revised: June 20, 2019
3.35—LICENSED PERSONNEL BENEFITS

The Bryant School District provides its licensed personnel benefits consisting of the following.

1. Health insurance assistance for qualifying employees;
2. Contribution to the teacher retirement system;
3. Cafeteria plan. A cafeteria plan of insurance is offered to all full-time employees of the district. This is a plan whereby health insurance premiums are considered non-taxable. This program is explained annually to each employee during regular school hours.
4. One sick leave day per contract calendar month, or greater portion thereof;
5. Personal days;
6. Activity Pass. Each full-time employee will be given an annual activity pass allowing him/her and a guest to attend all school-sponsored functions at the school free of charge (i.e. athletic events, plays, assemblies, etc.).

Legal Reference: A.C.A. § 6-17-201

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.36—LICENSED PERSONNEL DISMISSAL AND NON-RENEWAL

For procedures relating to the termination and non-renewal of teachers, please refer to the Arkansas Teacher Fair Dismissal Act (A.C.A. §§ 6-17-1501 et seq.) and the Teacher Evaluation Support System (A.C.A. §§ 6-17-2801 et seq.). The Acts specifically are not made a part of this policy by this reference.

Legal Reference:  
A.C.A. § 6-17-201  
A.C.A. §§ 6-17-1501 et seq.  
A.C.A. §§ 6-17-2801 et seq.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.36.1 - LICENSED PERSONNEL POSITION ABANDONMENT

Definitions:

“Position abandonment” means an employee who fails to report to work as expected on consecutive days and has not provided notice to the job supervisor of his/her intention to quit.

“Reasonable effort to contact the employee” means that the District has made documented attempts to contact the employee by telephone at the phone number(s) in District personnel records and has sent a letter by regular and certified mail to the employee’s address as shown in District personnel records requesting that the employee contact the District.

When an employee of the Bryant School District fails to report to work for a period of five (5) consecutive scheduled work days and has not made direct contact with his/her supervisor in person, or by telephone, e-mail, or text message to explain the reason for the absences, and after the District has made a reasonable effort without success to contact the employee to determine the reason(s) for the absences, the District shall consider that the employee has voluntarily abandoned his/her position and a recommendation shall be made to the school board to sever the employment contract with the employee.

If a subsequent discovery is made (prior to action being taken by the school board) that an extreme situation prevented the employee from contacting the District as required by this policy, the District may reconsider a recommendation to sever the employment contract with the employee.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.37—ASSIGNMENT OF TEACHER AIDES

The assignment of teacher aides shall be made by the principal or his/her designee. Changes in the assignments may be made as necessary due to changes in the student population, teacher changes, and to best meet the educational needs of the students.

Legal Reference: A.C.A. § 6-17-201

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.38—LICENSED PERSONNEL RESPONSIBILITIES GOVERNING BULLYING

Definitions

“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 3.26, 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.

“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 other's 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.

Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of bullying as defined in this policy, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the building principal, or designee, as soon as possible.

The person or persons reporting behavior they consider to be bullying shall not be subject to retaliation or reprisal in any form.
District staff are required to help enforce implementation of the district’s anti-bullying policy. Students who bully another person are to be held accountable for their actions whether they occur on school equipment or property; off school property at a school-sponsored or school-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.

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 standing 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.

District employees are held to a high standard of professionalism, especially when it comes to employee-student interactions. Actions by a District employee towards a student that would constitute bullying if the act had been performed by a student shall result in disciplinary action, up to and including termination. This policy governs bullying directed towards students and is not applicable to adult on adult interactions. Therefore, this policy does not apply to interactions between employees. Employees may report workplace conflicts to their supervisor. In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.
Legal Reference: A.C.A. § 6-18-514

Date Adopted: March 16, 2015

Last Revised: June 20, 2019
3.39—LICENSED PERSONNEL RECORDS AND REPORTS

The superintendent or his/her designee shall determine, by individual or by position, those records a teacher is responsible to keep and those reports he/she is required to maintain. It is a requirement of employment that all required records and reports be completed, submitted, or otherwise tendered, and be accepted by the principal or superintendent as complete and satisfactory, before the last month’s pay will be released to the licensed employee.

Legal Reference: A.C.A. § 6-17-104

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.40—LICENSED PERSONNEL DUTIES AS MANDATED REPORTERS

It is the statutory duty of licensed school district employees to:

• If the licensed employee has reasonable cause to suspect child abuse or maltreatment, then the licensed employee shall directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. Failure to report suspected child abuse, maltreatment, or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Notification of local or state law enforcement does not satisfy the duty to report; only notification by means of the Child Abuse Hotline discharges this duty.

• If the licensed employee has a good faith belief that there is a serious and imminent threat to the public based on a threat made by an individual regarding violence in or targeted at a school that has been communicated to the licensed employee in the ordinary course of his/her professional duties, then the licensed employee shall make every attempt to immediately notify law enforcement of the serious and imminent threat to the public and have notified law enforcement within twenty-four (24) hours of learning of the serious and imminent threat to the public.

The duty of mandated reporters to report suspected child abuse or maltreatment or serious and imminent threats to the public is a direct and personal duty, and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person or that form the basis of the serious and imminent threat to the public; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment, or neglect has occurred; that a serious and imminent threat to the public exists; or to rule out such a belief.

Employees and volunteers who call the Child Abuse Hotline or who report serious and imminent threats to the public to law enforcement in good faith are immune from civil liability and criminal prosecution.

By law, no school district or school district employee may prohibit or restrict an employee or volunteer from directly reporting suspected child abuse, maltreatment, or a serious and imminent threat to the public, or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline or law enforcement.

Legal References:  
A.C.A. § 6-18-110  
A.C.A. § 12-18-107  
A.C.A. § 12-18-201 et seq.  
A.C.A. § 12-18-402

Date Adopted: March 16, 2015

Last Revised: June 20, 2019
3.41—LICENSED PERSONNEL VIDEO SURVEILLANCE AND OTHER MONITORING

The School Board has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding district facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras, automatic identification, data compilation devices, and technology capable of tracking the physical location of district equipment, students, and/or personnel.

The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as rest rooms or dressing areas where an expectation of bodily privacy is reasonable and customary.

Signs shall be posted on district property and in or on district vehicles to notify students, staff, and visitors that video cameras may be in use. Violations of school personnel policies or laws caught by the cameras and other technologies authorized in this policy may result in disciplinary action.

The district shall retain copies of video recordings until they are erased, which may be accomplished by either deletion or copying over with a new recording.

Videos, automatic identification, or data compilations containing evidence of a violation of district personnel policies and/or state or federal law shall be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or staff handbook; any release or viewing of such records shall be in accordance with current law.

Staff who vandalize, damage, defeat, disable, or render inoperable (temporarily or permanently) surveillance cameras and equipment, automatic identification, or data compilation devices shall be subject to appropriate disciplinary action up to and including termination and referral to appropriate law enforcement authorities.

Video recordings and automatic identification or data compilation records may become a part of a staff member’s personnel record.

Date Adopted: March 16, 2015
Last Revised: April 18, 2018
3.42—OBTAINING AND RELEASING STUDENT FREE AND REDUCED PRICE MEAL ELIGIBILITY INFORMATION

Obtaining Eligibility Information

A fundamental underpinning of the National School Lunch and School Breakfast Programs (Programs) is that in their implementation, there will be no physical segregation of, discrimination against, or overt identification of children who are eligible for the Program's benefits. While the requirements of the Programs are defined in much greater detail in federal statutes and pertinent Code of Federal Regulations, this policy is designed to help employees understand prohibitions on how the student information is obtained and/or released through the Programs. Employees with the greatest responsibility for implementing and monitoring the Programs should obtain the training necessary to become fully aware of the nuances of their responsibilities.

The District is required to inform households with children enrolled in District schools of the availability of the Programs and of how the household may apply for Program benefits. However, the District and anyone employed by the district is strictly forbidden from requiring any household or student within a household from submitting an application to participate in the program. There are NO exceptions to this prohibition and it would apply, for example, to the offer of incentives for completed forms, or disincentives or negative consequences for failing to submit or complete an application. Put simply, federal law requires that the names of the children shall not be published, posted or announced in any manner.

In addition to potential federal criminal penalties that may be filed against a staff member who violates this prohibition, the employee shall be subject to discipline up to and including termination.

Releasing Eligibility Information

As part of the district’s participation in the National School Lunch Program and the School Breakfast Program, the district collects eligibility data from its students. The data’s confidentiality is very important and is governed by federal law. The district has made the determination to release student eligibility status or information as permitted by law. Federal law governs how eligibility data may be released and to whom. The district will take the following steps to ensure its confidentiality:

Some data may be released to government agencies or programs authorized by law to receive such data without parental consent, while other data may only be released after obtaining parental consent. In both instances, allowable information shall only be released on a need to know basis to individuals authorized to receive the data. The recipients shall sign an agreement with the district specifying the names or titles of the persons who may have access to the eligibility information. The agreement shall further specify the specific purpose(s) for which the data will be used and how the recipient(s) shall protect the data from further, unauthorized disclosures.

The superintendent shall designate the staff member(s) responsible for making eligibility determinations. Release of eligibility information to other district staff shall be limited to as few individuals as possible who shall have a specific need to know such information to perform their job responsibilities. Principals, counselors, teachers, and administrators shall not have routine access to eligibility information or status.
Each staff person with access to individual eligibility information shall be notified of their personal liability for its unauthorized disclosure and shall receive appropriate training on the laws governing the restrictions of such information.

Legal References:  
Commissioner’s Memos IA-05-018, FIN 09-041, IA 99-011, and FIN 13-018  
ADE Eligibility Manual for School Meals Revised July 2017  
A.C.A. § 6-18-715  
7 CFR 210.1 – 210.31  
7 CFR 220.1 – 220.22  
7 CFR 245.5, 245.6, 245.8  
42 USC 1758(b)(6)

Date Adopted: March 16, 2015

Last Revised: June 20, 2019
3.43—DUTY OF LICENSED EMPLOYEES TO MAINTAIN LICENSE IN GOOD STANDING

It is the responsibility of each teacher, and not the district, to keep his/her teaching license continuously renewed with no lapses in licensure, and in good standing with the State Board of Education. Failure of a teacher to do so will be grounds for contract non-renewal or termination.

Legal Reference: A.C.A. § 6-17-401

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.44—LICENSED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION

The district provides Workers’ Compensation Insurance, as required by law. Employees who sustain any injury at work must immediately notify their immediate supervisor, or in the absence of their immediate supervisor, notify the Business Office. As soon as possible, the injured employee shall report to the Business Office to fill out a Form N. While many injuries will require no medical treatment or time lost at work, should the need for treatment arise later, it is important that there be a record that the injury occurred. All employees have a duty to provide information and make statements as requested for the purposes of the claim assessment and investigation.

For injuries requiring medical attention, the worker’s compensation insurance carrier will designate the initial treating physician and an injured employee will be directed to seek medical attention, if necessary, from a specific physician or clinic. In life or limb emergency situations, employees may choose to go directly to the nearest hospital emergency room. However, the employee is still required to notify the Business Office and complete required paperwork.

Salary compensation received under Worker’s Compensation does not commence until the employee has been advised to remain off work for a period of 7 days by the attending physician.

A Workers’ Compensation absence may run concurrently with FMLA leave (policy 3.32) when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will be charged for any paid leave accrued by the employee at the rate necessary to bring the total amount of combined income up to 100% of usual contracted daily rate of pay. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a “light duty job,” but is unable to return to the employee’s same or equivalent job, the employee shall accept the District’s offer of a “light duty job” as long as it meets the restrictions set forth by the health care provider.

Employees who are absent from work in the school district due to a Workers’ Compensation claim may not work at a non-district job until they have returned to full duties at their same or equivalent district job; those who violate this prohibition may be subject to discipline up to and including termination. This prohibition does NOT apply to an employee who has been cleared by his/her doctor to return to "light duty" but the District has no such position available for the employee and the employee's second job qualifies as "light duty".

To the extent an employee has accrued sick leave and a WC claim has been filed:
- the employee will be charged for a day's sick leave for all days missed until such time as the WC claim has been approved or denied;
- to bring the total amount of combined income up to 100% of the employee's usual contracted daily rate of an employee whose WC claim is accepted by the WC insurance carrier as compensable and who is absent for eight or more days shall be charged sick leave at the rate necessary, when combined with WC benefits, pay;
- an employee whose WC claim is accepted by the WC insurance carrier as compensable and is absent for 14 or more days will be credited back that portion of sick leave for the first seven (7) days of
absence that is not necessary to have brought the total amount of combined income up to 100% of the employee's usual contracted gross pay.

Cross References:
3.8—LICENSED PERSONNEL SICK LEAVE
3.18—LICENSED PERSONNEL OUTSIDE EMPLOYMENT
3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE

Legal References:
Ark. Workers Compensation Commission RULE 099.33 - MANAGED CARE
A.C.A. § 11-9-508(d)(5)(A)

Date Adopted:  March 16, 2015

Last Revised:  April 21, 2016
3.45—LICENSED PERSONNEL SOCIAL NETWORKING AND ETHICS

Definitions

Social Media Account: a personal, individual, and non-work related account with an electronic medium or service where users may create, share, or view user-generated content, including videos, photographs, blogs, podcasts, messages, emails or website profiles or locations, such as Facebook, Twitter, LinkedIn, or Instagram.

Professional/education Social Media Account: an account with an electronic medium or service where users may create, share, or view user-generated content, including videos, photographs, blogs, podcasts, messages, emails or website profiles or locations, such as Facebook, Twitter, LinkedIn, or Instagram.

Blogs: a type of networking and can be either social or professional in their orientation. Professional blogs are encouraged and can provide a place for teachers to post homework, keep parents up-to-date, and interact with students concerning school related activities. Social blogs are discouraged to the extent they involve teachers and students in a non-education oriented format.

Policy

Technology used appropriately gives faculty new opportunities to engage students. District staff are encouraged to use educational technology, the Internet, and professional/education social networks to raise student achievement and to improve communication with parents and students. Technology and social media accounts also offer staff many ways they can present themselves unprofessionally and/or interact with students inappropriately.

It is the duty of each staff member to appropriately manage all interactions with students, regardless of whether contact or interaction with a student occurs face-to-face or by means of technology, to ensure that the appropriate staff/student relationship is maintained. This includes instances when students initiate contact or behave inappropriately themselves.

Public school employees are, and always have been, held to a high standard of behavior. Staff members are reminded that whether specific sorts of contacts are permitted or not specifically forbidden by policy, they will be held to a high standard of conduct in all their interactions with students. Failure to create, enforce and maintain appropriate professional and interpersonal boundaries with students could adversely affect the District’s relationship with the community and jeopardize the employee’s employment with the district.

The Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators requires District staff to maintain a professional relationship with each student, both in and outside the classroom. The School Board of Directors encourages all staff to read and become familiar with the Rules. Conduct in violation of the Rules Governing the Code of Ethics for Arkansas Educators, including, but not limited to conduct relating to the inappropriate use of technology or online resources, may be reported to the Professional License Standards Board (PLSB) and may form the basis for disciplinary action up to and including termination.
Staff members are discouraged from creating personal social media accounts to which they invite students to be friends or followers. Employees taking such action do so at their own risk and are advised to monitor the site’s privacy settings regularly.

District employees may set up blogs and other professional/education social media accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction. Accessing professional/education social media during school hours is permitted.

Staff are reminded that the same relationship, exchange, interaction, information, or behavior that would be unacceptable in a non-technological medium, is unacceptable when done through the use of technology. In fact, due to the vastly increased potential audience that digital dissemination presents, extra caution must be exercised by staff to ensure they don’t cross the line of acceptability. A good rule of thumb for staff to use is, “if you wouldn’t say it in class, don’t say it online.”

Whether permitted or not specifically forbidden by policy, or when expressed in an adult-to-adult, face-to-face context, what in other mediums of expression could remain private opinions, including “likes” or comments that endorse or support the message or speech of another person, when expressed by staff on a social media website, have the potential to be disseminated far beyond the speaker’s desire or intention. This could undermine the public’s perception of the individual’s fitness to educate students, thus undermining the teacher’s effectiveness. In this way, the expression and publication of such opinions could potentially lead to disciplinary action being taken against the staff member, up to and including termination or nonrenewal of the contract of employment.

Accessing social media websites for personal use during school hours is prohibited, except during breaks or preparation periods. Staff are discouraged from accessing social media websites on personal equipment during their breaks and/or preparation periods because, while this is not prohibited, it may give the public the appearance that such access is occurring during instructional time. Staff shall not access social media websites using district equipment at any time, including during breaks or preparation periods, except in an emergency situation or with the express prior permission of school administration. All school district employees who participate in social media websites shall not post any school district data, documents, photographs taken at school or of students, logos, or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

Specifically, the following forms of technology based interactivity or connectivity are expressly permitted or forbidden:

**Privacy of Employee's Social Media Accounts**

In compliance with A.C.A. § 11-2-124, the District shall not require, request, suggest, or cause a current or prospective employee to:

1. Disclose the username and/or password to his/her personal social media account;
2. Add an employee, supervisor, or administrator to the list of contacts associated with his/her personal social media account;
3. Change the privacy settings associated with his/her personal social media account; or
4. Retaliate against the employee for refusing to disclose the username and/or password to his/her personal social media account.

The District may require an employee to disclose his or her username and/or password to a personal social media account if the employee’s personal social media account activity is reasonably believed to be relevant to the investigation of an allegation of an employee violating district policy, or state, federal or local laws or regulations. If such an investigation occurs, and the employee refuses, upon request, to supply the username and/or password required to make an investigation, disciplinary action may be taken against the employee, which could include termination or nonrenewal of the employee’s contract of employment with the District.

Notwithstanding any other provision in this policy, the District reserves the right to view any information about a current or prospective employee that is publicly available on the Internet.

In the event that the district inadvertently obtains access to information that would enable the district to have access to an employee’s personal social media account, the district will not use this information to gain access to the employee’s social media account. However, disciplinary action may be taken against an employee in accord with other District policy for using district equipment or network capability to access such an account. Employees have no expectation of privacy in their use of District issued computers, other electronic device, or use of the District's network. (See policy 3.28—LICENSED PERSONNEL COMPUTER USE POLICY)

Cross reference: 3.28—LICENSED PERSONNEL COMPUTER USE POLICY

Legal References: A.C.A. § 11-2-124 RULES GOVERNING THE CODE OF ETHICS FOR ARKANSAS EDUCATORS

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.46—LICENSED PERSONNEL VACATIONS – 12 MONTH ADMINISTRATORS

240 day contracted employees are credited with 10 days of vacation at the beginning of each fiscal year. This is based on the assumption that a full contract year will be worked. If an employee fails to finish the contract year due to resignation or termination, the employee’s final check will be reduced at the rate of .833 days per month, or major portion of a month, for any days used but not earned.

An employee shall normally use all days of vacation by June 30 each year. An employee may carry over up to five (5) days of unused vacation past June 30 of each year, but the employee shall use all unused vacation days by September 30 of the same calendar year.

Earned but unused vacation will be paid upon the conclusion of the employee’s employment with the school district, at the employee’s current daily rate of pay.

Date Adopted: March 16, 2015

Last Revised: April 18, 2018
3.47—DEPOSITING COLLECTED FUNDS

It is the responsibility of any staff member to deposit all funds they have collected on a daily basis into the appropriate accounts for which they have been collected. The Superintendent or his/her designee shall be responsible for determining when receipts for funds collected shall be required. If questions arise concerning procedures to be followed in handling money, the Bryant School District Business Procedures Manual shall be followed at all times.

Staff that use any funds collected in the course of their employment for personal purposes, or who deposit such funds in a personal account, may be subject to discipline up to and including termination.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.48—LICENSED PERSONNEL WEAPONS ON CAMPUS

Firearms

Except as permitted by this policy, no employee of this school district, including those who may possess a “concealed carry permit,” shall possess a firearm on any District school campus or in or upon any school bus or at a District designated bus stop.

Employees who meet one or more of the following conditions are permitted to bring a firearm onto school property.

- He/she is participating in a school-approved educational course or program involving the use of firearms such as ROTC programs, hunting safety or military education, or before or after-school hunting or rifle clubs;
- The firearms are securely stored and located in an employee’s on-campus personal residence and/or immediately adjacent parking area;
- He/she is a registered, commissioned security guard acting in the course and scope of his/her duties; or
- He/she is a certified law enforcement officer, either on or off duty.

Possession of a firearm by a school district employee who does not fall under any of the above categories anywhere on school property, including parking areas and in or upon a school bus, will result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Other Weapons

An employee may possess a pocket knife which for the purpose of this policy is defined as a knife that can be folded into a case and has a blade or blades of less than three (3) inches or less each. An employee may carry, for the purpose of self-defense, a small container of tear gas, pepper spray, or mace which for the purpose of this policy is defined as having a capacity of 150cc or less. Employees are expected to safeguard such items in such a way as to ensure they are not possessed by students. Such items are not to be used against students, parents or other school district employees. Possession of weapons, knives or self-defense items that do not comply with the limits contained herein, the failure of an employee to safeguard such items, or the use of such items against students, parents or other school district employees may result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Legal References:  
A.C.A. § 5-73-119  
A.C.A. § 5-73-120  
A.C.A. § 5-73-124(a)(2)  
A.C.A. § 5-73-301  
A.C.A. § 5-73-306

Date Adopted: March 16, 2015

Last Revised: June 20, 2019
3.49—TEACHERS' REMOVAL OF STUDENT FROM CLASSROOM

A teacher may remove a student from class whose behavior the teacher has documented to be repeatedly interfering with the teacher's ability to teach the students in the class or whose behavior is so unruly, disruptive or abusive that it interferes with the ability of the student's other classmates to learn. Students who have been removed from their classroom by a teacher shall be sent to the principal's or principal's designee's office for appropriate discipline.

The teacher's principal or the principal's designee may:

1. Place the student in another appropriate classroom;
2. Place the student in in-school suspension;
3. Place the student in the District's alternative learning environment;
4. Return the student to the class; or
5. Take other appropriate action consistent with the District's student discipline policies and state and federal law.

If a teacher removes a student from class two (2) times during any nine-week grading period, the principal or the principal’s designee may not return the student to the teacher's class unless a conference has been held for the purpose of determining the cause of the problem and possible solutions. The conference is to be held with the following individuals present:

1. The principal or the principal's designee;
2. The teacher;
3. The school counselor;
4. The parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis; and
5. The student, if appropriate.

However, the failure of the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis to attend the conference does not prevent any action from being taken as a result of the conference.

*Note and advisement: This policy is adopted by the Board of Directors in order to bring the District into compliance with the Division of Elementary and Secondary Education rules concerning student discipline, and to incorporate the provisions of A.C.A. § 6-18-511. However, teachers should be aware that federal law governing a student's Individual Education Program (IEP) or 504 plan, or status as an individual with a disability will supersede Arkansas law. In many cases, removing a student from a classroom due to behavioral problems, will violate a student's IEP, violate a student's 504 plan, or constitute discrimination against the student due to a disability that affects the student's ability to conform his or her behavior. Teachers have been successfully sued for IEP and 504 plan violations in other jurisdictions, and teachers need to understand that violating a student's rights is outside of the scope of his or her employment, and no insurance is available or provided by the school district for either legal defense or to pay a*
money judgment. Teachers should not rely on this law and this policy to exclude a student with special needs or a disability.

Legal References:  
A.C.A. § 6-18-511  
Division of Elementary and Secondary Education Guidelines for the Development, Review and Revision of School District Student Discipline and School Safety Policies

Date Adopted:  March 16, 2015

Last Revised:  June 20, 2019
3.50—ADMINISTRATOR EVALUATOR CERTIFICATION

Continuing Administrators

The Superintendent or designee shall determine and notify in writing by August 31 of each year those currently employed administrators who will be responsible for conducting Teacher Excellence Support System (hereinafter TESS) summative evaluations who are not currently qualified to fulfill that role. All currently employed administrators so notified shall have until December 31 of the contract year to successfully complete all training and certification requirements for evaluators as set forth by the Arkansas Department of Education (ADE). It shall constitute just and reasonable cause for nonrenewal of the contract of employment for any administrator who is required to obtain and maintain TESS evaluator certification, as a term and condition of employment, to fail to do so by December 31 of any contract year. No administrator may conduct a summative evaluation unless they have successfully completed all training and certification requirements for evaluators required by the ADE.

Newly Hired or Promoted Administrators

All newly hired or newly promoted administrators, as a term and condition of their acceptance of their contract of employment for their administrative position, are required to obtain and maintain evaluator certification for TESS on or before December 31 of the initial administrative contract year, unless they are explicitly excused from such a contractual requirement by board action at the time of the hire or promotion. It shall constitute just and reasonable cause for nonrenewal of the contract of employment for any newly hired or newly promoted administrator who is required to obtain and maintain TESS evaluator certification, as a term and condition of employment, to fail to do so by December 31 of any contract year. No administrator may conduct a summative evaluation unless they have successfully completed all training and certification requirements for evaluators required by the ADE.


Date Adopted: March 16, 2015

Last Revised: April 18, 2019
3.51—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES

“School Bus” is a motorized vehicle that meets the following requirements:
1. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
2. Is operated for the transportation of students from home to school, from school to home, or to and from school events.

Any driver of a school bus shall not operate the school bus while using a device to browse the internet, make or receive phone calls or compose or read emails or text messages. A school bus driver may use a two-way radio communications device or any device used in a similar manner as a two-way radio communications device to communicate with the District’s central dispatch, transportation center, or in appropriate circumstances, other school bus drivers. In addition, if the school bus is safely off the road with the parking brake engaged, exceptions are allowed to call for assistance due to a mechanical problem with the bus, or to communicate with any of the following during an emergency:

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

In addition to statutorily permitted fines, violations of this policy shall be grounds for disciplinary action up to and including termination.

School buses in the Bryant School District are equipped with two-way radios that are available for use in the following situations:
- For emergency communications such as an accident, a mechanical problem, inclement weather, etc.
- To communicate information to the transportation office or to other bus drivers concerning road conditions, checking on a student, or other purposes.

Drivers shall limit their use of radios to a minimum that is necessary to perform their duties and shall avoid unnecessary conversations that are not related to bus operations.

Legal Reference: A.C.A. § 6-19-120

Date Adopted: March 16, 2015

Last Revised: June 20, 2019
3.52—WRITTEN CODE OF CONDUCT FOR EMPLOYEES INVOLVED IN PROCUREMENT WITH FEDERAL FUNDS

For purposes of this policy, “Family member” includes:
• An individual's spouse;
• Children of the individual or children of the individual's spouse;
• The spouse of a child of the individual or the spouse of a child of the individual's spouse;
• Parents of the individual or parents of the individual's spouse;
• Brothers and sisters of the individual or brothers and sisters of the individual's spouse;
• Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual's spouse; or
• Anyone acting or serving as an agent of the individual or as an agent of the individual's spouse.

No District employee, administrator, official, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds, including the District Child Nutrition Program funds, if a conflict of interest exists, whether the conflict is real or apparent. Conflicts of interest arise when one or more of the following has a financial or other interest in the entity selected for the contract:
1. The employee, administrator, official, or agent;
2. Any family member of the District employee, administrator, official, or agent;
3. The employee, administrator, official, or agent’s partner; or
4. An organization that currently employs or is about to employ one of the above.

Employees, administrators, officials, or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements including, but not limited to:
• Entertainment;
• Hotel rooms;
• Transportation;
• Gifts;
• Meals; or
• Items of nominal value (e.g. calendar or coffee mug).

Violations of the Code of Conduct shall result in discipline, up to and including termination. The District reserves the right to pursue legal action for violations.

All District personnel involved in purchases with Federal funds, including child nutrition personnel, shall receive training on the Code of Conduct. Training should include guidance about how to respond when a gratuity, favor, or item with monetary value is offered.

Legal References:
A.C.A. § 6-24-101 et seq.
Arkansas Department of Education Rules Governing the Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members and Other Parties
Commissioner’s Memo FIN 09-036
Commissioner’s Memo FIN-10-048
Commissioner’s Memo FIN 15-074
Date Adopted: April 21, 2016

Last Revised:
3.53—LICENSED PERSONNEL BUS DRIVER END OF ROUTE REVIEW

Each bus driver shall walk inside the bus from the front to the back to make sure that all students have gotten off the bus after each trip. If a child is discovered through the bus walk, the driver will immediately notify the Transportation Director to make arrangements for transporting the child appropriately. If children are left on the bus after the bus walk through has been completed and the driver has left the bus for that trip, the driver shall be subject to discipline up to and including termination of the employee's classified contract.

Date Adopted: March 16, 2015

Last Revised: April 21, 2016
3.54—TEACHING DURING PLANNING PERIOD AND/OR OF MORE THAN THE MAXIMUM NUMBER OF STUDENTS PER DAY

A fifth (5th) through twelfth (12th) grade teacher may enter into an agreement with the District to teach:

1) An additional class in place of a planning period; and/or
2) More than one hundred fifty (150) students per day.

A teacher who agrees to teach more than the maximum number of students per day is still bound by the maximum number of students per class period in the Standards for Accreditation and the Division of Elementary and Secondary Education (DESE) Rules Governing Class Size and Teaching Load. A fifth (5th) through twelfth (12th) grade teacher may not teach more than the maximum number of students per day as set in the Standards and the DESE rules for teachers of fifth (5th) through twelfth (12th) grade without receiving additional compensation.

A fifth (5th) through twelfth (12th) grade teacher who enters into an agreement with the District shall receive compensation based on the teacher’s:

a) Hourly rate of pay for the loss of a planning period; and/or
b) Basic contract that is pro-rated for every additional student they teach over the maximum number of students permitted per day.

A teacher who wishes to enter into an agreement for numbers 1, 2, or both above must sign an agreement with the District prior to the teacher giving up his/her planning period or teaching more than the maximum number of students per day. A teacher shall not be eligible to receive compensation until after the agreement has been signed. The maximum length of the signed agreement between the teacher and the District shall be for the semester the agreement is signed.

Neither the District nor the teacher is obligated to:

- Enter into an agreement;
- Renew an agreement; or
- Continue an agreement past the semester in which the agreement is signed.

The provisions of the Teacher Fair Dismissal Act, A.C.A. § 6-17-1501 et seq., do not apply to an agreement between a teacher and the District entered into under this policy.

Additional Classes Before and After the School Day

If the District offers additional classes before or after the school day, a teacher in grades 7-12 may voluntarily enter into an agreement with the District to teach additional classes before or after the school day consistent A.C.A. § 6-17-812, this policy, and the following provisions:

1. The class before or after the school day may not be used in place of the teacher’s daily planning period.

2. If the additional class results in the teacher having to teach more than one hundred fifty (150) students per day, the teacher will receive additional compensation based on: (a) the teacher’s basic contract that is pro-rated for every additional student they teach over one hundred fifty (150) students; or (b) the teacher’s
daily rate of pay divided by the number of class periods during the school day, multiplied by the number of instructional days during which the additional class is taught, whichever is greater.

3. If the additional class does not result in the teacher having to teach more than one hundred (150) students per day, the teacher will receive additional compensation based on the teacher’s daily rate of pay divided by the number of class periods during the school day, multiplied by the number of instructional days during which the additional class is taught, whichever is greater.

Legal References:
- A.C.A. § 6-17-812
- DESE Rules Governing Class Size and Teaching Load

Date Adopted: June 15, 2015

Last Revised: June 20, 2019
3.54F—TEACHING INSTEAD OF PREPARATORY PERIOD AND/OR EXTRA DAILY STUDENTS CONTRACT ADDENDUM

The _________ School District (District) and ________ (Teacher) enter into the following contract addendum:

1. Teacher has agreed to teach a class on ________ instead of a preparatory period from _____ through _____;
2. District agrees to pay Teacher for the loss of Teacher’s preparatory period in the amount of ______;
3. District agrees to pay Teacher for those students who enroll and attend Teacher’s class that are in excess of the Standard’s maximum daily number of students at the per student per day amount of ______;
4. District agrees to pay Teacher ______.
5. This addendum between District and Teacher is in addition to and separate from any other contract between District and Teacher;
6. Teacher understands that this agreement is not covered by the Teacher Fair Dismissal Act of 1983 (A.C.A. § 6-17-1501 et seq.); and
7. District and Teacher agree that this contract shall be effective for the current semester and that future semesters shall require District and Teacher to enter into a new contract.

Teacher’s Signature: ___________ Date: ________

Superintendent’s Signature: ___________ Date: ________

Board President’s Signature: ___________ Date: ________

Legal References: A.C.A. § 6-17-114
A.C.A. § 6-17-812
DESE Rules Governing Class Size and Teaching Load

Date Adopted: June 20, 2019

Last Revised:
3.55—LICENSED PERSONNEL USE OF PERSONAL PROTECTIVE EQUIPMENT

Employees whose job duties require the use or wearing of Personal Protective Equipment (PPE) shall use or wear the prescribed PPE at all times while performing job duties that expose employees to potential injury or illness. Examples of PPE include, but are not limited to:

- **Head and face protection:**
  - Hard hat;
  - Bump cap;
  - Welding helmet;
  - Safety goggles;
  - Safety glasses;
  - Face shield;

- **Respiratory protection:**
  - Dust/mist mask;
  - Half-face canister respirators;

- **Hearing protection:**
  - Ear plugs;
  - Ear muffis;

- **Hand protection, which is based on hazard exposure(s) and type(s) of protection needed:**
  - Leather;
  - Latex;
  - Rubber;
  - Nitrile;
  - Kevlar;
  - Cotton;

- **Body protection:**
  - Welding apron;
  - Welding jackets;
  - Coveralls/Tyvek suits;

- **Foot Protection:**
  - Metatarsal protection;
  - Steel toed boots/shoes;
  - Slip resistant shoes;

- **Fall Protection:**
  - Belts, harnesses, lanyards;
  - Skylight protection;
  - Safe ladders;
  - Scissor lifts.

Employees operating a school-owned vehicle that is equipped with seat belts for the operator shall be secured by the seat belt at all times the employee is operating the vehicle. If the vehicle is equipped with seat belts for passengers, the employee operating the vehicle shall not put the vehicle into motion until all passengers are secured by a seat belt. Employees traveling in, but not operating, a school owned vehicle that is equipped with seat belts for passengers shall be secured by a seat belt at all times the vehicle is in motion.
Employees who fail to use or wear the prescribed PPE required by their job duties put themselves and co-workers at risk of sustaining personal injuries. Employees who are found to be performing job duties without using or wearing the necessary PPE required by the employee’s job duties may be disciplined, up to and including termination.

A supervisor may be disciplined, up to and including termination, if the supervisor:
1. Fails to ensure the employee has the prescribed PPE before the employee assumes job duties requiring such equipment;
2. Fails to provide an employee replacement PPE when necessary in order for the employee to continue to perform the job duties that require the PPE; or
3. Instructs the employee to perform the employee’s job duties without the prescribed PPE required by those job duties.

An employee shall not be disciplined for refusing to perform job duties that require the employee to use/wear PPE if:
a. The employee has not been provided the prescribed PPE; or
b. The PPE provided to the employee is damaged or worn to the extent that the PPE would not provide adequate protection to the employee.

An employee’s immediate Supervisor is responsible for providing the employee training on the proper use, care, and maintenance of any and all PPE that the employee may be required to use.

Date Adopted: April 18, 2018

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STUDENTS
4.1—RESIDENCE REQUIREMENTS

Definitions:

“In loco parentis” means relating to the responsibility to undertake the care and control of another person in the absence of:

1. Supervision by the person's parent or legal guardian; and
2. Formal legal approval.

“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. For instance, a student may not be sent to live with a relative, friend, or any other person in the Bryant School District for the primary purpose of that student’s attendance in the Bryant School District. Students enrolled within the Bryant School District who are determined, following an investigation by the Bryant School District’s administration, to not reside within the Bryant School District, must immediately enroll in the student’s school district of residence.

“Resident” means a student whose parents, legal guardians, persons having lawful control of the student or persons standing in loco parentis (in the place of a parent) reside in the school district.

“Residential address” means the physical location where the student’s parents, legal guardians, persons having lawful control of the student or persons standing in loco parentis reside. A student may use the residential address of a parent, legal guardian, person having lawful control of the student, 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. A parent or legal guardian can have only one residence according to the definition. Non-resident pupils are those whose parents or legal guardian do not reside within the boundaries of the District. Ownership of property in the District without physical residence on the property does not qualify a parent or guardian as a legal resident.

The schools of the Bryant School 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, persons having lawful control of the student, or person standing in loco parentis reside within the District and to all persons between those ages who have been legally transferred to the District for educational purposes.

Any person eighteen (18) years of age or older may establish a residence separate and apart from his or her parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis for school attendance 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 parent, legal guardian, person having lawful control of the student, or a person standing in loco parentis, the student is required to 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 foster child who was previously enrolled in a District school and who has had a change in placement to a residence outside the District, may continue to remain enrolled in his/her current school unless the presiding court rules otherwise.
Under instances prescribed in A.C.A. § 6-18-203, a child or ward of an employee of the District or of the education coop to which the District belongs may enroll in the District even though the employee and his/her child or ward reside outside the District. Employees with children in school may request assignment of their elementary or middle school child to the campus that is the same as or is in closest proximity to their job assignment or, for resident employees, to the campus that is zoned for their home address, space permitting.

Children whose parent or legal guardian relocates within the state due to a mobilization, deployment, or available military housing while on active duty in or serving in the reserve component of a branch of the United States Armed Forces or National Guard may continue attending school in the school district the children were attending prior to the relocation or attend school in the school district where the children have relocated. A child may complete all remaining school years at the enrolled school district regardless of mobilization, deployment, or military status of the parent or guardian.

Cross References: Policy 4.40—HOMELESS STUDENTS
Policy 4.52—STUDENTS WHO ARE FOSTER CHILDREN

Legal References: A.C.A. § 6-4-302
A.C.A. § 6-18-107
A.C.A. § 6-18-202
A.C.A. § 6-18-203
A.C.A. § 9-28-113

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.2—ENTRANCE REQUIREMENTS

To enroll in a school in the Bryant School District, a child must be a resident of the District as defined in Board policy (4.1—RESIDENCE REQUIREMENTS), meet the criteria outlined in policy 4.40—HOMELESS STUDENTS or in policy 4.52—STUDENTS WHO ARE FOSTER CHILDREN, be accepted as a transfer student under the provisions of policy 4.4, or participate under a school choice option and submit the required paperwork as required by the choice option under Policy 4.5.

Before a child is enrolled in school the parent must present the following two forms of proof of residence: Category 1: current proof of the physical location of the residence; and Category 2: a current real or personal property assessment showing the address of the physical location of the residence within the District. Examples of acceptable proof of residence for Category 1 include: (1) a sales contract or closing papers for the purchase of a home for home owners; (2) a rental agreement or receipt with a current date for renters; or (3) a current utility bill which indicates the name and physical address of the individual or family that resides at the residence. For Category 2, the parent must present a Saline County property assessment (real property assessment for property owners; personal property assessment for non-real property owners), and the property assessment must be for the current school year. The district may also require a parent or guardian to provide photo identification to validate identity and district residency.

The Superintendent, or his or her designee, may require a parent, foster parent, legal guardian, or other person in loco parentis (in the place of a parent) who enrolls a student in the Bryant School District to sign a statement under oath attesting to his or her residential address or to provide other proof that a student is a resident of the Bryant School District as set forth under Arkansas law and Bryant School Board policies. Under Arkansas law, a person who knowingly gives a false residential address for the purposes of public school enrollment is guilty of a misdemeanor and subject to a fine not to exceed one thousand dollars ($1,000).

Students may enter kindergarten if they will attain the age of five (5) on or before August 1 of the year in which they are seeking initial enrollment. Any student who has been enrolled in a state-accredited or state-approved kindergarten program in another state for at least sixty (60) days, will become five (5) years old during the year in which he/she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon written request to the District. Any student who was enrolled in a state-accredited or state-approved kindergarten program in another state or in a kindergarten program equivalent in another country, becomes a resident of this state as a direct result of active military orders or a court-ordered change of custody, will become five (5) years of age during the year in which he or she is enrolled in kindergarten, and meets the basic residency requirement for school attendance may be enrolled in kindergarten upon a written request to the District.

Any child who will be six (6) years of age on or before October 1 of the school year of enrollment and who has not completed a state-accredited kindergarten program shall be evaluated by the District and may be placed in the first grade if the results of the evaluation justify placement and the child’s parent or legal guardian agrees with the placement; otherwise the child shall be placed in kindergarten.

Any child may enter first grade in a District school if the child will attain the age of six (6) years during the school year in which the child is seeking enrollment and the child has successfully completed a kindergarten program in a public school in Arkansas.
Any child who has been enrolled in the first grade in a state-accredited or state-approved elementary school in another state for a period of at least sixty (60) days, who will become age six (6) years during the school year in which he/she is enrolled in grade one (1), and who meets the basic residency requirements for school attendance may be enrolled in the first grade.

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 (mid-year transfers) or as they would have been assigned in their previous school. Private school students shall be evaluated by the District to determine their appropriate grade placement. Home school students enrolling or re-enrolling as a public school student shall be placed in accordance with policy 4.6—HOME SCHOOLING.

The District shall make no attempt to ascertain the immigration status, legal or illegal, of any student or his/her parent or legal guardian presenting for enrollment.

Prior to the child’s admission to a District school:

1. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall furnish the child’s social security number, or if they request, the district will assign the child a nine (9) digit number designated by the Division of Elementary and Secondary education.

2. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis shall provide the district with one (1) of the following documents indicating the child’s age:
   a. A birth certificate;
   b. A statement by the local registrar or a county recorder certifying the child’s date of birth;
   c. An attested baptismal certificate;
   d. A passport;
   e. An affidavit of the date and place of birth by the child’s parent, legal guardian, person having lawful control of the student, or person standing in loco parentis;
   f. United States military identification; or
   g. Previous school records.

3. The parent, legal guardian, person having lawful control of the student, or person standing in loco parentis 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. Any person who has been expelled from any other school district and who is a current, lawful resident of the Bryant 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.

4. In accordance with Policy 4.57—IMMUNIZATIONS, the child shall be age appropriately immunized or have an exemption issued by the Arkansas Department of Health.
Uniformed Services Member's Children

For the purposes of this policy:

“Activated reserve components” means members of the reserve component of the uniformed services who have received a notice of intent to deploy or mobilize under Title 10 of the United States Code, Title 32 of the United States Code, or state mobilization to active duty.

“Active duty” means full-time duty status in the active, uniformed services of the United States, including without limitation members of The National Guard and Reserve on active duty orders under 10 U.S.C. §§ 1209 and 1210.

“Deployment” means a period of time extending from six (6) months before a member of the uniformed services' departure from their home station on military orders through six (6) months after return to his or her home station.

“Active duty members of the uniformed services” includes members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211;

“Eligible child” means the children of:
• Active duty members of the uniformed services;
• Members of the active and activated reserve components of the uniformed services;
• Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and
• Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

“Uniformed services” means the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Coast Guard, the National Oceanic and Atmospheric Administration Commissioned Officer Corps, the United States Commissioned Corps of the Public Health Services, and the state and federal reserve components of each of these bodies.

“Veteran” means an individual who served in the uniformed services and who was discharged or released from the uniformed services under conditions other than dishonorable.

The superintendent shall designate an individual as the District’s military education coordinator, who shall serve as the primary point of contact for an eligible child and for the eligible child’s parent, legal guardian, person having lawful control of the eligible child, or person standing in loco parentis. The individual the superintendent designates as the District’s military education coordinator shall have specialized knowledge regarding the educational needs of children of military families and the obstacles that children of military families face in obtaining an education.

An eligible child as defined in this policy shall:
1. Be allowed to continue his/her enrollment at the grade level commensurate with his/her grade level he/she was in at the time of transition from his/her previous school, regardless of age;
2. Be eligible for enrollment in the next highest grade level, regardless of age if the student has satisfactorily completed the prerequisite grade level in his/her previous school;
3. Enter the District's school on the validated level from his/her previous accredited school when transferring into the District after the start of the school year;

4. Be enrolled in courses and programs the same as or similar to the ones the student was enrolled in his/her previous school to the extent that space is available. This does not prohibit the District from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses and/or programs;

5. Be provided services comparable to those the student with disabilities received in his/her previous school based on his/her previous Individualized Education Program (IEP). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;

6. Make reasonable accommodations and modifications to address the needs of an incoming student with disabilities, subject to an existing 504 or Title II Plan, necessary to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student;

7. Be enrolled by an individual who has been given the special power of attorney for the student's guardianship. The individual shall have the power to take all other actions requiring parental participation and/or consent;

8. Be eligible to continue attending District schools if he/she has been placed under the legal guardianship of a noncustodial parent living outside the District by a custodial parent on active military duty.

In the event that official copies of an eligible child’s education records are not available at the time the eligible child is transferring, then the District shall:

- Pre-register and place an eligible child based on the eligible child’s unofficial education records pending receipt of the eligible child’s official records; and
- Request the eligible child’s official education records from the sending district.

Cross References: 4.1—RESIDENCE REQUIREMENTS
4.4—STUDENT INTERDISTRICT TRANSFERS
4.5—SCHOOL CHOICE (UNDER OTHER ARKANSAS LAWS)
4.6—HOME SCHOOLING
4.34—COMMUNICABLE DISEASES AND PARASITES
4.40—HOMELESS STUDENTS

Legal References: A.C.A. § 6-4-302
A.C.A. § 6-4-309
A.C.A. § 6-15-504
A.C.A. § 6-18-107
A.C.A. § 6-18-201 (c)
A.C.A. § 6-18-207
A.C.A. § 6-18-208
A.C.A. § 6-18-510
A.C.A. § 6-18-702
A.C.A. § 9-28-113

4.2.1 – STUDENT ATTENDANCE ZONES AND INTRADISTRICT TRANSFERS

The children of the Bryant School District will attend school according to the zones in which they reside unless a different assignment is made by District administration to comply with state regulations or for educational reasons.

It is sometimes necessary for the Bryant School District to assign students to schools other than the schools for which the students are zoned because the zoned school may be at capacity in a particular grade level or program (“overflow” situation), or to comply with other state laws or regulations. It may also be necessary to assign students to schools other than the schools for which the students are zoned due to reasons that are directly related to a student’s educational needs.

Students who were previously “overflowed” to a particular school and who wish to remain at the overflowed school will be considered for continued attendance at the overflowed school on a year-to-year basis depending upon the educational needs of the students and the space available at both the overflowed school and zoned school.

The Superintendent or his or her designee will create the required forms or applications to allow a parent or guardian to voluntarily request a change in school assignment for their child or ward.

The Bryant School District may grant requests for changes in school assignments only for legitimate educational reasons and only if adequate space exists at the requested school and grade level. The Bryant School District will not grant requests for changes in school assignments for reasons related to transportation (or lack thereof), convenience, proximity to/availability of afterschool care, because a sibling, family member, or friend of the student may attend a pre-kindergarten school, elementary school, middle school, or high school closest to the preferred school, athletics or extra-curricular activities, or for other similar non-educational reasons. Parents should carefully consider these limitations prior to moving residences to a new attendance zone and prior to applying for a change in school assignments.

If an application for a change in school assignment is approved for educational reasons and if space is available at the requested school, the Bryant School District may be unable to provide transportation to and from the preferred, out-of-zone school. In that instance, transportation to and from the preferred school will be the responsibility of the student’s parent or guardian.

Requests for change in school assignment will be considered in the order they are received. In some cases, the Bryant School District will be unable to respond to a request until just before the beginning of the fall/spring semester when it can be determined whether a legitimate educational need exists and space is available at the preferred school.

Parents or guardians who have a request for a change in school assignment pending with the Bryant School District must nevertheless register their children or wards at their zoned school pending a decision on the application.

The decision of the Superintendent or his or her designee regarding: (1) the assignment of a student to a particular school; or (2) a request for a change in school assignment shall be final and not subject to appeal to the Bryant School District Board of Directors.
Other Circumstances

Families who move to a different home within the Bryant School District during the course of the school year may request that their child(ren) be allowed to finish the current school year at the same school where they began the year. Approval will only be effective for the remainder of the current school year. In these circumstances, the Bryant School District may be unable to provide transportation to and from the out-of-zone school. In that instance, transportation to and from the preferred school will be the responsibility of the student’s parent or guardian.

Students may be permitted, when parents/guardians provide documentation of the purchase/rental of a home at the beginning of the semester that they have not yet occupied, to enroll in a school in the attendance zone that corresponds to the new home address for up to 45 days. If the family is not residing in the home by the end of the 45-day period, the student(s) must be transferred to the school that corresponds to the current home address. The Superintendent or his or her designee will create the required forms or applications for this purpose.

Date Adopted: December 15, 2014

Last Revised: June 22, 2017
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 and send the child to 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 him/her attend kindergarten. A kindergarten waver 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 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).

Student Attendance During Alternative Methods of Instruction (AMI) Days

Students will be counted present for each part of the day for which completed work is returned to the teacher by the end of the third day following an AMI day. Attendance records from the school office will be used to maintain accurate records.

Student work from AMI days will be graded by the teacher and recorded as classwork. Not submitting the completed work within the allocated time with no communication about extenuating circumstances will result in an unexcused absence for elementary students, and a “0” being assigned for the work in addition to the unexcused absence for secondary students. The school principal will make the final decision on excused/unexcused absences, in accordance with the district handbook.

Legal References:
A.C.A. § 6-18-201
A.C.A. § 6-18-207

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.4—STUDENT INTERDISTRICT TRANSFERS (“LEGAL” TRANSFERS AND “BOARD-TO-BOARD” TRANSFERS)

Subject to the limitations set forth in this policy, pursuant to Ark. Code Ann. § 6-18-316 et seq. and other state laws, the Bryant School District Board of Education may enter into an agreement with another school district’s board of education for the legal transfer of a student to or from the Bryant School District.

The Bryant School District Board of Education will accept or reject transfers, both into and out of the Bryant School District, on a case-by-case basis, at scheduled board meetings in July, August, December and January of each year. In unusual and limited circumstances, the Bryant School District Board of Education may consider transfers during months other than July, August, December, and January. The Bryant School District administration will only accept transfer requests for consideration on forms provided by the Arkansas Department of Education as modified by the Bryant School District Administration.

If the Bryant School District is the receiving school district for a legal transfer under this policy, the Bryant School District shall file copies of the approved transfers with the Saline County Clerk, the Bryant School District administrative offices, and the Arkansas Department of Education.

A legal transfer under this policy places the responsibility for the education of the student on the receiving district and permits the receiving district to count the transferred child in its average daily membership for state funding purposes. However, a legal transfer under this policy does not transfer local tax money from the resident district to the nonresident district.

If approved by both school boards involved, the receiving district may enter into a written tuition agreement with the resident district or the parents of the child or children involved whereby the resident district or the parents will make tuition payments to the receiving district to compensate the receiving district for local taxes not received on behalf of the child or children involved. In that instance, the amount of the tuition shall not exceed the average amount of local property tax per pupil collected by the receiving district in the preceding year.

Student transfers granted pursuant to this policy shall be reviewed at the end of four (4) years by the Bryant School District and the other school districts involved to determine whether the transfer agreement should be renewed.

Standards for Acceptance and Rejection of Applications

The Bryant School District Board of Education may, at its discretion, grant transfers in the following situations:

- Transfer requests on behalf of students entering the eleventh (11th) or twelfth (12th) grade who wish to finish high school in a school they have attended at least one (1) year immediately preceding the transfer request; or

- Upon recommendation by the superintendent in situations where it is found by the superintendent that a transfer will be in the best educational interests of the student involved.

The Bryant School District Board of Education may reject an application for transfer admission if acceptance of the application would necessitate the addition of staff or classrooms, exceed the capacity of a program, class,
grade level, or school building, or cause the Bryant School District to provide educational services not currently provided in the affected school. The Bryant School District Board of Education shall also reject applications that would cause the Bryant School District to be out of compliance with applicable laws and regulations, including those regarding desegregation.

The Bryant School District is prohibited by law from granting transfers in the following situations:

- When either the resident or receiving district is under a desegregation-related court order or has ever been under such a court order; and

- The transfer in question would negatively impact the racial balance of that district which is or has been under such a court order.

The Bryant School Board of Education will not consider petitions for legal transfer into the Bryant School District if the superintendent, or his or her designee, determines, after investigation, that the student (if over age eighteen (18)), the student’s parent, or the student’s guardian, while the student was enrolled at the Bryant School District:

- Knowingly provided a false residential address for the purposes of enrollment in the Bryant School District;

- Knowingly provided a false residential address for the purposes of enrollment in a particular school zone within the Bryant School District; or

- Knowingly refused to update the student’s residential address with the Bryant School District for a period of over twenty-one (21) calendar days.

Unless the student is a resident student and may request a hearing as set forth in Policy 4.2, the Bryant School District Board of Education reserves the right not to allow any student who has been expelled from another school district to enroll in the Bryant School District until such time that the student’s expulsion expires.

The superintendent of a school district, or the superintendent’s designee, accepting the transfer of a student from another district in the state shall make proper inquiry of the parents or guardian of the student to determine whether the student has proper contacts or other legal right to be enrolled as a student in that district.

The superintendent of the school district, or the superintendent’s designee, shall promptly verify to the district from which the student transferred that the student has been approved for enrollment in the district after a determination that the child has a legal right to attend in the district.

A school district from which the student transferred has the right to appeal the transfer of the student to the Department of Education. The school district to which the student transferred and the parents or guardian of the student shall have the burden to prove the transfer was proper.

**Educational Placement**

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.

Students transferring to the Bryant School District from a school that is not accredited by the Arkansas Department of Education will be evaluated as follows:

Grades 1-8: Principals will use all available information in making grade placement decisions. The principal may change the placement depending on the performance of the child. Principals may require informal testing to determine appropriate placement.

Grades 9-12: Students in grades 9-12 who have completed coursework in another school will be required to take tests in the academic areas for which credit is desired. No letter grade will be issued, only “CR” for “credit earned.” The tests will be considered by the appropriate departments. The percent of material mastered on the test will determine the credit. For example:

<table>
<thead>
<tr>
<th>Percent</th>
<th>Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>60-100</td>
<td>Full credit</td>
</tr>
<tr>
<td>59 or less</td>
<td>No credit</td>
</tr>
</tbody>
</table>

Students who receive special education services upon entering the Bryant School District will continue to receive special education services listed in the student’s current individual education plan (IEP) while records are gathered to confirm eligibility for services according to state and federal regulations.

The Bryant School District will follow all applicable state laws and regulations regarding the enrollment and educational placement of home school students who, pursuant to this policy, transfer into the Bryant School District from the geographical boundaries of another school district.

**Transportation**

Except as otherwise required or permitted by law, the responsibility for transportation of any nonresident student admitted to a school in the Bryant School District shall be borne by the student or the student’s parents. The Bryant School District and the other school district involved in the legal transfer may enter into a written agreement with the student or student’s parents to provide transportation to or from the Bryant School District.

**Truancy**

If a student who is granted a transfer pursuant to the provisions of this policy is, while a student in the Bryant School District, referred to truancy court due to excessive unexcused absences or tardies, the Bryant School District Superintendent may revoke the approved transfer and require the student to re-enroll in his or her school district of residence.


Date Adopted: June 20, 2019
4.5—SCHOOL CHOICE (UNDER OTHER ARKANSAS LAWS)

Standard School Choice

Definition

"Sibling" means each of two (2) or more children having a parent in common by blood, adoption, marriage, or foster care.

Transfers Into the District

Capacity Determination and Public Pronouncement

The Board of Directors will adopt a resolution containing the capacity standards for the District. The resolution will contain the acceptance determination criteria identified by academic program, class, grade level, and individual school. The school is not obligated to add any teachers, other staff, or classrooms to accommodate choice applications. The District may only deny a Standard School Choice application if the District has a lack of capacity by the District having reached ninety percent (90%) of the maximum student population in a program, class, grade level, or school building authorized by the Standards or other State/Federal law.

The District shall advertise in appropriate broadcast media and either print media or on the Internet to inform students and parents in adjoining districts of the range of possible openings available under the School Choice program. The public pronouncements shall state the application deadline; the requirements and procedures for participation in the program; and include contact information for the primary point of contact at the District for school choice questions. Such pronouncements shall be made in the spring, but in no case later than March 1.

Application Process

The student's parent shall submit a school choice application on a form approved by ADE to this district along with a copy to the student’s resident district. Except for students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, the transfer application must be postmarked or hand delivered on or before May 1 of the year preceding the fall semester the applicant would begin school in the District. The District shall date and time stamp all applications the District receives as both the resident and nonresident district as they are received in the District’s central office. Except for applications from students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base, applications postmarked or and delivered on or after May 2 will not be accepted. Statutorily, preference is required to be given to siblings of students who are already enrolled in the District. Therefore, siblings whose applications fit the capacity standards approved by the Board of Directors may be approved ahead of an otherwise qualified non-sibling applicant who submitted an earlier application as identified by the application's date and time stamp.

Students who have a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base may submit an application and transfer at any time if the student’s application:
1. Is filed with the nonresident school district within fifteen (15) days of the parent's or guardian's arrival on the military base;
2. Includes the parent's or guardian's military transfer orders; and
3. Includes the parent's or guardian's proof of residency on the military base.

The approval of any application for a choice transfer into the District is potentially limited by the applicant's resident district's statutory limitation of losing no more than three percent (3%) of its past year's student enrollment due to Standard School Choice. As such, any District approval of a choice application prior to July 1 is provisional pending a determination that the resident district's three percent (3%) cap has not been reached. The superintendent shall contact a student’s resident district to determine if the resident district’s three percent (3%) cap has been met.

The Superintendent will consider all properly submitted applications for School Choice. By July 1, the Superintendent shall notify the parent and the student’s resident district, in writing, of the decision to accept or reject the application.

Accepted Applications

Applications which fit within the District's stated capacity standards shall be provisionally accepted, in writing, with the notification letter stating a reasonable timeline by which the student shall enroll in the District by taking the steps detailed in the letter, including submission of all required documents. If the student fails to enroll within the stated timeline, or if all necessary steps to complete the enrollment are not taken, or examination of the documentation indicates the applicant does not meet the District's stated capacity standards, the acceptance shall be null and void.

A student, whose application has been accepted and who has enrolled in the District, is eligible to continue enrollment until completing his/her secondary education. Continued enrollment is conditioned upon the student meeting applicable statutory and District policy requirements. Any student who has been accepted under choice and who fails to initially enroll under the timelines and provisions provided in this policy; chooses to return to his/her resident district; or enrolls in a home school or private school voids the transfer and must reapply if, in the future, the student seeks another school choice transfer. A subsequent transfer application will be subject to the capacity standards applicable to the year in which the application is considered by the District.

A present or future sibling of a student who continues enrollment in this District may enroll in the District by submitting a Standard School Choice application. Applications of siblings of presently enrolled choice students are subject to the provisions of this policy including the capacity standards applicable to the year in which the sibling's application is considered by the District. A sibling who enrolls in the District through Standard School choice is eligible to remain in the District until completing his/her secondary education.

Students whose applications have been accepted and who have enrolled in the district shall not be discriminated against on the basis of gender, national origin, race, ethnicity, religion, or disability.

Rejected Applications

The District may reject an application for a transfer into the District under Standard School Choice due to a lack of capacity. However, the decision to accept or reject an application may not be based on the student’s previous academic achievement, athletic or other extracurricular ability, English proficiency level, or previous disciplinary proceedings other than a current expulsion.
An application may be rejected if it is for an opening that was included in the District's capacity resolution, but was filled by an earlier applicant. If the approved applicant subsequently does not enroll in the District, the rejected applicant could be approved and would have to meet the acceptance requirements to be eligible to enroll in the district.

An application may be provisionally rejected if the student’s application was beyond the student’s resident district’s three percent (3%) cap. The student’s resident district is responsible for notifying this District that it is no longer at its three percent (3%) cap. If a student’s application was provisionally rejected due to the student’s resident district having reached its three percent (3%) cap and the student’s resident district notifies this District that it has dropped below its three percent (3%) cap prior to July 1, then the provisional rejection may be changed to a provisional acceptance and the student would have to meet the acceptance requirements to be eligible to enroll in the District.

Rejection of applications shall be in writing and shall state the reason(s) for the rejection. A student whose application was rejected may request a hearing before the State Board of Education to reconsider the application which must be done, in writing to the State Board within ten (10) days of receiving the rejection letter from the District.

Any applications that are denied due to the student’s resident district reaching the three percent (3%) limitation cap shall be given priority for a choice transfer the following year in the order that the District received the original applications.

**Transfers Out of the District**

All Standard School Choice applications for transfer out of the resident district may be approved by the non-resident district unless the approval would cause the District to have a net enrollment loss (students transferring out minus those transferring in) of more than three percent (3%) of the average daily membership on October 15 of the immediately preceding year. By December 15 of each year, DESE shall determine and notify the District of the net number of allowable choice transfers. Students are not counted for the purpose of determining the three percent (3%) cap if the student transfers:

- Through Opportunity School Choice due to the school receiving a rating of “F” or a district classified as in need of Level 5 Intensive Support under A.C.A. § 6-18-227;
- Due to the district’s identification of Facilities Distress under A.C.A. § 6-21-812; or

If, prior to July 1, the District receives sufficient copies of requests from other districts for its students to transfer to other districts to trigger the three percent (3%) cap, it shall notify each district the District received Standard School Choice applications from that it has tentatively reached the limitation cap. The District will use confirmations of approved choice applications from receiving districts to make a final determination of which applications it received that exceeded the limitation cap and notify each district that was the recipient of an application to that effect. The District shall immediately notify all receiving districts if it should drop back below its three percent (3%) cap prior to July 1.

When the last successful application requesting to transfer out of the District before the District’s three percent (3%) cap was triggered belonged to an individual who was a member of a group of siblings who applied to transfer out of the District, the District shall allow all members of the individual’s sibling group to transfer out of the District even though these applications are beyond the District’s transfer cap.
Facilities Distress School Choice Applications

There are a few exceptions from the provisions of the rest of this policy that govern choice transfers triggered by facilities distress. Any student attending a school district that has been identified as being in facilities distress may transfer under the provisions of this policy, but with the following four (4) differences:

- The receiving district cannot be in facilities distress;
- The transfer is only available for the duration of the time the student's resident district remains in facilities distress;
- The student is not required to meet the May 1 application deadline; and
- The student's resident district is responsible for the cost of transporting the student to this District's school.

Opportunity School Choice

Transfers Into or Within the District

For the purposes of this section of the policy, a “lack of capacity” is defined as when the receiving school has reached the maximum student-to-teacher ratio allowed under federal or state law, the DESE Rules for the Standards for Accreditation, or other applicable rules. There is a lack of capacity if, as of the date of the application for Opportunity School Choice, ninety-five percent (95%) or more of the seats at the grade level at the nonresident school are filled.

Unless there is a lack of capacity at the District’s school or the transfer conflicts with the provisions of a federal desegregation order applicable to the District, a student may transfer from the student's assigned school to another school in the District or from the student’s resident district into the District if:

- Either:
  - The student’s resident district has been classified by the state board as in need of Level 5 — intensive support; or
  - The student’s assigned school has a rating of "F"; and
- By May 1 of the year before the student intends to transfer, the student’s parent, guardian, or the student if the student is over eighteen (18) years of age has submitted an application of the student’s request to transfer to the:
  - DESE;
  - Sending school district; and
  - Receiving school district.

A student is not required to meet the May 1 application deadline if the student has a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base. The student may transfer at any time if the student’s application:

- Is filed with the nonresident school district within fifteen (15) days of the parent's or guardian's arrival on the military base;
- Includes the parent's or guardian's military transfer orders; and
- Includes the parent's or guardian's proof of residency on the military base.

Within thirty (30) days from receipt of an application from a student seeking admission under this section of the policy, the Superintendent shall notify in writing the parent or guardian, or the student if the student is over
eighteen (18) years of age, whether the Opportunity School Choice application has been accepted or rejected. The notification shall be sent via First-Class Mail to the address on the application.

If the application is accepted, the notification letter shall state the deadline by which the student must enroll in the receiving school or the transfer will be null and void.

If the District rejects the application, the District shall state in the notification letter the specific reasons for the rejection. A parent or guardian, or the student if the student is over eighteen (18) years of age, may appeal the District’s decision to deny the application to the State Board of Education. The appeal must be in writing to the State Board of Education via certified mail, return receipt requested, no later than ten (10) calendar days, excluding weekends and legal holidays, after the notice of rejection was received from the District.

A student’s transfer under Opportunity School choice is effective at the beginning of the next school year and the student’s enrollment is irrevocable for the duration of the school year and is renewable until the student completes high school or is beyond the legal age of enrollment. This provision for continuing eligibility under Opportunity Choice does not negate the student's right to apply for transfer to a district other than the student's assigned school or resident district under the Standard School Choice provisions of this policy.

The District may, but is not obligated to provide transportation to and from the transferring district.

Transfers out of or within the District

If a District school receives a rating of “F” or the District has been classified by the State Board as in need of Level 5 Intensive Support, the District shall timely notify parents, guardians, or students, if over eighteen (18) years of age, as soon as practicable after the school or district designation is made of all options available under Opportunity School Choice. The District shall offer the parent or guardian, or the student if the student is over eighteen (18) years of age, an opportunity to submit an application to enroll the student in a school district that has not been classified by the State Board as in need of Level 5 Intensive Support or in a public school that does not have a rating of “F”.

Additionally, the District shall request public service announcements to be made over the broadcast media and in the print media at such times and in such a manner as to inform parents or guardians of students in adjoining districts of the availability of the program, the application deadline, and the requirements and procedure for nonresident students to participate in the program.

Unsafe School Choice Program

Any student that becomes the victim of a violent criminal offense while in or on the grounds of a District school or who is attending a school classified by DESE as a persistently dangerous public school shall be allowed to attend a safe public school within the District.

Legal References: A.C.A. § 6-1-106
                 A.C.A. § 6-13-113
                 A.C.A. § 6-15-2915
                 A.C.A. § 6-18-227
                 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 the Guidelines, Procedures and Enforcement of the Arkansas Opportunity Public School Choice Act
DESE Rules Governing The Public School Choice Act of 2015

Date Adopted: May 19, 2015

Last Revised: June 20, 2019
4.6—HOME SCHOOLING

Enrollment in Home School

Parents or legal guardians desiring to provide a home school for their children shall give written notice to the Superintendent of their intent to home school. The notice shall be given:

1. At the beginning of each school year, but no later than August 15;
2. 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; or
3. Within thirty (30) calendar days of the parent or legal guardian establishing residency within the district during the school year.

Written notice of the parent or legal guardian’s intent to home school shall be delivered to the Superintendent through any of the following methods:

• Electronically, including without limitation by email;
• By mail; or
• In person.

The notice shall include:

a. The name, sex, date of birth, grade level, and the name and address of the school last attended, if any;
b. The mailing address and telephone number of the home school;
c. The name of the parent or legal guardian providing the home school;
d. Indicate if the home-schooled student intends to participate in extracurricular activities during the school year;
e. A statement of whether the home-schooled student plans to seek a high school equivalency diploma during the current school year;
f. A statement if the home-school student plans to seek a driver's license during the current school year;
g. A statement that the parent or legal guardian agrees that the parent or legal guardian is responsible for the education of their children during the time the parents or legal guardians choose to home school; and
h. A signature of the parent or legal guardian, which must be notarized if the home-schooled student plans to seek a driver’s license during the school year.

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 that might indicate the need for special education services.

Enrollment or Re-Enrollment in Public School

A home-schooled student who wishes to enroll or re-enroll in a District school shall submit:

• A transcript listing all courses taken and semester grades from the home school;
• Score of at least the thirtieth percentile on a nationally recognized norm-referenced assessment taken in the past year; and
• A portfolio of indicators of the home-schooled student's academic progress, including without limitation:
o Curricula used in the home school;
o Tests taken and lessons completed by the home-schooled student; and
o Other indicators of the home-schooled student's academic progress.

If a home-schooled student is unable to provide a nationally recognized norm-referenced score, the District may either assess the student using a nationally recognized norm-referenced assessment or waive the requirement for a nationally recognized norm-referenced assessment score.

A home-schooled student who enrolls or re-enrolls in the District will be placed at a grade level and academic course level equivalent to or higher than the home-schooled student's grade level and academic course level in the home school:

1. As indicated by the documentation submitted by the home-schooled student;
2. By mutual agreement between the public school and the home-schooled student's parent or legal guardian; or
3. If the home-schooled student fails to provide the documentation required by this policy, with the exception of the nationally recognized norm-referenced assessment score, the District may have sole authority to determine the home-schooled student's grade placement and course credits. The District will determine the home-schooled student’s grade placement and course credits in the same manner the District uses when determining grade placement and course credits for students enrolling or re-enrolling in the District who attended another public or private school.

The District shall afford a home-schooled student who enrolls or re-enrolls in a public school the same rights and privileges enjoyed by the District’s other students. The District shall not deny a home-schooled student who enrolls or re-enrolls in the District any of the following on the basis of the student having attended a home school:

a. Award of course credits earned in the home school;
b. Placement in the proper grade level and promotion to the next grade level;
c. Participation in any academic or extracurricular activity;
d. Membership in school-sponsored clubs, associations, or organizations;
e. A diploma or graduation, so long as the student has enrolled or re-enrolled in the District to attend classes for at least the nine (9) months immediately prior to graduation; or
f. Scholarships.

Legal References:
A.C.A. § 6-15-503
A.C.A. § 6-15-504
A.C.A. § 6-41-103

Date Adopted: December 15, 2014

Last Revised: June 22, 2017
4.7—ABSENCES

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.

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

Absences for students enrolled in digital courses shall be determined by the online attendance and time the student is working on the course rather than the student’s physical presence at school. Students who are scheduled to have a dedicated period for a digital class shall not be considered absent if the student logs the correct amount of time and completes any required assignments; however, a student who fails to be physically present for an assigned period may be disciplined in accordance with the District’s truancy policy.

**Excused Absences**

Excused absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings a written statement to the principal or designee upon his/her return to school. A written statement presented for an absence having occurred more than five (5) school days prior to its presentation will **not** be accepted:

1. The student’s illness or when attendance could jeopardize the health of other students. A note from a medical professional is required.
2. Death or serious illness in their immediate family;
3. Observance of recognized holidays observed by the student's faith;
4. Attendance at an appointment with a government agency;
5. Attendance at a medical appointment;
6. Exceptional circumstances with prior approval of the principal;
7. Participation in an FFA, FHA, or 4-H sanctioned activity;
8. Participation in the election poll workers program for high school students.
9. Absences granted to allow a student to visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting. The number of additional excused absences shall be at the discretion of the superintendent or designee.
10. 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).
11. 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.
12. 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.
Unexcused Absences

Absences not defined above shall be considered as unexcused absences. Students with six (6) unexcused absences in a course in a semester may not receive credit for that course. At the discretion of the principal after consultation with persons having knowledge of the circumstances of the unexcused absences, the student may be denied promotion or graduation. Excessive absences shall not be a reason for expulsion or dismissal of a student.

When a student has three (3) unexcused absences, his/her parents, legal guardians, persons with lawful control of the student, or persons standing in loco parentis shall be notified. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student receives seven (7) unexcused 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.

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 unexcused 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 unexcused 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.

Students who attend in-school suspension shall not be counted absent for those days.

Days missed due to out-of-school suspension or expulsion shall be unexcused absences.

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.

Cross References: 4.57—IMMUNIZATIONS 5.11—DIGITAL LEARNING COURSES

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. § 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

Date Adopted: June 20, 2019

Last Revised: October 17, 2019
4.8—RESERVED
4.9—RESERVED
4.10—CLOSED CAMPUS

All schools in the Bryant School District shall operate closed campuses. Students are required to stay on campus from their arrival until dismissal at the end of the regular school day unless given permission to leave the campus by a school official. Students must sign out in the office upon their departure.

Date Adopted: December 15, 2014

Last Revised:
4.11—EQUAL EDUCATIONAL OPPORTUNITY

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

Inquiries on non-discrimination may be directed to the Director of Human Resources/Legal Affairs, who may be reached at 501-847-5600. Inquiries regarding issues related to Title IX shall be directed to the Bryant School District Deputy Superintendent, who may be reached at (501) 847-5600. Inquiries related to Section 504 shall be directed to the Bryant School District 504 Coordinator at (501) 847-5660.

For further information on notice of non-discrimination or to file a complaint, visit http://wdcrobecolp01.ed.gov/CFAPPS/OCR/contactus.cfm; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

Legal References:
A.C.A. § 6-10-130
A.C.A. § 6-18-514
28 C.F.R. § 35.106
34 C.F.R. § 100.6
34 C.F.R. § 104.8
34 C.F.R. § 106.9
34 C.F.R. § 108.9
34 C.F.R. § 110.25

Date Adopted: December 15, 2014

Last Revised: April 18, 2018
4.12—STUDENT ORGANIZATIONS/EQUAL ACCESS

Non-curriculum related 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, 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 designated administrator. 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 initiation into, or affiliation with, any student organization, extracurricular activity or sports program. Students who are convicted of participation in hazing or the failure to report hazing shall be expelled.

Legal References:
A.C.A. § 6-5-201 et seq.
A.C.A. § 6-10-132
A.C.A. § 6-18-601 et seq.
A.C.A. § 6-21-201 et seq.
20 U.S.C. 4071 Equal Access Act
Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990)

Date Adopted: December 15, 2014

Last Revised: July 19, 2018
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 parent 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 Bryant School 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. 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 on behalf of the school district (including, without limitation, 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. School officials shall protect all student education records and keep all such records confidential in accordance with applicable federal and state laws and regulations.

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.

In addition to releasing PII to school officials without permission, the District may disclose PII from the education records of students in foster care placement to the student’s caseworker or to the caseworker’s representative without getting prior consent of the parent (or the student if the student is over eighteen (18)). For the District to release the student’s PII without getting permission:

- The student must be in foster care;
- The individual to whom the PII will be released must have legal access to the student’s case plan; and
- The Arkansas Department of Human Services, or a sub-agency of the Department, must be legally responsible for the care and protection of the student.

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 District does not distinguish between a custodial and noncustodial parent, or a non-parent such as a person acting in loco parentis (in the place of a parent) 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 fact of a person’s status as parent or guardian, alone, enables that parent or guardian to review and copy his 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, disciplinary rulings, disability placements, or other such determinations, 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/her 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 role (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.

Federal law requires the District to comply with a request by a military recruiter or an institution of higher education for secondary students’ names, addresses, and telephone numbers, unless a parent opts out of providing such information. Federal law also requires the District to provide military recruiters the same access to secondary school students as they generally provide to postsecondary institutions or prospective employers.

A student’s name and photograph will only be displayed on the District or school’s web page(s) if the student’s parent (or student if over the age of 18) does not notify the District in writing of his or her desire to opt out of such a display.

The form for objecting to making directory information available is located in the student handbook and must be completed and signed by the parent or age-eligible student and filed with the building principal’s office no later than ten (10) school days after the beginning of each school year or the date the student is enrolled for school. 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 the Family Educational Rights and Privacy Act (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.

Parents and students over the age of 18 who believe the District has failed to comply with the requirements for the lawful release of student records may file a complaint with the U.S. Department of Education (DOE) at

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

Legal References:  
A.C.A. § 9-28-113(b)(6)  
20 U.S.C. § 1232g  
20 U.S.C. § 7908 (NCLB Section 9528)  

Cross References:  
Policy 4.34—COMMUNICABLE DISEASES AND PARASITES  
Policy 5.20—DISTRICT WEBSITE

Date Adopted: December 15, 2014

Last Revised: April 18, 2018

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4.14—STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE

Students attending school in the Bryant School District may exercise their right of expression within the framework of this publications policy, as outlined in Ark. Code Ann. § 6-18-1203:

Student publications policies shall recognize that students may exercise their right of expression, within the framework outlined in § 6-18-1202. This right includes expression in school-sponsored publications, whether such publications are supported financially by the school or by use of school facilities, or are produced in conjunction with a class, except as provided in § 6-18-1204.

Review of Content:
Publication staff members create all editorial content for student publications and choose advertising for student publications. When questionable content arises, the adviser and principal will review such content and advertising and make recommendations. When the adviser and principal disagree about the appropriateness or quality of material scheduled for publication, the Publication Review Committee (PRC) will be consulted within two weeks. After a recommendation from the PRC, the principal shall have the final decision. The principal’s decision should be reasonably related to the limitations as noted under this policy.

Publication Review Committee (PRC):
The Publication Review Committee (PRC) of Bryant High School shall convene to advise the publication staffs, the adviser, and administration upon adviser or principal request due to controversial content or other concerns. Members shall be appointed by the principal with approval from the adviser. A member shall volunteer or be designated to keep detailed minutes of all meeting proceedings. The adviser and principal may attend the meeting and may speak, but only committee members may vote on the official recommendation of the committee. Recommendations will be reported to the adviser and principal.

The PRC shall consist of the following members:
1. Student editor;
2. Parent of a child in the Bryant School District;
3. Professional journalist;
4. Secondary math or science teacher;
5. Secondary English or social studies teacher;
6. Secondary foreign language or business teacher; and
7. Secondary fine arts teacher.

Distribution of School-Sponsored Publications:
School-sponsored publications may be distributed on school grounds in areas and at times designated by the principal to avoid disruption of school operations.

Student Distribution of Non-school Literature, Publications and Materials
A student or group of students who distribute ten (10) or fewer copies of the same non-school literature, publications, or materials (hereinafter “non-school materials”), shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10) copies of non-school materials shall have school authorities review their non-school materials at least three (3) school days in
advance of their desired time of dissemination. School authorities shall review the non-school materials, prior to their distribution and will bar from distribution those non-school materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Material may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution. Concerns related to any 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 non-school materials. 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 non-school 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. Students shall be responsible for the removal of excess literature that is left at the distribution point for more than five days.

The superintendent, along with the student publications advisors, 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. § 6-18-202, 1203, & 1204
Tinker v. Des Moines ISD, 393 U.S. 503 (1969)
Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

Date Adopted: June 23, 2016

Last Revised: June 20, 2019
4.15—CONTACT WITH STUDENTS WHILE AT SCHOOL

CONTACT BY PARENTS

Parents visiting the school and wishing to speak to their children during the school day shall register first with the administrative office of the student’s school.

Parents/guardians are welcome on their child’s school campus. All visitors must sign in at the school’s office and pick up a visitor badge. Visitors under the age of 18 who are not parents or guardians may not be allowed in classrooms, school parties, and/or field trips without prior permission of the teacher or building principal.

In order to maintain an atmosphere conducive to learning and to avoid disruptions in the learning environment, visitors should follow the guidelines listed below:

- Classroom observation – Parents/guardians must schedule classroom observations in advance with the teacher and principal. The parent/guardian will be provided an unobtrusive seat in the classroom area. Interaction is not allowed with students during observation. Classroom observations by parents or guardians will be approved at the discretion of the principal and teacher. Due to the potential disruption of the learning environment and the need to maintain the privacy of other students’ educational progress, teachers and principals have the authority to determine the duration and frequency of all classroom observations. Parents and guardians shall not live stream (or otherwise transmit), make photographs, or make audio or video recordings during any classroom observation without the prior approval of the teacher or principal.

- Teacher conference – Parents/guardians may contact their child’s teacher to schedule a teacher conference at any time during the school year. Conferences should be scheduled in advance and will be held in an area away from the students. Parents and guardians shall not live stream (or otherwise transmit), make photographs, or make audio or video recordings during any teacher conference without the prior approval of the teacher or principal.

- Lunch or Breakfast – Parents may only bring food or drinks for their own child. Parents wishing to purchase a school lunch prepared by the school cafeteria must notify the school prior to 8:30 a.m. on that day.

- Deliveries - All deliveries of personal items such as forgotten homework, lunches, etc. will be made to the school office. Classes will not be interrupted for deliveries.

CONTACT BY NON-CUSTODIAL PARENTS

If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or his/her designee establishing the parent’s custody of the student. It shall be the responsibility of the custodial parent to make any court-ordered “no contact” or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents.
Both custodial and non-custodial parents are entitled to be involved in the education of their child(ren), including visits to school and having access to school records, unless a current court order exists and is on file at the school which specifically prohibits such activity.

Arkansas law provides that, in order to avoid continuing child custody controversies from involving school personnel and to avoid disruptions to the educational atmosphere in the District’s schools, the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school’s property on normal school days during normal hours of school operation. The custodial or non-custodial parent may send to/drop off the student at school to be sent to/picked up by the other parent on predetermined days in accordance with any court order provided by the custodial parent or by a signed agreement between both the custodial and non-custodial parents that was witnessed by the student’s building principal or principal’s designee. Unless a valid no-contact order from a court has been filed with the student’s principal or the principal’s designee, district employees shall not become involved in disputes concerning whether or not that parent was supposed to pick up the student on any given day.

**CONTACT BY LAW ENFORCEMENT, SOCIAL SERVICES, OR BY COURT ORDER**

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Division of 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. Except as provided below, other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen [18] years of age), or in response to a subpoena or arrest warrant.

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 identified on student enrollment forms. The principal or the principal’s designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, legal guardian, person having lawful control of the student, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

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 a court with jurisdiction over a child 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, person having lawful control of the student, or person standing in loco parentis notice that the student has been taken into custody by law enforcement personnel or a state’s 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 an after-hours telephone number.
Contact by Professional Licensure Standards Board Investigators

Investigators for the Professional Licensure Standards Board may meet with students during the school day to carry out the investigation of an ethics complaint.

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

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.16—STUDENT VISITORS

Parents, grandparents, legal guardians, business, and community members are welcome and encouraged to visit District schools. To minimize the potential for disruption of the learning environment, visitors, for a purpose other than to attend an activity open to the general public, are required to first report to the school’s main office. No one shall be exempt from this requirement.

Parents and legal guardians are encouraged to participate in regularly scheduled visitation events such as school open houses and parent/teacher conferences. Additional conferences are best when scheduled in advance. Conferences shall be scheduled at a time and place to accommodate those participating in the conference. Visits to individual classrooms during class time are permitted on a limited basis with the principal’s prior approval and the teacher’s knowledge.

The District has the right to ask disruptive visitors to leave its school campuses. Principals are authorized to seek the assistance of law enforcement officers in removing any disruptive visitors who refuse to leave voluntarily.

Cross References: For adult visits see Policy 4.15—CONTACT WITH STUDENTS WHILE AT SCHOOL and Policy 6.5—VISITORS TO THE SCHOOLS

Date Adopted: December 15, 2014

Last Revised:
4.17—STUDENT DISCIPLINE

The Bryant 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’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 Bryant 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.

If a school employee believes that any action taken by the school district to discipline a student referred by that employee does not follow school district discipline policies, the school employee may appeal under the District’s grievance procedure.

Legal References: A.C.A. § 6-18-502
                A.C.A. § 6-17-113

Date Adopted: December 15, 2014
Last Revised: June 20, 2019
4.18—PROHIBITED CONDUCT

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 as set forth in this policy and the student handbooks. Prohibited behaviors include, but shall not be limited to the following:

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;

2. Disruptive behavior 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 stealing school property;

7. Possession of any paging device, beeper, or similar electronic communication devices on the school campus during normal school hours unless specifically exempted by the administration for health or other compelling reasons. No student may use any electronic device to photograph, audio record, video record, or live stream (or otherwise transmit) the words, likeness, image, or actions of any other person on school grounds during school hours, on school buses, at school bus stops, or at any school activity during school hours unless such photographs, transmissions, or recordings are made with the permission of the student’s teacher or a Bryant School District administrator;

8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;

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

10. Inappropriate public displays of affection;

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

12. Gambling;

13. Inappropriate student dress;

14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;

16. Excessive tardiness;

17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability;

18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;

19. Hazing, or aiding in the hazing of another student;

20. 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;

21. Sexual harassment;

22. Bullying;

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

24. Inappropriate use of school district electronic devices, Internet, and email;

25. Theft of another’s personal property; and

26. Violation of any provision of the applicable student handbook.

The Board directs each school in the District to develop implementation regulations for prohibited student conduct consistent with applicable Board policy, State and Federal laws, and judicial decisions.

Employees are protected from abusive language and conduct by state law. An employee may report to the police any language which is calculated to:

1. Cause a breach of the peace;

2. Materially and substantially interfere with the operation of the school; and/or

3. Arouse the person to whom the language is addressed to anger, to the extent likely to cause imminent retaliation.

Legal References:  
A.C.A. § 6-5-201  
A.C.A. § 6-15-1005  
A.C.A. § 6-18-222  
A.C.A. § 6-18-502  
A.C.A. § 6-18-506  
A.C.A. § 6-18-514  
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

Cross-References: ELEMENTARY AND SECONDARY HANDBOOKS

Date Adopted: December 15, 2014

Last Revised: April 18, 2018 and July 19, 2018
4.19—CONDUCT TO AND FROM SCHOOL AND TRANSPORTATION

ELIGIBILITY

The District’s Student Code of conduct applies to students while traveling to and from school or to and from a school activity to the same extent as if the students were on school grounds. Appropriate disciplinary actions may be taken against commuting students who violate the District’s Student Code of Conduct.

The preceding paragraph also applies to student conduct while on school buses. Students shall be instructed in safe riding practices. The driver of a school bus shall not operate the school bus until every passenger is seated. In addition to other disciplinary measures provided for violations of the District’s Student Code of Conduct, the student’s bus transportation privileges may be suspended or terminated for violations of the Student Code of Conduct related to bus behavior.

Students are eligible to receive District bus transportation if they meet the following requirements:

Safety and efficiency take precedence over convenience in selecting school bus stops. As a general policy, bus stops shall not be located over two per one-quarter mile or four per mile. Exceptions to this policy will be considered in case of hardship, safety, and bad weather. The location of school bus stops shall be determined by the Transportation Director.

Students will not be transported on school buses if they live within two miles driving distance of their campus. The determination of driving distances to schools will be made by the Transportation Director. When students attend an out-of-zone school at the parents’ request, the District is under no obligation to provide transportation.

The transportation to and from school of students who have lost their bus transportation privileges is the responsibility of the student’s parent or guardian.

Legal References:  
A.C.A. § 5-60-122  
A.C.A. § 6-19-119 (b)  
Ark. Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Ark. Public School Buses and Physical Examinations of School Bus Drivers 4.0

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
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. Teachers may remove from class and send to the principal or principal’s designee office a student 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. Students who refuse to leave the classroom voluntarily will be escorted from the classroom by the school administration or by school resource officers.

Employees are protected from abusive language and conduct by state law. An employee may report to the police any language which is calculated to:

1. Cause a breach of the peace;

2. Materially and substantially interfere with the operation of the school; and/or

3. Arouse the person to whom the language is addressed to anger, to the extent likely to cause imminent retaliation.

Legal Reference: A.C.A. § 6-18-511

Date Adopted: December 15, 2014

Last Revised: April 18, 2018
4.21—STUDENT ASSAULT OR BATTERY

A student shall not threaten, physically abuse, or 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, school contractor/substitute, 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 or 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 acceptation, is calculated to:

a. Cause a breach of the peace;
b. Materially and substantially interfere with the operation of the school; or

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

Legal Reference: A.C.A. § 6-17-106 (a)

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.22—WEAPONS AND DANGEROUS INSTRUMENTS

“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;
- Air gun or pellet gun;
- 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, prior to any questioning or search by any school personnel, a student discovers 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, air gun or pellet gun, shall be recommended for expulsion for a period of one 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, air gun, or pellet gun, 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: Policy 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
20 USC § 7961

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.23—TOBACCO AND TOBACCO PRODUCTS

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, electronic cigarettes or smoking products, 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 product. Specifically, the prohibition includes any product that is manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vapes or under any other name or descriptor.

Legal Reference: A.C.A. § 6-21-609

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.24—DRUGS AND ALCOHOL

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 Bryant 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 en 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.

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 except as permitted under Policy 4.35—STUDENT MEDICATIONS.

Cross Reference: 4.35—STUDENT MEDICATIONS

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.25—STUDENT DRESS AND GROOMING

The Bryant Board of Education recognizes that dress can be a matter of personal taste and preference. At the same time, the District has a responsibility to promote an environment conducive to student learning. This requires limitations to student dress and grooming that could be disruptive to the educational process because they are immodest, disruptive, unsanitary, unsafe, could cause property damage, or are offensive to common standards of decency.

Students are prohibited from wearing, while on the school grounds during the school day and at school-sponsored events, clothing that exposes underwear, buttocks, or the breast of a female. This prohibition does not apply, however to a costume or uniform worn by a student while participating in a school-sponsored activity or event.

The Superintendent shall establish student dress codes for the District’s schools, to be included in the student handbook, and are consistent with the above criteria.

Legal References:       A.C.A. § 6-18-502(c)(1)
                         A.C.A. § 6-18-503(c)

Date Adopted: December 15, 2014

Last Revised:
4.26—GANGS, SECRET SOCIETIES, OR SIMILAR GROUPS

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 prohibited acts occur causing fear, intimidation, or physical harm to students or school staff. Gangs, secret societies, and similar groups 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, secret society, or similar group;

2. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or handshakes representative of membership in any gang, secret society, or similar group;

3. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang, secret society, or similar group; and/or

4. Extorting payment from any individual in return for protection from harm from any gang, secret society, or similar group.

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

Students arrested for gang related activities occurring off school grounds shall be subject to the same disciplinary actions as if they had occurred on school grounds.

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

Date Adopted: December 15, 2014
Last Revised: June 20, 2019
4.27—STUDENT SEXUAL HARASSMENT

The Bryant School District is committed to having an academic environment in which all students are treated 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 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 grievance procedures for complaints 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 redress that is available to the victim of sexual harassment; and the potential discipline for perpetrating sexual harassment.

“Sexual harassment” means conduct that is:
1. Of a sexual nature, including, but not limited to:
   a. Sexual advances;
   b. Requests for sexual favors;
   c. Sexual violence; or
   d. Other personally offensive verbal, visual, or physical conduct of a sexual nature;
2. Unwelcome; and
3. Denies or limits a student’s ability to participate in or benefit from any of the District’s educational programs or activities through any or all of the following methods:
   a. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual’s education;
   b. Submission to, or rejection of, such conduct by an individual is used as the basis for academic decisions affecting that individual; and/or
   c. Such conduct has the purpose or effect of substantially interfering with an individual’s academic performance or creates an intimidating, hostile, or offensive academic environment.

The terms “intimidating,” “hostile,” and “offensive” include conduct of a sexual nature that has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive that it limits the student’s ability to participate in, or benefit from, an educational program or activity.

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 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 student 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 file a complaint by contacting a counselor, teacher, Title IX coordinator, or administrator who will provide assistance on the complaint process. Under no circumstances shall a student be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment.

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 to the extent necessary to complete a thorough investigation; the extent necessary to submit a report to the child maltreatment hotline; the Professional Licensure Standards Board for complaints alleging sexual harassment by an employee towards a student; or the extent necessary to provide the individual accused in the complaint due process during the investigation and disciplinary processes. Individuals who file a complaint have the right to request that the individual accused of sexual harassment not be informed of the name of the accuser; however, individuals should be aware that making such a request may substantially limit the District’s ability to investigate the complaint and may make it impossible for the District to discipline the accused.3

Students, or the parents/legal guardians/ other responsible adult of a student, who file a complaint of sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats, intimidation, coercion, or discrimination. 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.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age of eighteen (18), who filed the complaint:
• The final determination of the investigation;
• Remedies the District will make available to the student; and
• The sanctions, if any, imposed on the alleged harasser relevant to the student.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age of eighteen (18), who was accused of sexual harassment in the complaint:
• The final determination of the investigation; and
• The sanctions, if any, the District intends to impose on the student.
It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following an investigation, any student who is found by the evidence to more likely than not have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion.

Students who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including expulsion.

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including expulsion.

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
34 CFR part 106
A.C.A. § 6-15-1005 (b) (1)

Date Adopted: April 18, 2018

Last Revised:
4.28—LASER POINTERS

Students shall not possess any hand held laser pointer while in school; on or about school property, before or after school; in attendance at school or any school-sponsored activity; en route to or from school or any school-sponsored activity; off the school grounds at any school bus stop or at any school-sponsored activity or event. School personnel shall seize any laser pointer from the student possessing it and the student may reclaim it at the close of the school year, or when the student is no longer enrolled in the Bryant School District.

Legal References:  A.C.A. § 6-18-512

Date Adopted:  December 15, 2014

Last Revised:  June 20, 2019
4.29—INTERNET SAFETY AND ELECTRONIC DEVICE USE POLICY

Definition

For the purposes of this policy, "electronic device" means anything that can be used to transmit or capture images, sound, or data.

The Bryant School District makes electronic device(s) and/or electronic device 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 electronic devices is for educational and/or instructional purposes only. Student use of electronic device(s) 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 use, including email, and that monitoring of student electronic device use is continuous.

No student 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.

Technology Protection Measures

The District is dedicated to protecting students from materials on the Internet 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 purposes of this policy, “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:

(A) taken as a whole and with respect to minors, appeals to a 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.

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:

• interacting with other individuals on social networking websites and in chat rooms;
• Cyberbullying awareness; and
• Cyberbullying response.

Misuse of Internet or E-mail

The opportunity to use the District’s technology to access the Internet is a privilege and not a right. Students who misuse electronic devices, e-mail, 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;
• The altering of data without authorization;
• Disclosing, using, or disseminating 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;
• The inappropriate use of e-mail, including use of e-mail that is inappropriate, obscene, or otherwise harmful to minors. Students may only use e-mail for legitimate, school-related activities.

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

Date Adopted:  December 15, 2014
Last Revised:  April 18, 2018
4.29F—STUDENT ELECTRONIC DEVICE AND INTERNET USE AGREEMENT

Student’s Name (Please Print)_______________________________________ Grade Level__________

School____________________________________________________________ Date______________

The Bryant School District agrees to allow the student identified above (“Student”) to use the district’s technology to access the Internet under the following terms and conditions which apply whether the access is through a District or student owned electronic device (as used in this Agreement, "electronic device" means anything that can be used to transmit or capture images, sound, or data):

1. Conditional Privilege: The Student’s use of the district’s access to the Internet is a privilege conditioned on the Student’s abiding to this agreement. No student may use the district’s access to the Internet whether through a District or student owned electronic device unless the Student and his/her parent or guardian have read and signed this agreement.

2. Acceptable Use: The Student agrees that he/she will use the District’s Internet access for educational purposes only. In using the Internet, the Student agrees to obey all federal laws and regulations and any State laws and rules. The Student also agrees to abide by any Internet use rules instituted at the Student’s school or class, whether those rules are written or oral.

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

4. “Misuse of the District’s access to the Internet” includes, but is not limited to, the following:
   a. Using the Internet for other than educational purposes;
   b. Gaining intentional access or maintaining access to materials which are “harmful to minors” as defined by Arkansas law;
   c. Using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
   d. Making unauthorized copies of computer software;
   e. Accessing “chat lines” unless authorized by the instructor for a class activity directly supervised by a staff member;
   f. Using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
   g. Posting anonymous messages on the system;
   h. Using encryption software;
   i. Wasteful use of limited resources provided by the school including paper;
   j. Causing congestion of the network through lengthy downloads of files;
   k. Vandalizing data of another user;
   l. Obtaining or sending information which could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
   m. Gaining or attempting to gain unauthorized access to resources or files;
   n. Identifying oneself with another person’s name or password or using an account or password of another user without proper authorization;
   o. Invading the privacy of individuals;
p. Divulging personally identifying information about himself/herself or anyone else either on the Internet or in an email unless it is a necessary and integral part of the student's academic endeavor. Personally identifying information includes full names, address, and phone number.
q. Using the network for financial or commercial gain without district permission;
r. Theft or vandalism of data, equipment, or intellectual property;
s. Attempting to gain access or gaining access to student records, grades, or files;
t. Introducing a virus to, or otherwise improperly tampering with the system;
u. Degrading or disrupting equipment or system performance;
v. Creating a web page or associating a web page with the school or school district without proper authorization;
w. Providing access to the District’s Internet Access to unauthorized individuals;
x. Failing to obey school or classroom Internet use rules; or
y. Taking part in any activity related to Internet use which creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools; or
z. Installing or downloading software on district computers without prior approval of the technology director or his/her designee.

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

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

7. No Guarantees: The District will make good faith efforts to protect children from improper or harmful matter which may be on the Internet. At the same time, in signing this agreement, the parent and Student recognize that the District makes no guarantees about preventing improper access to such materials on the part of the Student.

8. Signatures: We, the persons who have signed below, have read this agreement and agree to be bound by the terms and conditions of this agreement.

Student’s Signature: _______________________________________________ Date __________________

Parent/Legal Guardian Signature: ________________________________________ Date _______________
4.30—SUSPENSION FROM SCHOOL

Students not present at school cannot 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 conduct that:

1. Is in violation of school policies, rules, handbooks or regulations;
2. Substantially interferes with the safe and orderly educational environment;
3. School administrators believe will result in the substantial interference with the safe and orderly educational environment; and/or;
4. Is insubordinate, incorrigible, violent, or involves moral turpitude.

Out-of-school suspension (OSS) shall not be used to discipline a student in kindergarten through fifth (5th) grade unless the student's behavior:

a. Poses a physical risk to himself or herself or to others;

b. Causes a serious disruption that cannot be addressed through other means; or is the act of bringing a firearm on school campus.

Out-of-school suspension shall not be used to discipline a student for skipping class, excessive absences, or other forms of truancy.

The school principal or designee shall proceed as follows in deciding whether or not to suspend a student:

1. The student shall be given written notice or advised orally of the charges against him/her;
2. 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;
3. If the principal or designee finds the student guilty of the misconduct, he/she may be suspended. The student and/or parents will be advised of appeal rights and procedures.

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), person(s) with lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (18) or older prior to the suspension. Such notice shall be handed to the parent(s), legal guardian(s), person(s) having lawful control of the student, person(s) standing in loco parentis, or to the student if age eighteen (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 responsibility of a student’s parents, legal guardians, person having lawful control of the student, or person standing in loco parentis to provide current contact information to the district, which the school shall use to immediately notify the parent, legal guardian, person having lawful control of a student, or person standing in loco parentis upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority:

- A primary call number;
- The contact may be by voice, voice mail, or text message;
- An email address;
- 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, legal guardian, person having lawful control of the student, or person standing in loco parentis.

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student’s period of OSS.

During the period of their suspension, students serving out-of-school suspensions are not permitted on campus except to attend a student/parent/administrator conference or when necessary as part of the District’s engagement or access to education program.

During the period of their suspension, students serving in-school suspension shall not attend or participate in any school-sponsored activities during the imposed suspension.

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.

Legal References:  
A.C.A. § 6-18-507  
*Goss v Lopez*, 419 U.S. 565 (1975)

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.31—EXPULSION

The Board of Education may expel a student for a period longer than ten (10) school days with loss of credit for violation of the District’s written discipline policies as listed in School Board Policy or in the student handbooks. 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, 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.

Expulsion shall not be used to discipline a student in kindergarten through fifth (5th) grade unless the student’s behavior:

a. Poses a physical risk to himself or herself or to others;

b. Causes a serious disruption that cannot be addressed through other means; or

c. Is the act of bringing a firearm on school campus.

The Superintendent or his/her designee shall give written notice to the parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis (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 and dispose of the recommendation.

The hearing shall be conducted not later 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 also may be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent, legal guardian, person having lawful control of the student, person standing in loco parentis, or student if age eighteen (18) or older, requests that the hearing be conducted in executive session. Any action taken by the Board shall 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 for 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. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

Except as permitted by policy 4.22, the Superintendent shall recommend the expulsion of any student for a period of one (1) year for possession of any firearm prohibited on school campus by law. The Superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property. The parents, legal guardians, persons having lawful
control of the student, or persons standing in loco parentis shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The Superintendent and the Board of Education shall complete the expulsion process of any student that was initiated because the student possessed a firearm or other prohibited weapon on school property regardless of the enrollment status of the student.

The District shall establish programs, measures, or alternative means and methods to continue student engagement and access to education during a student’s period of expulsion. The District’s program shall include 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.

Cross Reference: Policy 4.22—WEAPONS AND DANGEROUS INSTRUMENTS

Legal References:  
A.C.A. § 6-15-1406  
A.C.A. § 6-18-502  
A.C.A. § 6-18-507

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.32—SEARCH, SEIZURE, AND INTERROGATIONS

The Bryant School 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 and individualized 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 to help conduct searches. Such searches may include the use of specially trained dogs.

At least one licensed employee of the same sex shall conduct a personal search of a student with an adult witness present. The adult witness must be a licensed employee.

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Division of 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. Other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen [18] years of age), or in response to a subpoena or arrest warrant.

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, person having lawful control of the student, or person standing in loco parentis. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, person having lawful control of the student, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Division of Arkansas State Police, or an investigator or employee of the Department of Human Services.

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 a court with jurisdiction over a child 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, person having lawful
control of the student, or person standing in loco parentis notice that the student has been taken into custody by law enforcement personnel or a state’s 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 an after-hours telephone number.

Legal References: A.C.A. § 6-18-513
A.C.A. § 9-13-104
A.C.A. § 12-18-608, 609, 610, 613
A.C.A. § 12-18-1001, 1005

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.33—STUDENT 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 must secure a parking pass to display on the rear view mirror of the vehicle. Passes are available in the school office and must be on cars by the end of the first full week of school.

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.

Date Adopted: December 15, 2014

Last Revised:
4.34—COMMUNICABLE DISEASES AND PARASITES

The Bryant Public School District will work cooperatively with the appropriate state and local health agencies for the prevention, control, and containment of communicable disease in schools. The Arkansas School Infectious Disease Guidelines published by Arkansas Department of Education and Arkansas Department of Health will be utilized in management of infectious diseases.

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 A, B, or C, mumps, vomiting, diarrhea, and fever (100.00 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, 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 Bryant School 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 (head lice) that are transmittable in a school environment will be asked to pick their child up from school. The child will not be permitted to ride the school bus home from school. 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.
Cross References:
4.2—ENTRANCE REQUIREMENTS
4.13—PRIVACY OF STUDENTS’ RECORDS/ DIRECTORY INFORMATION

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

Date Adopted: December 15, 2014
Last Revised: June 20, 2019
4.35—STUDENT MEDICATIONS

General Authority of School Nurses Regarding Student Medications

School nurses are not permitted to diagnose medical conditions or prescribe medications, including over-the-counter medications (ibuprofen, acetaminophen, etc.). All actions by school nurses shall be in accordance with the Arkansas Nurse Practice Act and the rules and regulations of the Arkansas State Board of Nursing. To the extent that this policy is in conflict with federal or state laws or regulations, the federal or state laws or regulations shall control.

Bryant School District Nurse Supervisor

The District's Nurse Supervisor shall be responsible for creating both on campus and off campus procedures for administering medications at school and during school events/activities including field trips, in accordance with federal and state laws and regulations and this policy.

Administration of Prescription Medications at School

For prescription medications to be administered to students by school nurses during school hours, a current, written prescription from a licensed physician and written parental consent are required.

Prescription medications must be supplied to the school in the container dispensed by the pharmacy. The container dispensed by the pharmacy must contain the name of the prescribing medical provider, the child’s name, name of the medication, dosage, and time(s) to be given. The pharmacy label is acceptable as the physician’s order only if the prescription was filled within thirty (30) days prior to the time the prescription medication is brought to school. As noted above, a signed parental consent must accompany the prescription medication.

Prescription medication that is prescribed to be given less than three times per day will not be administered at school unless a licensed prescriber orders the medication to be administered at a specific time during the school day. The morning dose of all prescription medications must be administered at home unless the medication is prescribed to be administered after 8:00 a.m.

Administration of Over-the-Counter Medications at School

Over-the-counter medications may be administered by school nurses during school hours in limited situations as determined by the school nurse and with written parent/guardian consent. This policy does not prohibit a parent or guardian from administering an over-the-counter medication to their child or ward at school.

Over-the-counter medication must be supplied by the parent to the school in the container in which it was purchased.

No more than six (6) doses of non-prescription medication shall be given to a student per school year. If the student has a medical condition that requires more than six (6) doses of a non-prescription medication, an order from a licensed prescriber with written parental/guardian consent shall be required in all cases.
Narcotic Pain Medications

Narcotic pain medication (Codeine, Oxycontin, etc.) will not be administered at school unless approved in writing by the nurse supervisor. Students who have recently had surgery or other medical procedure should not return to school until the student’s pain can be managed during school hours without the use of narcotic pain medication.

Rules Generally Applicable to the Administration of Medications at School

All student medications, including prescription medications and over-the-counter medications, must be provided by the parent or guardian.

All medications will be administered according to the labeling directions on the medication container. Any deviations from label directions will require a written order or prescription from a licensed physician. Prescriptions and labeling directions may not be altered in any way.

Prior to the administration of any medication, whether prescription or over-the-counter, 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 Bryant School Board, its agents and 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 medications, students are not allowed to carry any medications, including over-the-counter medications or any perceived health remedy not regulated by the U.S. Food and Drug Administration, while at school. The parent or legal guardian shall bring the student’s medication to the school nurse. When medications are brought to the school nurse, the nurse shall document, in the presence of the parent or guardian, the quantity of the medication(s). School nurses will not administer over-the-counter medications or perceived health remedies not regulated by the U.S. Food and Drug Administration.

The school nurse or designee shall administer all prescription and non-prescription medications. An exception will be made for students to carry/self-administer asthma inhalers, emergency medications, or other prescription medications required for specific health conditions with an order from a licensed prescriber, written parental consent, and school nurse approval. These students will require an emergency health care plan and a Medication Administration Release Form (MARF) on file with the school nurse. Parents will need to furnish proper medical documentation.

The school nurse will administer all medication or, if permitted by law and allowed by the superintendent or superintendent’s designee, delegate medication administration to trained paraprofessionals or other designated staff as needed. Unless specifically allowed by federal or state laws or regulation, and permitted by the superintendent or superintendent’s designee, volunteers, paraprofessionals, other designated staff and substitutes are prohibited from administering medications, with the exception of registered nurses (RNs) and licensed practical nurses (LPNs) who are listed as substitute nurses with the Bryant School District and have been approved by the Bryant School District Nursing Department.

The Medication Authorization and Release Form (MARF) will be used to document all medication administered to students at school. The MARF shall be completed with the student’s parent or guardian present. The parent or guardian should provide written permission for the school nurse to contact the
prescribing medical provider (named on the medication container label or written order) in the event of a question or problem regarding the medication. The initial dose of any new medication must be given by the parent/guardian outside of the school setting. The parent or guardian must also certify in writing that at least one dose of the medication has been previously administered to the student and no adverse reactions were experienced by the student.

The parent or guardian must bring the initial medications to the school nurse in order to complete the MARF. A parent, guardian, or designated adult may bring in medication refills. The amount of medication brought by the parent, guardian, or designated adult should not exceed the amount of medication needed for one month.

A MARF completed or signed by the school nurse (or designated staff) and the parent or guardian will be used for all medication. The MARF will include, at a minimum: (1) the student’s name and grade; (2) name of medication; (3) dosage; (4) medication count/measurement; (5) time(s) for the medication to be given; (6) reason for medication; and (7) emergency contact numbers in case the student has a reaction to the medication. A separate MARF will be required for each student medication.

A student under the age of eighteen (18) may not take any medications to or from school or possess medications at school. Violations of this provision will result in the medications being confiscated by school officials and the parent or guardian of the student will be contacted.

Life-Threatening Medical Conditions

In compliance with Arkansas law, a student who has written permission from his or her parent or guardian and a licensed medical provider on file with the school district may:

1. Self-administer a rescue inhaler or auto-injectable epinephrine;

2. Perform his or her own blood glucose checks;

3. Administer insulin through the insulin delivery system used by the student;

4. Treat the student’s own hypoglycemia or hyperglycemia; or

5. Possess on his or her person:
   a. A rescue inhaler or auto-injectable epinephrine; or
   b. The necessary supplies and equipment to perform his or her own diabetes monitoring and treatment functions.

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 shall have access to a private area to perform diabetes monitoring and treatment functions upon request of the parent or guardian, as outlined in the student’s written health care plan.

These students will require an emergency health care plan and a MARF on file with the school nurse. The parent or guardian shall furnish all required medical documentation.

**Emergency Administration of Glucagon and Insulin**

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:

1. A individualized health plan (IHP) under Section 504 of the Rehabilitation Act of 1973 which provides for the administration of Glucagon, insulin, or both in emergency situations, and

2. A current, valid consent form on file from the parent or guardian.

When the school nurse is unavailable, the trained volunteer school employee who is responsible for the student shall be released from other duties during Glucagon administration once other staff have relieved him or her from other duties until a parent, guardian, other responsible adult, or medical personnel has arrived.

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

**Sunscreen**

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.

**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 an epinephrine auto-injector in emergency situations to students who have an IHP that provides for the administration of an epinephrine auto-injector 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(s) certified to administer auto-injector epinephrine to administer auto-injector 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 auto-injectable epinephrine and who have written permission from their parent or guardian shall provide the school nurse an epinephrine auto-injector. This epinephrine will be used in the event the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes the student is having a life-threatening anaphylactic reaction and the student is either not self-carrying his/her epinephrine auto-injector or the nurse is unable to locate it.

The school nurse or other school employee designated by the school nurse as a care provider who has been trained and certified by a licensed physician may administer auto-injector epinephrine to those students who the school nurse, or other school employee certified to administer auto-injector epinephrine, in good faith professionally believes is having a life-threatening anaphylactic reaction.

**Emergency Administration of Albuterol**

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, 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 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 school employee designated by the school nurse as a care provider who has been trained and certified by a licensed physician, advanced practice registered nurse, or physician assistant may administer albuterol to those students who the school nurse, or other 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. 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.

**Maintenance of Student Medications**

The school shall not keep outdated medications or any medications past the end of the school year. Parents shall be notified ten (10) days in advance of the school’s intention to dispose of any medication. 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.
When a student’s medication is missing, the missing medication must be reported to the principal, district nursing supervisor, and the parent or guardian. If the medication is not found, a school resource officer will be notified within twenty-four (24) hours. Depending upon the circumstances of each case, written notification may also be provided to the Arkansas State Board of Nursing.

**Errors or Mistakes in Medication Administration**

Any mistake or error involving the administration of medication to a student while at school will require that the school nurse notify the physician and the parent. The person responsible for the mistake or error will complete a Medication Error Report Form (MERF). The original report will be placed in the student’s health file and copies will be provided to the school principal, district nursing supervisor, and the student’s parent or guardian.

**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 and Glucagon to Arkansas Public School Students With Diabetes
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. § 17-87-103 (11)
A.C.A. § 20-13-405

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.36—STUDENT ILLNESS/ACCIDENT

If the school nurse determines that a student is too ill to remain in class and/or could be contagious to other students, the school nurse 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.

Date Adopted: December 15, 2014

Last Revised: June 23, 2016
4.37—EMERGENCY DRILLS

All schools in the Bryant School District shall conduct fire drills at least monthly. Tornado drills shall also be conducted no fewer than three (3) times per year with at least one each in the months of September, January, and February. Students who ride school buses, shall also participate in emergency evacuation drills at least twice each school year.

The District shall annually conduct an active shooter drill and school safety assessment for all District schools in collaboration with local law enforcement and emergency management personnel. The training will include a lockdown exercise with panic button alert system training. Students will be included in the drills to the extent that is developmentally appropriate for the age of both the students and grade configuration of the school.

Drills may be conducted during the instructional day or during non-instructional time periods.

Other types of emergency drills may also be conducted to test the implementation of the District's emergency plans in the event of violence, terrorist attack, natural disaster, other emergency, or the District’s Panic Button Alert System. Students shall be included in the drills to the extent practicable.

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  
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

Date Adopted: December 15, 2014

Last Revised: June 15, 2015
4.38—PERMANENT RECORDS

Permanent school records, as required by the Arkansas Department of Education (ADE), shall be maintained for each student enrolled in the Bryant School District until the student receives a high school diploma or its equivalent or is beyond the age of compulsory school attendance. When students transfer to another school district, a copy of the student’s permanent record shall be provided within ten (10) school days after the date a request from the receiving school district is received.

Transcripts—Copies of student transcripts may be requested through the high school guidance counselor offices.

Access to Records—All students’ educational records are available for inspection and copying by the parents of any 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.

For purposes of this policy, the Bryant School District does not distinguish between a custodial and noncustodial parent with respect to gaining access to a student’s records. The fact of a person’s status as parent or guardian, alone, enables that parent or guardian to review and copy his child’s records.

If a court order exists which directs that a parent not have access to a student or his records, the parent or guardian 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.

Legal References: A.C.A. § 6-18-901
ADE Rule Student Permanent Records

Date Adopted: December 15, 2014

Last Revised:
4.39—CORPORAL PUNISHMENT

The Bryant School Board does not authorize the use of corporal punishment under any circumstances.

Legal Reference: A.C.A. § 6-18-503 (b)

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.40—HOMELESS STUDENTS

The Bryant 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 liaison for homeless children and youth whose responsibilities shall include coordinating with the state educational liaison for homeless children and youth to ensure that homeless children are not stigmatized or segregated on the basis of their status as homeless and such other duties as are prescribed by law and this policy. Other responsibilities for the appointee include, but are not limited to:

- Receiving appropriate time and training in order to carry out the duties required by law and this policy;
- Coordinating and collaborating with the State Coordinator, community, and school personnel responsible for education and related services to homeless children and youths;
- Ensuring that school personnel receive Professional development and other support regarding their duties and responsibilities for homeless youths;
- Ensuring that unaccompanied homeless youths:
  - Are enrolled in school;
  - Have opportunities to meet the same challenging State academic standards as other children and youths; and
  - 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;
- Ensuring 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 local educational 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 nonhomeless students who live in the attendance area 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:
1. 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; or
   - Abandoned in hospitals.
2. 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;
3. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. 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)(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

Date Adopted: December 15, 2014

Last Revised: April 18, 2018
4.41—PHYSICAL EXAMINATIONS OR SCREENINGS

The Bryant School District conducts routine health screenings such as hearing, vision, Body Mass Index (BMI), 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. Medicaid/Arkansas Kids 1st will be billed, where applicable, for hearing and vision screenings conducted at school.

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. Parents who opt out of the screenings must submit a new form each school year.

A parent who wishes to obtain a copy of their child’s BMI screening may do so by contacting their child’s school nurse.

PHYSICAL EXAMINATION FOR PARTICIPATION IN ATHLETICS

Students who elect to participate in any competitive athletics sponsored by the District shall be required to submit to and pass a physical examination.

Legal References: A.C.A. § 6-18-701 (b), (c), (e)

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.41F – OBJECTION TO PHYSICAL EXAMINATIONS OR SCREENINGS

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby note my objection to the physical examination or screening of the student named below.

Physical examination or screening being objected to:

____ Vision test
____ Hearing test
____ Scoliosis test
____ Body Mass Index (BMI) screening
____ Other, please specify: ____________________________________________

Comments:

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

__________________________________________
Name of student (Printed)

__________________________________________
Signature of parent (or student, if 18 or older)

__________________________________________
Date form was filed (To be filled in by office personnel)
4.42—STUDENT HANDBOOK

It shall be the policy of the Bryant School District that the most recently adopted version of the Student Handbook be incorporated by reference into the policies of this district. In the event that there is a conflict between the student handbook and a general board policy or policies, the more recently adopted language will be considered binding and controlling on the matter provided the parent(s) of the student, or the student if 18 years of age or older have acknowledged receipt of the controlling language.

Principals shall review all changes to student policies and ensure that such changes are provided to students and parents, either in the Handbook or, if changes are made after the handbook is printed, as an addendum to the handbook.

Principals and counselors shall also review Policies 4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS and the current DESE Standards for Accreditation Rules to ensure that there is no conflict. If a conflict exists, the Principal and/or Counselor shall notify the Superintendent and Curriculum Coordinator immediately, so that corrections may be made and notice of the requirements given to students and parents.

Date Adopted: June 20, 2019

Last Revised:


4.43—BULLYING

Definitions

“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.

"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 other's 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

c. 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.

Copies of this policy shall be available upon request.

Legal References: A.C.A. § 5-71-217
                      A.C.A. § 6-18-514

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.44—REPEALED
4.45—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS FOR THE CLASS OF 2020

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are eighteen (18) years of age or older, sign a Smart Core Waiver Form to not participate. While Smart Core is the default option, a Smart Core Information Sheet and a Smart Core Waiver Form will be sent home with students prior to their enrolling in seventh (7th) grade, or when a seventh (7th) through twelfth (12th) grade student enrolls in the district for the first time and there is not a signed waiver form in the student’s permanent record. 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. Those students not participating in the Smart Core curriculum will be 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 prior to the deadline for them to sign and return the waiver form.

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process to determine if changes need to be made to better serve the needs of the District’s students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

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.

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 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 22 units is required for graduation for a student participating in either the Smart Core or Core curriculum. In addition to the 22 units required for graduation by the Division of Elementary and Secondary Education (DESE), the District requires an additional 1 units to graduate for a total of 23 units. The additional required units may be taken from any electives offered by the District. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

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.

Digital Learning Courses

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format. In addition to the other graduation requirements contained in this policy, students are required to take at least one (1) digital learning course for credit while in high school.

SMART CORE: Sixteen (16) units

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

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

Mathematics: four (4) units (all students under Smart Core must take a mathematics course in grade 11 or 12 and complete Algebra II.)
- Algebra I or Algebra A & B* which may be taken in grades 7-8 or 8-9
- Geometry or Geometry A & B* which may be taken in grades 8-9 or 9-10
* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four-unit requirement for the purpose of meeting the graduation requirement, but only serve as one unit each toward fulfilling the Smart Core requirement.
- Algebra II; and
- The fourth unit may be either:
  - A math unit approved by the DESE beyond Algebra II; or
  - A computer science flex credit may be taken in the place of a fourth math credit.

Natural Science: three (3) units:
- DESE approved biology – 1 credit;
- DESE approved physical science – 1 credit; and
- A third unit that is either:
  - An additional science credit approved by DESE; or
  - A computer science flex credit may be taken in the place of a third science credit.
Social Studies: three (3) units
- Civics - one-half (½) unit
- World History - one unit
- American History - one unit
- Other Social Studies – one-half (1/2) unit

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

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

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

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.

Fine Arts: one-half (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 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.

**CORE: Sixteen (16) units**

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

Oral Communications: one-half (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 concurrent credit college 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 (1/2) unit
   • World history, one (1) unit
   • American History, one (1) unit
   • Other Social Studies – one-half (1/2) unit

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

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

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

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.

Fine Arts: one-half (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 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
5.11—DIGITAL LEARNING COURSES
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 Guidelines for the Development of Smart Core Curriculum Policy
DESE Rules Governing Distance and Digital Learning Act
Smart Core Information Sheet
Smart Core Waiver Form
Commissioner’s Memo LS-18-082
A.C.A. § 6-4-302
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. § 6-16-1406
A.C.A. § 6-18-107

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.45.1—SMART CORE CURRICULUM AND GRADUATION REQUIREMENTS
FOR THE CLASSES OF 2021 AND THEREAFTER

All students are required to participate in the Smart Core curriculum unless their parents or guardians, or the students if they are eighteen (18) years of age or older, sign a Smart Core Waiver Form to not participate. While Smart Core is the default option, a Smart Core Information Sheet and a Smart Core Waiver Form will be sent home with students prior to their enrolling in seventh (7th) grade, or when a seventh (7th) through twelfth (12th) grade student enrolls in the district for the first time and there is not a signed waiver form in the student’s permanent record. 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. Those students not participating in the Smart Core curriculum will be 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 prior to the deadline for them to sign and return the waiver form.

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

This policy, the Smart Core curriculum, and the courses necessary for graduation shall be reviewed by staff, students, and parents as part of the annual school district support plan development process to determine if changes need to be made to better serve the needs of the district’s students. The superintendent, or his/her designee, shall select the composition of the review panel.

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

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

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.

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 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 for a student participating in either the Smart Core or Core curriculum. In addition to the twenty-two (22) units required for graduation by the Division of Elementary and Secondary Education (DESE), the district requires an additional 1 unit to graduate for a total of 23 units. The additional required units may be taken from any electives offered by the district. There are some distinctions made between Smart Core units and Graduation units. Not all units earned toward graduation necessarily apply to Smart Core requirements.

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.

Digital Learning Courses

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format. In addition to the other graduation requirements contained in this policy, students are required to take at least one (1) digital learning course for credit while in high school.

Personal and Family Finance

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

SMART CORE: Sixteen (16) units

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

Oral Communications: one-half (½) unit

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

1)  Algebra I or Algebra A & B* which may be taken in grades 7-8 or 8-9;
2)  Geometry or Geometry A & B* which may be taken in grades 8-9 or 9-10;
* A two-year algebra equivalent or a two-year geometry equivalent may each be counted as two units of the four-unit requirement for the purpose of meeting the graduation requirement, but only serve as one unit each toward fulfilling the Smart Core requirement.
3)  Algebra II; and
4)  The fourth unit may be either:
    •  A math unit approved by the DESE beyond Algebra II; or
    •  A computer science flex credit may be taken in the place of a fourth math credit.

Natural Science: three (3) units:

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

Social Studies: three (3) units
- Civics - one-half (½) unit
- World History - one unit
- American History - one unit
- Other Social Studies – one-half (½) unit

Physical Education: one-half (½) 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.

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.

**CORE: Sixteen (16) units**

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

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 concurrent credit college 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.

Two units chosen from the following three categories:
   • Physical Science;
   • Chemistry;
   • Physics; or

One unit from the three categories above and a computer science flex credit may be taken in the place of a third science credit.

Social Studies: three (3) units

• Civics one-half (½) unit
• World history, one (1) unit
• American History, one (1) unit
• Other Social Studies – one-half (½) unit

Physical Education: one-half (½) 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.

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  
5.11—DIGITAL LEARNING COURSES  
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 Guidelines for the Development of Smart Core Curriculum Policy  
DESE Rules Governing Distance and Digital Learning  
Smart Core Information Sheet  
Smart Core Waiver Form  
Commissioner’s Memo LS-18-082  
A.C.A. § 6-4-302  
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. § 6-16-1406  
A.C.A. § 6-18-107

Date Adopted: June 22, 2017

Last Revised: June 20, 2019
4.46—PLEDGE OF ALLEGIANCE

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

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

Students choosing not to recite the Pledge shall not be subject to any comments, retaliation, or disciplinary action.

Legal Reference: A.C.A. § 6-16-108

Date Adopted: December 15, 2014

Last Revised:
4.47— POSSESSION AND USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES

As used in this policy, “electronic devices” means anything that can be used to transmit, capture, or record images, sound, or data.

Students may bring cell phones and other electronic devices to school to use only as outlined in the student handbook.

Students are responsible for conducting themselves in a manner that respects the rights (including privacy rights) of others. Possession and use of any electronic device, whether district or student owned, that interferes with a positive, orderly classroom environment, or does not respect the rights (including privacy rights) of others is expressly forbidden.

To protect the security of statewide assessments, no electronic device, as defined in this policy, shall be accessible by a student at any time during assessment administration unless specifically permitted by a student's individualized education program (IEP) or individual health plan. This means that when a student is taking an AESAA assessment, the student shall not have his/her electronic device in his/her possession. Any student violating this provision shall be subject to this policy's disciplinary provisions.

Misuse of electronic devices includes, but is not limited to:
1. Using electronic devices during class time in any manner other than specifically permitted by the classroom instructor;
2. Permitting any audible sound to come from the device when not being used for reason #1 above;
3. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores;
4. Using the device to record audio or video or to take photographs in areas where a general expectation of personal privacy exists, including but not limited to locker rooms and bathrooms;
5. Creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.

No student may use any electronic device to photograph, audio record, video record, or live stream (or otherwise transmit) the words, likeness, image or actions of any other person on school grounds during school hours, on school buses, at school bus stops, or at any school activity during school hours unless such photographs, transmissions, or recordings are made with the permission of the student’s teacher or a Bryant School District administrator.

Use of an electronic device is permitted to the extent it is approved in a student’s individualized education program (IEP) or it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Before and after normal school hours, possession of electronic devices is permitted on the school campus. The use of such devices at school sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending.
A parent shall obtain approval from the student’s building principal before operating a student-tracking safety device at school or at a school-sponsored event if the device has recording or listen-in capability. The District requires the device’s recording and listen-in technology to be disabled while the device is on the campus or at the school-sponsored event because of student privacy concerns. The District prohibits unauthorized audio or visual recordings or transmission of audio or images of other students. The student’s parent shall agree in writing to the requirement for the device’s recording and listening-in technology to be disabled and that the District may prohibit future use of the device on campus or at a school-sponsored activity if it is determined that the device’s recording or listening-in capabilities were used in violation of this policy before the student safety tracking device may be on campus or at a school-sponsored event.

The student and/or the student’s parents or guardians expressly assume any risk associated with students owning or possessing electronic devices. Students misusing electronic devices shall have them confiscated. Confiscated devices may be picked up at the school’s administration office by the student’s parents or guardians. Students have no right of privacy as to the content contained on any electronic devices that have been confiscated. A search of a confiscated device shall meet the reasonable individualized suspicion requirements of Policy 4.32—SEARCH, SEIZURE, AND INTERROGATIONS.

Students who use school issued cell phones and/or computers for non-school purposes, except as permitted by the district’s Internet/computer use policy, shall be subject to discipline, up to and including suspension or expulsion.

Students are forbidden from using school issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including expulsion.

No student shall use any wireless communication device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle that is in motion and on school property. Violation may result in disciplinary action up to and including suspension.

Legal References:  
A.C.A. § 6-18-515  
A.C.A. § 6-15-2907  
DESE Test Administration Manual

Date Adopted: December 15, 2014

Last Revised: July 20, 2019
4.48—VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING

The School Board has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding District facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras, automatic identification technology, data compilation devices, and technology capable of tracking the physical location of District equipment, students, and/or personnel.

The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy from school district surveillance anywhere on or near school property, facilities, vehicles (including school buses), or equipment, with the exception of places such as restrooms or dressing areas where an expectation of bodily privacy is reasonable and customary.

Signs shall be posted on school campuses and in District vehicles to notify students, staff, and visitors that video cameras may be in use. Parents and students shall also be notified through the student handbook that cameras may be in use in school buildings, on school grounds and in school vehicles (including school buses). Students will be held responsible for any violations of school discipline rules caught by the cameras and other technologies authorized in this policy.

The district shall retain copies of video recordings for as long as possible depending upon the capacity of the district’s servers or equipment, at which time the video recordings will be erased by either deletion or copying over with a new recording.

The District shall maintain the confidentiality of such records as required by the Family Educational Rights and Privacy Act (FERPA) and relevant guidance from the United States Department of Education.

Videos, automatic identification, or data compilations containing evidence of a violation of student conduct rules and/or state or federal law, of which the district is aware, shall be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or student handbook; any release or viewing of such records shall be in accordance with current law.

Students who vandalize, damage, disable, or render inoperable (temporarily or permanently) surveillance cameras and equipment, automatic identification, or data compilation devices shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

This policy pertains only to school district surveillance and does not permit any person other than school officials to live stream (or otherwise transmit), make audio recordings, video recordings, or photographs of the words, likeness, image or actions of any other person on school grounds during school hours, on school buses, at school bus stops, or at any school activity during school hours unless such photographs, transmissions, or recordings are made with the permission of a teacher or a Bryant School District administrator.

Legal References: 20 USC 1232g 20 U.S.C. 7115 34 CFR 99.3, 4, 5, 7, 8, 10, 12, 31

Date Adopted: December 15, 2014
4.49—SPECIAL EDUCATION

The District shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the District, as required under the Individuals With Disabilities Education Act (“IDEA”), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and Arkansas Statutes.

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. 300 et seq.
29 U.S.C. §12101 et seq. American with Disabilities Act
29 U.S.C. § 794 Rehabilitation Act of 1973, Section 504,
20 U.S.C. §1400 et seq. Individuals with Disabilities Education Act,
P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act
A.C.A. § 6-41-102
A.C.A. § 6-41-103
A.C.A. § 6-41-201 et seq.

Date Adopted: December 15, 2014

Last Revised: June 22, 2017
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 Food Service Director a medical statement completed by a State licensed healthcare professional, which includes:

- Physicians, including those licensed by:
  - The Arkansas State Medical Board;
  - The Arkansas State Board of Chiropractic Examiners (Chiropractors);
  - The Arkansas Board of Podiatric Medicine (Podiatrists);
- Nurse Practitioners (APRNs in family or pediatric practice with prescriptive authority);
- Physician Assistants (PAs who work in collaborative practice with a physician); and
- Dentists.

The medical statement should include:
1. A description of the student’s disability that is sufficient to understand how the disability restricts the student’s diet;
2. An explanation of what must be done to accommodate the disability, which may include:
   a. Food(s) to avoid or restrict;
   b. Food(s) to substitute;
   c. Caloric modifications; or
   d. The substitution of a liquid nutritive formula.

If the information provided in the medical statement is unclear, or lacks sufficient detail, the district’s Food Service Director shall request additional information so that a proper and safe meal can be provided.

When choosing an appropriate approach to accommodate a student’s disability, the District will consider the expense and efficiency of the requested accommodations. The District will offer a reasonable modification that effectively accommodates the child’s disability and provides equal opportunity to participate in or benefit from the program, which may include a generic version of a product.

Legal References:
- Commissioner’s Memo FIN-09-044
- Commissioner’s Memo FIN-15-122
- Commissioner’s Memo CNU-17-051
- Commissioner’s Memo CNU-18-008
- Commissioner’s Memo CNU-18-023
- Commissioner’s Memo CNU-18-025
- 7 CFR 210.10(g)

Date Adopted: June 22, 2017

Last Revised: April 18, 2018
4.51-FOOD SERVICE PREPAYMENT

Meal Charges

The Bryant School District does not provide credit for students to charge for meals, a la carte, or other food and beverage items available for purchase in school food service areas. Meals, a la carte, or other food and beverage items may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the District that may be charged for the items. The Bryant School District encourages parents and guardians to pay for student meals in advance. Staff and parents, or students choosing to do so, may pay in advance for meals, a la carte, or other food and beverage items through any of the following methods:

- Submitting cash or check payment at the school cafeteria; or
- Depositing funds through the District’s online service, which can be found at the Bryant School District website and selecting EZ School Pay.

A student’s parents will be contacted via phone call, text message, or email regarding a student’s prepaid account balance when the student’s account has fewer than five dollars ($5.00) remaining.

Unpaid Meal Access

The Bryant School District does not receive any federal or state funds outside of the National School Lunch Program to pay for student meals. Pursuant to federal law, the Bryant School District may not cover the cost of unpaid meals using National School Lunch Program funds.

In accordance with federal and state laws and regulations, all district students will have access to the school meal and snack programs regardless of the amount owed. Students who are unable to pay for their meals at the time of the meal service will receive an unpaid reimbursable meal (but not a la carte items). However, the district may take all lawful steps to collect unpaid school meal and snack balances from the parents or guardians of students.

The District will notify a student’s parents or guardians:

- When the student’s prepaid account balance has dropped to the point that the student will begin receiving unpaid meals;
- Each time the student receives the first unpaid meal after money has been deposited into the student’s prepaid account; and
- After the student has received five (5) unpaid meals.

Students who have submitted proper documentation to receive a meal modification shall receive the same type of substitution for an unpaid meal.

Positive cafeteria balances will follow the student when advancing to the next grade each school year. If a student discontinues enrollment at the Bryant School District, the student’s parents or guardians remain responsible for negative cafeteria balances.
Repayment Plans

Each household may request a repayment plan that will include payment levels and due dates appropriate to a household’s particular circumstances. In order to establish a repayment plan, please contact the Bryant School District Food Service Department at 501-847-5632. During the period of a repayment plan, normal meal balance notifications will continue.

Additional Resources

For families who, due to economic issues, are unable to pay for school meals, the Bryant School District participates in the National School Lunch and Breakfast programs which allow eligible students to receive free or reduced-price meals. Families may find assistance with applying for free or reduced price school meals by contacting the Bryant School District Food Service Department at 501-847-5632.

USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.) should contact the Agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in language other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

http://www.ascr.usda.gov/complaint_filing_cust.html; and

at any USDA office, or write a letter addressed to USDA and provide in the letter all the information requested in the form. To request a copy of the complaint form, call (866) 632-9992.

Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture
   Office of the Assistant Secretary for Civil Rights
   1400 Independence Avenue, SW
   Washington, D.C. 20250-9410;
2. Fax: (202) 690-7442; or

3. Email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Legal References:  
Commissioner’s Memo CNU-17-003  
Commissioner’s Memo CNU-17-024  
Commissioner’s Memo CNU-20-006  
A.C.A. § 6-18-715

Date Adopted: June 22, 2017

Last Revised: October 17, 2019
4.52—STUDENTS WHO ARE FOSTER CHILDREN

The District will afford the same services and educational opportunities to foster children that are afforded other children and youth. The District shall work with the Department of Human Services (“DHS”), the Arkansas Department of Education (ADE), and individuals involved with each foster child to ensure that the foster child is able to maintain his/her continuity of educational services to the fullest extent that is practical and reasonable.

The Superintendent or his/her designee shall appoint an appropriate staff person to be the local educational liaison for foster children and youth whose responsibilities shall include ensuring the timely school enrollment of each foster child and assisting foster children who transfer between schools by expediting the transfer of relevant educational records.

The District, working with other individuals and agencies shall, unless the presiding court rules otherwise or DHS grants a request to transfer under Foster Child School Choice, ensure that the foster child remains in his/her school of origin, even if a change in the foster child’s placement results in a residency that is outside the District. In such a situation, the District will work with DHS to arrange for transportation to and from school for the foster child to the extent it is reasonable and practical.

Upon notification to the District’s foster care liaison by a foster child’s caseworker that a foster child’s school enrollment is being changed to one of the District’s schools, the school receiving the child must immediately enroll him/her. Immediate enrollment is required even if a child lacks the required clothing, academic or medical records, or proof of residency.

A foster child’s grades shall not be lowered due to absence from school that is caused by a change in the child’s school enrollment, the child’s attendance at dependency-neglect court proceedings, or other court-ordered counseling or treatment.

Any course work completed by the foster child prior to a school enrollment change shall be accepted as academic credit so long as the child has satisfactorily completed the appropriate academic placement assessment.

If a foster child was enrolled in a District school immediately prior to completing his/her graduation requirements while detained in a juvenile detention facility or while committed to the Division of Youth Services of DHS, the District shall issue the child a diploma.

Foster Child School Choice

If DHS approves a request from a foster parent, or the foster child if the foster child is eighteen (18) years of age, to transfer to another school in the District or into the district as being in the best interest of the foster child, the District shall allow the foster child to transfer to another school in the District or into the District if the foster parent, or the foster child if the foster child is eighteen (18) years of age, submits a request to transfer on a form approved by ADE that is postmarked by no later than May 1 of the year the student seeks to begin the fall semester at another school in the District or in the District.

By July 1 of the school year in which the student seeks to transfer under this section, the superintendent shall notify the foster parent, or the foster child if the foster child is eighteen (18) years of age, in writing whether the
application has been accepted or rejected. If the application is accepted, the superintendent shall state in the notification letter a reasonable deadline for the foster child to enroll in the new school or the District and that failure to enroll by the date shall void the school choice acceptance. If the application is rejected, the superintendent shall state in the notification letter the reason for the rejection and that the foster parent, or the foster child if the foster child is eighteen (18) years of age, may submit a written appeal of the rejection to the State board within ten (10) days of receiving the notification letter.

The District shall only reject a Foster Child School Choice application if:
1. The public school or District has reached the maximum student-to-teacher ratio allowed under federal law, state law, rules for standards of accreditation, or other applicable rule or regulation; or
2. Approving the transfer would conflict with a provision of an enforceable desegregation court order or a public school district’s court-approved desegregation plan regarding the effects of past racial segregation in student assignment.

A foster child whose application is rejected by the District may submit a written request within ten (10) days following the receipt of the rejection letter from the superintendent to the State Board of Education for the State Board to reconsider the transfer.

A Foster Child School Choice transfer shall remain in effect until the foster child:
• Graduates from high school; or
• Transfers to another school or school district under:
  o The Foster Child School Choice Act;
  o Opportunity Public School Choice Act of 2004;
  o The Public School Choice Act of 2015; or
  o Any other law that allows a transfer.

The District shall accept credits toward graduation that were awarded by another public school district.

When a foster child transfers from the foster child’s school of origin to another school in the District or into the District, the foster child or the foster parent is responsible for the foster child’s transportation to and from the school the foster child transferred to. The District and the foster parent, or the foster child if the foster child is eighteen (18) years of age, may enter into a written agreement for the District to provide the transportation to and from the school the foster child transferred to.

Cross References: 4.1—RESIDENCE REQUIREMENTS
4.2—ENTRANCE REQUIREMENTS
4.5—SCHOOL CHOICE (UNDER OTHER ARKANSAS LAWS)

Legal References:  A.C.A. § 6-18-233
  A.C.A. § 9-28-113

Date Adopted: December 15, 2014

Last Revised: June 22, 2017
4.53— PLACEMENT OF MULTIPLE BIRTH SIBLINGS

The parent, guardian or other person having charge or custody of multiple birth siblings in grades pre-K through 6 may request that the multiple birth siblings are placed in either the same or separate classrooms. The request shall be in writing not later than the 14th calendar day prior to the first day of classes at the beginning of the academic year. The school shall honor the request unless it would require the school to add an additional class to the sibling’s grade level. If one parent of multiple birth siblings requests a placement that differs from that of the other parent of the same multiple birth siblings, the school shall determine the appropriate placement of the siblings.

The school may change the classroom placement of one or more of the multiple birth siblings if:

- There have been a minimum of 30 instructional days since the start of the school year; and
  - After consulting with each classroom teacher in which the siblings were placed, the school determines the parent’s classroom placement request is:
    - Detrimental to the educational achievement of one or more of the siblings;
    - Disruptive to the siblings’ assigned classroom learning environment; or
    - Disruptive to the school’s educational or disciplinary environment.

If a parent believes the school has not followed the requirements of this policy, the parent may appeal the multiple birth siblings’ classroom placement to the Superintendent. The Superintendent’s decision regarding the appeal shall be final.

Legal Reference: A.C.A. § 6-18-106

Date Adopted: December 15, 2014

Last Revised:
4.54 - STUDENT ACCELERATION

The Bryant School Board believes that acceleration is an effective and research-based intervention for the academic growth of students who are ready for an advanced or faster-paced curriculum. It can allow a student to move through the traditional educational setting more rapidly, based on assessed readiness, capability and motivation. At the same time, the Board understands that acceleration is not a replacement for gifted education services or programs.

Generally, acceleration can occur through one of two broad categories: content based and grade based. Grade based acceleration shortens the number of years a student would otherwise spend in K-12 education, while content based acceleration occurs within the normal K-12 time span. Either form of acceleration can be triggered by either a parent/guardian, student, or by the referral of school personnel. In either case, the process of determining the appropriateness of the request shall be under the direction of the district/school Gifted and Talented Program Coordinator who shall convene the individuals necessary to make an informed decision which shall include the student's parents or guardians.

While the needs of the student should dictate when acceleration decisions are considered, the Board believes the optimal time for referrals is in the spring which gives adequate time for working through the determination process and for preparing those concerned for a smooth transition to the acceleration beginning in the following school-year.

The District's Gifted and Talented (GT) Program Coordinator will create a written format to govern the referral and determination process which shall be made available to any parent or staff member upon request.

The parents/guardians of any student whose request for acceleration has been denied may appeal the decision, in writing to the District's GT Coordinator. The Districts GT Coordinator and the Acceleration Placement Committee will again thoroughly review the case study that was completed on the student. Upon completion of the review, the Committee will either request additional new testing be conducted to help the Committee make its determination or it will uphold the initial decision. The Committee's decision may not be further appealed.

Legal Reference: ADE Gifted and Talented Rules

Date Adopted: December 15, 2014

Last Revised:
4.55—STUDENT PROMOTION AND RETENTION

A disservice is done to students through social promotion and is prohibited by state law. The District shall, at a minimum, evaluate each student annually in an effort to help each student who is not performing at grade level. Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis shall be kept informed concerning the progress of their student(s). Notice of a student’s possible retention or required retaking of a course shall be included with the student’s grades sent home to each parent/guardian or the student if 18 or older. Parent-teacher conferences are encouraged and may be held as necessary in an effort to improve a student’s academic success.

At least once each semester, the Parents, legal guardians, persons having lawful control of the student, or persons acting in loco parentis, and teacher(s) of a student in kindergarten through eighth (8th) grade shall be notified in writing of the student’s independent grade-level-equivalency in reading.

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.

If there is doubt concerning the promotion or retention of a student or his/her required retaking of a course, a conference between the building principal, the student’s teacher(s), counselor, a 504/special education representative (if applicable), and the student’s parents, legal guardians, persons having lawful control of the student, or persons standing in loco parentis shall be held before a final decision is made. The conference shall be held at a time and place that best accommodates those participating in the conference. The school shall document participation or non-participation in required conferences. If the conference attendees fail to agree concerning the student’s placement or receipt of course credit, the final decision shall rest with the principal or the principal’s designee.

Each student shall have a student success plan (SSP) developed by school personnel in collaboration with the student’s parents and the student that is reviewed and updated annually. A student’s SSP shall use multiple academic measures to personalize learning in order for students to achieve their grade-level expectations and individual growth. The SSP will identify if the student is in need of additional support or acceleration.

Academic measures to be used in creating and updating a student’s SSP shall include, but are not limited to:

- Statewide student assessment results;
- Subject grades;
- Student work samples; and
- Local assessment scores.

By the end of grade eight (8), the student’s SSP shall:

- Guide the student along pathways to graduation;
- Address accelerated learning opportunities;
- Address academic deficits and interventions; and
- Include college and career planning components.

Based on a student’s score on the college and career assessment:

- The student’s SSP will be updated in order to assist the student with college and career readiness skills, course selection in high school, and improved academic achievement; and
Provide a basis for counseling concerning postsecondary preparatory programs.

An SSP shall be created:
1. By no later than the end of the school year for a student in grade eight (8) or below who enrolls in the District during the school year; or
2. As soon as reasonably possible for a student in grade nine (9) or above who enrolls in the District at the beginning or during the school year.

A student’s individualized education program (IEP) may act in the place of the student’s SSP if the IEP addresses academic deficits and interventions for the student’s failure to meet standards-based academic goals at an expected rate or level and includes a transition plan that addresses college and career planning components. Promotion/retention or graduation of students with an IEP shall be based on their successful attainment of the goals set forth in their IEP or completion of the Alternate Pathway to Graduation when applicable.

Students who either refuse to sit for a Statewide assessment or attempt to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are originally administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity, including school dances, prom, homecoming, senior events, and may be prevented from walking or participating in graduation exercises. The student shall remain ineligible to participate until the student takes the same or a following Statewide assessment, as applicable. The Superintendent or designee may waive this paragraph's provisions when the student’s failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

Cross References:  3.30—PARENT-TEACHER COMMUNICATION
                           4.56—EXTRACURRICULAR ACTIVITIES - SECONDARY SCHOOLS
                           4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

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

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Definitions:

“Academic Courses” are those courses for which class time is scheduled, which can be credited to meet the minimum requirements for graduation, which is taught by a teacher required to have State licensure in the course or is otherwise qualified under Arkansas statute, and has a course content guide which has been approved by the Division of Elementary and Secondary Education (DESE). Any of the courses for which concurrent high school credit is earned may be from an institution of higher education recognized by DESE. If a student passes an academic course offered on a block schedule, the course can be counted twice toward meeting the requirement for students to pass four (4) academic courses per semester as required by this policy.

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

“Field Trips” are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

“Interscholastic Activities” means athletic or non-athletic/academic activities where students compete on a school vs. school basis.

“Intrascholastic Activities” means athletic or non-athletic/academic activities where students compete with students from within the same school.

“Supplemental Improvement Program (SIP)” is an additional instructional opportunity for identified students outside of their regular classroom and meets the criteria outlined in the current Arkansas Activities Association (AAA) Handbook.

Extracurricular Eligibility

The School Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments excepted) Additionally, a student’s participation in, and the District’s operation of, extracurricular activities shall be subject to the following policy. All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity. The
student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may wave this paragraph's provisions when the student’s failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

A student who is the child of a uniformed servicemember, who enrolls in the district, and who meets the definition of “eligible child” in Policy 4.2 – ENTRANCE REQUIREMENTS, shall be eligible to tryout for an extracurricular activity regardless of the date the student enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

Interscholastic Activities

ACADEMIC REQUIREMENTS: Junior High

A student promoted from the sixth to the seventh grade automatically meets scholarship requirements. A student promoted from the seventh to the eighth grade automatically meets scholarship requirements for the first semester. The second semester eighth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

The first semester ninth-grade student meets the scholarship requirements for junior high if he/she has successfully passed four (4) academic courses the previous semester.

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

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

ACADEMIC REQUIREMENTS: Senior High

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

1) Have earned a minimum Grade Point Average (GPA) of 2.0 from all academic courses the previous semester; or

2) If the student has passed four (4) academic courses the previous semester but does not have a 2.0 GPA the student must be enrolled and successfully participating in an SIP to maintain their competitive interscholastic extracurricular eligibility.
STUDENTS WITH AN INDIVIDUAL EDUCATION PROGRAM

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

ARKANSAS ACTIVITIES ASSOCIATION (AAA)

In addition to the foregoing rules, the District shall abide by the rules of AAA governing interscholastic activities. AAA provides catastrophic insurance coverage for students participating in AAA governed extracurricular activities who are enrolled in school. As a matter of District policy, no student may participate in a AAA governed extracurricular activity unless he or she is enrolled in a District school, to ensure all students are eligible for AAA catastrophic insurance.

Intrascholastic Activities

AAA Governed Activities

Students participating in intrascholastic extracurricular activities that would be governed by AAA if they were to occur between students of different schools shall meet all interscholastic activity eligibility requirements to be eligible to participate in the comparable intrascholastic activity. The District will abide by the AAA Handbook for such activities to ensure District students are not disqualified from participating in interscholastic activities.²

Non-AAA Governed Activities

Unless made ineligible by District policies, all students shall be eligible to participate in non-AAA governed intrascholastic extracurricular activities. Intrascholastic activities designed for a particular grade(s) or course(s) shall require the student to be enrolled in the grade(s) or course(s).

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Legal References: Arkansas Activities Association Handbook
A.C.A. § 6-4-302
A.C.A. § 6-15-2907
A.C.A. § 6-16-151
A.C.A. § 6-18-713
Commissioner’s Memo COM-18-009
Commissioner’s Memo LS-18-015

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.56.1—EXTRACURRICULAR ACTIVITIES - ELEMENTARY

Definitions

“Extracurricular activities” are defined as: any school sponsored program where students from one or more schools meet, work, perform, practice under supervision outside of regular class time, or are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition. Examples include, but are not limited to, inter/intrascholastic athletics, cheerleading, band, choral, math, or science competitions, field trips, and club activities.

“Field Trips” are when individual students or groups of students are invited to programs or events when there is no competition and the students are not interacting with each other for the purpose of planning, qualifying, or arranging for future programs or for the purpose of receiving recognition.

“Interscholastic Activities” means athletic or non-athletic/academic activities where students compete on a school vs. school basis.

“Intrascholastic Activities” means athletic or non-athletic/academic activities where students compete with students from within the same school.

Extracurricular Eligibility

The School Board believes in providing opportunities for students to participate in extracurricular activities that can help enrich the student’s educational experience. At the same time, the Board believes that a student’s participation in extracurricular activities cannot come at the expense of his/her classroom academic achievement. Interruptions of instructional time in the classroom are to be minimal and absences from class to participate in extracurricular activities shall not exceed one per week per extracurricular activity (tournaments or other similar events excepted with approval of the Principal) All students are eligible for extracurricular activities unless specifically denied eligibility on the basis of criteria outlined in this policy.

A student may lose his/her eligibility to participate in extracurricular activities when, in the opinion of the school’s administration, the student’s participation in such an activity may adversely jeopardize his/her academic achievement. Students may also be denied permission to participate in extracurricular activities as a consequence of disciplinary action taken by the administration for inappropriate behavior.

Any student who refuses to sit for a Statewide assessment or attempts to boycott a Statewide assessment by failing to put forth a good faith effort on the assessment as determined by the assessment administrator/proctor, or whose parents do not send their student to school on the dates the assessments are administered or scheduled as make-up days shall not be permitted to participate in any non-curriculum related extracurricular activity.

The student shall remain ineligible to participate until the student takes the same or a following statewide assessment, as applicable. The superintendent or designee may wave this paragraph's provisions when the student’s failure was due to exceptional or extraordinary circumstances. Students falling under the provisions of this paragraph shall be permitted to attend curriculum related field trips occurring during the school day.

A student who enrolls in the district and meets the definition of “eligible child” in Policy 4.2—ENTRANCE REQUIREMENTS shall be eligible to tryout for an extracurricular activity regardless of the date the student
enrolls in the District so long as the student meets all other eligibility requirements and the extracurricular activity is still ongoing.

No student shall be required to pay for individual or group instruction in order to participate in an extracurricular activity.

A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

Elementary students may not attend extracurricular activities that require an overnight stay without a parent or guardian designated in writing by the parent.

Cross References: 4.55—STUDENT PROMOTION AND RETENTION
4.56—EXTRACURRICULAR ACTIVITIES – SECONDARY SCHOOLS

Legal Reference: A.C.A. § 6-4-302
A.C.A. § 6-15-2907
A.C.A. § 6-16-151
A.C.A. § 6-18-713
Commissioner’s Memo LS-18-015

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOoled STUDENTS

Home-schooled student means a student legally enrolled in an Arkansas home school and who meets or has met the criteria for being a home-schooled student, as established by A.C.A. § 6-15-503.

Interscholastic activity means an activity between schools subject to rules of the Arkansas Activities Association that is outside the regular curriculum of the school district, such as an athletic activity, fine arts program, or a special interest group or club.

Home-schooled students whose parents or guardians are legal residents of the school district will be permitted to pursue participation in an interscholastic activity in the student's resident school zone as permitted by this policy.

Home-schooled students whose parent or legal guardian are not residents of the school district will be permitted to pursue participation in an interscholastic activity in the District if the superintendent of the student’s resident district and the superintendent of the District both agree in writing to allow the student to participate in interscholastic activities at the District.

Although not guaranteed participation in an interscholastic activity, home-school students who meet the provisions of this policy, AAA Rules, and applicable Arkansas statutes shall have an equal opportunity to try out and participate in an interscholastic activities without discrimination. The District shall provide a reasonable alternative to any prerequisite for eligibility to participate in an interscholastic activity that the home-schooled student is unable to meet because of his or her enrollment in a home school.

No student shall be required to pay for individual or group instruction in order to participate in an interscholastic activity.

To be eligible to try out and participate in interscholastic activities, the student or the parent of a student shall mail or hand deliver the student's request to participate to the student's school's principal before the signup, tryout or participation deadline established for traditional students. The principal of the school shall approve or disapprove the written request. Additionally, the student shall demonstrate academic eligibility by obtaining a minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition; another nationally recognized norm-referenced test; or a minimum score on a test approved by the State Board of Education.

A student who meets the requirements for eligibility to participate in an interscholastic activity is required to register for no more than one course in the District's school where the student is intending to participate in an interscholastic activity.

The student shall regularly attend the class in which the student is registered beginning no later than the eleventh (11th) day of the semester in which the student's interscholastic activity participation is desired. The student must attend the practices for the interscholastic activity to the same extent as is required of traditional students.
A student and the parent or legal guardian of the student shall sign and return an acknowledgement of receipt and review of an information sheet regarding signs and symptoms of sudden cardiac arrest before the student may participate in an athletic activity and before each school year the student participates in an athletic activity.

A home-schooled student who has met the try out criteria; and who has been selected to participate in the interscholastic activity shall meet the following criteria that also apply to traditional students enrolled in the school:
• standards of behavior and codes of conduct;
• attend the practices for the interscholastic activity to the same extent as is required of traditional students;
• required drug testing;
• permission slips, waivers, physical exams; and
• participation or activity fees.

A home-schooled student who is not a resident of the District may begin participating in interscholastic activities:
  a. Immediately upon being approved for participation for all interscholastic activities other than athletic activities; and
  b. One (1) calendar year after being approved to participate in interscholastic activities that are athletic activities unless the approval is prior to July 1 of the school year the student would have been enrolled in seventh (7th) grade if the student were enrolled in public school.

A home-schooled student who is not a resident of the District and is prohibited under this policy from participating in an interscholastic activity that is an athletic activity for one (1) calendar year may immediately participate in rehearsals, tryouts, practices, auditions, classes, or other endeavors associated with the interscholastic activity.

Students who participate in extracurricular or athletic activities under this policy will be transported to and from the interscholastic activities on the same basis as other students are transported.

A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five days after the student withdraws from the member school.

Legal References:  
A.C.A. § 6-15-509
A.C.A. § 6-16-151
A.C.A. § 6-18-232
A.C.A § 6-18-713
Arkansas Activities Association Handbook
Commissioner’s Memo COM-18-009
Commissioner’s Memo LS-18-015
Division of Elementary and Secondary Education Rules Governing Home Schools

Date Adopted: December 15, 2014

Last Revised: June 20, 2019
4.56.2F— HOME SCHOoled STUDENTS' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT RESIDENT DISTRICT

Student’s Name (Please Print) ____________________________________________

Parent or Guardian's Resident Address

Street ________________________________ Apartment _____________

City ________________________________ State _____ Zip Code_________

Student's date of birth __/__/__ Last grade level the student completed __________

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test approved by the State Board of Education.___________

Name of test, Date taken, and score achieved____________________________________________________

Extracurricular activity(ies) the student requests to participate in

________________________________________

Course(s) the student requests to take at the school _____________________________________________

Proof of identity ____

Date Submitted __/__/__

Parent's Signature ______________________________________________________________

Date Adopted: June 22, 2017

Last Revised:
4.56.2F2— HOME Schooled STUDENTs' LETTER OF INTENT TO PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT NON-RESIDENT DISTRICT

Student’s Name (Please Print) _______________________________________________________

Parent or Guardian’s Resident Address

Street ___________________________________________ Apartment _________________

City ___________________________________________ State _____ Zip Code___________

Student's date of birth __/__/__  Last grade level the student completed __________

Student has demonstrated academic eligibility by obtaining a verifiable minimum test score of the 30th percentile or better in the previous 12 months on the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test approved by the State Board of Education.___________

Name of test, Date taken, and score achieved___________________________________________

Extracurricular activity(ies) the student requests to participate in

_____________________________________________________________________________

Course(s) the student requests to take at the school _______________________________________

Proof of identity ____

Date Submitted __/__/__

Parent's Signature ______________________________________________________________

As the superintendent of the above student’s resident district, I agree that the above student may participate in extracurricular activities at ______________ School District.

Resident Superintendent’s Signature: __________________________

As the superintendent of the _____________ School district, where the above student desires to participate in extracurricular activities, I agree to allow the student to participate in extracurricular activities at ______________ School District.

Non-resident Superintendent’s Signature: __________________________

Date Adopted: June 22, 2017

Last Revised:
4.56.3– FIELD TRIPS

IN STATE

A field trip is an educational experience which is an extension of the regular classroom environment. The following guidelines will apply to field trips.

1. Use of field trips as an instructional tool will be optional and planned at the discretion of the teacher with permission from and coordination with the building principal and district-level administration. A field trip must be a legitimate educational experience, not merely a reward for students.

2. Teachers must submit a completed Bus Request Form to their building principal prior to date of anticipated field trip.

3. The trip must be approved by the building principal and the forms forwarded to the Transportation Director for coordination and review. All forms must be in the Transportation Director’s office 10 days prior to the date of the anticipated field trip.

4. The teacher or other school employee supervising the field trip must have obtained from a parent or legal guardian of each participating pupil written permission for the pupil to participate in the field trip except for scheduled activities within the Bryant School District. No student will be denied participation due to financial hardship.

5. In order to minimize the loss of classroom time teachers are encouraged to plan field trips for Saturdays or after school hours. Field trips taken during the school day should occur between the hours of 8:10 am and 2:45 pm. Field trips planned at the secondary level that are scheduled to begin and end within the time period allotted for that particular class (including lunch, if applicable) may occur an unlimited number of times. Other field trips planned during the school day at the secondary level will be limited to any two consecutive blocks (including lunch) and can occur once per teacher per term. Requests for exceptions may be granted for AAA-sanctioned events, events of a competitive nature, recognized school activity groups, or extenuating circumstances if approved by the principal.

6. Field trips during the school day should not be scheduled within three school days prior to or during 9-week, term, or standardized exams. Field trips during the school day at the secondary level should not be scheduled during the months of December or May.

7. All expenses for field trips must be paid for from school activity funds. The cost per bus is as follows:
   A. Actual cost of the driver
   B. Mileage using the current State-approved rate per mile.

8. Field trip requests that require the use of school buses will be considered for approval based on the availability of busses and drivers.

9. At least one (1) chaperone per every four (4) students is required on all overnight trips. Exceptions may be considered when students are to be housed in college dormitories and the event organizers provide adult supervision in addition to District chaperones. Chaperones are responsible for monitoring student behavior at all times during the trip. The principal and teacher(s) will make judgment as to the appropriate number of adult chaperones needed on a regular daytime field trip.

10. Principals may exclude students from field trips who would constitute a health, safety, and/or conduct risk as evidenced by their current discipline record.
11. Any misbehavior by a student on a field trip will result in disciplinary action as determined by the principal in accordance with the student handbook for that campus. The student may not be allowed to go on any other field trips for the remainder of the present semester or up to two (2) semesters.

12. School administrators will form a school calendar review committee composed of administrators, teachers, parents, and students. This committee will meet periodically to review and advise the principal on school calendar matters, including field trips.

13. The sponsoring teacher(s) will be responsible for the following:
   A. Distributing and collecting permission slips and submitting them to the principal.
   B. Providing the faculty with a list of students who will attend the field trip (including the date and time of the trip) at least five school days in advance of the trip.
   C. Providing a list of excluded students from field trips to the principal.
   D. Providing a seating chart or vehicle assignment and an alphabetized roster of students participating in the field trip, with emergency parent contact information, to the principal and to the bus driver.
   E. Providing an agenda of activities to the principal and to the bus driver.
   F. Providing the driver with written directions to the field trip location.

**OUT OF STATE**

It is recommended due to tort liability issues for the District and the loss of instructional time for teachers and students that out-of-state travel by students be discouraged. However, it is recognized that under certain circumstances out-of-state travel may be necessary for a few organizations and students. Pending approval by the Building Principal and the Superintendent, out-of-state travel may be approved under the following guidelines:

1. The building principal and the Superintendent must approve all out-of-state trips.
2. The activity must be sanctioned by the Arkansas Activities Association or must be part of a progressive competition where participation at the national level is a result of an award at the state or regional level.
3. Organizations, teachers, and students will be limited to one out-of-state trip during a school year if any instructional time is missed.
4. A student or teacher may miss no more than two (2) days for an out-of-state trip during a school year. Student absences in regard to out-of-state trips will be handled according to District attendance policies.
5. Principals may exclude students from out-of-state trips who would constitute a health, safety, and/or conduct risk as evidenced by their current discipline record.
6. Any misbehavior by a student on an out-of-state trip will result in disciplinary action as determined by the principal in accordance with the student handbook for that campus. The student(s) will also have to remain in the presence of an adult chaperone at all times for the remainder of the trip. The student(s) will not be allowed to go on any other out-of-state trips while attending school at that campus.
7. Out-of-state travel should not be scheduled within one week prior to or during 9-week, term, or standardized exams.
8. Upon approval of an out-of-state trip, the following guidelines will be the responsibility of the sponsoring teacher:
   a. No significant conflict with or disruption of instructional programs.
b. No one is denied participation because of financial hardship.
c. All Bryant School District forms are completed and turned in by appropriate dates.
d. Ensure that academic grades are not contingent upon participation in an out-of-state trip.
e. Trip requests that require use of school buses will be considered upon the basis of availability of 
buses and drivers. The cost for buses and drivers will be in accordance with District policy and 
will be paid by the organization making the trip.
f. At least one chaperone for every 4 students is required on all overnight trips. Chaperones are 
responsible for monitoring student behavior at all times during the trip.

9. The sponsor will be responsible for gathering information concerning medications that a student may 
need during a trip that will last beyond school hours or overnight. The sponsor will be responsible 
for the administration of medicine only with a written request from the parent. Parents are responsible 
for keeping the sponsor updated as to changes in medication.

10. In extraordinary circumstances, the Superintendent has the authority to consider an exception to 
guideline #2 listed above.

Elementary students may not attend field trips that require an overnight stay without a parent or guardian 
approved in writing by the parent.

Date Adopted: December 15, 2014

Last Revised: April 18, 2018
4.56.4– STUDENT ACCIDENT INSURANCE

Student accident insurance is available on a yearly basis that will provide protection for students at relatively low cost and is offered at the beginning of the school year. All participants in inter-scholastic athletics must have insurance. If the school insurance is not purchased, the parent must sign a waiver indicating the student is already covered or that the parent is bearing financial responsibility for any accident. Students will not be permitted to participate in athletics, including practices, until this requirement has been met.

Date Adopted: December 15, 2014

Last Revised:
4.56.5 – SCHOOL PICTURES

Arrangements for the taking of school pictures shall be left to the principal subject to the approval of the superintendent. Such pictures generally shall be made only during the school year and must be made by a photographer approved by the superintendent. The pictures are made on a voluntary basis and no purchase is required. Pictures for the school annual will be taken by a photographer selected by the District after advertising for bids.

Date Adopted: December 15, 2014

Last Revised:
4.57—IMMUNIZATIONS

Definitions

"In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional dose(s).

“Serologic testing” refers to a medical procedure used to determine an individual’s immunity to Hepatitis B, Measles, Mumps, Rubella and Varicella.

General Requirements

Unless otherwise provided by law or this policy, no student shall be admitted to attend classes in the District who has not been age appropriately immunized against:

- Poliomyelitis;
- Diphtheria;
- Tetanus;
- Pertussis;
- Red (rubeola) measles;
- Rubella;
- Mumps;
- Hepatitis A;
- Hepatitis B;
- Meningococcal disease;
- Varicella (chickenpox); and
- Any other immunization required by the Arkansas Department of Health (ADH).

In order for a student to attend school in the District, the student must meet the requirements of this policy, the Bryant School District Elementary Handbook or Bryant School District Secondary Handbook (as appropriate), Arkansas law, the Arkansas Department of Education Rules Governing Kindergarten Through 12th Grade Immunization Requirements, and the Arkansas Department of Health Rules and Regulations Pertaining to Immunization Requirements.

Specific immunization requirements, including the type, dosage, and timing of immunizations, shall be included in the Bryant School District Elementary Handbook and the Bryant School District Secondary Handbook. Periodically, statewide changes are made to immunization requirements. Sometimes these changes result in additional, required immunizations. When such changes occur, the Bryant School District Nursing Department will inform parents and guardians.

The District administration has the responsibility to evaluate the immunization status of District students. The District shall maintain a list of all students who are not fully age appropriately immunized or who have an exemption provided by ADH to the immunization requirements based on medical, religious, or philosophical grounds. Students who are not fully age appropriately immunized when seeking admittance shall be referred to a medical authority for consultation.
In order to attend classes in the Bryant School District, the student, student’s parent, or student’s guardian should submit one of the following upon registration or before the first day of school attendance:

1. Proof of up-to-date immunizations;

2. Written documentation from a public health nurse or private physician of proof that the student is in process of being age-appropriately immunized, which includes a schedule of the student’s next immunization(s);

3. A copy of a letter from the Arkansas Department of Health (ADH) indicating immunity based on serologic testing (a medical procedure used to determine an individual’s immunity to Hepatitis B, Measles, Mumps, Rubella, and Varicella; or

4. Immunization Exemption in the State of Arkansas: Parents may obtain information regarding immunization exemptions from the ADH, Arkansas.gov, or by calling 501-661-2169. Parents or guardians should:
   a. Annually apply for an Arkansas exemption, preferably in June or July or any time a student enrolls. Exemption requests sometimes require two to four weeks for processing.
   b. Provide a notarized copy of the ADH application to the school nurse. Notarized applications will only be valid for two weeks.
   c. Provide a copy of the ADH Immunization Exemption Approval letter to the school nurse.

NOTE: A student enrolled in the District with an immunization exemption may be removed from school during an outbreak of the disease for which the student is not vaccinated at the discretion of ADH. The student may not return to school until the outbreak has been resolved and the student’s return to school is approved by the ADH.

The only types of proof of immunization the District will accept are immunization records provided by a:

1. Licensed physician;
2. Health department;
3. Military service; or
4. Official record from another educational institution in Arkansas.

Students whose immunization records or serology results are lost or unavailable are required to receive all age appropriate vaccinations or submit items 1-4 above.

The proof of immunization must include the vaccine type and dates of vaccine administration. Documents stating “up-to-date”, “complete”, “adequate”, and the like will not be accepted as proof of immunization. No self or parental history of varicella disease will be accepted. Valid proof of immunization and of immunity based on serological testing shall be entered into the student’s record.

**Temporary Admittance**

The following students who have not fulfilled the above requirements may be admitted to school on a temporary basis:
1. Students enrolling in a District school and living in the household of a person on active duty. Those students have thirty (30) days to receive their initial required immunizations and 12 months to be up to date on the required immunizations for the student’s age.

2. Students entering school after the first day of school, from out of state, or from another country will have thirty (30) days from admittance to comply with Arkansas requirements. Students entering the District from within the State of Arkansas must be current with all required Arkansas immunizations.

3. Students who turn 11 or 16 years of age between the first day of school and September 1 of that school year will be given two (2) weeks after their birthday to obtain the required immunizations.

Students who are in process shall be required to adhere to the submitted schedule. Failure of the student to submit written documentation from a public health nurse or private physician demonstrating the student received the vaccinations set forth in the schedule may lead to the revocation of the student’s temporary admittance; such students shall be excluded from school until the documentation is provided. For questions, please contact your health care provider, school nurse, or the Saline County Health Unit at (501) 303-5650.

The District will not accept copies of applications requesting an exemption for the current school year that are older than two (2) weeks based on the date on the application. Students who submit a copy of an application to receive an exemption from the immunization requirements for the current year to gain temporary admittance have thirty (30) days from the admission date to submit either a letter from ADH granting the exemption or documentation demonstrating the student is in process and a copy of the immunization schedule. Failure to submit the necessary documentation by the close of the thirty (30) days will result in the student being excluded until the documentation is submitted.

**Exclusion From School**

In the event of an outbreak, students who are not fully age appropriately immunized, are in process, or are exempt from the immunization requirements may be required to be excluded from school in order to protect the student. ADH shall determine if it is necessary for students to be excluded in the event of an outbreak. Students may be excluded for twenty-one (21) days or longer depending on the outbreak. No student excluded due to an outbreak shall be allowed to return to school until the District receives approval from ADH.

Students who are excluded from school are not eligible to receive homebound instruction unless the excluded student had a pre-existing IEP or 504 Plan and the IEP/504 team determines homebound instruction to be in the best interest of the student. To the extent possible, the student’s teacher(s) shall place in the principal’s office a copy of the student’s assignments:

- for the remainder of the week by the end of the initial school day of the student's exclusion; and

- by the end of each school's calendar week for the upcoming week until the student returns to school.

It is the responsibility of the student or the student’s parent/legal guardian to make sure that the student’s assignments are collected.
Students excluded from school shall have five (5) school days from the day the student returns to school to submit any homework and to make up any examinations. State mandated assessments are not included in “examinations” and the District has no control over administering state mandated make-up assessments outside of the state's schedule. Students shall receive a grade of zero for any assignment or examination not completed or submitted on time.

Annually by December 1, the District shall create, maintain, and post to the District’s website a report that includes the following for each disease requiring an immunization under this policy:

a. The number of students in the District that were granted an exemption by the Department of Health from an immunization;

b. The percentage of students in the District that were granted an exemption by the Department of Health from an immunization; and

c. The percentage of a population that must receive an immunization for herd immunity to exist.

Cross References: 4.2—ENTRANCE REQUIREMENTS
BRYANT SCHOOL DISTRICT ELEMENTARY HANDBOOK
BRYANT SCHOOL DISTRICT SECONDARY HANDBOOK
4.34—COMMUNICABLE DISEASES AND PARASITES

Legal References: A.C.A. § 6-18-702
DESE Rules Governing Kindergarten Through 12th Grade Immunization Requirements in Arkansas Public Schools
ADH Rules Pertaining to Immunization Requirements

Date Adopted: June 15, 2015

Last Revised: June 20, 2019
4.58 – RESERVED
4.59—ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOLED STUDENTS

The District allows private school and home schooled students whose parents, legal guardians, or other responsible adult with whom the student resides are residents of the District to attend academic courses offered by the District. The District will place a list of courses that a private school or home schooled student may request to attend on its website by:

1. June 1 for courses to be offered during the Fall semester; and
2. November 1 for courses to be offered during the Spring semester.

A private school or home schooled student who desires to attend one or more of the available academic courses shall submit a written request to attend the academic course(s) to the superintendent, or designee, no later than:

a. August 1 for Fall semester courses; or
b. December 1 for Spring semester courses.

The superintendent, or designee, is authorized to waive the application deadline on a case by case basis.

The District permits a private school or home schooled student to attend a maximum of six (6) courses per semester.

The District may reject a private school or home schooled student’s request for attendance if the District’s acceptance would:

- Require the addition of staff or classrooms;
- Exceed the capacity of a program, class, grade level, or school building;
- Cost the District more for the student to attend the academic course than the District receives for the student’s attendance;
- Cause the District to provide educational services the District does not currently provide at a financial burden to the District; or
- Cause the District to be out of compliance with applicable laws and regulations regarding desegregation.

Requests to attend an academic course will be granted in the order the requests are received. Upon the receipt of a private or home schooled student’s request to attend academic course(s), the District will date and time stamp the request for attendance. If a private school or home schooled student is denied attendance based on a lack of capacity and an opening in the requested course occurs prior to the start of the course, the District will use the date and time stamp on the request for attendance to determine the private school or home schooled student who will be notified of an opening in the requested course.

As part of the request to attend academic courses in the District, a private school or home schooled student shall:

- Indicate the course(s) the private school or home schooled student is interested in attending;
- If the course(s) the private school or home schooled student is interested in attending is being offered by the District in both a physical and a digital format, whether the private school or home schooled student intends to attend the physical course or the digital course;
  - Submit, along with the student’s application, a copy of the student’s transcript indicating that the student has received credit for the course(s), or equivalent course(s), that are a prerequisite to the course(s) the student desires to attend at the District;
- Agree to follow the District’s discipline policies; and
o Submit immunization documentation required by Policy 4.57—IMMUNIZATIONS.

A private school or home schooled student who fails to attend an academic course by the eleventh (11) day of class or who is absent without excuse for eleven (11) consecutive days during the semester shall be dropped from the course; however, a private school or home schooled student shall not be considered truant for unexcused absences from the course(s) the student is attending at the District.

Private school or home schooled students shall receive a final grade and transcript for each academic course the student completes.

The responsibility for transportation of any private school or home schooled student attending academic courses in the District shall be borne by the student or the student’s parents.

The opportunity provided to home schooled students under this policy is in addition to the opportunity provided in Policy 4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS.

Cross References: 4.6—HOMESCHOOLING
4.56.2—EXTRACURRICULAR ACTIVITY ELIGIBILITY FOR HOME SCHOOLED STUDENTS
4.57-- IMMUNIZATIONS

Legal References: A.C.A. § 6-15-509
A.C.A. § 6-18-232
A.C.A. § 6-18-702
A.C.A. § 6-47-401 et seq.
DESE Rules Governing Distance and Digital Learning
DESE Rules Governing Kindergarten Through 12th Grade Immunization Requirements in Arkansas Public Schools
Commissioner’s Memo COM-19-021

Date Adopted: June 20, 2019

Last Revised:
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CURRICULUM AND INSTRUCTION
5.1—EDUCATIONAL PHILOSOPHY

The Bryant School District assumes the responsibility of providing students attending its schools a high quality education that challenges students to achieve to their maximum potential. The District shall endeavor to create the environment within the schools necessary to attain this goal. The creation of the necessary climate shall be based on the following core beliefs:

1. The District’s vision statement will be developed with input from students, parents, business leaders, and other community members.

2. All students can be successful learners.

3. Students learn at different rates and in different ways.

4. A primary goal shall be to give students the skills they need to be life-long learners.

5. The education of all citizens is basic to our community’s well-being.

6. Student achievement is affected positively by the involvement of parents and the community in the schools.

7. The District is responsible for helping cultivate good citizenship skills in its students.

8. Students reflect the moral and ethical values of their environment.

9. All people have a right to a safe environment.

10. Each person is responsible for his/her own actions.

11. Innovation involves taking risks.

12. Schools are responsible for creating the conditions that promote success.

13. Each person is entitled to retain his/her dignity.

14. All people have the right to be treated with respect and the responsibility to treat others respectfully.

15. For teachers to succeed in cultivating high student achievement, they need to be given the materials, training, and environment necessary to produce such results.

Date Adopted: February 16, 2015

Last Revised:
5.1.1 – ACCREDITATION OF SCHOOLS

Accreditation for a school or district is based upon compliance with applicable state laws and the Standards for Accreditation. It shall be the objective of the Bryant School District to maintain accredited status at all times.

Date Adopted: February 16, 2015
Last Revised:
5.1.2 – SCHOOL DAY

Teaching Hours

Teachers will be on duty 7 hours and 40 minutes each day. The principal of each school will establish and publish the specific beginning and ending hours after approval by the superintendent.

The teaching hours set out above are the usual and customary, at-school daily expectation under a teacher’s contract. In addition to the hours set out above, teachers are expected to conduct parent/teacher conferences included in the school calendar, participate in faculty meetings when given reasonable notice, occasionally serve on faculty or District committees, confer with students or parents who cannot reasonably confer within the teacher’s usual and customary daily schedule when given reasonable notice, and perform other such usual and customary expectations of teachers.

When teachers find it necessary to schedule parent or student conferences outside the usual and customary at-school daily hours, a building administrator is expected to remain in the building and be available to assist the teacher. In such cases the teacher is expected to consult with the building administrator to schedule the conference.

Teachers shall be required to check with the principal of their school before leaving the building during school hours. In order to maintain consistency throughout all District schools, a sign in/out sheet will be maintained in each school office. Leaving school during school hours should be primarily for school-related business. However, circumstances may allow the taking care of personal business during school hours on a limited basis when approved in advance by the building principal.

Teacher preparation periods are to be used as time for preparing lessons, grading papers, parent-teacher conferences, handling miscellaneous school duties, etc.

Date Adopted: February 16, 2015

Last Revised:
5.1.3 – PERIOD OF SILENCE

The teacher in charge of each classroom shall, at the opening of school each day, conduct a one-minute period of silence with the participation of all students in the classroom who desire to participate.

Students and employees may engage in personal religious practices, such as prayer, at any time, and shall do so in a manner and at a time so that the educational process is not disrupted.

Legal Reference: A.C.A. § 6-10-115

Date Adopted: February 16, 2015

Last Revised:
5.1.4 – DEPARTMENTAL CHAIRPERSONS

High School departmental chairpersons in departments having five (5) or more faculty members will receive (a) a stipend if appointed beginning with the 2008-09 school year, or (b) the choice of a stipend OR an extra planning period one semester per year if appointed prior to the 2008-09 school year.

Duties of the chairpersons shall include:

• Scheduling and conducting departmental meetings.
• Keeping an accurate inventory of all teaching supplies in the department.
• Handling the purchasing of materials for the department and submitting an annual budget to the administration for departmental needs.
• Maintaining the resource center for the department.
• Handling departmental correspondence.
• Keeping teachers in the department abreast of new programs and innovations within the subject field.
• Planning and conducting in-service training within the field.
• Investigating new textbooks, curriculum materials, and audio-visual aids.
• Aiding new teachers in becoming adjusted to the program.
• Aiding in the implementation and evaluation of curriculum guides.

Date Adopted: February 16, 2015

Last Revised:
5.2 - PLANNING FOR EDUCATIONAL IMPROVEMENT

Each school in the district, in collaboration with administrators, teachers, other school staff, parents, the community, and students, shall develop a school-level improvement plan (SLIP) to:

- Establish goals or anticipated outcomes based on an analysis of students’ needs;
- Identify student supports and evidence-based interventions and practices to be implemented;
- Describe the professional learning necessary for adults to deliver the supports or interventions;
- Describe the implementation timeline for monitoring of the interventions and practices for effectiveness;
- Describe the timeline and procedures for evaluation of the interventions and practices for effectiveness; and
- Evaluate and modify a parent, family, and community engagement plan.

Each SLIP shall include a literacy plan that includes a curriculum program and a professional development program that is aligned with the District’s literacy needs and is based on the science of reading.

Some of the data that shall be considered when developing the SLIP includes, but is not limited to:

- Statewide assessment results;
- Interim assessment results;
- Similarly situated school’s SLIPs; and
- Evaluation(s), including staff, student, and community feedback, of the existing SLIP.

The SLIP is to be reviewed on an ongoing basis with reports to the board on the implementation progress of the SLIP throughout the year of implementation. By May 1 of each year, the SLIP to be implemented in the upcoming school year shall be presented to the District Board of Directors for review and approval. The District will post the District’s SLIP(s) to the District’s website under State-Required Information by August 1 of each year.

The district shall develop, with appropriate staff; school board members; and community input, a school district support plan (SDSP). The SDSP, in coordination with the District’s SLIPs, shall

- Specify the support the District will provide to the District’s schools;
- Collaboratively establish priorities regarding goals or anticipated outcomes with the District’s schools, including feeder schools;
- Identify resources to support the established priorities;
- Describe the time and pace of providing support and monitoring for the established priorities;
- Describe the measures for analyzing and evaluating that the District support was effective in improving the school performance; and
- Establish, evaluate, and update a parent, family, and community engagement plan.

If the District’s data reflects a disproportionality in equitable access to qualified and effective teachers and administrators, the District shall develop and implement strategies to provide equitable access as part of the SDSP.

The District shall post the District’s SDSP to the District’s website under State-Required Information, including any updates to the District’s SDSP.
The District’s Board of Directors shall hold a meeting by October 15 of each year to provide a report that systematically explains the District’s policies, programs, and goals to the community. The District’s report shall detail the progress of the District and the District’s schools toward accomplishing program goals, accreditation standards, and proposals to correct any deficiencies. The report shall be made available to the public, including by posting a copy on the District’s website under State-Required Information no later than ten (10) days following the meeting. The meeting shall provide parents and other members of the community the opportunity to ask questions and make suggestions concerning the District’s program.

Legal References: A.C.A. § 6-15-2914
DESE Rules Governing the Arkansas Educational Support and Accountability Act
DESE Rules Governing Parental Involvement Plans and Family and Community Engagement
Standards for Accreditation 1-B.4, 3-B.1, 3-B.2, 3-B.2.1, 5-A.1

Date Adopted: July 19, 2018

Last Revised: June 20, 2019
5.3 - CURRICULUM DEVELOPMENT

The Board of Education is responsible for reviewing instructional programs offered by the District.

The District shall review each curriculum area annually to address the continued relevancy, adequacy, and cost effectiveness of individual courses and instructional programs and to ensure each area is aligned with the current curriculum frameworks and Arkansas Academic Standards approved by the State Board of Education. Each school’s administration shall implement a monitoring process to ensure that the instructional content of each course offered is consistent with the Arkansas Academic Standards and curriculum frameworks approved by the State Board of Education.

Starting with the 2020-2021 school year, the District shall not purchase curriculum for the District’s reading program that is not from the list of curricula approved by the Division of Elementary and Secondary Education.

Legal References: Standards of Accreditation 1-A.1, 1-A.4
A.C.A. § 6-15-101
A.C.A. § 6-15-1505(a)
A.C.A. § 6-15-2906
A.C.A. § 6-17-429

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
5.4 - RESERVED
5.5 - SELECTION OF INSTRUCTIONAL MATERIALS

The Bryant Board of Education shall delegate to the Superintendent of Schools the authority and responsibility for selection of all print and non-print materials, technological materials, and other resources. Responsibilities for actual selection may be delegated to appropriate professionally trained personnel who shall discharge this obligation consistent with the District’s Instructional Materials Selection and Challenge Procedures.

Selection procedures shall involve representatives of the professional staff directly affected by the selections, and persons qualified by preparation to aid in wise selection. The professional staff shall select and use instructional resources appropriate for the curriculum. These resources will represent a wide range of abilities, interests, and diverse points of view. Principles will be placed above personal opinion and reason above prejudice in the selection of materials of the highest quality and appropriateness.

The library media specialist will work cooperatively with staff members, students, parents, and the community to interpret and guide the application of the procedures in making selections for the media center.

The superintendent shall develop and publish procedures for implementing this policy and related state rules and regulations including procedures for challenging the appropriateness of instructional materials. These procedures will be available through the principal’s office or library at each school.

Legal Reference: 20 USC § 1232h

Date Adopted: February 16, 2015

Last Revised: April 18, 2018
5.6 - CHALLENGE TO INSTRUCTIONAL/SUPPLEMENTAL MATERIALS

Instructional and supplemental materials are selected for their compatibility with the District’s educational program and their ability to help fulfill the District’s educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials may do so by following the Instructional Materials Selection and Challenge Procedure.

Copies of the Instructional Materials Selection and Challenge Procedure may be obtained by contacting the principal at any district school.

Legal Reference: 20 USC 1232

Date Adopted: February 16, 2015

Last Revised: April 18, 2018
5.7 - SELECTION OF LIBRARY/MEDIA CENTER MATERIALS

Library/Media Center materials are selected for their compatibility with the District’s educational program and their ability to help fulfill the District’s educational goals and objectives. Individuals wishing to challenge or express concerns about instructional or supplemental materials may do so by following the Instructional Materials Selection and Challenge Procedure.

Copies of the Instructional Materials Selection and Challenge Procedure may be obtained by contacting the principal at any district school.

Legal Reference: A.C.A. § 6-25-101 et seq.

Date Adopted: February 16, 2015

Last Revised:
5.8 - USE OF COPYRIGHTED MATERIALS

The Bryant Public School District encourages the enrichment of the instructional program through the proper use of copyrighted works. Procedures governing the use and reproduction of copyrighted works fall under federal copyright law. To help ensure the appropriate use of copyrighted works, the Superintendent, or designee, will provide District personnel with copyright compliance information.

While the application of copyright law to the use and/or reproduction of works can be difficult to determine, it is essential for District personnel and students to use works in an ethical manner. A complete reading of U.S. Copyright Law is available at http://copyright.gov/title17/. One of the important aspects of the copyright law is the application of “fair use,” which is located in section 107 of copyright law. The section specifying “fair use” guidelines from Section 107 of the copyright law is stated as follows:

“Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair.

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes
2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for, or value of, the copyrighted work

The distinction between what is fair use and what is infringement in a particular case will not always be clear or easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission. When it is impracticable to obtain permission, teachers should consider avoiding the use of copyrighted material unless they are confident that the doctrine of fair use would apply to the situation. (http://www.copyright.gov/fls/fl102.html)

*Practices such as photocopying, scanning, or digitally transmitting works to solely avoid paying for additional books, workbooks, and multimedia is a violation of copyright law.* The building principal or the library/media specialist should be contacted for additional assistance concerning use and/or reproduction of works if unsure of copyright compliance. The Bryant Public School District will not be responsible for any employee or student violations of the use of copyrighted works.

Cross Reference: 5.11—DIGITAL LEARNING COURSES

Legal Reference: 17 USC § 101 to 1010 (Federal Copyright Law of 1976)

Date Adopted: February 16, 2015

Last Revised:
5.9 - COMPUTER SOFTWARE COPYRIGHT

The District shall observe copyright laws governing computer software reproduction. Unless specifically allowed by the software purchase agreement, the Copyright Act allows the purchaser of software to:

1. Make one copy of software for archival purposes in case the original is destroyed or damaged through mechanical failure of a computer. However, if the original is sold or given away, the archival copy must be destroyed;

2. Make necessary adaptations to use the program; and/or

3. Add features to the program for specific applications. These improvements may not be sold or given away without the copyright owner’s permission.

The District shall abide by applicable licensing agreements before using computer software on local-area or wide-area networks.

Legal Reference: 17 USC § 117 Amended Dec. 12, 1980

Date Adopted: February 16, 2015

Last Revised:
5.10 - RELIGION IN THE SCHOOLS

It is the Board’s policy that the school system, as an agency of the government, shall be neutral in matters regarding religion and will not engage in any activity that either advocates or belittles religion. The District shall assume no role or responsibility for the religious training of any student.

The need for neutrality does not diminish our school system’s educational responsibility to address the historical role of religion in the development of our culture. Since we live in a diverse society, the District’s goal shall be to address the subject of religion objectively in such a way that it promotes an understanding of, and tolerance for, each other’s religious or non-religious views.

Discussions concerning religious concepts, practices, or disciplines are permissible when presented in a secular context in their relation to an inclusive study of religion or to the study of a particular region or country. The discussions shall be such that they are objective and academically informational and do not advocate nor belittle any particular form of religious practice.

Date Adopted: February 16, 2015

Last Revised:
5.11 - DIGITAL LEARNING COURSES

Definitions

For the purposes of this policy:

“Blended Learning” is education in which instruction and content are delivered through supervised instruction in a classroom and online delivery of instruction with some element of student control over time, place, path, or pace.

“Digital Learning” means a digital technology or internet-based educational delivery model that does not rely exclusively on compressed interactive video (CIV). Digital learning includes online and blended learning.

"Instructional Materials" means:
1. Traditional books, textbooks, and trade books in printed and bound form;
2. Activity-oriented programs that may include:
   a. Manipulatives;
   b. Hand-held calculators;
   c. Other hands-on materials; and
3. Technology-based materials that require the use of electronic equipment in order to be used in the learning process.

“Online Learning” is education in which instruction and content are delivered primarily over the Internet. The term does not include print-based correspondence education, broadcast television or radio, videocassettes, compact disks and stand-alone educational software programs that do not have a significant Internet-based instructional component.

“Public School Student Accessing Courses at a Distance” means a student who is scheduled for a full course load through the District and attends all classes virtually.

Digital Course Offerings

The District shall offer one or more digital learning course(s) through one or more District approved provider(s) as either a primary or supplementary method of instruction. The courses may be in a blended learning, online-based, or other technology-based format and shall be tailored to meet the needs of each student.

All digitally offered courses shall meet or exceed the State Board of Education's curriculum standards and requirements and be capable of being assessed and measured through standardized or local assessments. Additionally, the District shall ensure there is sufficient infrastructure to handle and facilitate a quality digital learning environment.

As an approved digital learning provider, the District shall annually determine what District created digital learning courses it will provide to our students. The District may also choose to provide digital learning courses by contracting with outside providers of such courses, who have been pre-approved by the Arkansas Department of Education (ADE). The School Board shall determine the provider method or combination of
methods for the District. The Superintendent shall ensure that all digital learning courses provided to District students, regardless of the source of the course, have been approved by ADE.

District created digital courses and any digital courses the district purchases from outside providers shall adhere to the guidelines for the use of digitally transmitted copyrighted materials set forth in Policy 5.9—USE OF COPYRIGHTED MATERIALS as well as applicable statutory requirements.

The District shall require all outside providers to incorporate Policy 5.9 as a condition of the service contract. Failure of the outside provider to abide by Policy 5.9 shall constitute a breach of contract and the outside provider shall be responsible for any costs resulting from such breach.

A student may elect to take any or all of his/her scheduled courses digitally. The student’s attendance in his/her digital course(s) shall be determined by the online attendance and time the student is working on the course rather than the student’s physical presence at school.

The District is responsible for providing all instructional materials for each student who enrolls in a District approved digital learning course.

Regardless of any other provisions of this policy, the District may restrict a student's access to digital courses when the student's building principal determines the student’s participation in such a course would not be academically appropriate based on the student's past performance in digital courses. Furthermore, the student's building principal may revoke a student's eligibility to continue taking a digital learning course if the student's performance during the semester indicates the student is not succeeding in the course.

Cross References:

Legal References:

Date Adopted: June 23, 2016

Last Revised:
5.12 - RESERVED
5.13 - RESERVED
5.14 - 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 should be 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.

Parents shall be notified of this policy at the beginning of each school year.

Date Adopted: February 16, 2015

Last Revised: July 19, 2018
5.15 - GRADING

Parents, legal guardians, persons having lawful control of a student, or persons standing in loco parentis shall be kept informed concerning the progress of their student. Parent-teacher conferences are encouraged and may be requested by parents, guardians, persons having lawful control of a student, persons standing in loco parentis or teachers. If the progress of a student is unsatisfactory in a subject, the teacher shall attempt to schedule a parent-teacher conference. In the conference, the teacher shall explain the reasons for difficulties and shall develop, cooperatively with the parents, a plan for remediation which may enhance the probability of the student succeeding. The school shall issue grades for each nine-week grading period to keep parents/guardians informed of their student’s progress. Students in grades kindergarten through five will receive progress reports half-way through the nine-week period. For students in other grades, at the half-way point in the nine-week period, a progress report will be sent home on all students who are making a D or F.

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 effect academic improvement. Students’ grades shall reflect only the extent to which a student has achieved the expressed educational objectives of the course.

The Bryant School District maintains software that parents may use to check their child’s progress via the Internet. Parents should contact their child’s principal for further information on how to utilize this software.

The grades of a child in foster care shall not be lowered due to an absence from school due to:
(1) A change in the child's school enrollment;
(2) The child's attendance at a dependency-neglect court proceeding; or
(3) The child's attendance at court-ordered counseling or treatment.

The grading scale for all schools in grades kindergarten through fifth grade shall be as follows:

A standards-based report card is used for students in grades kindergarten through five. This allows teachers to provide specific feedback to parents regarding the standards and skills in which students excel or need more reinforcement.

Students will receive the following marks for literacy and math standards using this grading scale:

3-Independently performs at grade level
2-Inconsistent, but with support, performs at grade level
1-Struggles frequently or is unable to perform at grade level

*Not every standard is assessed every quarter. For those standards not assessed, students will receive a N/A marking.

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

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

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

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

The grade point values for Advanced Placement (AP), approved courses for weighted credit, International Baccalaureate (IB), and approved honor courses shall be one point greater than for regular courses with the exception that an F shall still be worth 0 points.

The final grades of students who transfer in for part of a semester will be determined by blending the grades earned in the District with those earned outside the District.

**Student Attendance During Alternative Methods of Instruction (AMI) Days**

Students will be counted present for each part of the day for which completed work is returned to the teacher by the end of the third day following an AMI day. Attendance sheets from the school office will be used to maintain accurate records.

Student work from AMI days will be graded by the teacher and recorded as classwork. Not submitting the completed work within the allocated time with no communication about extenuating circumstances will result in an unexcused absence for elementary students, and a “0” being assigned for the work in addition to the unexcused absence in secondary. The school principal will make the final decision on excused/unexcused absences, in accordance with the district handbook.

Legal References:
A.C.A. § 6-15-902
A.C.A. § 9-28-113(f)
Standards for Accreditation 5-A.1
Division of Elementary and Secondary Education Rules Governing Uniform Grading Scales for Public Secondary Schools

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
5.16—COMPUTER SCIENCE COURSE PREREQUISITES AND PROGRESSION

Traditional Progression

A student who has not previously received a computer science credit may elect to take an introductory level computer science course. A student who passes a computer science course level is eligible to take the next level computer science course in the same computer science course emphasis.

Alternative Progression

A student who does not have credit for any computer science course, the introductory level computer science course for the particular computer science emphasis, or the preceding level course for the computer science emphasis may be placed in a computer science course based on any combination of the following factors:

- The student’s grade point average;
- Recommendation from the student’s teacher(s);
- Completion of computer science internships or independent studies;
- Demonstration of previous computer science work by the student; or
- Proficiency report from a computer science proficiency evaluation tool.

Legal References:  Arkansas Computer Science Standards For Grades 9-12
Commissioner’s Memo COM-17-051
Commissioner’s Memo COM-19-050

Date Adopted:  June 22, 2017

Last Revised:  June 20, 2019
5.17 - RESERVED
5.18 - HEALTH SERVICES

The Board believes that healthy children promote a better learning environment, are more capable of high student achievement, and will result in healthier, more productive adults. Therefore, the goal of the District’s health services program is to promote a healthy student body. This requires both the education of students concerning healthy behaviors, as well as providing health care services to students.

School nurses shall be under the general supervision of the district nursing supervisor and the direct supervision of building principals. The delegation of health care duties shall be in accordance with the Arkansas Nurse Practice Act and the Arkansas State Board of Nursing Rules Chapter Five: Delegation of Nursing Care.

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
5.19 - RESERVED
5.20—DISTRICT WEBSITE

The Bryant School District shall maintain a web page to provide information about its schools, students, and activities to the community. This policy is adopted to promote continuity between the different pages on the district website by establishing guidelines for their construction and operation.

The Bryant School District website shall be used for educational purposes only. It shall not create either a public or a limited public forum. Any link from any page on the District’s site may only be to another educational site. The website shall not use “cookies” to collect or retain identifying information about visitors to its website nor shall any such information be given to “third parties.” Any data collected shall be used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

Each school’s web page shall be under the supervision of the school’s web content designee and the District’s website shall be under the supervision of the District’s web content designee and Director of Communication. They shall have the responsibility for ensuring that web pages meet appropriate levels of academic standards and are in compliance with these guidelines and any additional administrative regulations. To this end, the District’s web content designee and Director of Communication shall have the authority to review and edit any proposed changes to web pages to ensure their compliance with this policy. All such editing shall be viewpoint neutral.

District and school web pages shall also conform to the following guidelines:

1. The District’s home page shall contain links to existing individual school’s web pages and the school home pages shall link back to the District’s home page. The District’s home page may also include links to educational extracurricular organization’s web pages, which shall also link back to the District’s home page.
2. Photos along with the student’s name shall only be posted on web pages if the student’s parents, or the student if the student is over the age of eighteen (18), have not opted out of such use in writing.
3. No web page on the District website may contain public message boards or chat rooms.
4. All web pages on the District website shall be constructed to download in a reasonable length of time.
5. The District’s home page shall contain a link to a privacy policy notice, which must be placed in a clear and prominent place and manner.
6. With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by the Bryant School District.
7. Included on the District’s web site shall be:
   a. Local and state revenue sources;
   b. Administrator and teacher salary and benefit expenditure data;
   c. District balances, including legal balances and building fund balances;
   d. Minutes of regular and special meetings of the school board;
   e. The district’s budget for the ensuing year;
   f. A financial breakdown of monthly expenditures of the district;
   g. The salary schedule for all employees including extended contract and supplementary pay amounts;
   h. Current contract information (not including social security numbers, telephone numbers, personal addresses or signatures) for all district employees;
The information and data required for items A through K in 9 above shall be the actual data for the previous two (2) school-years and the projected data for the current school-year.

Before July 15 of each year, the District shall post on its website the following information:

- The dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students with dyslexia;
- The number of students during the previous school year who received dyslexia intervention; and
- The total number of students identified with dyslexia during the previous school year.

The District and school webmasters are responsible for ensuring all District webpages meet required standards to be accessible to individuals with disabilities.

Cross References: 4.57—IMMUNIZATIONS
5.2—PLANNING FOR EDUCATIONAL IMPROVEMENT

Legal References: A.C.A. § 6-11-129
A.C.A. § 6-15-1402
A.C.A. § 6-15-2006
A.C.A. § 6-15-2101
A.C.A. § 6-15-2914
A.C.A. § 6-41-606
A.C.A. §6-41-611
DESE Rules Governing How to Meet the Needs of Children With Dyslexia
DESE Rules Governing the Arkansas Educational Support and Accountability Act
Standards For Accreditation 12.02.1, 1-B.2, 2-B.1, 2-H.2, 3-A.1, 3-A.2, 3-A.9, 3-B.1, 3-B.2.1, 5-A.1
20 U.S.C. § 1232 g
15 U.S.C. § 6501 (COPPA)

Date Adopted: June 22, 2017
Last Revised: June 20, 2019
5.20.1—WEBSITE PRIVACY POLICY

The Bryant School District operates and maintains a website for the purpose of informing the citizens of the district about its activities. The website does not use “cookies” or ISP addresses to collect or retain personally identifying information about visitors to its website nor is any such information given to “third parties.” Any data collected is used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

The site serves no commercial purpose and does not collect any information from individuals for such purpose.

Photographs of students, when associated with the student’s name, shall not be displayed on any page of the district’s website without the prior written consent of the parent (or the student if 18 or older).

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password protected communication between the District and its staff.


Date Adopted: July 19, 2018

Last Revised:
5.21 - ADVANCED PLACEMENT COURSES

Students in grades 7-12 who take advanced placement courses, concurrent credit college courses; or other courses approved for weighted credit by the Division of Elementary and Secondary Education (DESE) shall be graded according to the following schedule:

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

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

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

For a student to be eligible to receive weighted credit for an AP course:

- The course must be taught by an Arkansas licensed teacher who has received the appropriate training required by Arkansas statute and DESE Rule or, for an AP teacher, is in the process of completing an Additional Training Plan; and
- The student takes the applicable AP after completing the entire course. Credit shall be given for each grading period during the course of the year, but shall be retroactively removed from a student’s grade for any course in which the student fails to take the applicable exam. Students who do not take the applicable exam shall receive the same numeric value for the grade he/she receives in the course as if it were a non-AP course.

Students who transfer into the District will be given weighted credit for the Advanced Placement courses, concurrent college courses, and other courses approved by DESE for weighted credit that were taken for weighted credit at his/her previous school(s) according to the preceding scale.

Legal References:
- DESE Rules Governing Uniform Grading Scales for Public Secondary Schools
- DESE Rules for Advanced Placement and International Baccalaureate Diploma Incentive Program
- A.C.A. § 6-15-902
- A.C.A. § 6-16-806

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
5.22 - CONCURRENT CREDIT

A ninth (9th) through twelfth (12th) grade student who successfully completes a college course(s) from an institution approved by the Division of Elementary and Secondary Education (DESE) shall be given credit toward high school grades and graduation at the rate of one (1) high school credit for each three (3) semester hours of college credit. Unless approved by the school’s principal, prior to enrolling for the course, the concurrent credit shall be applied toward the student’s graduation requirements as an elective.

As permitted by the DESE Rules Governing Concurrent College and High School Credit, a student who takes a three (3) semester hour remedial/developmental education course shall receive a half (1/2) credit for a high school career focus elective. The remedial/developmental education course cannot be used to meet the core subject area/unit requirements in English and mathematics.

Participation in the concurrent high school and college credit program must be documented by a written agreement between:

- The student;
- The student’s parent(s) or legal guardian(s) if the student is under the age of eighteen (18);
- The District; and
- The publicly supported community college, technical college, four-year college or university, or private institution the student attends to take the concurrent credit course.

Students will retain credit earned through the concurrent credit program that was applied toward a course required for high school graduation from a previously attended, accredited, public school.

A student eligible to receive free or reduced price meals shall not be responsible for any of the costs for the student’s first six (6) concurrent credit hours so long as the concurrent credit courses are taught on the District grounds and by a teacher employed by the District. Any and all costs of concurrent credit courses beyond the six (6) hours permitted, that are not taught on the District’s campus, or are not taught by a teacher employed by the District are the responsibility of the student. Students who are not eligible to receive free or reduced price meals are responsible for any and all costs associated with concurrent credit courses.

Cross Reference: 4.59—ACADEMIC COURSE ATTENDANCE BY PRIVATE SCHOOL AND HOME SCHOOLED STUDENTS

Legal References: A.C.A. § 6-15-902(c)(2)
A.C.A. § 6-16-1201 et seq.
A.C.A. § 6-18-232
DESE Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
5.23 - EQUITY BETWEEN SCHOOLS

The Bryant School District is committed to providing a quality education for all students in each of the District’s schools. The equitable distribution of District resources is one means the District shall use to ensure all of its students receive a quality education. The Board directs that services in Title I schools, when taken as a whole, be at least comparable to services in schools that are not receiving Title I funds. Curriculum materials, instructional supplies, and the percentages of qualified personnel shall be equivalent between all schools in the District when compared on a school-by-school basis. Specifically, the goal of the District is to ensure its students are given an equitable opportunity to learn regardless of the school they attend within the District.

Equity between schools shall not be measured by such things as

1. Changes in enrollment after the start of the school year;
2. Varying costs associated with providing services to children with disabilities,
3. Unexpected changes in personnel assignments occurring after the beginning of the school year;
4. Expenditures on language instruction education programs and;
5. Other expenditures from supplemental State or local funds consistent with the intent of Title I.

Legal Reference: 20 USC § 6321(a),(b), and (c)

Date Adopted: February 16, 2015
Last Revised: July 19, 2018
5.24 - RESERVED
5.25 — MARKETING OF PERSONAL INFORMATION

The Bryant School District shall not collect, disclose, or use personal information for the purpose of marketing or for 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 institutions such as the following:

a. College or other postsecondary education recruitment, or military recruitment;
b. Book clubs, magazines, and programs providing access to low cost literary products;
c. Curriculum and instructional materials used by elementary schools and secondary schools;
d. 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;
e. The sale by students of products or services to raise funds for school related or education related activities; and
f. Student recognition programs.

Legal Reference: 20 USC § 1232h(c)

Date Adopted: July 19, 2018

Last Revised:
5.26 - ALTERNATIVE LEARNING ENVIRONMENTS

The District shall provide an alternative learning environment (ALE) for each eligible ALE student enrolled in a District school. The ALE shall be part of an intervention program designed to provide guidance, counseling, and academic support to students who are experiencing emotional, social, or academic problems. Placement of a student in an ALE shall not be punitive in nature.

The superintendent or designee shall appoint an alternative education placement team which shall have the responsibility of determining student placement in the ALE. A student may be enrolled in an ALE only on the referral of the alternative education placement team. The team's placement decision is final and may not be appealed.

The team is to be comprised of, but not limited to, the following:

- a school counselor from the referring school;
- the ALE administrator and/or ALE teacher;
- the building principal or assistant principal from the referring school;
- a parent, legal guardian, person having lawful control of the student, or person standing in loco parentis (if they choose to participate);
  - The District shall document its efforts to contact the student's parent, legal guardian, person having lawful control of the student, or person standing in loco parentis to schedule a meeting or a phone call for a placement meeting at the convenience of the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis, and maintain such documentation in the student’s Student Action Plan (SAP).
- LEA special education/504 representative (if applicable);
- at least one (1) of the student's regular classroom teacher(s); and
- if the District so chooses, the student.

Students who are placed in the ALE shall exhibit at least two of the characteristics from items a through m below:

a) Disruptive behavior;
b) Dropping out from school;
c) Personal or family problems or situations;
d) Recurring absenteeism;
e) Having difficulty with learning in the regular classroom environment;

For the purposes of the ALE, personal or family problems or situations are conditions that negatively affect the student’s academic and social progress. These may include, but are not limited to:

f) Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
g) Abuse: physical, mental, or sexual;
h) Frequent relocation of residency;
i) Homelessness;
j) Inadequate emotional support;
k) Mental/physical health problems;
l) Pregnancy; or
m) Single parenting.
No later than five (5) school days after a student begins alternative education interventions, the Alternative Education Placement Team shall develop a signed agreement between the ALE; the parent, legal guardian, person having lawful control of the student, or person standing in loco parentis (if they choose to participate); and the student, outlining the responsibility of the ALE; parent, legal guardian, person having lawful control of the student, or person standing in loco parentis; and the student to provide assurance that the plan for each student is successful.

No later than one (1) week after a student begins alternative education interventions, the Alternative Education Placement Team shall assess the student’s current functioning abilities and all relevant social, emotional, academic, career, and behavioral information and develop an SAP outlining the intervention services to be provided to the student that is in compliance with the Division of Elementary and Secondary Education (DESE) Rules. The SAP may be revised from time to time by the ALE placement team and a positive behavior or transitional plan shall be developed and added to the SAP prior to a student’s return to the regular educational environment.

The District’s ALE program shall follow class size, staffing, curriculum, and expenditure requirements identified in the DESE Rules.

Legal References: A.C.A. § 6-20-2305(b)(2)
A.C.A. § 6-48-101 et seq.
DESE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds – 3.01, 4.00, and 8.0

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
5.26.1 - ALE PROGRAM EVALUATION

The ALE program shall be evaluated at least annually to determine its overall effectiveness. The evaluation shall specifically address how the use of ALE funds is in alignment with the District’s school district support plan in addressing identified achievement gaps and student performance deficiencies.

Legal Reference: A.C.A. § 6-15-2914

Date Adopted: February 16, 2015

Last Revised: July 19, 2018
5.27 - ENGLISH LANGUAGE LEARNERS

The District shall utilize the special needs funding it receives for identified English Language Learners on activities and materials listed in the ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds.

The expenditures of ELL supplemental funding shall be evaluated at least annually to determine their overall effectiveness. The evaluation shall specifically address how the use of ELL funds is in alignment with the District’s school district support plan in addressing identified achievement gaps and student performance deficiencies.

Legal References:  
A.C.A. § 6-15-2914  
A.C.A. § 6-20-2305(b)(3)  
ADE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds – 3.09, 5.00, 8.00  
Standards for Accreditation 2-J.2

Date Adopted: February 16, 2015

Last Revised: July 19, 2018
5.28 - ENHANCED STUDENT ACHIEVEMENT FUNDING EXPENDITURES

Funding received from the state based on the number of students eligible for free and reduced-priced meals under the National Student Lunch Act shall be expended in accordance with guidelines outlined in the ADE Division of Elementary and Secondary Education Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds.

The district shall at least annually evaluate programs supported by Enhanced Student Achievement funds to determine the effectiveness of the programs and to ensure they are providing intervention/prevention services designed to increase student achievement that are in alignment with the district’s school district support plan.

Legal References: A.C.A. § 6-15-2914
A.C.A. § 6-20-2305(b)(4)
DESE Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditure of These Funds 3.12, 3.17, 3.18, 6.00, and 8.00

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
5.29 - WELLNESS POLICY

The health and physical well-being of our students directly affects their ability to learn. Childhood obesity increases the incidence of adult diseases occurring in children and adolescents such as heart disease, high blood pressure and diabetes. The increased risk carries forward into their adulthood. Research indicates that a healthy diet and regular physical activity can help prevent obesity and the diseases resulting from it. It is understood that the eating habits and exercise patterns of students cannot be magically changed overnight, but at the same time, the School Board believes it is necessary to strive to create a culture in our schools that consistently promotes good nutrition and physical activity.

The problem of obesity and inactivity is a public health issue. The Board of Directors is keenly aware that it has taken years for this problem to reach its present level and will similarly take years to correct. The responsibility for addressing the problem lies not only with the schools and the Division of Elementary and Secondary Education (DESE), but with the community and its residents, organizations and agencies. Therefore, the District shall enlist the support of the larger community to find solutions that improve the health and physical activity of our students.

Wellness Committee

To enhance the district’s efforts to improve the health of our students, a School Nutrition and Physical Activity Advisory Committee (SNPAAC) shall be formed. It shall be structured in a way to ensure age-appropriate recommendations are made that correlate to the District’s grade configurations. The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference. The overarching goal of the committee shall be to promote student wellness by monitoring how well the District is doing at implementing this policy. The SNPAAC shall use modules 1, 2, 3, 4, 10, and 11 of the Centers For Disease Control’ (CDC) School Health Index as a basis for annually assessing each school’s progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in the school district’s support plan (SDSP), provided to each school’s principal, and reported to the board. Goals and objectives for nutrition and physical activity shall also be included in the SDSP.

The SNPAAC shall be made up of Individuals from the following groups to the extent interested persons from each group desire to be included in the development, implementation, and periodic review of the District's wellness policy:

- Members of the District’s Board of Directors;
- School administrators;
- School nutrition personnel;
- Teacher organizations;
- Teachers of physical education;
- Parents;
- Students;
- Professional groups (such as nurses);
- School health professionals (such as school nurses, school counselors, and social workers); and
- Community members.
The SNPAAC shall provide written recommendations to the District’s Child Nutrition Director concerning menus and other foods sold in the school cafeteria. Such recommendations shall be based, at least in part, on the information the Committee receives from the District on the requirements and standards of the National School Lunch Program and from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.

The SNPAAC will meet at least quarterly. Meeting dates for the SNPAAC will be placed on the District’s calendar.

**School Health Coordinator**

To assist the SNPAAC in ensuring that the District fulfills the requirements of this policy, a District level School Health Coordinator (Designated District Official) shall be appointed. In addition, a school level School Health Coordinator shall be appointed who shall be responsible for assisting the District level School Health Coordinator in ensuring that each school fulfills the requirements of this policy.

**Goals**

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the District will adhere to the DESE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols. To promote nutrition, physical activity, and other school based activities that will improve student wellness, the District has established the following goals:

1. Appoint a District school health coordinator (designated District official) who shall be responsible for ensuring that each school fulfills the requirements of this policy;
2. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
3. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
4. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
5. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
6. Not use food or beverages as rewards for academic, classroom, or sports performances;
7. Ensure that drinking water is available without charge to all students;
8. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
9. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
10. Establish no more than nine (9) school wide events that permit exceptions to the food and beverage limitations established by Rule. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar;
11. Abide by the current allowable food and beverage portion standards;
12. Meet or exceed the more stringent of Arkansas’ or the U.S. Department of Agriculture’s Nutrition Standards for reimbursable meals and a la’ carte foods served in the cafeteria;
13. Restrict access to competitive foods as required by law and Rule;
14. Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce District dependence on profits from the sale of competitive foods.
15. Provide professional development to all District staff on the topics of nutrition and/or physical activity;
16. Utilize the School Health Index available from the Center for Disease Control (CDC) to assess how well the District is doing at implementing this wellness policy and at promoting a healthy environment for its students.

**Food and Beverages Outside of the District’s Food Service Programs**

The District will insure that drinking water is available without charge to all students throughout the school including, but not limited to, in the District’s food service areas.

All food and beverages sold to students on school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum. These restrictions include, but are not limited to, food and beverages sold in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

All food and beverages provided, but not sold, to students on the school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum. These restrictions include, but are not limited to, food and beverages provided in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

Up to a maximum of nine (9) times per school year, school administration may schedule school wide events where food and beverages provided to students are not required to meet the Federal Smart Snacks standards during the scheduled time. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar.

Food and beverages outside of the District’s food service programs may not be sold, served, or provided to students in the District’s food service areas during meal times.

Elementary students shall not have in-school access to vending machines.

The District does not place nutrition restrictions on food or beverages brought from home that are intended for personal consumption only.

**Advertising**

In accordance with the USDA regulations, oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product that are made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product shall only be permitted on school campus during the school day if they meet or exceed the Federal Smart Snacks standards. This restriction does not apply to:

- Materials used for educational purposes in the classroom, including, but not limited to:
  - The use of advertisements as a media education tool; or
  - Designing and implementing the health or nutrition curriculum;
- Clothing, apparel, or other personal items used by students and staff;
The packaging of products brought from home for personal consumption; and
- Currently existing advertisements on school property, including but not limited to, the exterior of vending machines, posters, menu boards, coolers, trash cans, cups used for beverage dispensing, and other food service equipment; however, all future contracts and replacement items shall meet the Federal Smart Snacks standards.

**Community Engagement**

The District will work with the SNPAAC to:
- Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
- Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
- Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
- Encourage the development of and participation in family-oriented community-based physical activity programs.

The District will annually inform the public:
- Of the web address where the policy is located;
- Of any changes made to this policy since the previous year;
- Of the health and wellness priority goals in the District’s SDSP;
- That a printed copy of the policy may be picked up at the District’s central office; and
- The amounts and specific sources of funds received and expenditures made from competitive food and beverage contracts.

**Assessment of District’s Wellness Policy**

At least once every three years, with input from the SNPACC, the District shall assess both the District as a whole and individual schools' status in regards to the implementation and compliance of the goals of this policy, including the health and wellness goals in the District’s SDSP. The assessment shall be based, at least in part, on:
- The extent to which District schools are in compliance with this policy;
- The extent to which this policy compares to other model local school wellness policies;
- The annual reviews of this policy based on modules 1, 2, 3, 4, 10, and 11 of the CDC’s School Health Index; and
- A description of the progress made in attaining the goals of this policy.

On the years the assessment occurs, the assessment results shall be reported to the public, including parents, students, and other members of the community as part of the District’s annual report to the public.

The District will update the wellness policy based on the results from the three (3) year assessment.
**District Website**

The District will place on its website:

- The name, District phone number, and District email address for the District Level School Health Coordinator;
- The names, district phone numbers, and district email addresses for the School Level School Health Coordinators;
- The names of the members of the SNPAAC;
- Meeting dates for the SNPAAC;
- Information on how community members may get involved with the SNPAAC;
- A copy of this policy;
- A copy of the annual review of this policy based on modules 1, 2, 3, 4, 10, and § 11 of the CDC’s School Health Index; and
- A copy of the most recent three (3) year assessment of this policy.

Legal References:

- Richard B. Russell National School Lunch Act 42 U.S.C. § 1751 et seq. as amended by PL 111-296 (Section 204) of 2010. (Section 204 is codified at 42 U.S.C. § 1758(b))
- 7 C.F.R. § 210.18
- 7 C.F.R. § 210.31
- A.C.A. § 6-20-709
- A.C.A. §§ 20-7-133, 134, and 135
- DESE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols
- Allowable Competitive Foods/Beverages - Maximum Portion Size List for Middle, Junior High, and High School
- Commissioner’s Memo CNU-17-010
- Commissioner’s Memo CNU-17-013
- Commissioner’s Memo CNU-17-016
- Nutrition Standards for Arkansas Public Schools

Date Adopted: February 16, 2015

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6.1—COMMUNICATION GOALS

The single most significant factor in student achievement is the teacher. The teacher’s effectiveness is greatly enhanced when supported by the school community as a whole, the student’s home, and the community at large. The Arkansas General Assembly and the Division of Elementary and Secondary Education have demonstrated their understanding of the importance of involving such groups by repeatedly mandating their inclusion in the educational system and process. Communication with staff, parents, grandparents, legal guardians, business, and community members is fundamental to increasing their concern for, and involvement in, raising student achievement.

Communication should be two-way between the District and the public. The communications program shall strive to:

1. Increase mutual understanding, trust, and support between the District and parents, business, and the community as a whole;

2. Keep District staff regularly informed of upcoming District programs and events as well as noteworthy staff and student accomplishments to enable all the staff to help promote positive public relations;

3. Create and disseminate brochures, flyers, and fact sheets that will help parents and community members better understand school policies and procedures and acquaint them with areas where their volunteer services are most needed;

4. Inform legislators of the accomplishments of the District’s students and staff, as well as how proposed legislation could affect the District;

5. Maintain good relations with the news media and provide the media with pertinent news releases; and

6. Increase the participation of parents, grandparents, legal guardians, business, and community members in school activities and programs.

The Board will appoint committees, when appropriate, to help the District examine issues. Such committees may include members of the public, students, parents, and school employees, as well as members of the Board. Members may serve until the committee makes its non-binding recommendations to the Board.

Any committee, which includes among its members a member of the School Board, shall operate according to the requirements of the Arkansas Freedom of Information Act.

The District’s Board of Directors shall hold a meeting by October 15 of each year to provide a report that systematically explains the District’s policies, programs, and goals to the community. The District’s report shall detail the progress of the District and the District’s schools toward accomplishing program goals, accreditation standards, and proposals to correct any deficiencies. The
report shall be made available to the public, including by posting a copy on the District’s website under State-Required Information no later than ten (10) days following the meeting. The meeting shall provide parents and other members of the community the opportunity to ask questions and make suggestions concerning the District’s program.

Legal References:

- A.C.A. § 6-15-1005(c), (f)(1)(2)
- A.C.A. § 6-16-603 (a) (3)
- A.C.A. § 6-18-2003
- A.C.A. § 25-19-106
- Standards for Accreditation: 3-B.1, 3-B.2, 3-B.2.1, 5-A.1
- Division of Elementary and Secondary Education Rules Governing Gifted and Talented Program Approval Standards: 4.0; 10.03

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
6.1.1—SCHOOL DISTRICT WEBSITES AND SOCIAL MEDIA PAGES

The Bryant School District and its school campuses often use District and school website and social media pages to communicate with parents, students, and the community regarding school activities. The District welcomes feedback from the community as a way of fostering open and honest communication.

The following rules apply to employees, parents, students, and other members of the public who use District websites and social media pages (users) to comment on, or post messages related to, matters on District websites or social media pages:

1. Commenters or posters should stay on topic. Comments not related to the subject matter will be deleted.

2. No spam. District websites and social media pages shall not be used as a means of selling a product or service.

3. Be courteous. The District welcomes constructive criticism and welcomes honest discussion on areas of disagreement. However, users must refrain from personal attacks or being disrespectful of others.

4. Keep it legal. Users are responsible for following all laws that govern use of copyrights, trade secrets, individual privacy, etc.

5. Use appropriate language. Profane or provocative language, hateful, racially or ethnically offensive or derogatory content, threats, obscene or sexually explicit language will be immediately removed.

The Bryant School District reserves the right, but is not obligated, to block users who violate the above rules. The District reserves the right, but is not obligated, to or remove from our websites and social media pages any comments that violate the above rules.

Date Adopted: April 18, 2018

Last Revised:
6.2—RELATIONS WITH SCHOOL SUPPORT ORGANIZATIONS

The Board recognizes and values the many contributions support organizations make to the District’s schools. Parent/teacher organizations and booster clubs work to augment and strengthen the District’s educational and extracurricular objectives through the goods and services they provide.

Groups wishing to be recognized as a support organization must have open membership and have their by-laws reviewed by the school principal or Superintendent. School personnel should assist approved booster organizations in their efforts to the extent practicable. Meetings of such organizations, cleared through the principal, shall not be subject to school use fees. School staff members are encouraged to attend and participate.

School support organizations are not official school district entities. School support organizations are funded and governed separate and apart from official school district entities/activities.

Date Adopted:  February 16, 2015

Last Revised:  April 18, 2018
6.3—PUBLIC GIFTS AND DONATIONS TO THE SCHOOLS

The District may receive monetary gifts or donations of goods or services that serve to improve or enhance the goals of the District. Any gifts to the District become the property of the District and are subject to the same regulations as any other District owned property.

It is a breach of ethical standards and a violation of Arkansas law for any Board member, administrator, or District employee to receive a gift of any kind in return for employment with the District or to influence the award of any contract or transaction with the District. All personnel shall examine the “reasonableness” of any gift or donation against its potential for real or perceived violation of the aforementioned ethical standards before accepting any gift or donation in the name of a school or the District.

The Board reserves the right to not accept any gift or donation that would not contribute to the attainment of District goals or that would obligate the District to unacceptable outlays of District resources. The administration shall present for Board consideration and approval any gifts or donations the administration deems could so obligate the District.

The Board will strive to honor the donor’s intent regarding gifts earmarked for a specific purpose; however, laws and District’s needs change with time and the District reserves the right to adjust the use of any gift to meet current needs of the educational program.

The Board authorizes the superintendent, or the superintendent’s designee, to act as the District’s official representative for all school-affiliated online fundraisers.

Legal References:  A.C.A. § 6-24-110
A.C.A. § 6-24-112
A.C.A. § 6-24-113

Date Adopted:  February 16, 2015

Last Revised:  June 22, 2017
6.4—VOLUNTEERS

Enlisting the support of volunteers is a way in which the District can expand the scope of resources and knowledge available to enrich the students’ educational experiences, while strengthening the relationship between the school and the community. Volunteers can also perform non-instructional tasks that allow licensed personnel more time to devote to instruction.

The Superintendent shall be responsible for establishing and maintaining a program to coordinate the services volunteers are willing and able to contribute with the needs of District personnel. The program shall establish guidelines to ensure volunteers are aware of pertinent District policies and rules. Volunteers who violate school policies or rules, or knowingly allow students to violate school rules, may be asked to leave the school campus. The guidelines should also include provision for evaluation of the volunteer program and a method for soliciting suggestions from both the volunteers and staff for its improvement.

All volunteers who intend to act as head coaches or assistant coaches must:
1. Be at least twenty-two (22) years of age; and
2. Meet the requirements adopted by the Arkansas Activities Association (AAA) to volunteer for any athletics program for grades seven (7) through – twelve (12).

A member of the board of directors of the District or the spouse of a member of the board of directors of the District may not be a registered volunteer for the District unless a majority of the disinterested members of the Board of Directors approves a resolution for the board member or board member’s spouse to be a registered volunteer. The resolution approving the board member or board member’s spouse to be a registered volunteer shall be effective for only one (1) school year.

A volunteer may act as a head coach in all varsity junior and senior high sports administered by the AAA except in the following sports:
- Football;
- Basketball; and
- Track and field.

Background Checks for Volunteers

For the purposes of this policy, “clear background check” means that:
- A background check was performed on the potential school volunteer in accordance with A.C.A. §§ 12-12-1601 et seq.;
- The potential school volunteer has not committed any of the crimes or offenses contained in A.C.A. §§ 6-17-410, 6-17-411 or 6-17-414 according to both the National and Arkansas background checks; and
- The potential school volunteer’s name was not found on the Child Abuse Central Registry; and
- The Arkansas Educator Licensure System does not indicate the potential volunteer to:
  - Have a currently suspended or revoked educator’s license; or
  - Be the recipient of a current Level 3 or Level 4 public notification of ethics violation.
A person wishing to volunteer in a capacity that requires a background check may not perform volunteer services requiring a background check until a clear background check is received by the District. Once received, a clear background check is good for 3 years; a background check renewal must be applied for and a clear background check received prior to the time of renewal or an interruption of permitted volunteer service could occur. A clear background check will be accepted of any individual wishing to volunteer provided it was conducted within the timeframe provided for in this policy.

The Application for an initial background check may be made through the District administrative office. The District may charge the potential volunteer the same fee charged by the State of Arkansas for performing the check.

A person who failed a previous background check may petition the Board for a waiver from this policy's requirement. The petition shall be accompanied by a signed authorization for disclosure of his or her entire criminal and child abuse registry history. In deciding whether to grant a waiver, the board may take into consideration: the circumstance or circumstances surrounding the act or omission that lead to the conviction, Child Abuse Registry true finding, or the receipt of the Level 3 or Level 4 Public Notification of Ethics Violation; the age of the person at the time of the act or omission; the length of time that has passed without reoffending; and other relevant circumstances. If the Superintendent recommends a waiver be granted, the Board may adopt a resolution by majority vote providing an exception to this policy's requirement for a time period not to exceed five (5) years. The board must consider this matter in open session, and may not confer or deliberate in closed or executive session.

The board shall not have the authority to waive the application of this policy to any potential volunteer who is a Registered Sex Offender whose educator license has been revoked or is currently suspended.

Clear background checks for school volunteers are only required for those individuals who are required to be or who seek to become Registered Volunteers, as defined in A.C. A. § 6-22-102 et seq.

No information relating to the application for or receipt of a criminal background check, including that a background check has or has not been applied for, shall be subject to disclosure under the Arkansas Freedom of Information Act, as provided by A.C.A. §§ 12-12-1601 et seq. Requests for background checks and reports on background checks obtained under this policy shall be retained by the district for a minimum of three years.

The District shall maintain the following information on volunteers:
   a) The total number, location, and duties of all volunteers;
   b) The total number of annual hours of service provided by volunteers; and
   c) Any reimbursements made to volunteers for expenses, transportation, or other costs incurred in connection with volunteer services.

Volunteers will be made aware that the Arkansas Department of Humans Services (DHS) considers volunteers for school districts to be mandated reporters of child maltreatment and will receive training on the responsibilities of a mandated reporter.
Legal References:

A.C.A. §§ 6-17-301
A.C.A. § 6-17-410
A.C.A. § 6-17-411
A.C.A. 6-17-414
A.C.A. § 6-17-428
A.C.A. § 6-18-110
A.C.A. § 6-22-101 et seq.
A.C.A. §§ 12-12-1601 et seq.
A.C.A. § 12-18-402
A.C.A. § 12-18-909(g)(21)
A.C.A. § 21-13-101 et seq.

Division of Elementary and Secondary Education Rules Governing Background Checks
Division of Elementary and Secondary Education Rules Governing the Code of Ethics for Arkansas Educators

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Last Revised: June 20, 2019
6.5—VISITORS TO THE SCHOOLS

Parents, grandparents, legal guardians, business, and community members are welcome and encouraged to visit District schools. To minimize the potential for disruption of the learning environment, visitors, for a purpose other than to attend an activity open to the general public, are required to first report to the school’s main office. No one shall be exempt from this requirement. Visitors who are Level 3 or Level 4 sex offenders may only enter a school campus under the provisions listed in Policy 6.10.

Parents and legal guardians are encouraged to participate in regularly scheduled visitation events such as school open houses and parent/teacher conferences. Additional conferences are best when scheduled in advance. Conferences shall be scheduled at a time and place to accommodate those participating in the conference. Visits to individual classrooms during class-time are permitted on a limited basis with the principal’s prior approval and the teacher’s knowledge.

Visitors, including parents wishing to speak with students during the school day shall register first with the office.

Visitors under the age of 18 who are not parents or guardians may not be allowed in classrooms, school parties, and/or field trips without prior permission of the teacher or building principal.

In order to maintain an atmosphere conducive to learning and to avoid disruptions in the learning environment, visitors should follow the guidelines listed below:

- Classroom observation – Parents/guardians must schedule classroom observations in advance with the teacher and principal. The parent/guardian will be provided an unobtrusive seat in the classroom area. Interaction is not allowed with students during observation. Classroom observations by parents or guardians will be approved at the discretion of the principal and teacher. Due to the potential disruption of the learning environment and the need to maintain the privacy of other students’ educational progress, teachers and principals have the authority to determine the duration and frequency of all classroom observations. Parents and guardians shall not live stream (or otherwise transmit), make photographs, or make audio or video recordings during any classroom observation without the prior approval of the teacher or principal.

- Teacher conference – Parents/guardians may contact their child’s teacher to schedule a teacher conference at any time during the school year. Conferences should be scheduled in advance and will be held in an area away from the students. Parents and guardians shall not live stream (or otherwise transmit), make photographs, or make audio or video recordings during any teacher conference without the prior approval of the teacher or principal.

- Lunch or Breakfast – Parents may only bring food or drinks for their own child. Parents wishing to purchase a school lunch prepared by the school cafeteria must notify the school prior to 8:30 a.m. on that day.

- Deliveries - All deliveries of personal items such as forgotten homework, lunches, etc. will be made to the school office. Classes will not be interrupted for deliveries.
The District has the right to ask disruptive visitors to leave its school campuses. Principals are authorized to seek the assistance of law enforcement officers in removing any disruptive visitors who refuse to leave school property when requested to do so.

No person may use any cell phone or electronic device to live stream (or otherwise transmit), photograph, audio record, or video record the words, likeness, image or actions of any other person on school grounds during school hours unless such activities are approved in advance by the school principal or a Bryant School District administrator. This policy does not apply to a parent, guardian, or family member who photographs or records their own child, ward, or family member during a public, school-sponsored event.

Employees are protected from abusive language and conduct by state law. An employee may report to the police any language which is calculated to:

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

Cross References: Policy 4.16—STUDENT VISITORS
For Level 3 and Level 4 sex offenders see Policy 6.10—SEX OFFENDERS ON CAMPUS (MEGAN’S LAW)

Legal References: A.C.A. § 6-21-606
A.C.A. § 6-21-607

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Last Revised: April 18, 2018
6.6—FUNDRAISING

All fundraising activities held in the District or in the name of the District must be pre-approved in writing by the Superintendent or designee and the affected school principal. Approval will be predicated on the potential for return relative to the time and energy to be invested in the fundraising. Fundraising that conflicts excessively with and/or detracts from student or teacher instructional time in either the planning or the execution of the activity will not be approved.

Neither an individual school nor the District shall be liable for any contract between clubs or organizations and third parties.

Professional fundraisers (businesses or individuals, including mail order companies, that assist schools in raising funds in return for a share of all money taken in) must register with the central administration office to receive approval to work with principals and teachers. Registration will include their name, contact number, company name, address and telephone number. Failure to register will make them ineligible to work in the Bryant School District.

Student participation in any fundraising activity shall:

1) Be voluntary. Students who choose not to participate shall not forfeit any school privileges. It shall not be considered discriminatory to reward those who participate; and

2) Not influence or affect the student’s grade.

Each organization in the District may have only two fundraisers per year which involve student participation. Regardless of the number of organizational memberships, students may participate in no more than two fundraisers per semester conducted during the school week. Fundraisers are limited to a sales period of two weeks each unless the Principal grants an exception for unusual circumstances. All fundraising events must receive approval by the principal. There is no restriction on parents holding fundraising events that do not involve students as workers/salespersons.

Secondary Schools

Fundraising in the secondary schools may only be done by officially sanctioned student clubs, spirit groups, school PTAs, or parent booster clubs. Student clubs and spirit groups must receive written approval from their sponsor and the school principal before submitting the fundraising proposal to the Superintendent or designee.

Door to door fundraising activities are generally discouraged. If approved, students wishing to participate who are under the age of eighteen (18) must return to their sponsor a signed parental notification and permission form.
Elementary Schools (K-6)

Fundraising in the elementary schools may only be done by the school or a school sponsored organization. Door to door fundraising activities are generally discouraged, but there shall be no more than one such activity per school per school year.

For purposes of this policy, “Door-to-door sales” means the selling of merchandise outside of the child's home and off the school grounds.

Schools must provide written notification of the following to parents or legal guardians of elementary students who participate in fund raising programs.

1) Student participation in fundraising programs is voluntary;

2) Students who do not participate will not forfeit any school privileges;

3) Students may not participate in fundraising programs without written parental permission returned to school authorities;

4) An elementary student who sells fundraising merchandise door to door must be accompanied by a parent or an adult; and

5) Unless the school provides supervision, parents must accept responsibility for appropriate adult supervision.

These regulations are presented to prevent fundraising activities that might put students in unsafe situations.

Crowdfunding and Other Fundraising Activities by Employees

Subject to the limitations below, Bryant School District employees are free to conduct “crowdfunding” or other fundraisers on their personal time, outside of school hours.

1) If an employee intends to refer to the Bryant School District or his or her status as an employee of the Bryant School District in any crowdfunding or other fundraising activities, such fundraising activities must be approved in advance by the employee’s supervisor or building principal.

2) Without prior approval from the Bryant School District Technology Director, employee crowdfunding or other fundraising activities shall not be used to purchase electronic devices for students that will require resources, repair, or servicing by the Bryant School District Technology Department.

3) If an employee refers to the Bryant School District or his or her status as an employee of the Bryant School District in any crowdfunding or other fundraising activities, any funds or property received through the crowdfunding or other fundraising activities for use at school shall become the property of the Bryant School District.
4) All crowdfunding or other fundraising activities must be conducted in accordance with applicable financial procedures of the Bryant School District Business Office.

Legal Reference:  A.C.A. § 6-18-1102
A.C.A. § 6-18-1104

Cross Reference: Guidelines for Affiliated Support Organizations
Bryant School District Board Policy 7.6.1

Date Adopted:  February 16, 2015

Last Revised:  June 22, 2017
6.7—COMPLAINTS/CONCERNS

It is a goal of the Board and the District to be responsive to the community it serves and to continuously improve the educational program offered in its schools. The Board or the District welcomes constructive criticism when it is offered with the intent of improving the quality of the system’s educational program or the delivery of the District’s services.

The Board formulates and adopts policies to achieve the District’s vision and elects a Superintendent to implement its policies. The administrative functions of the District are delegated to the Superintendent, who is responsible for the effective administration and supervision of the District. Individuals with complaints/concerns concerning personnel, curriculum, discipline (including specific discipline policies), coaching, or the day to day management of the schools need to address those complaints/concerns according to the following sequence:

1. Teacher, coach, or other staff member against whom the complaint/concern is directed
2. Principal
3. Deputy Superintendent
4. Superintendent

Other than in the few instances where statutorily allowed or required, student discipline and personnel matters may not be discussed in Board meetings. Individuals with complaints/concerns regarding such matters need to follow the sequence outlined above. Individuals with complaints/concerns who have exhausted the sequence above may present their complaints/concerns to the Board only as outlined in Policy #1.14 – MEETING AGENDA.

Unless authorized by the Board as a whole for a specific purpose, no individual Board member has any authority when acting alone. District constituents are reminded that the Board serves as a finder of fact, not unlike a jury, in matters such as student suspensions initiated by the Superintendent, expulsions, and personnel discipline. For this reason, the board may not be involved or informed prior to a board hearing on particular student or personnel disciplinary matters.

Complaints/concerns related to District use or administration of federal funds generated through specific programs identified by the Arkansas Department of Education (ADE) and authorized in the Elementary and Secondary Education Act may be taken directly from a patron or by referral from the ADE. If taken directly from a patron, the complaint/concern may be submitted by either a signed statement or by a certified, recorded deposition or statement in which the complainant is identified. The complaints/concerns shall be addressed in the following manner:

1. The complaint/concern shall be referred to the federal programs director, who shall assemble a team of at least two (2) people to investigate the complaint/concern.

2. Throughout the investigation, sufficient notes and records will be taken and maintained to substantiate the position of the findings of the investigation.
3. The team will interview the complainant and others as necessary to enable the team to make a determination of the validity of the complaint. The team may consult with individuals with knowledge or expertise in the matter which is the subject of the complaint/concern, including legal counsel.

4. The investigation of complaints referred by the ADE shall be completed within thirty (30) work calendar days of receipt of the complaint, unless a longer time period has been approved by the ADE.

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

6. The report of the conclusions of the investigation shall be given to the complainant. It shall contain:

   a. A summary of the allegations of the complaint;
   b. A summary of the investigative actions taken by the team;
   c. A summary of the findings concerning each alleged violation or implied violation; and
   d. A statement of corrective actions needed to resolve the issues involved in each allegation and finding of the complaint.

Legal Reference:   ADE Rules Governing Federal Program Complaint Resolution

Date Adopted:  February 16, 2015

Last Revised:  June 20, 2019
6.8—DISTRIBUTION OF PRINTED MATERIALS AND PUBLICATIONS

Subject to the requirements below, the District shall devise and maintain a system for distributing District communications and other printed materials between the Administration and the schools. Use of the system by employees or employee organizations shall be with prior approval of the Superintendent or his/her designee.

Subject to the requirements below, the distribution of printed materials, flyers, photographs, or other visual or auditory materials not originating within District schools to students or staff shall have prior approval of the Superintendent or his/her designee.

The District finds that the demand for distribution of printed materials and publications from outside groups by District staff through student backpacks and other District communication channels has become overly burdensome and detracts from the primary mission of the District. It is the intent of the District to operate a nonpublic forum and, except as allowed in this policy, the distribution of printed materials and publications from outside groups is prohibited on District property, to include District websites. This policy does not prohibit speech in circumstances where such speech is protected by law.

General Requirements for Printed Materials and Publications

The District will only distribute printed materials and publications from the following groups or organizations:

1. District-sponsored materials and publications or other materials and publications that originate from within the District.

2. Groups affiliated with the District, to include parent-teacher organizations, booster clubs, academic and extra-curricular clubs, and nonprofit organizations created for the sole or primary purpose of supporting the District, District programs, District personnel, or District students.

3. Groups recognized by the Board for longstanding support of the District, including without limitation the City of Bryant and other county and municipal governments within the borders of the District, the Bryant Chamber of Commerce, the Boys and Girls Club of Bryant, Boy Scouts of America, Girl Scouts of America.

4. Curriculum-related materials and publications regarding programs, events, contests and other activities that are not sponsored by the District when those events are consistent with and related to the District’s curriculum.

5. Groups and their affiliates who meet in District facilities in accordance with District policies may distribute printed materials and publications during such meetings.
6. Printed materials and publications solicited or accepted by the District as advertising on the District’s website, gymnasiums, athletic fields and other facilities primarily used for extracurricular activities.

**District Website**

As set forth below, the District will post approved informational flyers from Arkansas not-for-profit organizations on the District’s website. By posting this information on the website, organizations will have the opportunity to reach families of elementary school, middle school, junior high school, and high school students without the time and expense of printing thousands of pre-sorted flyers. The superintendent or his or her designee will establish and publish requirements for posting materials and other publications from outside groups on the District’s website. The District reserves the right to deny requests that contain unacceptable content, are seen as a conflict of interest or are in conflict with the District’s mission and values.

Materials distributed by the District through student backpacks and other District communication channels, including the District website, may not be:

1. Obscene to minors.
2. Libelous.
3. Pervasively indecent or vulgar and/or contain indecent or vulgar language.
4. Advertise any product or service not permitted to minors by law.
5. Constitute insulting or fighting words, the very expression of which injures or harasses other people (e.g. threats of violence, defamation of character or of a person’s race, religion, or ethnic origin).
6. Present a clear and present likelihood that, either because of their content or their manner of distribution, they will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities or will cause the commission of unlawful acts or the violation of lawful school procedures.
7. Promote or exhibit excessive or explicit violence (including weblinks).

All printed materials and other publications from outside groups, including those on the District website, will contain the following disclaimer: “Disclaimer: This information is being distributed as a community service. Bryant Public Schools is not a sponsoring organization for this activity.”

Exceptions to this policy will be granted only for unusual and limited circumstances, and only with the approval of the Superintendent or his or her designee.

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
6.9—MEDIA RELATIONS AND NEWS RELEASES

It is important that the District maintain good relations with the media. The Superintendent or his/her designee shall devise and implement a plan for the release of pertinent information to the media regarding educational programs, awards, or other student and staff achievements, and special events.

The District shall attempt, within reason, to accommodate media requests for interviews and shall endeavor to be fair and impartial in its treatment of media representatives. Media representatives wishing to be on district property shall have prior approval by the Central Office, shall sign-in at the school office, and be accompanied by a district administrator.

The release of information to the media shall be done in a timely manner, either by written releases or by telephone interviews, to keep patrons abreast of newsworthy District achievements.

The District encourages students and staff to participate in academic competitions and programs. Awards earned in such endeavors shall be communicated to the media. Award recipients may also be recognized at Board meetings.

Date Adopted:  February 16, 2015

Last Revised:
6.10—SEX OFFENDERS ON CAMPUS (MEGAN’S LAW)

The Bryant School District shall work with area law enforcement in a manner consistent with
applicable state law and Division of Elementary and Secondary Education Rules to communicate the
presence of a sexual offender. When necessary, law enforcement may contact building principals to
provide information concerning registered sex offenders. The decision regarding the school principals
to be notified rests solely with law enforcement officials; law enforcement officials use a rating system
to determine who needs to be notified, which is according to the sex offender’s dangerousness to the
community.

In turn, building principals should notify any employee who is regularly in a position to observe
unauthorized persons on or near the school’s property in the ordinary course of their employment.
Employees notified could include any of the following: aides, bus drivers, coaches, maintenance staff,
professional support staff, school level administrative staff, security personnel, teachers’ assistants,
and teachers.

It is important that school personnel who receive sex offender notifications understand that they are
receiving the sex offender notifications in their official capacity and are not to disseminate
information about an offender to anyone outside the school. If school personnel are asked about
notification information by an organization using school facilities, the organization should be referred
to the area law enforcement agency that issued the notice.

Persons not to be notified, except at the specific discretion of area law enforcement officials, include:
members of parent-teacher organizations, other schools, organizations using school facilities, students,
parents or guardians of students, and the press. District personnel may inform the press about
procedures that have been put in place and other general topics, but may not reveal the name or any
other specifics regarding an offender.

A parent or guardian who is a Level 1 or Level 2 sex offender shall be allowed to enter the school
campus to attend parent-teacher conferences or any other activity that is appropriate for a parent,
guardian, or community member.

Level 3 and Level 4 sex offenders may only enter the school campus in the following instances:
1. The offender is a student attending school in the district;
2. To attend a graduation or baccalaureate ceremony;
3. It is a non-student contact day according to the school calendar or no school-sponsored event is
taking place on campus;
4. The offender is a parent or guardian of a student enrolled in the district and goes directly to the
school office to have school personnel deliver medicine, food, or personal items for the student;
5. The offender is a parent or guardian of a student and enters the school campus where the student is
enrolled to attend a scheduled parent-teacher conference and the offender is escorted to and from
the conference by a designated school official or employee.

A Level 3, but not a Level 4, sex offender may attend a school sponsored event for which an
admission fee is charged or tickets are sold or distributed if the sex offender:
• Is the parent, guardian, great-grandparent, of or is related by blood or marriage within the second (2nd) degree of consanguinity to a student enrolled in the public school; and
• Notifies the administration of the school in writing at least twenty-four (24) hours before the start of the event that he or she will be attending the event.

A Level 3 and Level 4 sex offender who is the parent or guardian of a child enrolled in the District and who wishes to enter the school campus in which the student is enrolled for any other purpose than those listed above, must give reasonable notice to the school principal or his/her designee. The principal or designee may allow the sex offender to enter upon the campus provided there is a designated school official or employee to escort and supervise the sex offender while they remain on campus. The sex offender shall not enter upon the school campus until such time as a designated school official or employee is available.

Copies of the notification from law enforcement should be kept in a secure place accessible to teachers and staff, but should not be posted on school bulletin boards or made available to students or members of the community at large.

Legal References: Division of Elementary and Secondary Education
Guidelines for “Megan’s Law”
A.C.A. § 5-14-132
A.C.A. § 12-12-913 (g)(3)
A.C.A. § 28-9-212

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
6.11—PARENT, FAMILY AND COMMUNITY ENGAGEMENT - DISTRICT

The Bryant School District understands the importance of involving parents, families, and the community as a whole in promoting higher student achievement and general good will between the district and those it serves. Therefore, the district shall strive to develop and maintain the capacity for meaningful and productive parent, family, and community engagement that will result in partnerships that are mutually beneficial to the school, students, parents, families, and the community. To achieve such ends, the district shall work to:

1. Involve parents, families, and the community in the development of the long range planning of the District;

2. Give the support necessary to enable them to plan and implement effective parent, family, and community engagement activities;

3. Have a coordinated engagement program where the engagement activities of the District enhance the involvement strategies of other programs, such as Head Start, HIPPY, area Pre-K programs, and other programs;

4. Explain to parents, families and the community the state’s academic and achievement standards, state and local student assessments, and how the District’s curriculum is aligned with the state’s academic standards and assessments and how parents, families, and the community can work with the District/school to improve students’ academic achievement;

5. Provide parents and families with the materials and training they need to be better able to help their child achieve. The District may use parent resource centers or other community based organizations to foster parental involvement and provide literacy and technology training to parents.

6. Educate District staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent, family, and community engagement programs that will promote positive partnerships between the school and parents, families, and the community;

7. Keep parents, families, and the community informed about parent, family and community engagement programs, meetings, and other activities they could be involved in. Such communication shall be, to the extent practicable, in a language the parents and families can understand;

8. Find ways to eliminate barriers that work to keep parents and families from being involved in their child’s education. This may include providing transportation and child care to enable parents to participate, arranging meetings at a variety of times, and being creative with parent/teacher conferences;

9. Find and modify other successful parent, family and community engagement programs to suit the needs of our District;
10. Train parents, families, and the community to enhance and promote the involvement of other parents, families, and members of the community;

11. Provide reasonable support for other parent, family, and community engagement activities as parents, families and the community may reasonably request.

To ensure the continued improvement of the District’s parent, family, and community engagement program, the District will conduct an annual review of its parental involvement policies to examine their effect on promoting higher student achievement. The review shall be done by a committee consisting of parents and other community members, certified and classified staff, and member(s) of the administration.

This policy shall be part of the school’s Title I plan and shall be distributed to parents of students and provided, to the extent practicable, in a language the parents can understand.

Legal References: 20 U.S.C. § 6318
A.C.A. § 6-15-1702
A.C.A. § 6-15-1703
A.C.A. § 6-15-1704
Division of Elementary and Secondary Rules Governing Parental Involvement Plans and Family and Community Engagement

Date Adopted: February 16, 2015

Last Revised: June 20, 2019
Every school in the Bryant School District understands the importance of involving parents, families, and the community as a whole in promoting higher student achievement and general good will between the school and those it serves. Therefore, every school in the Bryant School District shall strive to develop and maintain the capacity for meaningful and productive parent, family, and community engagement that will result in partnerships that are mutually beneficial to the school, students, parents, families, and the community. To achieve such ends, the school shall work to:

1. Involve parents, families, and the community in the development and improvement of Title I programs for the school;

2. Have a coordinated engagement program where the engagement activities of the school enhance the involvement strategies of other programs such as Head Start, HIPPY, area Pre-K programs, and other programs;

3. Explain to parents, families, and the community the State’s academic and achievement standards, State and local student assessments and how the school’s curriculum is aligned with the state’s academic standards and assessments and how parents, families, and the community can work with the school to improve students’ academic achievement;

4. Provide parents and families with the materials and training they need to be better able to help their child achieve. The school may use parent resource centers or other community based organizations to foster parental involvement and provide literacy and technology training to parents.

5. Educate school staff, with the assistance of parents, in ways to work and communicate with parents and to know how to implement parent, family, and community engagement programs that will promote positive partnerships between the school and parents, families, and the community;

6. Keep parents, families, and the community informed about parental, family, and community engagement programs, meetings, and other activities they could be involved in. Such communication shall be, to the extent practicable, in a language the parents and families can understand;

7. Find ways to eliminate barriers that work to keep parents and families from being involved in their child’s education. This may include providing transportation and child care to enable parents to participate, arranging meetings at a variety of times, and being creative with parent/teacher conferences;

8. Find and modify other successful parent, family, and community engagement programs to suit the needs of our school;

9. Train parents, families, and the community to enhance and promote the involvement of other parents, families, and members of the community;
10. Provide reasonable support for other parent, family, and community engagement activities as parents, families, and the community may reasonably request.

To help promote an understanding of each party’s role in improving student learning, every school in the Bryant School District shall develop a compact that outlines the responsibilities of parents, students, and the school staff in raising student academic achievement and in building the partnerships that will enable students to meet the State’s academic standards.

Every school in the Bryant School District shall convene an annual meeting, or several meetings at varying times if necessary to adequately reach parents and families of participating students, to inform parents and families of the school’s participation in Title I, its requirements regarding parent, family, and community engagement, and the parents right to be involved in the education of their child.

Every school in the Bryant School District shall, at least annually, involve parents, families, and the community in reviewing the school’s Title I program and parent, family, and community engagement policy in order to help ensure their continued improvement.

This policy shall be part of the school’s Title I plan and shall be distributed to parents of the district’s students and provided, to the extent practicable, in a language the parents can understand.

Legal References: 20 U.S.C. § 6318  
A.C.A. § 6-15-1702  
A.C.A. § 6-15-1703  
A.C.A. § 6-15-1704  
Division of Elementary and Secondary Rules Governing Parental Involvement Plans and Family and Community Engagement

Date Adopted: July 19, 2018

Last Revised: June 20, 2019
6.13– SOLICITATION

Solicitation of school employees or students during school hours may only be conducted with prior approval of a district or school level administrator and shall be scheduled during non-instructional time. Exceptions may be approved by the Central Office.

No employee of the school district is permitted to use his/her position in soliciting children or parents in projects which involve the expectation of personal gain.

Cross Reference: Code of Ethics for Arkansas Educators

Date Adopted: February 16, 2015

Last Revised:
6.14 – ADVERTISING IN THE SCHOOLS

Commercial advertising in the schools shall only be allowed with the approval of the Superintendent or designee.

Date Adopted: February 16, 2015

Last Revised:
6.15 – INCLEMENT WEATHER

The Superintendent will make the decision to close schools when inclement weather makes it inadvisable to operate school buses. Announcements will be made on television stations, the district website and social media, and the district parent notification system to advise the public that our schools will be closed. All days missed due to inclement weather will impact the published school calendar.

Date Adopted: February 16, 2015

Last Revised:
6.16—DISTRICT WEBSITE

The Bryant School District shall maintain a web page to provide information about its schools, students, and activities to the community. This policy is adopted to promote continuity between the different pages on the district website by establishing guidelines for their construction and operation.

The Bryant School District website shall be used for educational purposes only. It shall not create either a public or a limited public forum. Any link from any page on the District’s site may only be to another educational site. The website shall not use “cookies” to collect or retain identifying information about visitors to its website nor shall any such information be given to “third parties.” Any data collected shall be used solely for the purpose of monitoring site activity to help the district improve the usefulness of the site to its visitors.

Each school’s web page shall be under the supervision of the school’s web content designee and the District’s website shall be under the supervision of the District’s web content designee and Director of Communication. They shall have the responsibility for ensuring that web pages meet appropriate levels of academic standards and are in compliance with these guidelines and any additional administrative regulations. To this end, the District’s web content designee and Director of Communication shall have the authority to review and edit any proposed changes to web pages to ensure their compliance with this policy. All such editing shall be viewpoint neutral.

District and school web pages shall also conform to the following guidelines:

A. The District’s home page shall contain links to existing individual school’s web pages and the school home pages shall link back to the District’s home page. The District’s home page may also include links to educational extracurricular organization’s web pages, which shall also link back to the District’s home page.

B. Photos along with the student’s name shall only be posted on web pages if the student’s parents, or the student if the student is over the age of eighteen (18), have not opted out of such use in writing.

C. No web page on the District website may contain public message boards or chat rooms.

D. All web pages on the District website shall be constructed to download in a reasonable length of time.

E. The District’s home page shall contain a link to a privacy policy notice, which must be placed in a clear and prominent place and manner.

F. With the exception of students who may retain the copyright of material they have created that is displayed on a District web page, all materials displayed on the District web site are owned by the Bryant School District.

G. Included on the District’s web site shall be: Local and state revenue sources;
   1. Administrator and teacher salary and benefit expenditure data;
   2. District balances, including legal balances and building fund balances;
   3. Minutes of regular and special meetings of the school board;
   4. The district’s budget for the ensuing year;
   5. A financial breakdown of monthly expenditures of the district;
6. The salary schedule for all employees including extended contract and supplementary pay amounts; 

7. Current contract information (not including social security numbers, telephone numbers, personal addresses or signatures) for all district employees; 

8. The district’s annual budget; 

9. The annual statistical report of the district; 

10. The district’s personnel policies; and 

11. The annual School Performance Report; 

The information and data required for items A through K in 9 above shall be the actual data for the previous two (2) school-years and the projected data for the current school-year. 

Before July 15 of each year, the District shall post on its website the following information: 

- The dyslexia intervention programs used during the previous school year that were specifically responsive to assisting students with dyslexia; 

- The number of students during the previous school year who received dyslexia intervention; and 

- The total number of students identified with dyslexia during the previous school year. 

The District and school webmasters are responsible for ensuring all District webpages meet required standards to be accessible to individuals with disabilities. 

Legal References: A.C.A. § 6-11-129 
A.C.A. § 6-15-1402 
A.C.A. § 6-15-2006 
A.C.A. § 6-15-2101 
A.C.A. § 6-41-606 
A.C.A. §6-41-611 
20 U.S.C. § 1232 g 
15 U.S.C. § 6501 (COPPA) 

Date Adopted: June 22, 2017 

Last Revised:
6.17—WEBSITE PRIVACY POLICY

The Bryant School District operates and maintains a website for the purpose of educating the citizens of the District about its activities. The website does not collect or retain personally identifying information about visitors to its website nor is any such information given to “third parties.” Any data collected is used solely for the purpose of monitoring site activity to help the District improve the usefulness of the site to its visitors.

The site serves no commercial purpose and does not collect any information from individuals for such purpose.

Photographs of students, when associated with the student’s name, shall not be displayed on any page of the District’s website if the student’s parent (or the student if 18 or older) opts out of such a display.

The site provides for email communication between the District and individuals for the purpose of exchanging information regarding the District and its activities or between teachers and their students. The site may also provide for password-protected communication between the District and its staff.


Date Adopted: February 16, 2015

Last Revised: June 22, 2017
6.18 – POLITICAL ACTIVITY

No individual may engage in political activity, including distributing, posting, or displaying political materials or making contact with students or staff members for the purpose of campaigning or otherwise influencing political outcomes, on the property of the Bryant School District during the school day.

Date Adopted: February 16, 2015

Last Revised: June 22, 2017
6.19 – PETITIONS

A petition for any cause may not be circulated on school property, on school grounds, or at any school-related activity.

Date Adopted: February 16, 2015

Last Revised:
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7.1—FISCAL YEAR

The District’s fiscal year shall begin July 1 and end the following June 30.

Legal Reference: A.C.A. § 6-20-410

Date Adopted: January 19, 2015

Last Revised:
7.2—ANNUAL OPERATING BUDGET

The Superintendent or designee shall be responsible for the preparation of the annual operating budget for the District. The Superintendent or designee shall present the budget to the Board for its review, modification, and approval.

The budget shall be prepared in the electronic format as prescribed by the State Board of Education and filed with the Arkansas Department of Education no later than September 30 of each year.

The approved budget shall provide for expenditures that are within anticipated revenues and reserves. The District Treasurer shall present monthly reconciliation reports and a statement on the general financial condition of the District to the Board.

Any changes made to the budget shall be in accordance with District policy and state law.

Legal References:  
A.C.A. § 6-13-701(e)(3)  
A.C.A. § 6-20-2202

Date Adopted: January 19, 2015

Last Revised: April 18, 2018
7.2.1 – EXPENDITURES AND FINANCIAL RECORDS

The superintendent, as ex-officio financial secretary, shall be bonded in the amount prescribed by law and shall be responsible for the receipt and disbursement of all public school funds of the district.

All public monies shall be deposited in a depository as prescribed by law.

The standard code forms approved for the financial records of all state schools shall be used.

Financial reports shall be submitted to the Board on a monthly basis.

Auditing of School Accounts

All school accounts shall be audited annually by a state auditor or a private auditor experienced in school finance. Copies of the school audit report, as required by law, shall be made available to the public. All financial records of the school district shall be closed at the end of the fiscal year (June 30) and kept in readiness for the auditor.

Intra-School Funds

Care of Funds

All funds collected shall be submitted to the principal’s office for deposit on a daily basis.

No money is to be left in any school overnight.

All student activity money must be submitted to the secretary for deposit in the principal's office. A receipt shall be issued to the sponsor or treasurer.

Purchasing will be processed primarily through APSCN. Requests for requisitions and purchase orders shall be submitted to the principal or budget manager for initial approval and processing. The requisition will be further reviewed, approved and converted into a purchase order by the central office. Budget managers will print and sign purchase orders and submit a copy to accounting. The district will not reimburse an individual from a paid receipt without pre-approved documentation. Disbursements will be made by check only.

Tickets - The selling of tickets in any school building must have the approval of the principal. Pay programs shall be limited to those of an educational nature. No student shall be excluded because of an inability to pay. Failure on the part of an employee to adhere to district fiscal procedures may result in disciplinary action up to and including termination.

Date Adopted: January 19, 2015

Last Revised
7.2.2 – AUTHORIZATION OF INDEBTEDNESS

Any short-term or long term indebtedness, including bonded debt, bank credit lines, and lease purchase agreements must be authorized by the School Board in compliance with all applicable rules and regulations established by Arkansas Law and the Department of Education.

Date Adopted: January 19, 2015

Last Revised:
7.3—MILLAGE RATE

The Board shall publish one time in a newspaper published in the county in which the district lies, at least sixty (60) days in advance of the school election at which the annual ad valorem property tax for the district is decided by the electors, the District’s proposed budget, together with a millage rate sufficient to provide the funds necessary for the District’s operation.

Legal References:  A.C.A. § 6-13-622
Arkansas Constitution: Article 14 Section 3 (c) as amended by Amendment 74

Date Adopted:  January 19, 2015

Last Revised:
7.4—GRANTS AND SPECIAL FUNDING

The Superintendent or his/her designee may apply for grants or special funding for the District. Any grants or special funding that require matching District resources exceeding $25,000 shall receive Board approval prior to the filing of the application for the grant or special funding.

Date Adopted: January 19, 2015

Last Revised:
7.5—PURCHASES OF COMMODITIES AND PROCUREMENT

Purchases shall be made in accordance with State laws and procurement procedures governing school purchases that are deemed to be in the best interest of the District, are within the proposed/approved budget, and are the result of fair and open competition between qualified bidders and suppliers. No bids shall be taken for professional services.

DEFINITIONS

“Commodities” are all supplies, goods, material, equipment, computers, software, machinery, facilities, personal property, and services, other than personal and professional services, purchased on behalf of the District.

“Micro-purchases” are purchases with a value of less than ten thousand dollars ($10,000) when purchased with Federal funds.

“Professional services” are legal, financial advisory, architectural, engineering, construction management, and land surveying professional consultant services.

“Specifications” means a technical description or other description of the physical and/or functional characteristics of a commodity.

“Budget Manager” means any administrator, director, or coordinator authorized by the Superintendent to manage a budget that is assigned to a particular program.

The superintendent shall develop procedures for the procurement of micro-purchases that provide for the distribution of purchases between eligible vendors to the extent possible.

**Initial purchases** of commodities with a purchase price of more than $50,000 require prior Board approval, unless an emergency exists in which case the Superintendent may waive this requirement.

Requests for requisitions and purchase orders shall be submitted to the principal or budget manager for initial approval and processing. The requisition will be further reviewed, approved and converted into a purchase order by the central office. Budget managers will print and sign purchase orders and submit a copy to accounting. The district will not reimburse an individual from a paid receipt without pre-approval from the Business Office.

In cases where all factors are equal, preference shall be given to local vendors.

No firm in which the purchasing officials, superintendent, or other administrative employee of the district has a financial interest shall be eligible to sell to the district.

The district shall notify in writing all actual or prospective bidders, offerors, or contractors who make a written request to the district for notification of opportunities to bid. The notification shall be made in sufficient time to allow actual or prospective bidders, offerors, or contractors to submit a bid or other appropriate response. The
Board shall accept bids submitted electronically by email or fax for any and all district purchases, unless specified to be submitted by other means or methods, and except those bids which have been specified to have a designated date upon which the bids shall be opened. The superintendent shall be responsible for ensuring submitted bids, whether written, faxed, or emailed, are retained in accordance with policy 7.15—RECORD RETENTION AND DESTRUCTION.

All purchases for a Federal program with an estimated purchase price between ten thousand dollars ($10,000) and twenty thousand nine hundred ten dollars ($20,910) and all purchases of commodities with an estimated purchase price that equals or exceeds twenty thousand nine hundred ten dollars ($20,910) shall be procured by soliciting bids. Specifications shall be devised for all commodities to be bid that are specific enough to ensure uniformity of the bid and yet not so restrictive that it would prevent competitive bidding. The bid specifications shall not include the name or identity of any specific vendor. The Board reserves the right to reject all bids and to purchase the commodity by negotiating a contract. In such an instance, each responsible bidder who submitted a bid shall be notified and given a reasonable opportunity to negotiate.

Bids shall be awarded after careful examination of the details of the bid to determine the best overall value to the District. In instances where the low bid was not accepted, a statement of the reasons the low bid was not accepted shall be attached to the bid. Bidders submitting written bids shall be notified in writing of the bid award.

Whenever possible, a preference will be given to small and minority businesses; women’s business enterprises; and labor surplus area firms.

The District shall provide a preference to Arkansas residents whenever the District is accepting bids to purchase materials and equipment as part of a construction project if:

a. One (1) or more Arkansas residents who submitted bids made written claim for a preference at the time they submitted a bid; and
b. An Arkansas resident’s bid does not exceed the lowest qualified bid from a nonresident by more than five percent (5%).

If the qualifications for the Arkansas resident preference are met, then the District shall take the lowest bid from an Arkansas resident regardless of whether the Arkansas resident was one of the individuals who requested the preference.

The following commodities may be purchased with State funds without soliciting bids provided that the purchasing official determines in writing that it is not practicable to use other than the required or designated commodity or service, and a copy of this statement is attached to the purchase order:

1. Commodities in instances of an unforeseen and unavoidable emergency;
2. Commodities available only from the federal government;
3. Utility services;
4. Used equipment and machinery; and
5. Commodities available only from a single source.

Commodity purchases with Federal funds may be purchased without soliciting bids only when one or more of the following circumstances apply:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The Federal awarding agency or appropriate unit of the Division of Elementary and Secondary Education expressly authorizes the noncompetitive purchase in response to a written request from the District; or
4. After solicitation of a number of sources, competition is determined inadequate.

The District may purchase a new motor vehicle, other than a school bus, without soliciting bids if, at the time of the purchase, the:

a. Purchase is from a motor vehicle dealer licensed in Arkansas;
b. Purchase price of the motor vehicle does not exceed the fleet price awarded by the Office of State Procurement; and
c. Motor vehicle to be purchased is the same make and model motor vehicle as the make and model the fleet price was awarded for by the Office of State Procurement.

Prospective bidders, offerors, or contractors may appeal to the district’s superintendent if they believe the district failed to follow district bidding and purchasing policy or state law.

Any award of a contract shall be subject to revocation for ten (10) working days or, if an appeal is received, after resolution of the appeal. This shall give prospective bidders, offerors, or contractors the opportunity to appeal the bid award if they believe the facts warrant an appeal. Any appeal shall be in writing by certified mail and received by the district office, “attention to the superintendent” within seven (7) calendar days following the initial and revocable award of the contract.

If the district receives an appeal of a bid award, they shall notify, in writing, those prospective bidders, offerors, or contractors who have made a written request to the district for notification of opportunities to bid that an appeal has been submitted. The notification shall state:

• that the contract award has been halted pending resolution of the appeal and could be revoked;
• the reasons for the appeal;
• that the recipient of the letter may respond to the protested issues identified in the appeal;
• the date the decision on the appeal will be made and notification sent;
• that if the appeal is upheld, the bidding process will be re-opened;
• that if the bidding is re-opened, changes will be made to the request for bids as necessary to satisfy the reasons for upholding the appeal.

The sole authority to resolve any appeal made relating to this policy shall rest with the superintendent. The superintendent’s decision shall be final and conclusive. In the event the district upholds an appeal, the sole responsibility of the district to the aggrieved bidder(s) shall be the re-opening of the bidding process.

Except when prohibited by law, the District reserves the right to extend or renew a contract that was previously awarded under the process governed by this policy and law, provided the extension or renewal meet the following criteria.

1. The equipment and services provided under the extended or renewed contract meets or exceeds the specifications of the original bid.
2. The extended or renewed contract agreement complies with the state of Arkansas’s documentation requirements.
3. The cost of the extended or renewed contract is the same or less than the original contract.
4. The extension or renewal is approved by the local school board.

Legal References:
- A.C.A. § 6-24-101 et seq.
- A.C.A. § 15-4-1301 et seq.
- A.C.A. § 18-44-503
- A.C.A. § 19-11-259
- A.C.A. § 19-11-801 et seq.
- 2 C.F.R. § 200.67
- 2 C.F.R. § 200.319
- 2 C.F.R. § 200.320
- 2 C.F.R. § 200.321
- 2 C.F.R. § 200.324
- 48 C.F.R. § 2.101

Date Adopted: January 19, 2015

Last Revised: June 20, 2019
7.6—ACTIVITY ACCOUNT

The District shall maintain an account of activity funds. The funds for the account are those revenues derived from the sale of tickets to athletic contests or other school sponsored activities; the sale of food other than that sold in the cafeteria; the sale of soft drinks, school supplies, and books; and fees charged by clubs and organizations.

Activity funds are considered “school funds” and as such may only be spent for school related purposes.

The Superintendent shall be the custodian of all activity funds and shall be responsible and accountable for the funds. The Superintendent may appoint a co-custodian for each school in the District who shall also be responsible for the activity funds he/she maintains.

Legal References:  
A.C.A. § 6-13-701(g)  
A.C.A. § 6-20-417

Date Adopted: January 19, 2015

Last Revised: June 20, 2019
7.6.1 – FUNDRAISING

The purpose of the following regulations governing fundraising and out of state travel is to protect students from excessive time spent in non-academic activities. It is not meant to limit our students from participating in extracurricular activities, but to maintain a balance between time spent in the classroom and other school activities. Neither is it meant to limit any competition by various organizations, but to encourage competition that does not interfere with academic work.

These regulations are also presented to prevent fundraising activities that might put students in unsafe situations.

1. Professional fund-raisers (businesses or individuals, including mail order companies, that assist schools in raising funds in return for a share of all money taken in) must register with the central administration office to receive official documentation that allows them to contact principals and teachers. Their registration will include their name, contact number, company name, address, and telephone number. Failure to register will make them ineligible to conduct fundraising activities in the Bryant School District.

2. All brochure sales conducted in association with professional fund-raisers must be scheduled through the central administration office. Every effort will be made to prevent two fund-raisers during the same time period. Fund raising dates are set based on a first request basis with a start-up date agreed upon by those involved.

3. Each organization in the school district may have only two fund-raisers per year which involve student participation. Regardless of the number of organizational memberships, students may participate in no more than two fund-raisers per semester conducted during the school week. Fund-raisers are limited to a sales period of two weeks each unless the principal grants an exception for unusual circumstances. All fundraising events must receive approval by the principal. There is no restriction on parents holding fundraising events that do not involve students as workers/salespersons.

4. Fund-raising projects involving dinners and suppers such as chili, spaghetti, pancake, etc., shall meet state health regulations. Whenever possible, such activities shall be scheduled for Friday nights or weekends. Dates for activities shall be cleared with the master calendar in the Superintendent’s office.

Crowdfunding and Other Fundraising Activities by Employees

Subject to the limitations below, Bryant School District employees are free to conduct “crowdfunding” or other fundraisers on their personal time, outside of school hours.

1) If an employee intends to refer to the Bryant School District or his or her status as an employee of the Bryant School District in any crowdfunding or other fundraising activities, such fundraising activities must be approved in advance by the employee’s supervisor or building principal.

2) Without prior approval from the Bryant School District Technology Director, employee crowdfunding or other fundraising activities shall not be used to purchase electronic devices for students that will require resources, repair, or servicing by the Bryant School District Technology Department.

3) If an employee refers to the Bryant School District or his or her status as an employee of the Bryant School District in any crowdfunding or other fundraising activities, any funds or property received through the crowdfunding or other fundraising activities for use at school shall become the property of the Bryant School District.
4) All crowdfunding or other fundraising activities must be conducted in accordance with applicable financial procedures of the Bryant School District Business Office.

Date Adopted: January 19, 2015

Last Revised: June 22, 2017
7.7—CASH IN CLASSROOMS

No cash or checks are to be left in any classroom overnight. Staff, other than the District bookkeeper, who collect funds in the course of their employment, shall deposit the funds daily with the bookkeeper or in the bank night depository.

Bookkeepers shall deposit daily, unless otherwise directed by the superintendent or business manager.

Failure on the part of an employee to adhere to district fiscal procedures may result in disciplinary action up to and including termination.

Date Adopted: January 19, 2015

Last Revised:
7.8—PERSONAL PROPERTY

To avoid confusion and the potential for misunderstandings, District staff who bring personal property to school to use in the performance of their jobs should label the items with their names. Any such items should be removed from the school at the close of school each year. The District assumes no responsibility for damage to, or the loss of, personal property brought to District facilities by District staff.

Date Adopted: January 19, 2015

Last Revised:
7.9—PROPERTY INSURANCE

The Superintendent shall be responsible, with approval of the Board, for maintaining adequate insurance coverage for all District properties. At a minimum, the District will purchase insurance coverage sufficient to meet the requirements by the Arkansas Commission for Public School Academic Facilities and Transportation.

Legal References:  
A.C.A. § 6-21-114(d)  
Arkansas Commission for Public School Academic Facilities and Transportation Rules  
Governing Property Insurance Requirements

Date Adopted:  January 19, 2015

Last Revised:
7.10—PUBLIC USE OF SCHOOL BUILDINGS

It is the policy of the Board that District school buildings may be used by citizens of the District to conduct lawful meetings for social, civic, or recreational purposes provided such meetings do not interfere with the regular school work and proper protection is afforded the district against the potential costs of such use. Individual classrooms are not available for public use during the school year. The Superintendent shall be responsible, with Board approval, for establishing procedures governing such use of school buildings. The governing procedures shall be viewpoint neutral. Building principals shall be consulted to determine if there exists any conflict with planned school activities prior to other groups being allowed to use school facilities.

The District shall establish a fee schedule for the use of school facilities. Charges made for the use of school facilities shall reflect the actual costs (e.g. labor, utility, and materials) incurred by the District.

Organizations using school facilities assume full and complete responsibility for the conduct of all persons, regardless of age, associated with their use of the facility while they are in or about the facility. Smoking or the use of tobacco or products containing tobacco in any form or the use of drugs or intoxicants is prohibited. Firearms of any kind are not allowed on school property unless the person carrying the firearm is permitted to do so by law as defined in A.C.A. § 5-73-120.

Legal References:
- A.C.A. § 5-73-119
- A.C.A. § 5-73-120
- A.C.A. § 6-10-130
- A.C.A. § 6-21-101
- Arkansas Constitution Article 14, § 2

Date Adopted: January 19, 2015

Last Revised: April 18, 2018
7.10.1 – BUILDINGS AND GROUNDS

Opening of Buildings

School buildings shall be open to students only when the principal and/or a school employee is on duty or when proper arrangements and supervision are provided. Principals will notify parents about the earliest/latest times that students may be on campus each day. Parents must not exceed these limitations or students may be referred to juvenile authorities.

In the case of inclement weather (cold, as well as rainy conditions) the principal shall see that the building is open at such times so that all students shall be protected from the weather. In opening the building, it is not intended that children should be permitted to have unrestricted use thereto, but only to such part as is necessary to their comfort and health.

When school is not to open due to inclement weather or other emergency, public announcements will be made as early as possible through television and other media announcements by the superintendent or designee.

If an emergency arises during the day, students may be dismissed early. However, all educational and building employees are to continue their work, unless otherwise notified by the superintendent. The administrative offices shall notify the news media of the decision to dismiss early.

In the event severe weather or storm warnings are issued during the hours while school is in session, it shall be the policy to remain at school the remainder of the day unless the nature of the emergency demands otherwise. Students will be released to the parents who come to the school to pick them up.

Maintenance

Maintenance services include repair and upkeep of buildings and ground equipment. These services are obtained by work orders sent through the proper channels, however, much of this work is accomplished through a general plan of continuous repair and upkeep without specific order from the school receiving the service. Custodians in each of the schools are expected to do minor repairs.

Any damage to school facilities that is deliberately caused or allowed by school personnel shall be corrected with the cost of the repairs being charged to the employee responsible.

Plant Operation

This service deals with those activities related to the physical operation of the school plant. School buildings must be properly heated, lighted, ventilated, and regularly cleaned. Custodians are expected to perform many different duties with respect to the efficient operation of each plant, and it shall be the policy of the district to hire maintenance and custodial personnel who are physically qualified to discharge all duties required.

Custodians shall be under the immediate direction of the principal and under the general supervision of the maintenance director. Teachers shall refer matters regarding the heating and cleaning of the building to the principal who will be responsible for directing the custodian's work.
The maintenance director shall maintain overall supervision for the care of facilities. Principals are urged to contact the maintenance director regarding items that need to be addressed in their buildings.

All school buildings shall be thoroughly cleaned during the summer months when school is not in session. The instructional staff can help expedite this summer work by leaving the buildings in as good order as possible at the end of the school year. Instructional employees can materially help the custodians each day by leaving equipment, materials, and rooms orderly.

**Playground Equipment**

All playground and/or physical education equipment bought by any organization must have the approval of the district or building administration prior to its installation.

All such equipment bought, donated, and/or installed shall become the property of the school which shall assume full responsibility for setting policies governing its care and use.

Date Adopted: January 19, 2015

Last Revised:
7.11—USE OF SCHOOL FUNDS FOR NON-SCHOOL RELATED PURPOSES

School funds shall not be used for political, charitable, or humanitarian purposes.

No employee of the District shall use school time, school property, school personnel, or school equipment for the purpose of furthering the interests of any political party, the campaign of any political candidate or the advocacy of any political issue or ballot issue whether partisan or non-partisan. School employees may participate as part of a community organization which is renting a school facility for a political purpose.

Any school employee found guilty or who pleads guilty, or nolo contendere to the use of District funds to support any ballot measure shall be immediately suspended, and recommended for termination by the superintendent.

District employees and members of the Board of Directors may incur incidental expenditure of District funds for travel costs when speaking at an event in which a ballot measure is discussed if the subject matter of the speaking engagement is within the scope of the person's official duties and responsibilities.

District funds may be used to disseminate public information at a public speaking engagement. The incidental use of District resources may be used to prepare an analysis of the public information if such information is within the scope of the person's official duties and responsibilities.

Legal References:  Arkansas Constitution Article 14 § 2
A.C.A. § 7-1-103
A.C.A. § 7-1-111
A.C.A. § 21-8-402

Date Adopted:  January 19, 2015

Last Revised:
7.12—EXPENSE ADVANCEMENT OR REIMBURSEMENT

The requirements of this policy shall govern reimbursement for expenses related to travel and/or attendance at conferences and professional development activities incurred by district employees and/or members of the Board of Directors on behalf of the district. Employees are only eligible for reimbursement for travel expenses which have been approved in advance. Original receipts must accompany all requests for reimbursement to the extent that such receipts are customarily available. For a receipt to be valid it should contain the name of the issuing company, the date, and the amount. Mileage, lodging, and meal expenses will not be reimbursed when incurred for the personal convenience of the employee and not required by the reason for the travel.

Reimbursement for travel shall be for the lesser of the cost between travel by air or by car with some consideration allowed for length of time of the method of travel.

To the extent practicable, employees shall have the district pay initial conference and professional development registration fees and associated necessary materials. In the occasional circumstances where this is not practical, the district shall reimburse the employee for such fees if they were authorized in advance and are supported with proper receipts.

The district will not reimburse expenses of any non-school board member or non-employee who accompanies the school board member or employee during his/her school related travel.

Reimbursable Expenses

Employees who incur reimbursable expenses as defined in this policy are expected to pay for them initially by any means they choose and then submit their request for reimbursement.

Mileage that is driven for a district sanctioned purpose in an employee’s personal vehicle shall be reimbursed provided appropriate documentation is submitted establishing the date and time, place, and purpose of the travel. Mileage shall be reimbursed at the current rate authorized by the school board and shall be based on the shortest, most reasonable, route available.

In certain circumstances, when certified and classified employees are required to utilize their own vehicles to travel within the district in order to meet the requirements of their jobs, they will be reimbursed at the current mileage reimbursement rate for state employees. To qualify for reimbursement, travel must be recognized as part of an employee’s normal daily routine and be pre-approved by an administrator or supervisor.

Examples of in-district travel that are approved for reimbursement include (a) employees who are assigned to more than one campus/location and must travel between them each day, and (b) employees whose job descriptions or assigned duties will require them to travel on district business during the day. (Note: For the purposes of this policy, Bryant Elementary School, Bryant Middle School, and Bryant High School are considered to be one location/site.)

Special called events such as professional development workshops, faculty/staff meetings, committee participation, etc. that are (a) on an irregular basis and (b) are not typical of the normal/usual job activities of an
employee and that will require travel will not be approved for mileage reimbursement. Administrator travel to team meetings or principal meetings is also not reimbursable.

Meals may be advanced or reimbursed for travel that necessitates an overnight stay when submitted according to the dictates of this policy. Reimbursement shall be prorated based on the percent of a day the employee is away on travel. For example, if an employee returns from his/her travel in the afternoon, he/she is only eligible for an advancement or reimbursement for breakfast and lunch expenditures. Meals shall be reimbursed for the actual expense to the extent that they are not lavish and are reasonable based on circumstances. Except as otherwise specified by this policy, meals are only reimbursable in conjunction with travel requiring an overnight stay.

Tips paid by a school employee for meals associated with travel as defined in this policy are reimbursable for up to 15% of the cost of the meal provided the employee submits a receipt for the meal as part of an "accountable plan" for reimbursement. Tips are not allowed if an employee is reimbursed using a "per diem" plan.

Meal expenses incurred by the superintendent or other administrators as necessary, in the performance of their duties when meeting with state officials or consultants may be reimbursed on a prorated, per person basis in line with the mandates of this policy. Such expenses shall only be reimbursed when the expenditure is likely to result in a tangible benefit to the district.

Travel necessitating overnight lodging shall be reimbursed to the extent that it is not lavish and is reasonable based on circumstances of the expenditure. Proper documentation establishing the date and time, place, and purpose of the travel must be submitted along with a receipt for the overnight accommodations. To the extent practicable, employees shall receive assistance from administrators or their designee in arranging travel plans to help keep expenses to a minimum.

**Expenses not covered**

The district shall not reimburse the following items/categories of expenses.

- Alcoholic beverages;
- Entertainment expenses – including sports or sporting events; pay per view or game expenses at motels;
- Replacement due to loss or theft;
- Discretionary expenses for items such as clothing or gifts;
- Medical expenses incurred while on route to or from or at the destination of the reason for the travel; and
- Optional or supplementary insurance obtained by the employee for the period covered during the travel.

**Credit Cards**

Only those employees who have been authorized for credit card use in the performance of their duties shall be allowed to use them, and all procedures for their use as established by District administration must be strictly complied with. Failure on the part of an employee to adhere to district fiscal procedures may result in disciplinary action up to and including termination.
The district assumes no responsibility for the payment of any personal credit card charges incurred by a district employee.

**Airport Associated Expenses**

Receipts for airport associated expenses are required for reimbursement. All airline flights shall be by coach/economy class. Upon arrival at their destination, employees are expected to take the less expensive option between a taxi and an airport shuttle service to his/her hotel or meeting site. When circumstances dictate that a rental car is necessary and/or the most economical approach to the travel requirements, the least expensive car that will accomplish the job must be rented. The district shall not reimburse for any kind of rental car supplemental insurance.

Cross References: 3.20—CERTIFIED PERSONNEL REIMBURSEMENT OF TRAVEL EXPENSES
8.14—CLASSIFIED PERSONNEL REIMBURSEMENT OF TRAVEL EXPENSES

Date Adopted: January 19, 2015

Last Revised:
7.13—MANAGEMENT AND DISPOSAL OF DISTRICT PROPERTY

Definitions

For the purposes of this policy, the following definitions apply:

“Commodities” are all supplies, goods, material, computers, software, machinery and other equipment purchased on behalf of the district having a useful life of more than one (1) year and an acquisition cost of one thousand dollars $1,000 or more per unit.

“Fair market value” means the amount a reasonable buyer would be willing to pay for a particular piece of property based on an objective set of criteria, which may include, but are not limited to: any improvements or damage to the property; the demand for similar property; the selling price for the property by the producer of the property or re-sale outlets; and the value of the property as determined by an independent appraiser.

“Surplus commodities” are those commodities that are no longer needed, obsolete, irreparable, or worn out.

“Real property” is land and whatever is erected or affixed to land, such as structures or buildings.

“Surplus real property” is real property that is not presently needed or foreseen to be needed by the District, and that has been authorized for sale as surplus real property by vote of the School Board. Surplus real property may include unused or underutilized facilities.

"Trash" are those items that would otherwise belong to another category of goods or property defined in this policy, but which, due to the property's age or an act of God, have less value than it would cost to repair the item. Examples could include, but are not limited to, fire damage, vehicle accidents, extreme age and/or decline in value of the item.

“Unused or underutilized facility” means a school facility or other real property that:

- As a whole or in a significant portion, is not being used for a public educational, academic, extracurricular, or administrative purpose and the nonuse or underutilization threatens the integrity or purpose of the school facility or other real property as a public education facility; and
- Is not subject to either a lease to a third party for fair market value or an executed offer to purchase by a third party for fair market value as of July 30, 2017.

General Policy

The District’s purchases of commodities shall be in accordance with Policy 7.5—PURCHASES OF COMMODITIES and, to the extent applicable, the procurement requirements of any granting source of funding used to purchase the commodity. The Superintendent shall develop procedures governing the use, management, and disposal of commodities. At a minimum, the procedures will cover the following topics:

- labeling all commodities;
- establishing adequate controls to account for their location, custody, and security;
• annually auditing the inventory of commodities and updating a listing of such commodities to reconcile the audit with the district’s inventory records. The audit will be documented and account for any transfer and/or disposal of a commodity.
• Disposing of surplus commodities and surplus real property, whether purchased in whole or in part with federal grant funds or with local funds.

The disposal of school property must be for the benefit of the school district and consistent with good business principles.

**Disposal of Surplus Commodities**

The Board of Directors recognizes that commodities sometimes become of no use to the District and thus meet this policy’s definition of surplus commodities.

The Superintendent or designee(s) will determine the objective fair market value of surplus commodities. The District will strive to dispose of surplus commodities at or near their fair market value.

The Superintendent may declare surplus any commodity with a fair market value of less than one thousand dollars ($1,000). Surplus commodities with a fair market value of less than one thousand dollars ($1,000) will be periodically sold by the most efficient, cost effective means that is likely to result in sales at or near fair market value.

The Superintendent may submit a list of surplus commodities deemed to have a fair market value of one thousand dollars ($1,000) or greater to the Board of Directors for authorization to sell such surplus commodities. Once the Board of Directors has authorized the sale of such surplus commodities, the Superintendent or designee(s) may sell that surplus commodity as the need arises. Items with a fair market value of one thousand dollars ($1,000) or greater will be sold by the most efficient, cost effective means that is likely to result in sales at or near fair market value. If the Superintendent chooses to dispose of the surplus items by bid, the Superintendent or designee may set a minimum or reserve price on any item, and may reject all bids. The Superintendent or designee is authorized to accept the high bid provided the high bid is at or near the fair market value without further Board action unless the high bid comes under the jurisdiction of Arkansas ethics legislation in which case the provisions of A.C.A. §§ 6-24-101–107 would apply.

If attempts at public sales fail to produce any interested buyers or bidders, such remaining unsold commodities may then, at the discretion of the Superintendent, be disposed of as scrap or junk or be donated to appropriate charitable or education related entities. Computer or technology equipment will be cleansed of data prior to disposal.

**Disposal of Surplus Real Property**

The Board of Directors recognizes that real property it owns sometimes becomes no longer of use to the District and thus meets this policy’s definition of surplus real property.

By February 1 of each year, the District shall submit a report to the Division of Public School Academic Facilities and Transportation (Division) that identifies all unused or underutilized school facilities in the District and the unused or underutilized school facilities, if any, that are designated in the District’s facilities master plan
to be re-used, renovated, or demolished as part of a specific committed project or planned new construction project.

If the Division classifies a District facility or District real property as being unused or underutilized, the District may appeal the Division’s determination to the Commission for Public School Academic Facilities and Transportation (Commission).

The District shall make unused or underutilized public school facilities available for lease for no more than fair market value to any open-enrollment public charter school (charter) located within the District’s geographic boundaries that makes a request under the charter’s statutory right of access unless the District makes an affirmative showing by a preponderance of the evidence to the Commission that:

1. The school facility, or the property to which the school facility is attached, will be needed by the District to accommodate future growth of the District; or
2. Use of the school facility or other real property by a charter would have a materially negative impact on the overall educational environment of an educational campus located within five hundred feet (500’) of the school facility or other real property sought to be leased by the charter.

The terms of a lease executed between the District and a charter shall provide that the lease shall be cancelled and be of no effect if the charter:

a. Fails to use the facility or other real property for direct student instruction or administrative purposes within two (2) years of the effective date of the lease;
b. Closes, has its charter revoked, or has its charter application denied by the charter authorizer; or
c. Initially uses the facility or other real property, but then leaves the facility or other real property unused for more than one hundred eighty (180) days.

If requested or agreed to by the charter, The District may sell the unused or underutilized facility or other real property to the charter for FMV.

If the District decides to sell, lease, or otherwise transfer ownership of a District facility, a charter located within the District’s geographic boundaries shall have a right of first refusal to purchase or lease the facility for fair market value. The charter’s right of first refusal shall continue for two (2) years after the date the District last used the school facility or other real property as an academic facility.

If the District decides to sell or lease a District facility or other real property that has been identified by the Division as an unused or underutilized school facility to a third party that is not a charter, then the District may not sell or lease the facility until the later of:

- Two (2) years after the date the facility or other real property is identified by the division as an unused or underutilized public school facility, so long as no charter has claimed a right of access or a right of first refusal; or
- Three (3) years from the date the District facility or other real property has been identified by the division as an unused or underutilized public school facility if the District designated the facility or other real property to be reused, renovated, or demolished as part of a specific committed project or planned new construction project in the District’s facilities master plan.

The District may petition the division for a waiver of the time restrictions for the sale or lease of a District’s unused or underutilized facility. The petition shall include a statement that the District believes that no charter
would be interested in leasing or purchasing the unused or underutilized school facility. If the District receives a waiver, the District may immediately sell, lease, or otherwise dispose of the unused or underutilized facility. The District may appeal the denial by the Division of a waiver to the Commission.

The Superintendent may submit a request to the Board of Directors for authorization to sell surplus real property. Once the Board of Directors has authorized the sale of such surplus real property, the Superintendent or designated individual(s) may sell that surplus real property as the need arises and this policy allows. The Superintendent or designee(s) shall be responsible for getting a determination of the objective FMV of surplus real property.

The district will strive to dispose of surplus items at or near their fair market value. The real property may be listed for sale with a real estate broker, and the Superintendent or designated individual may contract on behalf of the district to pay the usual and customary sales commission for such transactions, upon sale of the property.

The District may not make a part of the disposal of District real property a covenant that prohibits the sale or lease of former District facilities or other real property to a charter that is located within the District’s geographic boundaries.

If the Superintendent chooses to dispose of the surplus items by bid, the Superintendent or designee(s) may set a minimum or reserve price on any item, and may reject all bids. The Superintendent or designee is authorized to accept the high bid provided the high bid is at or near the fair market value without further Board action unless the high bid comes under the jurisdiction of Arkansas ethics legislation in which case the provisions of A.C.A. §§ 6-24-101–107 would apply.

If attempts at public sales fail to produce any interested buyers or bidders, such remaining unsold real property may then, if agreed to by the Superintendent and Board of Directors, be donated to appropriate education related entities, not-for-profit organizations, the county, city, or incorporated town in accordance with the provisions of state law.

Items obtained with federal funds shall be handled in accordance with applicable federal regulations, if any.

The disposal of school property must be for the benefit of the school district and consistent with good business principles.

**Disposal of Surplus Real Property After Consolidation**

Except as otherwise prohibited by this policy, real property of a consolidated school district that is no longer being used for educational purposes and has not been sold, preserved, leased, or donated two (2) years after the effective date of consolidation shall be made available for use by a publicly supported institution of higher education, a technical institute, a community college, a not-for-profit organization, a county, a city, or incorporated town by the Board of Directors for the following purposes:

- Having the real property preserved, improved, upgraded, rehabilitated, or enlarged by the donee;
- Holding of classes by statutorily authorized education related entities; or
- Providing community programs and beneficial educational services, social enrichment programs, or after-school programs.
Trash

Trash, as defined in this policy, may be disposed of in the most cost efficient or effective method available to the district.

Legal References:

A.C.A. § 6-13-111
A.C.A. § 6-13-620
A.C.A. § 6-21-108
A.C.A. § 6-21-110
A.C.A. § 6-21-803
A.C.A. § 6-21-806
A.C.A. § 6-21-815
A.C.A. § 6-21-816
A.C.A. § 6-24-101–107
2 C.F.R. § 200.311
2 C.F.R. § 200.313

Date Adopted: January 19, 2015

Last Revised: June 22, 2017
7.13.1 – INVENTORY OF SCHOOL PROPERTY

Inventory of School Property

Each principal and supervisor shall have on file in his/her office, as well as the superintendent's office, an itemized list of school property for each area in his/her building. This list should include: furniture, equipment, and instructional supplies valued at $1,000 or more; library and reference books; and all technology and office machines valued at $100 or greater.

A computerized list of all equipment in each building is kept in the superintendent's office. Each piece of equipment is identified by a school tag with a number for that specific piece of equipment. It is the responsibility of the teacher to see that each piece of equipment in his/her room is properly tagged. These numbered tags are available in the superintendent's office.

No item of property shall be transferred permanently to another classroom or building without the consent of the principal. An inventory change form must be completed and submitted to the Central Office when transfers of equipment occur.

A computerized listing will be furnished to each teacher so that each item can be checked. If an item is being discarded, the teacher must secure a signed form from the principal approving the discarding of this piece of equipment. The teacher shall attach a copy of this form to the computerized sheet when showing an item as discarded since the previous inventory check. These corrected listings are then returned to the superintendent's office so that corrections can be made on the master inventory records for the school system.

Items that have been purchased by parent groups for classroom use become the permanent property of the school district and are not to be transferred with students or teachers to a different assignment except with the permission of the principal.

Personal property (all items purchased by the teacher with his/her own funds to be used as teaching aids in the classroom) shall be considered as his/her personal property. No inventory sticker is to be applied to any personal property of the teacher. When a teacher is assigned to the same grade in another room in the same building, items may be taken by him/her to the new assignment with the principal's approval. If he/she takes a different grade assignment in the same building, or takes an assignment in a different building, or leaves the school system, only those items considered as personal property shall be taken with him/her. All personal property items should be clearly labeled as such.

Use of School Equipment

It shall be the policy of the school district not to loan or permit any piece of equipment or material to be borrowed by any individual not connected with the schools without specific permission from the superintendent or his/her designee.

Date Adopted: January 19, 2015

Last Revised:
7.14—USE OF DISTRICT CELL PHONES AND COMPUTERS

Board members, staff, and students shall not be given cell phones or computers for any purpose other than their specific use associated with school business. School employees who use a school issued cell phones and/or computers for non-school purposes, except as permitted by District policy, shall be subject to discipline, up to and including termination. School employees may be issued District cell phones if their position requires the employee be available at all times for work related emergencies or the employee be available to speak with others on school related business when the employee is away from the office. Employees issued cell phones for such purposes may use the phone for personal use on an “as needed” basis.

Students who use school-issued cell phones and/or computers for non-school purposes, except as permitted by Policy 4.47—POSSESSION AND USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES, shall be subject to discipline, up to and including suspension or expulsion.

Except when authorized in the SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES policies of 3.51 and 8.24, all employees and students are forbidden from using school-issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including:
- Suspension for students; and
- Termination for employees.

Except when authorized in the SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES policies of 3.51 and 8.24, no employee or student shall use any device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle which is in motion and on school property. Violations may result in disciplinary action up to and including:
- Suspension for students; and
- Termination for employees.

Cross References: 3.34—LICENSED PERSONNEL CELL PHONE USE
3.51—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES
4.47—POSSESSION AND USE OF CELL PHONES, OTHER ELECTRONIC DEVICES
8.24—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES
8.25—CLASSIFIED PERSONNEL CELL PHONE USE

Legal References: IRC § 132(d)
IRC § 274(d)
IRC § 280F(d)(4)
IRS Publication 15 B
A.C.A. § 6-19-120
A.C.A. § 27-51-1504
A.C.A. § 27-51-1609

Date Adopted: January 19, 2015
7.15—RECORD RETENTION AND DESTRUCTION

It is necessary to maintain district records in a manner that provides for efficient document storage and retrieval and is conducive to eliminating unnecessary record retention. Due to the variety of records that may need to be retained and accessed, the superintendent shall ensure that all staff receive appropriate training to understand this policy. Staff shall also understand the possible ramifications to the district and/or themselves for failure to properly maintain records and follow the requirements contained in this policy.

“Directly or directly interested” (“directly”) means receiving compensation or other benefits personally or to an individual’s household from the person, business, or entity contracting with the District.

“Indirectly or indirectly interested” (“indirectly”) means that a family member, business, or other entity in which the individual or a family member has a financial interest will receive compensation or benefits.

“Record” is defined for the purposes of this policy, as an item or items, whether electronic or material, that are created by, at the request of, or received by and purposefully retained by a board member, administrator, or employee in the ordinary course of District business. Examples include, but are not limited to:

- Any kind of correspondence;
- Calendars;
- Computer files and documents (which may include drafts);
- Telephone logs;
- Expense records;
- Audio or video recordings that are created for the purpose of monitoring the security of District property, or the safety of District students, or open public meetings;
- Documentation related to transactions or contracts for:
  - Services with Board members, administrators, employees, or members of their families covered under the statutorily defined ethical restrictions associated with a contract for services provided for the District involving a Board member, administrator, or employee who "directly or indirectly" benefits from the contract;

An exemption granted by the Division of Elementary and Secondary Education (DESE) from the statutorily defined ethical restrictions associated with a contract for employment or for services provided for the District that involves a District administrator, board member, or employee.

The superintendent or designee shall be responsible for establishing a schedule for the routine destruction of district records that accommodates the needs of the district. The schedule shall specify the length of retention for any records not specifically delineated by this policy and be distributed to staff on a need-to-know basis according to their respective employment duties and responsibilities. The schedule should accommodate the need for records to be stored as a blend of printed, bound and electronically recorded material. The superintendent or designee shall ensure the effective and efficient securing, cataloging, storing, and appropriate scheduled destruction of all records.

The following records categories shall be retained for the time specified.

a. Board of Education Minutes – forever
b. Personnel files:
   a. Payroll records – forever
b. Evaluations, licenses and certificates, transcripts – destroyed five years after employee leaves
   the District unless returned to the employee.

c. Notes, letters, other miscellaneous items – destroyed five years after employee leaves the
   District.

c. Student files – three (3) years beyond the date the student receives a high school diploma or its
   equivalent, or until the student is beyond the age of compulsory school attendance.

d. Student records of attendance/graduation – forever

e. Financial Records – five years

f. Expenditures made with federal grant monies – governed by the terms of each grant

g. Video Surveillance Recordings – the timeline established in Policy 3.41 – LICENSED PERSONNEL
   VIDEO SURVEILLANCE AND OTHER MONITORING, Policy 4.48—VIDEO SURVEILLANCE
   AND OTHER STUDENT MONITORING, and Policy 8.29 – CLASSIFIED PERSONNEL VIDEO
   SURVEILLANCE AND OTHER MONITORING.

h. Emails – until deleted by the user or by the district Technology Department

i. Documentation, including letters of approval, related to transactions or contracts for services covered by
   this policy and Arkansas statutes for Board members or members of their families or for waivers
   granted to District employees - thirteen years

j. Documentation relating to payments or reimbursements made by a vendor on behalf of a board
   member, administrator, or employee for travel, lodging, food, registration, entertainment, or other
   expenses– Three (3) years

k. Employment applications, including applicant lists, applicant interview evaluations, documentation in
   response to requests for reasons for a failure to be interviewed and/or hired, and hiring determinations -
   five (5) years

l. Documents filed with the IRS, including those required in Policy 7.23-Health Care Coverage and the
   Affordable Care Act – four (4) years

m. Statewide assessment security agreement – Three (3) years

n. Recordings of open public meetings – One (1) year

The superintendent or designee shall be responsible for determining when there is a need to interrupt the routine
destruction of records. When the superintendent or designee makes the decision to cease the routine disposal of
records, staff affected by the decision shall be promptly informed of the decision and of the nature of records
that are to be retained; such records shall be retained until the superintendent or designee has authorized their
destruction. Employee training on the district’s records retention schedule shall specifically include information
on the records that may need to be retained due to pending disciplinary or legal actions that otherwise would be
subject to routine disposal. If an employee has doubt about the need to retain any record otherwise scheduled
for destruction, he/she shall consult with the superintendent or designee prior to destroying such records.

The records’ storage system devised by the superintendent and designee(s) shall be organized in a manner that
enables the efficient retrieval of data and documents. The district shall have adequate backup of electronically
stored critical data. The system shall be communicated to employees in a manner that enables them to
understand and follow the system’s requirements.

In retaining and destroying records, no employee shall:

a. Destroy, alter, mutilate, conceal, cover up, falsify, or make a false entry in any record that may be
   connected to a disciplinary matter or lawsuit or to a matter within the jurisdiction of a federal or state
   agency, in violation of federal law and regulations or state law and rules.
b. Alter, destroy or conceal a document, or attempt to do so, with the intent to impair the document’s availability for use in a disciplinary matter, lawsuit or an official proceeding or otherwise obstruct, influence or impede any lawsuit or official proceeding, in violation of federal law and regulations or state law and rules.

c. Retaliate or discriminate against an employee who refuses to violate this policy or to coerce or threaten an employee to violate this policy.

d. Failure to follow the requirements set forth in this policy may result in disciplinary action against the employee(s), up to and including termination. The district’s board of directors prohibits and will not tolerate any form of reprisal, retaliation or discrimination against any employee who, in good faith, has attempted to comply with this policy.

Cross References:  
Policy 1.22—RECORDING OF BOARD MEETINGS  
Policy 3.19—LICENSED PERSONNEL EMPLOYMENT  
Policy 4.48—VIDEO SURVEILLANCE AND OTHER STUDENT MONITORING  
Policy 7.16—INFORMATION TECHNOLOGY SECURITY  
Policy 8.13—CLASSIFIED EMPLOYMENT

Legal References:  
A.C.A. § 5-1-102  
A.C.A. § 5-1-109(c)(2), (g)  
A.C.A. § 6-13-619  
A.C.A. § 6-17-104  
A.C.A. § 6-17-2301  
A.C.A. § 6-18-901  
A.C.A. § 6-24-102(8)(15)  
A.C.A. § 6-24-105(d)  
A.C.A. § 6-24-106(c)(6)  
A.C.A. § 6-24-107(c)  
A.C.A. § 6-24-115  
A.C.A. § 21-3-302, 303  
A.C.A. § 25-19-106  
DESE Rules Governing Ethical Guidelines and Prohibitions for Educational Administrators, Employees, Board Members, and Other Parties  
DESE Rules Governing the Arkansas Educational Support and Accountability Act  
26 C.F.R. § 31.6001-1  
34 C.F.R. § 99.2  
Federal Rules of Civil Procedure Numbers 16, 26, 33, 34, 37, and 45

Date Adopted: January 19, 2015

Last Revised: June 20, 2019
7.16—INFORMATION TECHNOLOGY SECURITY

The superintendent shall be responsible for ensuring the district has the necessary components in place to meet the district’s needs and the state’s requirements for information technology (IT) security. To aid the superintendent in creating, monitoring, and updating the District’s IT Security system, the superintendent shall appoint an information security officer (ISO). The ISO shall be responsible for:

   a) Overseeing the District-wide IT security system;
   b) Development of District IT policies and procedures;
   c) Development and leading of employee training on the IT Security requirements;
   d) Ensuring compliance with the adherence to the Arkansas Department of Education (ADE) IT Security standards.

The ISO shall work with other IT staff, the superintendent, and district management appointed by the superintendent to develop a District IT Security system necessary to meet the requirements of this policy and ADE’s standards. The IT security system shall contain the necessary components designed to accomplish the following:

1. The District IT security system shall contain mechanisms, policies, procedures, and technologies necessary to prevent disclosure, modification, or denial of sensitive information.

For the purposes of the IT Security system, “sensitive data” is any and all student and employee data that is either personally identifiable information (PII) or any non PII information that, if assembled together, would allow a reasonable person to identify an individual. Sensitive data includes, but is not limited to:

   • Student personally identifiable information, except as allowed by the Family Educational Rights and Privacy Act (FERPA); and
   • Employee personally identifiable information, except as required by Ark. Code Ann. § 6-11-129.

All District employees having access to sensitive information shall receive annual IT security training, which shall emphasize the employee’s personal responsibility for protecting student and employee information.

2. Physical access to computer facilities, data rooms, systems, networks and data will be limited to those authorized personnel who require access to perform assigned duties.

User workstations shall not be left unattended when logged into sensitive systems or data that includes student or employee information. Workstation settings shall be set for automatic log off and require a password for the system to restore from screensavers.

All equipment that contains sensitive information shall be secured to deter theft.

Server rooms and telecommunication rooms/closets shall be protected by appropriate access control. The rooms shall be segregated from general school or District office areas to restrict access. Server room access control shall be enforced using keys to allow unescorted access only to IT or management staff who require the access to perform their job functions.
3. Network perimeter controls will be implemented to regulate traffic moving between trusted internal (District) resources and external, untrusted (internet) entities. All network transmission of sensitive data shall enforce encryption where technologically feasible.

The District shall maintain a network configuration management program that includes at a minimum:
   a) A network diagram identifying all connections, addresses, and purpose of each connection including management approval of all high risk internet facing ports such as mail (SMTP/25), file transport protocol (FTP/20-21), etc.
   b) All public facing (internet) servers and workstations segmented on a demilitarized zone (DMZ) that keeps them separate from the internal District network. Segmentation shall be through the use of routers, firewalls, and virtual local area networks (VLAN).

All wireless access shall require authentication. The DISTRICT wireless networks will deploy network authentication and encryption in compliance with the Arkansas State Security Office’s Best Practices. Scans for rogue wireless devices will be conducted at a minimum monthly. Any Rogue wireless device shall be disabled.

Remote access with connectivity to the District internal network shall be achieved using encryption. Appropriate WARNING BANNERS shall be implemented for all access points to the District internal network.

4. System and application access will be granted based upon the least amount of access to data and programs required by the user in accordance with a business need-to-have requirement.

The District shall enforce strong password management for:
   • Employees and contractors as specified in Arkansas State Security Office Password Management Standard.
   • Students as specified in Arkansas State Security Office K-12 Student Password Management Best Practice.

User access shall be limited to only those specific access requirements necessary for an employee to perform his/her job functions. Where possible, segregation of duties shall be utilized to control authorization access.

User access shall be granted and terminated upon timely receipt of a documented access request/termination. All access requests shall require approval by the ISO or designee. Ongoing access shall be reviewed for all users at a minimum annually.

Audit and log files shall be generated and maintained for at least thirty (30) days for all critical security-relevant events, including but not limited to:
   • Invalid logon attempts;
   • Changes to the security policy/procedures; and
   • Failed attempts to access objects by unauthorized users.

IT administrator privileges for operating system(s), database(s), and applications shall be limited to the minimum number of staff required to perform these sensitive duties.
5. Application development and maintenance for in-house developed student or financial applications will adhere to industry processes for segregating programs and deploying software only after appropriate testing and management approvals.

Any custom-built student or financial applications or supporting applications that interface, integrate with, or provide queries and reporting to/from student or financial systems shall be developed using a system development life cycle approach that incorporates at a minimum:
   a) Planning, requirements, and design;
   b) User acceptance testing (UAT);
   c) Code reviews; and
   d) Controlled migration to production.

Any changes to core or supporting applications that provide student or financial processing or reporting shall be implemented in a controlled manner that includes at a minimum:
   • Documentation of any change, including changes to both infrastructure and application;
   • Management approval of all changes; and
   • Controlled migration to production, including testing as appropriate.

6. Monitoring and responding to IT related incidents will be designed to provide early notification of events and rapid response and recovery from internal or external network or system attacks.

The District shall develop and maintain an incident response plan to be used in the event of system compromise that shall include:
   a) Emergency contacts;
   b) Incident containment procedures; and
   c) Incident response and escalation procedures.

7. To ensure continuous critical IT services, the District ISO will develop a business continuity/disaster recovery plan appropriate for the size and complexity of the District IT operations.

The district-wide business continuity plan shall include at a minimum:
   • Procedures for performing routine backups at least weekly and the storage of backup media at a secured location other than the server room or adjacent facilities. Backup media shall be stored off-site a reasonably safe distance from the primary server room and retained in a fire resistant receptacle.
   • A secondary backup processing location, such as another School or District building, shall be identified.
   • A documented calling tree with emergency actions to include:
     o Recovery of backup data;
     o Restoration of processing at the secondary location; and
     o Generation of student and employee listings to ensure an accurate head count.

8. Server and workstation protection software will be deployed to identify and eradicate malicious software attacks such as viruses, spyware, and malware.

Spyware and virus protection software shall be installed, distributed, and maintained on all production platforms, including:
a) File/print servers;
b) Workstations;
c) Email servers;
d) Web servers; and
e) Application and database servers.

Malicious software protection shall include:
  • Weekly update downloads;
  • Weekly scanning;
  • The malicious software protection to be in active state (real-time) on all operating servers/workstations.

All security-relevant software patches shall be applied within thirty (30) days and critical patches shall be applied as soon as possible.

Legal References: Commissioner’s Memo RT-15-010
A.C.A. § 4-110-101 et seq.

Date Adopted: January 19, 2015

Last Revised: June 22, 2017
7.17 – FOOD SERVICE

The school food service program shall be operated in accordance with applicable laws, regulations, and guidelines developed by the Arkansas Department of Education.

Date Adopted: January 19, 2015

Last Revised:
7.17.1—FOOD SERVICE PREPAYMENT

Meal Charges

Students and staff must provide payment for school meals in advance or at the time of purchase. At the elementary (pre-K through 5) level, elementary schools will send negative balance slips home on a weekly basis. When an elementary student’s meal charges reach $15.00 or higher, the negative balance slips will be provided to the school’s assistant principal who will contact the student’s parent or guardian. If full payment of the negative balance is not received, the elementary student will receive an alternate meal as set forth below. At the secondary (grades 6-12) level, the District permits two charges, not to exceed a total of $4.50. If the student owes more than $4.50, the student will receive an alternate meal as set forth below.

With the exception of the above procedures, the district does not provide credit for staff or students to charge for meals, a la carte, or other food and beverage items available for purchase in the school food service areas. Meals, a la carte, or other food and beverage items may be purchased by either providing payment for the items at the time of receipt or by having a prepaid account with the District that may be charged for the items. Staff and parents, or students choosing to do so, may pay in advance for meals, a la carte, or other food and beverage items through any of the following methods:

- Submitting cash or check payment at the school building office; or
- Depositing funds through the District’s online service, which can be found at the Bryant School District website and selecting EZ School Pay.

A student’s parents will be contacted by authorized District personnel regarding a student’s prepaid account balance at the following times: when the student’s account has fewer than five dollars ($5.00) remaining.

On May 1 of each school year, the District’s meal charging policies change. At the secondary level (middle and high school), the District does not allow meal charges after May 1. At the elementary level, students may only have up to $5.00 in credit for unpaid meals.

Unpaid Meal Access

In accordance with Arkansas law, the District allows students whose accounts do not have enough funds to purchase a meal to receive an unpaid reimbursable meal at no charge. The District will notify a student’s parents:

- When the student’s prepaid account balance has dropped to the point that the student will begin receiving unpaid meals;
- Each time the student receives the first unpaid meal after money has been deposited into the student’s prepaid account; and
- After the student has received five (5) unpaid meals.

Students who have submitted proper documentation to receive a meal modification shall receive the same type of substitution for an unpaid meal.

Legal References: Commissioner’s Memo CNU-17-003
Commissioner’s Memo CNU-17-024
A.C.A. § 6-18-715

Date Adopted: January 19, 2015

Last Revised: June 20, 2019
7.17.2—EXCESS FOOD

Definition

“Excess food” means any food that remains after the serving of breakfast and lunch to students during the school day; however, “excess food” does not include any food that has expired, been opened, or been consumed.

Excess food shall be handled in accordance with U.S. Food and Drug Administration regulations and Arkansas Department of Health rules.

Excess Food Sold a la carte

Excess food may be sold a la carte no later than the day immediately following the day the excess food was served in the District’s school meal service.

Donation of Excess Food

When it is not feasible for the District to reuse excess food, excess food may be donated to a non-profit organization, such as a community food bank, homeless shelter, or other nonprofit charitable organization.

The District’s Child Nutrition Director (Director), after consultation with and approval by the superintendent, may identify a nonprofit “partner” that will accept the District’s excess food. Before the District may donate food to the nonprofit partner, the Director shall obtain a copy of the nonprofit partner’s 501(c)(3) documentation and contact information for use when excess food is available for donation.

Whenever excess food is donated, the Director shall document all of the following on the form provided by the Child Nutrition Unit:
1. What, how much and when excess food donations are made;
2. Who picks up the excess food for the nonprofit partner, including a signature along with the date and time of the pick up; and
3. Signature of the child nutrition staff when excess food is donated to the nonprofit partner.

Following the donation of excess food, the Director shall:
a. Monitor excess food donations;
b. Report excess food cost to administration; and
c. Revise planned production and menus to minimize excess food.

The nonprofit partner shall agree to provide the District’s students the first opportunity to receive the donated excess food. The superintendent, Director, and nonprofit partner shall work together to adopt procedures for the providing of excess food to the District’s students.

Legal References:  
A.C.A. § 6-18-716  
Commissioner’s Memo CNU-16-033  
7 C.F.R. § 210.10  
7 C.F.R. § 210.11
Date Adopted: June 20, 2019

Last Revised:
7.18—DISPOSAL OF NON-NEGOTIATED CHECKS OR UNCLAIMED PROPERTY

State law specifies how the district is to dispose of retained funds in the form of issued but non-negotiated checks that have not been presented for payment within one calendar year. The district shall dispose of these retained funds in accordance with the law and remit the amount of all non-negotiated checks to the Unclaimed Property Division of the Arkansas Auditor’s Office.

The district shall make a good faith effort to return physical items that have been left on district property to their rightful owners. When contact information is known for the owner of an item of a non-perishable nature left at the district, the district shall use the information to attempt to contact the owner to inform him/her of the location of the item. Owners of such items shall be given at least three weeks to pick up the item he/she left at the district. If the owner fails to pick up the item within the time allotted, the district may dispose of the item in a manner of its choosing.

The district is under no obligation to retain an abandoned, perishable item left on district property.

Legal References:  
A.C.A. § 18-28-201  
A.C.A. § 18-28-202(11), (c), (d)  
A.C.A. § 18-28-204  
A.C.A. § 18-28-206  
A.C.A. § 18-28-207  
A.C.A. § 18-28-208(a)  
A.C.A. § 18-28-210(b)(c)  
A.C.A. § 18-28-217  
A.C.A. § 18-28-221(a)  
A.C.A. § 18-28-224

Date Adopted: January 19, 2015

Last Revised:
7.19—SERVICE ANIMALS IN DISTRICT FACILITIES

In accordance with the provisions of the Americans with Disabilities Act and Arkansas statutes, service dogs and trained miniature horses (service animals) are permitted for use by individuals with disabilities on district property and in district facilities provided the individuals and their animals meet the requirements and responsibilities covered in this policy.

When an individual with a disability seeks to bring a service animal into a district facility, the district is entitled to ask the individual:

a. If the animal is required because of a disability; and
b. What work or task has the animal been trained to perform.

While the district is not entitled to ask for documentation that the animal has been properly trained, the individual bringing the animal into a district facility will be held accountable for the animal’s behavior.

Any service animal brought into a district facility by an individual with a disability must have been trained to do work or perform tasks for the individual. The work or tasks performed by the service animal must be directly related to the handler’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this policy; no animal brought solely for any of these reasons shall be permitted on school grounds.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity’s facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control by means of voice control, signals, or other effective means.

A service animal shall be groomed to prevent shedding and dander and shall be kept clean of fleas and ticks.

District staff may ask an individual with a disability to remove a service animal from the premises if:

(1) The animal is out of control and the animal’s handler does not take effective action to control it;
(2) The animal is not housebroken; or
(3) Making reasonable accommodations for the service animal’s presence would fundamentally alter the nature of the service, program, or activity.

If the district excludes a service animal due to the reasons listed above, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

The District and its staff are not responsible for the care or supervision of a service animal brought onto district property or into district facilities by an individual with a disability. Students with service animals are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise the service animal, the parent is responsible for providing care and supervision of the animal. Prior to working in the school, any person responsible for providing care and supervision of the animal must go through the same process for background checks as required of all employees of the school system.

The District shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets.

Individuals should be aware that under Arkansas law the misrepresentation of an animal as a service animal or a service animal in training to a person or entity operating a public accommodation may subject the individual to a civil penalty.

Legal References:

- 28 CFR § 35.104
- 28 CFR § 35.136
- A.C.A. § 20-14-304
- A.C.A. § 20-14-308
- A.C.A. § 20-14-314

Date Adopted: January 19, 2015

Last Revised: June 20, 2019
7.20—ELECTRONIC FUND TRANSFERS

District funds shall only be disbursed by the district treasurer upon the receipt of checks or warrants signed by the District Board of Directors' Disbursing Officer and the Superintendent or through the electronic transfer of funds. Any electronic transfer of funds must be initiated by the District and authorized in writing by both the Disbursing Officer of the school district Board of Directors and the Superintendent.

For the purposes of this policy, "initiated by the District" means the District controls both the timing and the amount of the funds transfer.

The district treasurer shall maintain evidence of authority for the disbursement in the form of invoices, payrolls that conform with written contracts on file in his/her office, or other appropriate documentation indicating an authority to disburse District funds.

"Other appropriate documentation" includes one-time, signed authorization for recurring transactions. The Board of Directors Disbursing Officer must pre-authorize the electronic transfer of funds for non-recurring transactions which can be accomplished by a signed authorization or an email authorizing such a disbursement of funds.

Cross Reference: 1.16—DUTIES OF BOARD DISBURSING OFFICER

Legal References: A.C.A. § 6-13-701(e)
Commissioner's Memo Com-12-036

Date Adopted: January 19, 2015

Last Revised:
7.21—RESERVED
7.22—RESERVED
7.23—HEALTH CARE COVERAGE AND THE AFFORDABLE CARE ACT

Definitions

“Dependent”, for purposes of this policy, means an employee’s child(ren) and/or spouse who are enrolled by the employee in health care coverage through the District’s health care plans.

“Full-time school bus driver” means a person employed by the District to drive regular routes during the annual school year:
1. Who contracts with the District to operate a school bus for at least seven hundred twenty (720) hours during the school year;
2. Whose primary source of income during the school year is obtained by operating a school bus for the District; or
3. Who contracts with the District to operate a school bus and is designated by the superintendent as a full-time school bus driver, regardless of the number of hours for which the person is contracted.

“Full-time employee”, for purposes of this policy, means an employee who is:
a. In a position requiring on average thirty (30) hours of actual performance per week during the annual school year; or
b. A full-time school bus driver.

“Responsible individual” means a primary insured employee who, as a parent or spouse, enrolls one or more individual(s) in health care coverage through the District’s health care plans.

“Variable hour employee”, for the purposes of this policy, means an individual, other than a full-time school bus driver, who has no base minimum number of hours of performance required per week.

Health Insurance Enrollment

All full time District employees are eligible to enroll themselves; their spouse, so long as the spouse is not otherwise eligible for insurance through his/her employer's sponsored plan; and their child(ren) in one of the insurance plans through the Public School Employee Life and Health Insurance Program (PSELHIP). Variable hour employees are not eligible to enroll in a PSELHIP plan. If a variable hour employee’s measurement period finds that the employee averaged thirty (30) or more hours per week, then the employee is treated as a full time employee rather than a variable hour employee and is eligible for health insurance. New full time employees have sixty (60) days following the start date of the employee’s contract to elect to enroll in a PSELHIP plan; all new employees shall be informed in writing of the start date of the employee’s contract and that the employee has sixty (60) days from that date to elect PSELHIP coverage. Coverage for new employees who choose to enroll in a PSELHIP plan shall take effect on the first of the month following the date on the enrollment application. Coverage shall be in effect until the end of the calendar year. Employees who experience a Qualifying Status Change Event have sixty (60) days from the date of the Qualifying Status Change Event to file an application to change coverage information. All employees who continue to be eligible may elect to continue coverage and make changes to their PSELHIP plan for the following plan year during the yearly open enrollment period.

The District shall ensure all employees are provided education annually on the advantages and disadvantages of a consumer-driven health plan option and effective strategies of using a Health Savings Account (HSA). Any
employee who enrolls in a PSELIP consumer driven health care plan is required to establish an HSA unless the employee is ineligible for an HSA.

**District Contribution to Premiums**

At a minimum, the District shall distribute the statutorily required contribution rate to all employees who are enrolled in one of the PSELHIP plans, which shall include any mandatory increases to the contribution rate due to increases to the salary schedule. In accordance with the State Health Insurance Portability Rules (SHIP), the District shall continue to pay the premium contribution for an employee who transfers to another Arkansas school district that also participates in the SHIP through August 31 of the calendar year the employee leaves the district so long as the employee:

1. Completes his/her contract with the District;
2. Provides the District with notice that the employee is transferring to another district by no later than June 15;
3. Provides the District with proof of employment at another Arkansas district; and
4. Has the employee portion of the premium deducted from his/her end-of-year checks or pays the District business office the employee’s portion of the premium by the 15th of both July and August.

**Measurement Method of Employee Hours**

The District uses the look-back method for determining if an employee qualifies as a full-time employee.

**W-2**

For all full-time employees who are enrolled in a PSELHIP plan, the District shall indicate in box twelve (12) of the employee’s Form W-2 the cost of the employee’s health care coverage by using code “DD”.

**IRS Returns**

The District will electronically file with the IRS by March 31 of each year the forms required by the IRS on the health insurance coverage of each full-time employee for the previous calendar year, whether or not the full-time employee participates in a health insurance plan through the PSELHIP.

**Statement of Return**

The District shall send to each full-time employee a Statement of Return (Statement) regarding the IRS Return filed on the employee. The Statement shall contain: The District’s name, address, and Employer Identification Number (EIN) as well as a copy of the IRS Return filed on the employee. The District shall send a copy of the Statement to the employee on or before January 31 of the calendar year following the calendar year the information in the Statement covers. The District shall send only one Statement to the household of an employee who meets the definition of a responsible individual that will include all requisite information for both the responsible individual and the responsible individual’s dependents(s). The Statement will be mailed to the employee’s address on record.
Record Retention

The District shall maintain copies of the Statements sent to employees in accordance with the requirements for documents transmitted to the IRS in Policy 7.15—Record Retention and Destruction.

Cross Reference: 7.15—RECORD RETENTION AND DESTRUCTION

Legal References: A.C.A. § 6-17-1117
A.C.A. § 21-5-401 et seq.
26 C.F.R. § 54.4980h-0 et seq.
26 C.F.R. § 31.6001-1

Date Adopted: January 19, 2015

Last Revised: June 20, 2019
7.24 – SCHOOL BUSES

The school transportation program shall be operated in accordance with applicable laws, regulations, and guidelines developed by the Arkansas Department of Education.

School buses will be used only on school business and are not to be rented out or used by any other organization.

Safety and efficiency take precedence over convenience in selecting school bus stops. As a general policy, bus stops shall not be located over two per one-quarter mile or four per mile. Exceptions to this policy will be considered in case of hardship, safety, and bad weather. The location of school bus stops shall be determined by the Transportation Director.

Students will not be transported on school buses if they live within two miles driving distance of their campus. The determination of driving distances to schools will be made by the Transportation Director. When students attend an out-of-zone school at the parents’ request, the district is under no obligation to provide transportation.

Under the authority granted by A.C.A. § 6-19-129 and the Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Advertising on School Buses, the District has chosen not to permit the selling of advertising space on District owned school buses but may use the space provided by law to place items created by the District’s information office.

Date Adopted: January 19, 2015

Last Revised: April 18, 2018
**7.25 – PROCEDURES FOR BEGINNING AND ENDING EMPLOYMENT**

**Beginning Employment**

New employees in the Bryant School District are provided with keys, material, equipment, and other articles for which they are expected to be responsible. A list of items that are provided to the employee will be created upon initial employment and the employee will be asked to sign a form to acknowledge receipt.

Materials and/or equipment assigned to an employee shall not be transferred to another employee without a record of the transfer being completed with approval by the Principal. If an item is lost, damaged, or destroyed, the employee to whom it was assigned may be held financially responsible and may be required to reimburse the District. In addition, if it is determined that the loss, damage, or destruction is due to employee negligence or misuse, the employee may be subject to disciplinary action up to and including non-renewal or termination of the employment contract.

**Ending Employment**

Whenever employees leave the District, an exit interview will take place with the principal or immediate supervisor. At this interview, all equipment or other materials that were assigned to the employee shall be returned and documented. If the employee has been on direct deposit for payroll purposes, this designation shall be changed so that the final payroll is withheld until all district property that was assigned to the employee has been returned and documented.

Date Adopted: January 19, 2015

Last Revised:
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CLASSIFIED PERSONNEL
8.0 – CLASSIFIED PERSONNEL POLICIES COMMITTEE

For the statutes governing the classified personnel policies committee, please refer to A.C.A. § 6-17-2301 et. seq. These statutes specifically are not made a part of this policy by this reference.

Rules of Operation
The Classified committee will consist of at least one (1) non-management classified representative from each of the following classifications:

- Maintenance, operation, and custodians
- Transportation
- Clerical/Bookkeepers
- Technology
- Health Professionals
- Food Services
- Paraprofessionals

The classified personnel members of the committee shall be elected annually by a majority of the classified personnel voting by secret ballot. The committee shall include no more than three (3) administrators chosen by the Superintendent; one of which may be the Superintendent. There must be a quorum of the total committee membership present to conduct a meeting.

Legal Reference: A.C.A. § 6-17-2301 et. seq.

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.1—CLASSIFIED PERSONNEL SALARY SCHEDULE

Classified employees are paid on a salary schedule approved by the administration and school board. Employees will be paid on the fifteenth (15th) day of each calendar month or the Friday preceding the 15th if it falls within a weekend or holiday or district scheduled vacation.

For the purposes of this policy, an employee must work one-half (1/2) of the number of total contracted days listed on the employee’s job description to qualify for a step increase.

The superintendent has the authority, when recommending an applicant or current employee and his/her placement on the District's salary schedule to the Board for its approval, to consider the applicant's previous work experience with similar duties, responsibilities, and skill sets to those job duties and responsibilities the applicant would assume for the District.

Cross References: Policy 1.9—POLICY FORMULATION  
Policy 7.23 – HEALTH CARE COVERAGE AND THE AFFORDABLE CARE ACT

Legal References: A.C.A. § 6-17-2203  
A.C.A. § 6-17-2301  
A.C.A. § 21-5-405  
ADE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites

Date Adopted: May 19, 2015
Last Revised:
8.1.1 – CLASSIFIED EMPLOYEE BENEFITS

The Bryant School District provides its classified personnel benefits consisting of the following.

1. Health insurance assistance for qualifying employees;
2. Contribution to the teacher retirement system;
3. Cafeteria plan. A cafeteria plan of insurance is offered to all full-time employees of the district. This is a plan whereby health insurance premiums are considered non-taxable. This program is explained annually to each employee during regular school hours.
4. Classified Employees Sick Leave; (See Policy 8.5)
5. Classified Personnel Personal and Professional Leave (See Policy 8.7)
6. Activity Pass; Each full-time employee will be given an annual activity pass allowing him/her and one guest to attend all school-sponsored functions at the school free of charge (i.e. athletic events, plays, assemblies, etc.).

Legal Reference: A.C.A. § 6-17-1301 et. seq.

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.1.2—LONG-TERM SUBSTITUTE TEACHER PAY

For the purposes of this policy, a “long-term substitute” means a substitute teacher who:

1. Serves as a substitute teacher in the Bryant School District for the same teacher of record for twenty (20) consecutive school days or longer; and

2. Who, in the teacher of record’s absence, fulfills duties expected of the teacher of record, including without limitation, parent-teacher conferences, professional learning community meetings, assigned duties, lesson planning, taking of attendance, and grading papers.

If a long-term substitute teacher fulfills the requirements as set forth above, and then experiences any break in service with the school district, the substitute teacher must re-qualify for status as a long-term substitute under the requirements set forth above.

Long-term substitutes in the Bryant School District shall be compensated in the following manner, retroactively to the substitute’s first day of employment as a substitute under this policy:

1. A long-term substitute teacher who possesses an active, valid Arkansas teaching license in any area will receive $150 per day.

2. A long-term substitute teacher who possesses an active, valid Arkansas teaching license in the specific area in which he or she serves as a substitute teacher will receive an amount equivalent to the daily rate of pay for a first-year teacher without experience in the Bryant School District.

3. A long-term substitute teacher who does not possess an active, valid Arkansas teaching license in any area will receive $100 per day.

Date Adopted: May 18, 2017

Last Revised: May 18, 2017
8.2—CLASSIFIED PERSONNEL EVALUATIONS

Supervision

A supervisor is any employee of the school district who, by job title or working function, is acknowledged as one who directs, plans, coordinates, or oversees the work activities of other employees. Employees are responsible to their immediate supervisors for their instructions or assignments. Supervisors shall include (but are not limited to) the following district personnel:

1. Superintendent, Deputy Superintendent, and Assistant Superintendents
2. Director of Instruction and Testing, Director of Professional Development and Alternative Learning, and Director of Administrative Services
3. Business Manager and Assistant Business Manager
4. Principals and Assistant Principals
5. Gifted and Talented/Special Programs Coordinator
6. Special Education Supervisor and Assistant Special Education Supervisor
7. Maintenance Director and Assistant Maintenance Director
8. Athletic Director
9. Transportation Director
10. Food Services Director and Cafeteria Managers
11. Technology Director
12. Nursing Supervisor
13. ESL Coordinator
14. Other personnel as designated by the Superintendent of Schools

Employees may have more than one supervisor. In these situations, the employee will be under the immediate supervision of the supervisor designated by the superintendent. The employee will be evaluated by the immediate supervisor with input from other administrators in the building or division.

Evaluation

The purposes of the employee evaluation process are (1) to inform the employee about the quality of his/her job performance, (2) to make recommendations for improvement in job performance as needed, and (3) to provide a basis for recommendation of renewal, non-renewal, or termination of employment with the District. Each non-certified (classified) employee of the Bryant School District shall be evaluated in writing by his/her immediate supervisor at least once a year. Additional written evaluations may be conducted if deemed necessary. While it is the intent of the District that employees will be given an opportunity for improvement in the area(s) of the evaluation deemed in need of improvement before a recommendation for non-renewal or termination occurs, certain actions on the part of an employee may result in the immediate loss of employment with the District.

Any forms, procedures or other methods of evaluation, including criteria, are to be developed by the Superintendent and or his designee(s), but shall not be part of the personnel policies of the District.

In the event a written warning or reprimand is given to an employee by a supervisor, one copy shall be provided to the employee, and one copy shall be placed in the employee’s personnel folder.
Legal Reference: A.C.A. § 6-17-2301

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.3—EVALUATION OF CLASSIFIED PERSONNEL BY RELATIVES

No person shall be employed in, or assigned to, a position which would require that he/she be evaluated by any relative, by blood or marriage, including spouse, parent, child, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, or first cousin.

Date Adopted: May 19, 2015

Last Revised:
8.4—CLASSIFIED EMPLOYEES DRUG TESTING

Scope of Policy

Each person hired for a position that allows or requires the employee to operate a school bus shall meet the following requirements:
1. The employee shall possess a current Class B commercial vehicle drivers license with Passenger and School Bus endorsement for driving a school bus;
2. Have undergone a physical examination, which shall include a drug test, by a licensed physician or advanced practice nurse within the past two years; and
3. Have received 24 hours of pre-employment bus safety training as well as attending a bus safety course provided by the AR Department of Education.

Each person’s initial employment for a job entailing a safety sensitive function is conditioned upon the district receiving a negative drug test result for that employee. The offer of employment is also conditioned upon the employee’s signing an authorization for the request for information by the district from the Commercial Driver Alcohol and Drug Testing Database.

Methods of Testing

The collection, testing methods and standards shall be determined by the agency or other medical organizations chosen by the School Board to conduct the collection and testing of samples. The drug and alcohol testing is to be conducted by a laboratory certified pursuant to the most recent guidelines issued by the United States Department of Health and Human Services for such facilities. (“Mandatory Guidelines for Federal Workplace Drug Testing Programs”).

Definitions

“Safety sensitive function” includes:
a) All time spent inspecting, servicing, and/or preparing the vehicle;
b) All time spent driving the vehicle;
c) All time spent loading or unloading the vehicle or supervising the loading or unloading of the vehicle; and
d) All time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

“School Bus” is a motorized vehicle that meets the following requirements:
1. Is designed to carry more than ten (10) passengers;
2. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
3. Is operated for the transportation of students from home to school, from school to home, or to and from school events.

Requirements

Employees shall be drug and alcohol free from the time the employee is required to be ready to work until the employee is relieved from the responsibility for performing work and/or any time they are performing a safety-
sensitive function. In addition to the testing required as an initial condition of employment, employees shall submit to subsequent drug tests as required by law and/or regulation. Subsequent testing includes, and/or is triggered by, but is not limited to:

1. Random tests;
2. Testing in conjunction with an accident;
3. Receiving a citation for a moving traffic violation; and
4. Reasonable suspicion.

**Prohibitions**

A. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater;
B. No driver shall use alcohol while performing safety-sensitive functions;
C. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol;
D. No driver required to take a post-accident alcohol test under # 2 above shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first;
E. No driver shall refuse to submit to an alcohol or drug test in conjunction with # 1, 2, and/or 4 above;
F. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when used pursuant to the instructions of a licensed medical practitioner who, with knowledge of the driver’s job responsibilities, has advised the driver that the substance will not adversely affect the driver’s ability to safely operate his/her vehicle. It is the employee’s responsibility to inform his/her supervisor of the employee’s use of such medication;
G. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

Violation of any of these prohibitions may lead to disciplinary action being taken against the employee, which could include termination or non-renewal.

**Testing for Cause**

Drivers involved in an accident in which there is a loss of another person’s life shall be tested for alcohol and controlled substances as soon as practicable following the accident. Drivers shall also be tested for alcohol within eight (8) hours and for controlled substances within thirty two (32) hours following an accident for which they receive a citation for a moving traffic violation if the accident involved: 1) bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or 2) one or more motor vehicles incurs disabling damage as a result of the accident requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

**Refusal to Submit**

Refusal to submit to an alcohol or controlled substance test means that the driver:
- Failed to appear for any test within a reasonable period of time as determined by the employer consistent with applicable Department of Transportation agency regulation;
- Failed to remain at the testing site until the testing process was completed;
• Failed to provide a urine specimen for any required drug test;
• Failed to provide a sufficient amount of urine without an adequate medical reason for the failure;
• Failed to undergo a medical examination as directed by the Medical Review Officer as part of the verification process for the previous listed reason;
• Failed or declined to submit to a second test that the employer or collector has directed the driver to take;
• Failed to cooperate with any of the testing process; and/or
• Adulterated or substituted a test result as reported by the Medical Review Officer.

School bus drivers should be aware that refusal to submit to a drug test when the test is requested based on a reasonable suspicion can constitute grounds for criminal prosecution.

**Consequences for Violations**

Drivers who engage in any conduct prohibited by this policy, who refuse to take a required drug or alcohol test, refuse to sign the request for information required by law, or who exceed the acceptable limits for the respective tests shall no longer be allowed to perform safety sensitive functions. Actions regarding their continued employment shall be taken in relation to their inability to perform these functions and could include termination or non-renewal of their contract of employment.

Drivers who exhibit signs of violating the prohibitions of this policy relating to alcohol or controlled substances shall not be allowed to perform or continue to perform safety-sensitive functions if they exhibit those signs during, just preceding, or just after the period of the work day that the driver is required to be in compliance with the provisions of this policy. This action shall be based on specific, contemporaneous, articulable observations concerning the behavior, speech, or body odors of the driver. The Superintendent or his/her designee shall require the driver to submit to “reasonable suspicion” tests for alcohol and controlled substances. The direction to submit to such tests must be made just before, just after, or during the time the driver is performing safety-sensitive functions. If circumstances prohibit the testing of the driver the Superintendent or his/her designee shall remove the driver from reporting for, or remaining on, duty for a minimum of 24 hours from the time the observation was made triggering the driver’s removal from duty.

If the results for an alcohol test administered to a driver is equal to or greater than 0.02, but less than 0.04, the driver shall be prohibited from performing safety-sensitive functions for a period no less than 24 hours from the time the test was administered. Unless the loss of duty time triggers other employment consequence policies, no further other action against the driver is authorized by this policy for test results showing an alcohol concentration of less than 0.04.

**Legal References:**

A.C.A. § 6-19-108
A.C.A. § 6-19-119
A.C.A. § 27-23-201 et seq.
49 C.F.R. § 382.101 – 605
49 C.F.R. § part 40
49 C.F.R. § 390.5
Arkansas Division of Academic Facilities and Transportation Rules Governing Maintenance and Operations of Arkansas Public School Buses and Physical Examinations of School Bus Drivers

Date Adopted: May 19, 2015

Last Revised:
8.4.1 – CLASSIFIED EMPLOYEE HEALTH

The Bryant Public School District will work cooperatively with the Saline County Health Department for the prevention, control, and containment of communicable disease in schools. The Arkansas School Infectious Disease Guidelines published by Arkansas Department of Education and Arkansas Department of Health will be utilized in the management of infectious diseases.

The superintendent or school official designated by the superintendent has the authority to exclude a student or staff member from school when reliable evidence or information from a qualified source confirms him/her of having a communicable disease or infection that is known to be spread by any form of casual contact* and is considered a health risk to the school population. The student or staff member shall be excluded from being at school unless their physician approves school attendance or the condition is no longer considered contagious. All reportable communicable diseases will be referred to the Saline County Health Department.

When reliable evidence or information from a qualified source confirms that a student/staff member is known to have a communicable disease or infection that is known not to be spread by casual contact*, (e.g. AIDS/HIV, Hepatitis B and other like diseases) the infected student/staff member will have the right to remain in the school setting.

1. If issues or decisions regarding school attendance rise that cannot be formally resolved or if an identified compelling reason exists, the district will follow the protocol for a case-by-case review as outlined below. The student/staff member will remain in the school setting during this review process, unless an exception exists (see #2 below).

a) A school health advisory team shall be established for individual case review if issues or decisions regarding school attendance/employment arise that cannot be informally resolved or if an identified compelling reason exists. Situations involving HIV/AIDS infected individuals will be handled on a case-by-case basis.

1) The School Health Advisory Team will work with all appropriate individuals to determine the most appropriate educational program/work setting for the student/employee. If needed, a student’s educational program will be reviewed to determine whether a change in educational replacement is required.
2) At all times the team will function with the welfare of the affected student/employee in mind, protecting his/her rights while ensuring the protection of the health of the general school population.
3) The superintendent or designee will be responsible for public relations and any possible press releases.

b) The school health advisory team will be composed of members chosen from the following list as appropriate/required: Superintendent or designee, principal, school nurse, county health nurse, patient’s physician, parent/guardian if a minor, teacher, counselor, and special education representative. Other individuals may be included as determined by the team.

c) The parent or guardian of a minor student, a student if age 18 or above, or an employee may appeal decisions to the school board for further consideration.
2. An exception exists if the superintendent after consulting with the appropriate medical professional learns there are clearly documented risks to the infected individual or others in the school setting resulting from other conditions, communicable diseases or infections that could pose an immediate health threat. If a communicable disease or infection that is known to be spread by casual contact* is present, the provision of Part B will apply.

Mandatory screening for communicable diseases that are known not to be spread by casual contact* is not warranted as a condition for school entry or for employment or continued employment.

Irrespective of the disease presence, routine procedures shall be posted and used. Adequate sanitation facilities and supplies will be available for handling blood or body fluids within the school setting or school buses. All school personnel will be trained in the proper procedures for handling blood and body fluids and these procedures will be strictly adhered to.

Confidentiality of Medical Information.

1. All persons privileged with any medical information that pertains to students or staff members shall be informed of their legal obligation and liability and required to treat all proceeding discussions and documents as confidential information. Before any personally identifiable medical information is shared with anyone in the school setting, the statutory protections of the Family Educational Rights and Privacy Act (FERPA) of 1974 and the Health Insurance Portability and Accountability Act (HIPAA) will routinely be followed.

2. The district will revise, if necessary, their FERPA policy to provide:

   a) A requirement that written consent of the eligible student or parent/guardian will be routinely obtained before releasing personally identifiable medical information from a school record. Written consent will include:

      1) The information on the disease, infection or condition that may be disclosed:
      2) The reason for the disclosure:
      3) To whom the disclosure may be made.

   b) A process for determining what and to whom personally identifiable medical information can be released from a school record if written consent cannot be obtained and it is deemed necessary to do so. This process will include:

      1) The convening of a committee by the school nurse to evaluate the request for release of specific information to particular persons.
      2) An evaluation of the request in regard to district responsibility, FEROA and other legal liability, and the existence of a “legitimate educational interest.”
      3) A determination of “legitimate educational interest” based on whether sharing this information with a specific individual would favorably affect; (a) the student’s ability to learn and function in the classroom and related setting; (b) the teacher and other district staff’s ability to teach or provide other services; (c) the containment of a communicable disease for persons at risk; and (d) the immediate health and safety of the student.
4) An emphasis on whether release of this information could lead to discriminatory practices or unauthorized re-disclosure.

3. If the presence of a communicable disease that can be spread by casual contact* must be disclosed to persons in the school community, the superintendent will make every attempt to release only general information about the existence of a specific communicable disease in the school with no personable identifiable information.

4. All personally identifiable medical information of a sensitive nature will be kept in a separate file and will not be released in any form without compliance of subsection F 2.

Instruction shall be provided in every school on the principle modes by which dangerous communicable disease, including, but not limited to, human immunodeficiency virus (HIV) infection are spread and the best methods for the restriction and prevention of these diseases. In-service education on dangerous communicable diseases, confidentiality, school policy and the proper handling of blood and other body fluid spills will be provided to all staff members.

Casual Contact is used here to refer to any contact that does not permit the direct exchange of blood into the bloodstream, semen, or vaginal secretions from one person to another, (e.g. shaking hands, sneezing, coughing, sharing eating utensils, sharing food or beverages, toilet seats, furniture, telephones, office equipment, insect bites). (“Responding to HIV and AIDS”, A special Publication for NEA Members from the Health Information network, 1989. pp. 8-9).

Date Adopted: May 19, 2015

Last Revised:
8.5—CLASSIFIED EMPLOYEES SICK LEAVE

Definitions

1. “Employee” is an employee of the District working 25 or more hours per week who is not required to have a teaching license as a condition of his employment.

2. “Sick Leave” is absence from work due to illness, whether by the employee or a member of the employee’s immediate family. Sick leave may also be used due to a death in the family, to include husband, wife, father, mother, mother-in-law, father-in-law, son, daughter, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, grandson, granddaughter, niece, or nephew.

3. “Excessive Sick Leave” is absence from work, whether paid or unpaid, that exceeds twelve (12) days in a contract year for an employee and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American’s With Disabilities Act; or due to a compensable Workers’ Compensation claim.

4. “Grossly Excessive Sick Leave” is absence from work, whether paid or unpaid, that exceeds 10% of the employee’s contract length and that is not excused pursuant to: District policy; the Family Medical Leave Act; a reasonable accommodation of disability under the American’s With Disabilities Act; or due to a compensable Workers’ Compensation claim.

5. “Current Sick Leave” means those days of sick leave for the current contract year, which leave is granted at the rate of one day of sick leave per month worked, or major part thereof.

6. “Accumulated Sick Leave” is the total of unused sick leave, up to a maximum of ninety (90) days accrued from previous contracts, but not used. After ninety days are accumulated, payment for unused sick leave will be at the substitute teacher rate of pay for current or retiring employees. If a classified employee should die during a contract year, the employee's estate shall be paid at the substitute rate of pay for unused sick leave.

7. “Immediate family” means an employee’s spouse, child, parent, or any other relative provided the other relative lives in the same household as the employee.

Sick Leave

The district shall provide sick leave for each of its contracted employees as defined above. For the purposes of this policy, a day is defined as the number of hours which an employee is contracted for each day. Such leave shall be in force beginning with the first day for which each employee is employed. Provided, if an employee resigns or leaves his position for any reason before the end of the contract period, the district may deduct from his/her last check full compensation for any days of sick leave used in excess of the number of days earned. Employees who are not under contract (i.e. substitute workers) are not entitled to sick leave.
The superintendent or principal has the discretion to approve sick leave for an employee to attend the funeral of a person who is not related to the employee and which will exceed two hours, under circumstances deemed appropriate by the superintendent or principal.

Employees are expected to work their entire scheduled time. Leaving early for any reason is not permitted unless approved by an employee’s immediate supervisor. Except in emergency situations, employees are to notify their immediate supervisor or designee as soon as possible but not later than two hours prior to the beginning of their shift when they need to miss work for sick leave purposes.

Pay for sick leave shall be at the employee’s daily rate of pay, which is that employee’s hourly rate of pay times the number of hours normally worked per day. Absences for illness in excess of the employee’s accumulated and current sick leave shall result in a deduction from the employee’s pay at the daily rate as defined above.

Full-time classified employees (those who work more than 5 hours per day) may take sick leave in half-hour increments. The guidelines regarding this policy are as follows:

1. Sick leave will be accumulated in hours rather than days. Sick leave will be earned at the rate of one day (eight hours) a month. For employees who are contracted for less than eight hours per day, their “day” of sick leave will be the number of hours they are contracted to work daily. For example, a 6-hour worker will receive six hours of sick leave monthly.

2. Forms and procedures for reporting sick leave are available from immediate supervisors and the central office.

Partial hours missed will be rounded up to the next half-hour when figuring sick leave. For example, an employee missing one hour and 5 minutes of work will be charged one and one-half hours of sick leave.

Three times during a school year a full-time classified employee, after receiving prior approval from their immediate supervisor (24 hour notice preferably), may be allowed to:

1. Arrive at/leave work up to 1 hour early/late for approved sick leave reasons without being docked or charged sick leave time, or

2. At the discretion of the principal (or Superintendent), the District may require a written statement from the employee’s physician documenting the employee’s illness. Failure to provide such documentation of illness may result in sick leave not being paid, or in termination.

If the employee’s absences are excessive or grossly excessive as defined by this policy, disciplinary action may be taken against the employee, which could include termination or nonrenewal of the contract of employment. The superintendent shall have the authority when making his/her determination to consider the totality of circumstances surrounding the absences and their impact on district operations or student services. An employee who fraudulently requests leave may be subject to disciplinary action, up to and including termination or nonrenewal.

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

Upon the fifth consecutive absence under sick leave, the District may place an employee on FMLA. The District shall determine if the employee is eligible and if the leave qualifies for FMLA leave. The District may request additional information from the employee to help make the applicability determination. If the employee is eligible for FMLA leave and if the leave qualifies under the FMLA, the District will notify the
employee in writing, of the decision within five (5) workdays. If the circumstances for the leave as defined in policy 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE don’t change, the District is only required to notify the employee once of the determination regarding the applicability of sick leave and/or FMLA leave within any applicable twelve (12) month period. To the extent the employee has accrued paid sick leave, any sick leave taken that qualifies for FMLA leave shall be paid leave and charged against the employee’s accrued leave including, once an employee exhausts his/her accrued sick leave, vacation or personal leave. See 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE.

**Sick Leave and Outside Employment**

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 8.36, if an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

**Cross References:**

- 8.12—CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT
- 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE
- 8.36—CLASSIFIED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION

**Legal References:**

- A.C.A. § 6-17-1301 et seq.
- 29 USC §§ 2601 et seq.
- 29 CFR 825.100 et seq.

**Date Adopted:** May 19, 2015

**Last Revised:** May 19, 2016
8.6—SICK LEAVE BANK—CLASSIFIED EMPLOYEES

A sick leave bank is established for the purpose of permitting classified employees, upon approval, to obtain sick leave in excess of accumulated and current sick leave, when the classified employee has exhausted all such leave. Only those classified employees who contribute to the sick leave bank during a given contract year shall be eligible to withdraw from the sick leave bank.

This program in no way alters or modifies existing district sick leave policy. It is intended to provide additional leave in serious or catastrophic circumstances where none currently exists or all other is exhausted.

In each school year, employees must declare whether they intend to participate in the sick leave bank by September 1st (or 14 days after hiring date if hired later). Each employee electing to participate in the sick leave bank must contribute one (1) day of accumulated sick leave. Such declaration and contribution shall be made on a sick leave bank form annually.

If during the contract year, the sick leave bank runs out of contributed days, members will be notified and requests for an additional contribution will be distributed. Failure to contribute terminates the employee’s membership in the sick leave bank.

If the sick leave has a surplus of 500 hours at the end of the school year, members will be notified that a contribution free period exists for the next school year and benefits are intact. New members must contribute one (1) day accumulated sick leave regardless of the contribution free period for current members.

Governance

A five-member committee shall oversee the administration of the sick leave bank. The committee shall be comprised of the superintendent (or designee) and four elected classified staff members who serve staggered two-year terms and who are contributors to the sick leave bank. The election will be held in conjunction with the annual PPC election. The committee shall decide on requests based on the committee’s rules of operation. The committee chairperson shall be determined by committee vote.

Rules of Operation

A. Only those employees who are current members of the sick leave bank may make requests for granted leave.
B. The sick leave bank may only be used if:
   1. It meets the same criteria as sick leave as stated in district policy;
   2. Employee’s accumulated sick leave, personal leave and vacation are exhausted;
   3. Emergency leave, if applicable, is exhausted;
   4. A physician’s report shall be provided.
C. Requests for sick leave bank grants must be made on a request form obtained from the central office.
D. The sick leave bank committee must convene and determine grant status within ten (10) working days of receiving requests.
E. Sick leave bank grants are limited to no more than thirty (30) days per employee, per school year.

F. Days used from the sick leave bank are grants and do not require repayment.

G. Granted sick leave bank days not used by an employee will be returned to the sick leave bank.

H. Once a day is donated, it cannot be returned.

I. Sick leave bank days cannot be used for pregnancy unless complications arise which would be certified by a physician.

J. Sick leave bank days may only be used for illness or condition that is originally approved by the committee; days not used for this illness/condition may not be used for other reasons.

**Procedures for Requesting Days from Sick Leave Bank**

A. Obtain and complete the proper form from the District website.

B. Attach supporting documentation.

C. Submit the form and documentation to the Director of Human Resources who will then forward to the appropriate committee.

D. After review by the committee, the committee chairperson will notify the Director of Human Resources of their decision.

E. The Director of Human Resources will then communicate with the employee making the request regarding the decision of the committee.

**Legal Reference:** A.C.A. § 6-17-1306

**Date Adopted:** May 19, 2015

**Last Revised:** May 19, 2016
8.6.1 – BEREAVEMENT LEAVE

In the event of death of the spouse, child, stepchild, parent, stepparent, mother-in-law, father-in-law, sibling, grandparent, grandchild, aunt, uncle, or legal guardian of any full-time employee, three (3) days of bereavement leave will be granted in addition to the days allowable by the current sick leave policy. The days will not be cumulative.

In addition, employees may attend funerals for close friends with the approval of the superintendent, the superintendent’s designee, or principal with no loss of salary when absences will be for no more than two hours.

Date Adopted:  May 19, 2015

Last Revised:  May 19, 2016
8.6.2 – OTHER AUTHORIZED LEAVE

An employee may be absent without loss of pay for any of the following reasons provided the absence is approved in advance by the principal or supervisor:
1. School business or educational meetings.
2. Attendance at non-educational, professional, or civic organization meetings provided the employee is an officer or elected delegate and the principal and the superintendent approved such absence in advance.

Military Leave
The Bryant School District will comply with applicable state and federal laws concerning the protection of rights, privileges and benefits for employees during military leave.

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.7—CLASSIFIED PERSONNEL PERSONAL AND PROFESSIONAL LEAVE

For the district to function efficiently and have the necessary personnel present to affect a high achieving learning environment, employee absences need to be kept to a minimum. The district acknowledges that there are times during the school year when employees have personal business that needs to be addressed during the school day. Each full-time employee shall receive two (2) days of personal leave per contract year. After the fifth year of Bryant experience an employee may use one sick day as an additional personal day. After the tenth year of Bryant experience an employee may use up to two sick days as additional personal days. Unused personal leave days will be accumulated from year to year until a total of four (4) days are accumulated. After four (4) days of accumulated personal leave, each day of unused personal leave will be credited as a sick leave day.

Personal leave may be taken in increments of no less than one-half day. The classified employee may take approved personal leave for any reason. However, classified personnel may not take more than two (2) consecutive personal leave days without the approval of the superintendent or his/her designee.

Employees shall take personal leave or leave without pay for absences not due to attendance at school functions which are related to their job duties and do not qualify for other types of leave (for sick leave see Policy 8.5, for professional leave see below).

“School functions”, for the purposes of this policy, means:
1. Athletic or academic events related to a public school district; and
2. Meetings and conferences related to education.

The determination of what activities meet the definition of a school function shall be made by the employee’s immediate supervisor or designee. In no instance shall paid leave in excess of allotted vacation days and/or personal days be granted to an employee who is absent from work while receiving remuneration from another source as compensation for the reason for their absence.

Any employee desiring to take personal leave may do so by making a written request to his/her supervisor at least twenty-four (24) hours prior to the time of the requested leave. The twenty-four hour requirement may be waived by the supervisor when the supervisor deems it appropriate.

Employees who fail to report to work when their request for a personal day has been denied or who have exhausted their allotted personal days, shall lose their daily rate of pay for the day(s) missed (leave without pay). While there are instances where personal circumstances necessitate an employee’s absence beyond the allotted days of sick and/or personal leave, any employee who requires leave without pay must receive advance permission (except in medical emergencies and/or as permitted by policy 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE) from their immediate supervisor. Failure to report to work without having received permission to be absent is grounds for discipline, up to and including termination.

Personal leave may not be taken the day before or the day after a holiday without the approval of the superintendent or his/her designee. Such leave may be approved only in limited or unusual circumstances. Personnel who seek leave for this purpose must do so on a specified form provided by the school district.
Personnel will receive a response about whether the leave is approved or disapproved within forty-eight (48) hours.

**Professional Leave**

“Professional Leave” is leave granted for the purpose of enabling an employee to participate in professional activities (e.g., workshops or serving on professional committees) which can serve to improve the school District’s instructional program or enhances the employee’s ability to perform his duties. Professional leave will also be granted when a school District’s employee is subpoenaed for a matter arising out of the employee’s employment with the school District. Any employee seeking professional leave must make a written request to his immediate supervisor, setting forth the information necessary for the supervisor to make an informed decision. The supervisor’s decision is subject to review and overruling by the superintendent. Budgeting concerns and the potential benefit for the District’s students will be taken into consideration in reviewing a request for professional leave.

Applications for professional leave should be made as soon as possible following the employee’s discerning a need for such leave, but, in any case, no less than two (2) weeks before the requested leave is to begin, if possible.

If the employee does not receive or does not accept remuneration for his/her participation in the professional leave activity and a substitute is needed for the employee, the District shall pay the full cost of the substitute. If the employee receives and accepts remuneration for his/her participation in the professional leave activity, the employee shall forfeit his/her daily rate of pay from the District for the time the employee misses. The cost of a substitute, if one is needed, shall be paid by the employee.

Legal Reference: A.C.A. § 6-17-211

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.8—CLASSIFIED PERSONNEL RESPONSIBILITIES IN DEALING WITH SEX OFFENDERS ON CAMPUS

Individuals who have been convicted of certain sex crimes must register with law enforcement as sex offenders. Arkansas law places restrictions on sex offenders with a Level 1 sex offender having the least restrictions (lowest likelihood of committing another sex crime), and Level 4 sex offenders having the most restrictions (highest likelihood of committing another sex crime).

While Levels 1 and 2 place no restrictions prohibiting the individual’s presence on a school campus, Levels 3 and 4 have specific prohibitions. These are specified in Policy 6.10—SEX OFFENDERS ON CAMPUS (MEGAN’S LAW) and it is the responsibility of district staff to know and understand the policy and, to the extent requested aid school administrators in enforcing the restrictions placed on campus access to Level 3 and Level 4 sex offenders.

It is the intention of the board of directors that district staff not stigmatize students whose parents or guardians are sex offenders while taking necessary steps to safeguard the school community and comply with state law. The district shall establish procedures so attention is not drawn to the accommodations necessary for registered sex offender parents or guardians.

Cross Reference: Policy 6.10—SEX OFFENDERS ON CAMPUS (MEGAN’S LAW)

Legal References:
A.C.A. § 5-14-132
A.C.A. § 12-12-913 (g) (2)
Division of Elementary and Secondary Education Guidelines for “Megan’s Law”

Date Adopted: May 19, 2015

Last Revised: June 20, 2019
8.9—CLASSIFIED PERSONNEL PUBLIC OFFICE

An employee of the District who is elected to the Arkansas General Assembly or any elective or appointive public office (not legally constitutionally inconsistent with employment by a public school district) shall not be discharged or demoted as a result of such service.

No sick leave will be granted for the employee’s participation in such public office. The employee may take personal leave or vacation (if applicable), if approved in advance by the Superintendent, during his/her absence.

Prior to taking leave, and as soon as possible after the need for such leave is discerned by the employee, he/she must make written request for leave to the Superintendent, setting out, to the degree possible, the dates such leave is needed.

An employee who fraudulently requests sick leave for the purpose of taking leave to serve in public office may be subject to nonrenewal or termination of his/her employment contract.

Cross Reference: Policy 8.17—CLASSIFIED PERSONNEL POLITICAL ACTIVITY

Legal Reference: A.C.A. § 6-17-115

Date Adopted: May 19, 2015

Last Revised:
8.10—CLASSIFIED PERSONNEL JURY DUTY

Employees are not subject to discharge, loss of sick leave, loss of vacation time or any other penalty due to absence from work for jury duty, upon giving reasonable notice to the District through the employee’s immediate supervisor.

The employee must present the original (not a copy) of the summons to jury duty to his/her supervisor in order to confirm the reason for the requested absence.

Legal Reference: A.C.A. § 16-31-106

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.10.1 – CLASSIFIED PERSONNEL COURT SUBPOENA

Employees are not subject to discharge, loss of sick leave, loss of vacation time, loss of salary, or any other penalty due to absence from work for responding to a court-issued subpoena upon giving reasonable notice to the District through the employee’s immediate supervisor.

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.11—OVERTIME and COMPLYING WITH FLSA

The Bryant School District shall comply with those portions of the Fair Labor Standards Act (FLSA) that relate to the operation of public schools. The FLSA requires that covered employees for each hour worked at greater than or equal to the applicable minimum wage for workweeks of less than or equal to 40 hours. It also requires that employees be compensated for workweeks of greater than 40 hours at 1 1/2 times their regular hourly rate of pay.

Definitions

“Covered Employees” (also defined as non-exempt employees) are those employees who are not exempt, generally termed classified, and include bus drivers, clerical workers, maintenance personnel, custodians, transportation workers, receptionists, paraprofessionals, food service workers, secretaries, and bookkeepers.

“Exempt Employees” are those employees who are not covered under the FLSA. They include administrators and professional employees such as teachers, counselors, nurses, and supervisors. Any employee who is unsure of their coverage status should consult with the District’s Administration.

“Overtime” is hours worked in excess of 40 per workweek. Compensation given for hours not worked such as for holidays or sick days do not count in determining hours worked per workweek.

“Regular Rate of Pay” includes all forms of remuneration for employment and shall be expressed as an hourly rate. For those employees previously paid on a salary basis, the salary shall be converted to an hourly equivalent. Employees shall be paid for each and every hour worked.

“Straight time pay” is the amount of hourly compensation an employee receives for each hour worked during that week.

“Workweek” is the seven day consecutive period of time from 12:00AM on Sunday to midnight on the following Saturday. Each workweek is independent of every other workweek for the purpose of determining the number of hours worked and the remuneration entitled to by the employee for that week.

Employment Relationships

1. The District does not have an employment relationship in the following instances:
   • Between the District and student teachers;
   • Between the District and its students; and
   • Between the District and individuals who as a public service volunteer or donate their time to the District without expectation or promise of compensation.

The District does not have a joint employment relationship in the following instances:

1. Between the District and off-duty policemen or deputies who are hired on a part-time basis for security purposes or crowd control. The District is separate from and acts independently of other governmental entities.
2. Between the District and any agency contracted with to provide transportation services, security services, or other services.

**Hours Worked**

Employees shall be compensated for all the time they are required to be on duty and shall be paid for all hours worked each workweek. Employees shall accurately record the hours they work each week.

The District shall determine the manner to be used by employees to accurately record the hours they work. Each employee shall record the exact time they commence and cease work including meal breaks. Employees arriving early may socialize with fellow workers who are off the clock, but shall not commence working without first recording their starting time.

Employees shall sign in/clock in where they start work and sign out/clock out at the site where they cease working. Employees who do not start and end their workday at the same site shall carry a time card or sheet with them to accurately record their times. They shall turn in their time sheets or cards to their immediate supervisor no later than the following Monday morning after reviewing them to be sure that they accurately reflect their hours worked for that week.

Time clocks will be used in some departments to document employee workdays for payroll purposes. The following procedures will be followed concerning the use of time clocks:

1. All employees are responsible for clocking in and out at the beginning and end of their work shifts. No employee is to clock in or out for a fellow worker.
2. On normal workdays (no authorized overtime), employees are not to clock in or out more than seven minutes early or seven minutes late. Clocking in or out outside this 14 minute range may result in loss of pay.

Lunch breaks are 30 minutes. Employees are not to work through lunch breaks and clock out early.

Each employee is to personally record his or her own times. Any employee who signs in or out (or who punches a time clock) for another employee or who asks another employee to do so for him or her will be recommended for termination.

Employees whose normal workweek is less than 40 hours and who work more than their normal number of hours in a given workweek may, at the District’s option, be given compensatory time for the hours they worked in excess of their normal workweek in lieu of their regular rate pay. Compensatory time given in this manner shall be subject to the same conditions regarding accumulation and use as compensatory time given in lieu of overtime pay.

**Breaks and Meals**

Each employee working more than 20 hours per week shall be provided two, paid, 15 minute duty free breaks per workday.
Meal periods which are less than 30 minutes in length or in which the employee is not relieved of duty are compensable. Employees with a bona fide meal period shall be completely relieved of their duty to allow them to eat their meal which they may do away from their work site, in the school cafeteria, or in a break area.

The employee shall not engage in any work for the District during meal breaks except in rare and infrequent emergencies.

**Overtime**

Covered employees shall be compensated at not less than 1.5 times his or her regular rate of pay for all hours worked over 40 in a workweek. Overtime compensation shall be computed on the basis of the hours worked in each week and may not be waived by either the employee or the District. Overtime compensation shall be paid on the next regular payday for the period in which the overtime was earned.

The rate of overtime pay for employees who work two (2) or more jobs for the District at different rates of pay shall be determined by creating a weighted average of the different rates (a.k.a. blended rate). The weighted average will be calculated by multiplying the number of hours worked during that week for each position by the position’s rate of pay, combining the resulting amounts for each position (straight time pay), and dividing the straight time pay by the total number of hours the employee worked in that week. The weighted average will then be multiplied by one half (0.5), which will then be multiplied by the number of hours the employee worked that week over forty (40).

**Overtime Authorization**

There will be instances where the district’s needs necessitate an employee work overtime. It is the Board’s desire to keep overtime worked to a minimum. To facilitate this, employees shall receive authorization from their supervisor in advance of working overtime except in the rare instance when it is unforeseen and unavoidable.

All overtime worked will be paid in accordance with the provisions of the FLSA, but unless the overtime was pre-approved or fit into the exceptions noted previously, disciplinary action shall be taken for failure to follow District policy. In extreme and repeated cases, disciplinary action could include the termination of the employee.

**Leave Requests**

All covered employees shall submit a leave request form prior to taking the leave if possible. If a request for leave was not possible in advance due to unforeseen or emergency circumstances, the leave form shall be turned in the day the employee returns to work. Unless specifically granted by the Board for special circumstances, the reason necessitating the leave must fall within District policy.

Payment for leave could be delayed or not occur if an employee fails to turn in the required leave form. Leave may be taken in a minimum of 4 hour increments.
Record Keeping and Postings

The District shall keep and maintain records as required by the FLSA for the period of time required by the act.

The District shall display minimum wage posters where employees can readily observe them.

Cooperation with Enforcement Officials

All records relating to the FLSA shall be available for inspection by, and District employees shall cooperate fully with, officials from the Department of Labor (DOL) and/or its authorized representatives in the performance of their jobs relating to:

1. Investigating and gathering data regarding the wages, hours, and other conditions and practices of employment;
2. Entering, inspecting, and/or transcribing the premises and its records;
3. Questioning employees and investigating such facts as the inspectors deem necessary to determine whether any person has violated any provision of the FLSA.

Legal References:

29 USC § 206(a), ACA § 6-17-2203
29 USC § 207(a)(1), 29 CFR § 778.100
29 USC § 207(o), 29 CFR § 553.50
29 CFR § 778.218(a)
29 CFR § 778.105
29 USC § 213(a), 29 CFR §§ 541 et seq.
29 USC § 207(e), 29 CFR § 778.108
29 CFR §§ 785.9, 785.16
29 CFR § 516.2(7)
29 CFR §§ 785.1 et seq.
ACA § 6-17-2205
29 CFR §§ 785.19
29 USC § 207(a), 29 CFR § 778.100, 29 USC § 207(o), 29 CFR §§ 553.20 – 553.32
29 CFR § 778.106
29 USC § 207(g)(2), 29 CFR § 778.115
29 USC § 207(o)(2)(A), 29 CFR § 553.23
29 CFR § 553.20
29 USC § 207(o)(4), 29 CFR § 553.27
29 USC § 211(c), 29 CFR §§ 516.2, 516.3, 553.50
29 CFR § 516.4
29 CFR §§ 516.5, 516.6
29 USC § 211(a)(b)

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.12—CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT

An employee of the District may not be employed in any other capacity during regular working hours.

An employee may not accept employment outside of his/her district employment which will interfere, or otherwise be incompatible with the District employment, including normal duties outside the regular workday; nor shall an employee accept other employment which is inappropriate for an employee of a public school.

The Superintendent, or his designee(s), shall be responsible for determining whether outside employment is incompatible, conflicting, or inappropriate.

When a classified employee is additionally employed by the District by a contract for a second classified position or to perform supplementary duties for a stipend or multiplier, the duties, expectations, and obligations of the primary position employment contract shall prevail over all other employment duties unless the needs of the district dictate otherwise. If there is a conflict between the expectations of the primary position and any other contracted position, the employee shall notify the employee's building principal as far in advance as is practicable. The Building principal shall verify the existence of the conflict by contacting the supervisor of the secondary contracted position. The building principal shall determine the needs of the district on a case-by-case basis and rule accordingly. The principal's decision is final with no appeal to the Superintendent or the School Board. Frequent conflicts or scheduling problems could lead to the non-renewal or termination of the conflicting contract of employment or the contract to perform the supplementary duties.

For employees who work two or more jobs for the District, the superintendent or designee shall specify which is the employee's primary job. If circumstances change, the determination can be changed to reflect the current needs of the District. Furthermore, if on any given day, one of the employee's jobs requires more hours worked than is customary, the District reserves the right to lessen the number of hours the employee may work in his/her other job such that the employee does not exceed forty (40) hours worked in that week.

Sick Leave and Outside Employment

Sick leave related absence from work (e.g. sick leave for personal or family illness or accident, Workers Comp, and FMLA) inherently means the employee is also incapable of working at any source of outside employment. Except as provided in policy 8.26, an employee who works a non-district job while taking district sick leave for personal or family illness or accident, Workers Comp, or FMLA shall be subject to discipline up to and including termination.

Cross References: 8.5—CLASSIFIED EMPLOYEES SICK LEAVE 8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE 8.36—CLASSIFIED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION

Legal References: A.C.A. § 6-24-106, 107, 111
Date Adopted: May 19, 2015

Last Revised:
8.13—CLASSIFIED PERSONNEL EMPLOYMENT

Notice of staff openings will be posted in the Administration Building and on the district website as they occur during the school year.

All prospective employees must fill out an application form provided by the District, in addition to any resume provided; all of the information provided is to be placed in the personnel file of those employed.

If the employee provides false or misleading information, or if he/she withholds information to the same effect, it may be grounds for dismissal. In particular, it will be considered a material misrepresentation and grounds for termination of contract of employment if an employee’s application information is discovered to be other than as was represented by the employee, either in writing on application materials or in the form of representations made to the school district.

It is grounds for termination of contract of employment if an employee fails a criminal background check or receives a true report on the Child Maltreatment Central Registry check. All classified employees shall complete, at District expense, a criminal records background check and Child Maltreatment Central Registry check at least one (1) time every five (5) years.

An employee who receives notification of a failure to pass a criminal background check or a true result on the Child Maltreatment Central Registry check shall have thirty (30) days following the notification to submit to the superintendent, or designee, a written request for a hearing before the Board to request a waiver. The written request should include any documentation, such as police reports, or other materials that are related to the event giving rise to the failed background check or true result on the Child Maltreatment Registry as well as information supporting your request for the waiver. Employees requesting a board hearing to request a waiver should be aware that this hearing is subject to the Arkansas Freedom of Information Act and it must be fully open to the public as a result.

For unlicensed individuals employed as teachers or administrators under a waiver, all teachers who begin employment in the 2021-2022 school year and each school year thereafter shall demonstrate proficiency or awareness in knowledge and practices in scientific reading instruction as is applicable to their teaching position by completing the prescribed proficiency or awareness in knowledge and practices of the scientific reading instruction credential either as a condition of licensure or within one (1) year for teachers who are already licensed or employed as a teacher under a waiver from licensure.

Before the superintendent may make a recommendation to the Board that an individual be hired by the District, the superintendent shall check the Arkansas Educator Licensure System to determine if the individual has a currently suspended or revoked teaching license or a current Level 3 or Level 4 public notification of ethics violation. An individual with a currently suspended license or whose license has been revoked by the State Board of Education is not eligible to be employed by the District; this prohibition includes employment as a substitute teacher, whether directly employed by the District or providing substitute teaching services under contract with an outside entity. An individual with a current Level 3 or Level 4 public notification of ethics violation shall not be recommended for employment by the District.
The District is an equal opportunity employer and shall not discriminate on the grounds of race, color, religion, national origin, sex, age, disability, or genetic information.

Inquiries on non-discrimination may be directed to the Bryant School District Human Resources Office, which may be reached at (501) 847-5600. Inquiries regarding issues related to Title IX shall be directed to the Bryant School District Deputy Superintendent, who may be reached at (501) 847-5600. Inquiries related to Section 504 shall be directed to the Bryant School District 504 Coordinator at (501) 847-5660.

For further information on notice of non-discrimination or to file a complaint, visit http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm; for the address and phone number of the office that serves your area, or call 1-800-421-3481.

In accordance with Arkansas law, the District provides a veterans preference to applicants who qualify for one of the following categories:
1. a veteran without a service-connected disability;
2. a veteran with a service-connected disability; or
3. a deceased veteran’s spouse who is unmarried throughout the hiring process.

For purposes of this policy, “veteran” is defined as:
  a. A person honorably discharged from a tour of active duty, other than active duty for training only, with the armed forces of the United States; or
  b. Any person who has served honorably in the National Guard or reserve forces of the United States for a period of at least six (6) years, whether or not the person has retired or been discharged.

In order for an applicant to receive the veterans preference, the applicant must be a citizen and resident of Arkansas, be substantially equally qualified as other applicants and do all of the following:
1. Indicate on the employment application the category the applicant qualifies for;
2. Attach the following documentation, as applicable, to the employment application:
   - Form DD-214 indicating honorable discharge;
   - A letter dated within the last six months from the applicant’s command indicating years of service in the National Guard or Reserve Forces as well as the applicant’s current status;
   - Marriage license;
   - Death certificate;
   - Disability letter from the Veteran’s Administration (in the case of an applicant with a service-related disability).

Failure of the applicant to comply with the above requirements shall result in the applicant not receiving the veteran preference; in addition, meeting the qualifications of a veteran or spousal category does not guarantee either an interview or being hired.

Legal References:  Division of Elementary and Secondary Rules Governing Background Checks
Division of Elementary and Secondary Rules Governing the Code of Ethics for Arkansas Educators
A.C.A. § 6-17-301
A.C.A. § 6-17-414
A.C.A. § 6-17-428
A.C.A. § 6-17-429
A.C.A. § 21-3-302
A.C.A. § 21-3-303
28 C.F.R. § 35.106
29 C.F.R. part 1635
34 C.F.R. § 100.6
34 C.F.R. § 104.8
34 C.F.R. § 106.9
34 C.F.R. § 108.9
34 C.F.R. § 110.25

Date Adopted: May 19, 2015

Last Revised: June 20, 2019
8.13.1—CLASSIFIED PERSONNEL CONTRACT RETURN

A classified employee shall have thirty (30) days from the date of the receipt of his contract for the following school year in which to return the contract, signed, to the office of the superintendent. The date of receipt of the contract shall be presumed to be the date of a cover memo which will be attached to the contract.

Failure of a classified employee to return the signed contract to the office of the superintendent within thirty (30) days of the receipt of the contract shall be considered by the district as a resignation by the employee. No further action on the part of the employee, the superintendent, or the school board shall be required in order to make the classified employee’s resignation final.

Date Adopted: May 19, 2016

Last Revised:
8.13.2 - CLASSIFIED PERSONNEL POSITION ABANDONMENT

Definitions:

“Position abandonment” means an employee who fails to report to work as expected on consecutive days, and has not provided notice to the job supervisor of his/her intention to quit.

“Reasonable effort to contact the employee” means that the District has made documented attempts to contact the employee by telephone at the phone number(s) in District personnel records and has sent a letter by regular and certified mail to the employee’s address as shown in District personnel records requesting that the employee contact the District.

When an employee of the Bryant School District fails to report to work for a period of five (5) consecutive scheduled work days and has not made direct contact with his/her supervisor in person, or by telephone, e-mail, or text message to explain the reason for the absences, and after the District has made a reasonable effort without success to contact the employee to determine the reason(s) for the absences, the District shall consider that the employee has voluntarily abandoned his/her position and a recommendation shall be made to the school board to sever the employment contract with the employee.

If a subsequent discovery is made (prior to action being taken by the school board) that an extreme situation prevented the employee from contacting the District as required by this policy, the District may reconsider a recommendation to sever the employment contract with the employee.

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.14—CLASSIFIED PERSONNEL REIMBURSEMENT OF TRAVEL EXPENSES

Employees shall be reimbursed for approved travel expenses incurred while performing duties or attending workshops or other employment-related functions, provided that prior written approval for the activity for which the employee seeks reimbursement has been received from the superintendent, principal (or other immediate supervisor with the authority to make school approvals), or the appropriate designee of the superintendent and that the employee’s attendance/travel was at the request of the district.

It is the responsibility of the employee to determine the appropriate supervisor from which he/she must obtain approval.

Reimbursement claims must be made on forms provided by the District and must be supported by appropriate, original receipts. Copies of receipts or other documentation are not acceptable, except in extraordinary circumstances. Guidelines for reimbursements are contained in the district business procedures manual.

The provisions of policy 7.12—EXPENSE REIMBURSEMENT are incorporated by reference into this policy.

Cross Reference: Policy 7.12—EXPENSE REIMBURSEMENT

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.15—CLASSIFIED PERSONNEL TOBACCO USE

In order to provide a proper example for our students, and to comply with state law, 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 the Bryant School District, including school buses owned or leased by the District, or other school vehicles is prohibited.

With the exception of recognized tobacco cessation products, this policy’s prohibition includes any tobacco or nicotine delivery system or 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.

Violation of this policy by employees shall be grounds for disciplinary action up to, and including, dismissal.

Legal Reference: A.C.A. § 6-21-609

Date Adopted: May 19, 2015

Last Revised:
8.16—DRESS OF CLASSIFIED EMPLOYEES

Employees shall ensure that their dress and appearance are professional and appropriate to their positions.

Date Adopted: May 19, 2015

Last Revised:
8.17—CLASSIFIED PERSONNEL POLITICAL ACTIVITY

Employees are free to engage in political activity outside of work hours and to the extent that it does not affect the performance of their duties or adversely affect important working relationships.

It is specifically forbidden for employees to engage in political activities on the school grounds or during work hours. The following activities are forbidden on school property:

1. Using students for preparation or dissemination of campaign materials;

2. Distributing political materials;

3. Distributing or otherwise seeking signatures on petitions of any kind;

4. Using school-owned materials and/or technology to engage in political activity, including copy machines, e-mail, or any other school-owned system or device.

5. Posting political materials; and

6. Discussing political matters with students, in or out of the classroom, in other than circumstances appropriate to the employee’s responsibilities to the students and where a legitimate pedagogical reason exists.

Date Adopted: May 19, 2015

Last Revised:
8.18—RESERVED
8.19 - CLASSIFIED PERSONNEL GRIEVANCES

The Board of Education recognizes that harmonious relations with its employees can be maintained and improved through effective communications. The interests of all parties can be best served by sincere efforts of all concerned to promote understanding and cooperation. Any classified employee has the right to present grievances. At any level of the grievance procedure, the employee may be represented by a person of his/her choosing but not by a member of his/her immediate family.

The purpose of this policy is to provide an orderly process for employees to resolve, at the lowest possible level, their concerns related to the personnel policies or salary payments of this district.

Definitions

Grievance: a claim or concern related to the interpretation, application, or claimed violation of the personnel policies, including salary schedules, federal or state laws and regulations, or terms or conditions of employment, raised by an individual employee of this school district. Other matters for which the means of resolution are provided or foreclosed by statute or administrative procedures shall not be considered grievances. Specifically, no grievance may be entertained against a supervisor for directing, instructing, reprimanding, or “writing up” an employee under his/her supervision. A group of employees who have the same grievance may file a group grievance.

Group Grievance: A grievance may be filed as a group grievance if it meets the following criteria: (meeting the criteria does not ensure that the subject of the grievance is, in fact, grievable)
1. More than one individual has interest in the matter; and
2. The group has a well-defined common interest in the facts and/or circumstances of the grievance; and
3. The group has designated an employee spokesperson to meet with administration and/or the board; and
4. All individuals within the group are requesting the same relief; and
5. The group grievance qualifies as a “grievance” as defined in this policy.

Employee: any person employed under a written contract by this school district.

Immediate Supervisor: the person immediately superior to an employee who directs and supervises the work of that employee.

Working day: Any weekday other than a holiday whether or not the employee under the provisions of their contract is scheduled to work or whether they are currently under contract.

Process

Level One: An employee who believes that he/she has a grievance shall inform the immediate supervisor of the potential grievance and discuss the matter with the supervisor within five working days of the occurrence of the grievance. The supervisor shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. (The five-day requirement does not apply to grievances concerning back pay.) If the grievance is not advanced to Level Two within five working days following the conference, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.
If the grievance cannot be resolved by the immediate supervisor, the employee can advance the grievance to Level Two. To do this, the employee must complete the top half of the Level Two Grievance Form within five working days of the discussion with the immediate supervisor, citing the manner in which the specific personnel policy was violated that has given rise to the grievance, and submit the Grievance Form to his/her immediate supervisor. The supervisor will have ten working days to respond to the grievance using the bottom half of the Level Two Grievance Form. If the employee’s immediate supervisor is the principal, or if the employee does not have a principal in his or her supervisory chain, the employee shall submit the Level Two Grievance Form to the superintendent.

Level Two (when appeal is to the building principal): Upon receipt of a Level Two Grievance Form, the building principal will have ten working days to schedule a conference with the employee filing the grievance. The principal shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. After the conference, the principal will have ten working days in which to deliver a written response to the grievance to the employee. If the grievance is not advanced to Level Three within five working days the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

Level Two (when appeal is to the superintendent): Upon receipt of a Level Two Grievance Form, the superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

Level Three: If the proper recipient of the Level Two Grievance was the building principal, and the employee remains unsatisfied with the written response to the grievance, the employee may advance the grievance to the superintendent by submitting a copy of the Level Two Grievance Form and the principal’s reply to the superintendent within five working days of his/her receipt of the principal’s reply. The superintendent will have ten working days to schedule a conference with the employee filing the grievance. The superintendent shall offer the employee an opportunity to have a witness or representative who is not a member of the employee’s immediate family present at their conference. After the conference, the superintendent will have ten working days in which to deliver a written response to the grievance to the employee.

Appeal to the Board of Directors: An employee who remains unsatisfied by the written response of the superintendent may appeal the superintendent’s decision to the Board of Education within five working days of his/her receipt of the Superintendent’s written response by submitting a written request for a board hearing to the superintendent. If the grievance is not appealed to the Board of Directors within five working days of his/her receipt of the superintendent’s response, the matter will be considered resolved and the employee shall have no further right with respect to said grievance.

The school board will address the grievance at its next regular meeting, unless the employee agrees in writing to an alternate date for the hearing. After reviewing the Level Two Grievance Form and the superintendent’s reply, the board will decide if the grievance, on its face, is grievable under district policy. If the grievance is presented as a “group grievance,” the Board shall first determine if the composition of the group meets the definition of a “group grievance.” If the Board determines that it is a group grievance, the Board shall then determine whether the matter raised is grievable. If the Board rules the composition of the group does not meet
the definition of a group grievance, or the grievance, whether group or individual, is not grievable, the matter shall be considered closed. (Individuals within the disallowed group may choose to subsequently refile their grievance as an individual grievance beginning with Level One of the process.) If the Board rules the grievance to be grievable, they shall immediately commence a hearing on the grievance. All parties have the right to representation by a person of their own choosing who is not a member of the employee’s immediate family at the appeal hearing before the Board of Directors. The employee shall have no less than 90 minutes to present his/her grievance, unless a shorter period is agreed to by the employee, and both parties shall have the opportunity to present and question witnesses. The hearing shall be open to the public unless the employee requests a private hearing. If the hearing is open, the parent or guardian of any student under the age of eighteen years who gives testimony may elect to have the student’s testimony given in closed session. At the conclusion of the hearing, if the hearing was closed, the Board of Directors may excuse all parties except board members and deliberate, by themselves, on the hearing. At the conclusion of an open hearing, board deliberations shall also be in open session unless the board is deliberating the employment, appointment, promotion, demotion, disciplining, or resignation of the employee. A decision on the grievance shall be announced no later than the next regular board meeting.

Records
Records related to grievances will be filed separately and will not be kept in, or made part of, the personnel file of any employee.

Reprisals
No reprisals of any kind will be taken or tolerated against any employee because he/she has filed or advanced a grievance under this policy. In addition, the filing or pursuance of any grievance by an individual shall not be considered in relation to promotion, rehiring, etc. of that individual.

Legal References: A.C.A. § 6-17-208, 210

Date Adopted: May 19, 2015

Last Revised: April 18, 2018
8.19F—LEVEL TWO GRIEVANCE FORM - CLASSIFIED

Name: _______________________________________________

Date submitted to supervisor: ______________

Classified Personnel Policy grievance is based upon:
_________________________________________________________________________________

Grievance (be specific):
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

What would resolve your grievance? __________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

Supervisor’s Response

Date submitted to recipient: ______________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.20—CLASSIFIED PERSONNEL SEXUAL HARASSMENT

The Bryant School District is committed to having an academic and work environment in which all students and employees are treated with respect and dignity. Student achievement and amicable working relationships are best attained in an atmosphere of equal educational and employment 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 and work environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to employees on sexual harassment. The informational materials and training shall include, but are not limited to: the nature of sexual harassment; the District’s written grievance procedures for complaints of sexual harassment; that the district does not tolerate sexual harassment; that students and employees can report inappropriate behavior of a sexual nature without fear of adverse consequences; the redress that is available to the victim of sexual harassment; and the potential discipline for perpetrating sexual harassment.

“Sexual harassment” means conduct that is:
1. Of a sexual nature, including, but not limited to:
   a. Sexual advances;
   b. Requests for sexual favors;
   c. Sexual violence; or
   d. Other personally offensive verbal, visual, or physical conduct of a sexual nature;

2. Unwelcome; and

3. Denies or limits an employee’s ability to participate in or benefit from any of the District’s educational programs or activities or employment environment through any or all of the following methods:
   a. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment;
   b. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting that individual; and/or
   c. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creates an intimidating, hostile, or offensive work environment.

The terms “intimidating,” “hostile,” and “offensive” include conduct of a sexual nature that has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive that it limits the student’s or employees ability to participate in, or benefit from, an educational program or activity or employment environment.

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

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;
- Circulating or showing e-mails or Web sites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and
- Teasing 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 employee self-identifies as homosexual or transgender.

Employees who believe they have been subjected to sexual harassment are encouraged to file a complaint by contacting their immediate supervisor, an administrator, or the Title IX coordinator who will provide assistance on the complaint process. Under no circumstances shall an employee be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment.

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 to the extent necessary to complete a thorough investigation; the extent necessary to submit a report to the child maltreatment hotline; the Professional Licensure Standards Board for complaints alleging sexual harassment by an employee towards a student; or the extent necessary to provide the individual accused in the complaint due process during the investigation and disciplinary processes. Individuals who file a complaint have the right to request that the individual accused of sexual harassment not be informed of the name of the accuser; however, individuals should be aware that making such a request may substantially limit the District’s ability to investigate the complaint and may make it impossible for the District to discipline the accused.

Employees who file a complaint of sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats, intimidation, coercion, or discrimination. 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, District contractors, or students.

Following the completion of an investigation of a complaint, the District will inform the employee who filed the complaint:

- The final determination of the investigation;
- Remedies the District will make available to the employee; and
- The sanctions, if any, imposed on the alleged harasser relevant to the employee.

Following the completion of an investigation of a complaint, the District will inform the alleged perpetrator:

- The final determination of the investigation; and
- The sanctions, if any, the District intends to impose on the alleged perpetrator.
It shall be a violation of this policy for any student or employee to be subjected to, or to subject another person to, sexual harassment. Following an investigation, any employee who is found by the evidence to more likely than not have engaged in sexual harassment will be subject to disciplinary action up to, and including, termination.

Employees who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including termination.

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including termination.

Legal References: Title IX of the Education Amendments of 1972, 20 USC 1681, et seq.
34 CFR part 106
A.C.A. § 6-15-1005 (b) (1)

Date Adopted: March 16, 2015

Last Revised: April 18, 2018
8.21—CLASSIFIED PERSONNEL SUPERVISION OF STUDENTS

All District personnel are expected to conscientiously execute their responsibilities to promote the health, safety, and welfare of the District’s students under their care. The Superintendent shall direct all principals to establish procedures ensuring adequate supervision of students throughout the school day and at extracurricular activities.

Date Adopted: May 19, 2015

Last Revised:
8.22—CLASSIFIED PERSONNEL COMPUTER USE POLICY

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

Network and Internet access is provided as a tool for education. The School District reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network, including e-mails, Instant Messages, and Internet access and any and all information transmitted or received in connection with such usage.

Passwords or security procedures are to be used as assigned, and confidentiality of student records is to be maintained at all times. Employees must not disable or bypass security procedures, compromise, attempt to compromise, or defeat the district’s technology network security, alter data without authorization, disclose passwords to other staff members or students, or grant students access to any computer not designated for student use. It is the policy of this school district to equip each computer with Internet filtering software designed to prevent users from accessing material that is harmful to minors. The District Information Technology Security Officer or designee may authorize the disabling of the filter to enable access by an adult for a bona fide research or other lawful purpose.

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

Legal References: Children’s Internet Protection Act; PL 106-554
20 USC 6777
47 USC 254(h)
A.C.A. § 6-21-107
A.C.A. § 6-21-111

Date Adopted: May 19, 2015

Last Revised: June 22, 2017
8.22F—CLASSIFIED PERSONNEL INTERNET USE AGREEMENT

Name (Please Print) ________________________________________________________________

School ______________________________________________________________ Date __________

The Bryant School District agrees to allow the employee identified above (“Employee”) to use the district’s technology to access the Internet under the following terms and conditions:

1. Conditional Privilege: The Employee’s use of the district’s access to the Internet is a privilege conditioned on the Employee’s abiding by this agreement.

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

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

4. “Misuse of the District’s access to the Internet” includes, but is not limited to, the following:
   a. using the Internet for any activities deemed lewd, obscene, vulgar, or pornographic as defined by prevailing community standards;
   b. using abusive or profane language in private messages on the system; or using the system to harass, insult, or verbally attack others;
   c. posting anonymous messages on the system;
   d. using encryption software other than when required by the employee’s job duties;
   e. wasteful use of resources provided by the school;
   f. causing congestion of the network through lengthy downloads of files that are not for instructional use other than when required by the employee’s job duties;
   g. vandalizing data of another user;
   h. obtaining or sending information that could be used to make destructive devices such as guns, weapons, bombs, explosives, or fireworks;
   i. gaining or attempting to gain unauthorized access to resources or files;
   j. identifying oneself with another person’s name or password or using an account or password of another user without proper authorization;
   k. using the network for financial or commercial gain without district permission;
   l. theft or vandalism of data, equipment, or intellectual property;
   m. invading the privacy of individuals other than when required or authorized by the employee’s job duties;
   n. using the Internet for any illegal activity, including computer hacking and copyright or intellectual property law violations;
   o. introducing a virus to, or otherwise improperly tampering with, the system;
   p. degrading or disrupting equipment or system performance;
   q. creating a web page or associating a web page with the school or school district without proper authorization;
r. attempting to gain access or gaining access to student records, grades, or files of students not under their jurisdiction;
s. providing access to unauthorized individuals; or
t. taking part in any activity related to Internet use that creates a clear and present danger of the substantial disruption of the orderly operation of the district or any of its schools;
u. making unauthorized copies of computer software;
v. Excessive personal use of computers, including during instructional time; or
w. installing software on district computers without prior approval of the Information Technology Security Officer or his/her designee except for District technology personnel as part of their job duties.

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

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

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

Employee’s Signature: __________________________________________ Date _____________

Date Adopted: May 19, 2015

Last Revised: June 22, 2017
8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE

The Family and Medical Leave Act (FMLA) offers job protection for leave that might otherwise be considered excessive absences. Employees need to carefully comply with this policy to ensure they do not lose FMLA protection due to inaction or failure to provide the District with needed information. The FMLA provides up to twelve (12) workweeks (or in some cases, twenty-six (26) weeks) of job-protected leave to eligible employees with absences that qualify under the FMLA. While an employee can request FMLA leave and has a duty to inform the District, as provided in this policy, of foreseeable absences that may qualify for FMLA leave, it is the District’s ultimate responsibility to identify qualifying absences as FMLA or non-FMLA. FMLA leave is unpaid, except to the extent that paid leave applies to any given absence as governed by the FMLA and this policy.

SECTION ONE – FMLA LEAVE GENERALLY

Definitions:

“Eligible Employee” is an employee who has:

1. Been employed by the District for at least twelve (12) months, which are not required to be consecutive; and
2. Performed at least 1250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave.

“FMLA” is the Family and Medical Leave Act

“Health Care Provider” means:

a. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices;
b. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;
c. Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;
d. Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement; or
e. Any other person determined by the U.S. Secretary of Labor to be capable of providing health care services.
“Instructional Employee” is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting and includes athletic coaches, driving instructors, preschool teachers, and special education assistants such as signers for the hearing impaired. The term does not include, and the special rules related to the taking of leave near the end of a semester do not apply to: teacher assistants or aides who do not have as their principal job actual teaching or instructing, administrators, counselors, librarians, psychologists, and curriculum specialists.

“Intermittent leave” is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee’s schedule for a period of time, normally from full-time to part-time.

“Next of Kin”, used in respect to an individual, means the nearest blood relative of that individual.

“Parent” is the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or a daughter. This term does not include parents “in-law.”

“Serious Health Condition” is an injury, illness, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility or continuing treatment by a health care provider.

“Son or daughter”, for numbers 1, 2, or 3 below: is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and “incapable of self-care because of a mental or physical disability” at the time that FMLA leave is to commence.

“Year”, the twelve (12) month period of eligibility shall begin on July first of each school year.

Policy

The provisions of this policy are intended to be in line with the provisions of the FMLA. If any conflict(s) exist, the Family and Medical Leave Act of 1993, as amended, shall govern.

Leave Eligibility

The District will grant up to twelve (12) weeks of leave in a year in accordance with the FMLA as amended, to its eligible employees for one or more of the following reasons:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter;

2. Because of the placement of a son or daughter with the employee for adoption or foster care;

3. To care for the spouse, son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition;
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee; and

5. Because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. (See Section Two)

6. To care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury. (See Section Two)

The entitlement to leave for reasons 1 and 2 listed above shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

A legally married couple who are both eligible employees employed by the District may not take more than a combined total of twelve (12) weeks of FMLA leave for reasons 1, 2, or to care for a parent under number 3.

Provisions Applicable to both Sections One and Two

**District Notice to Employees**

The District shall post, in conspicuous places in each school within the District where notices to employees and applicants for employment are customarily posted, a notice explaining the FMLA’s provisions and providing information about the procedure for filing complaints with the Department of Labor.

**Designation Notice to Employee**

When an employee requests FMLA leave or the District determines that an employee’s absence may be covered under the FMLA, the District shall provide written notice within five (5) business days (absent extenuating circumstances) to the employee of the District’s determination of his/her eligibility for FMLA leave. If the employee is eligible, the District may request additional information from the employee and/or certification from a health care provider to help make the applicability determination. After receiving sufficient information as requested, the District shall provide a written notice within five (5) business days (absent extenuating circumstances) to the employee of whether the leave qualifies as FMLA leave and will be so designated.

If the circumstances for the leave don’t change, the District is only required to notify the employee once of the determination regarding the designation of FMLA leave within any applicable twelve (12) month period.

Employees who receive notification that the leave request does not qualify under the FMLA are expected to return to work; further absences that are not otherwise excused could lead to discipline for excessive absences, or termination for job abandonment.
Concurrent Leave Under the FMLA

All FMLA leave is unpaid unless substituted by applicable accrued leave. The District requires employees to substitute any applicable accrued leave (in the order of sick, personal, or vacation leave as may be applicable) for any period of FMLA leave.

An employee who does not have enough accrued leave to cover the number of days of FMLA leave taken shall not have his/her number of contract days altered because some of the FMLA leave taken was unpaid.

Working at another Job while Taking FMLA for Personal or Family Serious Medical Condition

No employee on FMLA leave for his or her own serious medical condition may perform work at another, non-district job while on FMLA leave. Except as provided in policy 3.44, employees who do perform work at another, non-district job while on FMLA leave for their own serious medical condition will be subject to discipline, which could include termination or nonrenewal of their contract of employment.

No employee on FMLA leave for the serious medical condition of a family member may perform work at another, non-district job while on FMLA leave. Employees who do perform work at another, non-district job while on FMLA leave for the serious medical condition of a family member will be subject to discipline, which could include termination or nonrenewal of their contract of employment.

Health Insurance Coverage

The District shall maintain coverage under any group health plan for the duration of FMLA leave the employee takes at the level and under the conditions coverage would have been provided if the employee had continued in active employment with the District. Additionally, if the District makes a change to its health insurance benefits or plans that apply to other employees, the employee on FMLA leave must be afforded the opportunity to access additional benefits and/or the same responsibility for changes to premiums. Any changes made to a group health plan that apply to other District employees, must also apply to the employee on FMLA leave. The District will notify the employee on FMLA leave of any opportunities to change plans or benefits. The employee remains responsible for any portion of premium payments customarily paid by the employee. When on unpaid FMLA leave, it is the employee’s responsibility to submit his/her portion of the cost of the group health plan coverage to the district’s business office on or before it would be made by payroll deduction.

The District has the right to pay an employee’s unpaid insurance premiums during the employee’s unpaid FMLA leave to maintain the employee’s coverage during his/her leave. The District may recover the employee's share of any premium payments missed by the employee for any FMLA leave period that the District maintains health coverage for the employee by paying his/her share. Such recovery shall be made by offsetting the employee’s debt through payroll deductions or by other means against any monies owed the employee by the District.

An employee who chooses to not continue group health plan coverage while on FMLA leave, is entitled to be reinstated on the same terms as prior to taking the leave, including family or dependent coverages, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc.
If an employee gives an unequivocal notice of intent not to return to work, or if the employment relationship would have terminated if the employee had not taken FMLA leave, the District’s obligation to maintain health benefits ceases.

If the employee fails to return from leave after the period of leave has expired, the District may recover the premiums it paid to maintain health care coverage unless:

1. The employee fails to return to work due to the continuation, reoccurrence, or onset of a serious health condition that entitles the employee to leave under reasons 3 or 4 listed above; and/or
2. Other circumstances exist beyond the employee’s control.

Circumstances under “a” listed above shall be certified by a licensed, practicing health care provider verifying the employee’s inability to return to work.

**Reporting Requirements During Leave**

Unless circumstances exist beyond the employee’s control, the employee shall inform the district every two (2) weeks during FMLA leave of his/her current status and intent to return to work.

**Return to Previous Position**

An employee returning from FMLA leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An equivalent position must involve the same or substantially similar duties and responsibilities, which must entail substantially equivalent skill, effort, and authority. Specifically, upon returning from FMLA leave, an employee may be assigned to another position that is not necessarily the same as the employee’s former job assignment. The employee may not be restored to a position requiring additional licensure or certification.

The employee’s right to return to work and/or to the same or an equivalent position does not supersede any actions taken by the District, such as conducting a RIF, that the employee would have been subject to had the employee not been on FMLA leave at the time of the District’s actions.

**Provisions Applicable to Section One**

**Employee Notice to District**

**Foreseeable Leave:**

When the need for leave is foreseeable for reasons 1 through 4 listed above, the employee shall provide the District with at least thirty (30) days’ notice, before the date the leave is to begin, of the employee's intention to take leave for the specified reason. An eligible employee who has no reasonable excuse for his/her failure to provide the District with timely advance notice of the need for FMLA leave may have his/her FMLA coverage of such leave delayed until thirty (30) days after the date the employee provides notice.
If there is a lack of knowledge of approximately when the leave will be required to begin, a change in circumstances, or an emergency, notice must be given as soon as practicable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

When the need for leave is for reasons 3 or 4 listed above, the eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the District subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

If the need for FMLA leave is foreseeable less than thirty (30) days in advance, the employee shall notify the District as soon as practicable. If the employee fails to notify as soon as practicable, the District may delay granting FMLA leave for the number of days equal to the difference between the number of days in advance that the employee should have provided notice and when the employee actually gave notice.

Unforeseeable Leave:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case.

Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required, unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Medical Certification

Second and Third Opinions: In any case where the District has reason to doubt the validity of the initial certification provided, the District may require, at its expense, the employee to obtain the opinion of a second health care provider designated or approved by the employer. If the second opinion differs from the first, the District may require, at its expense, the employee to obtain a third opinion from a health care provider agreed upon by both the District and the employee. The opinion of the third health care provider shall be considered final and be binding upon both the District and the employee.

Recertification: The District may request, either orally or in writing, the employee obtain a recertification in connection with the employee’s absence, at the employee’s expense, no more often than every thirty (30) days unless one or more of the following circumstances apply:

- The original certification is for a period greater than thirty (30) days. In this situation, the District may require a recertification after the time of the original certification expires, but in any case, the District may require a recertification every six (6) months.

- The employee requests an extension of leave;

- Circumstances described by the previous certification have changed significantly; and/or

- The district receives information that casts doubt upon the continuing validity of the certification.
The employee must provide the recertification within fifteen (15) calendar days after the District’s request.

No second or third opinion on a recertification may be required.

The District may deny FMLA leave if an eligible employee fails to provide a requested certification.

**Substitution of Paid Leave**

When an employee’s leave has been designated as FMLA leave for reasons 1 (as applicable), 2, 3, or 4 above, the District requires employees to substitute accrued sick, vacation, or personal leave for the period of FMLA leave.

To the extent the employee has accrued paid vacation or personal leave, any leave taken that qualifies for FMLA leave for reasons 1 or 2 above shall be paid leave and charged against the employee’s accrued leave.

Workers Compensation: FMLA leave may run concurrently with a workers’ compensation absence when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will be charged for any paid leave accrued by the employee at the rate necessary to bring the total amount of combined income up to 100% of usual contracted daily rate of pay. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a “light duty job,” but is unable to return to the employee’s same or equivalent job, the employee may decline the District’s offer of a “light duty job.” As a result, the employee may lose his/her workers’ compensation payments, but for the duration of the employee’s FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

**Return to Work**

If the District’s written designation determination that the eligible employee’s leave qualified as FMLA leave under reason 4 above stated that the employee would have to provide a “fitness-for-duty” certification from a health care provider for the employee to resume work, the employee must provide such certification prior to returning to work. The employee’s failure to do so voids the District’s obligation to reinstate the employee under the FMLA and the employee shall be terminated.

If the District’s written designation determination that the eligible employee’s leave qualified as FMLA leave under reason 4 above stated that the employee would have to provide a “fitness-for-duty” certification from a health care provider for the employee to resume work **and** the designation determination listed the employee’s essential job functions, the employee must provide certification that the employee is able to perform those functions prior to returning to work. The employee’s failure to do so or his/her inability to perform his/her job’s essential functions voids the District’s obligation to reinstate the employee under the FMLA and the employee shall be terminated.

**Failure to Return to Work:**

In the event that an employee is unable or fails to return to work within FMLA's leave timelines, the superintendent will make a determination at that time regarding the documented need for a severance of the
employee’s contract due to the inability of the employee to fulfill the responsibilities and requirements of his/her contract.

**Intermittent or Reduced Schedule Leave**

To the extent practicable, employees requesting intermittent or reduced schedule leave shall provide the District with not less than thirty (30) days’ notice, before the date the leave is to begin, of the employee's intention to take leave.

Eligible employees may only take intermittent or reduced schedule leave for reasons 1 and 2 listed above if the District agrees to permit such leave upon the request of the employee. If the District agrees to permit an employee to take intermittent or reduced schedule leave for such reasons, the agreement shall be consistent with this policy’s requirements governing intermittent or reduced schedule leave. The employee may be transferred temporarily during the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and which better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties.

Eligible employees may take intermittent or reduced schedule FMLA leave due to reasons 3 or 4 listed above when the medical need is best accommodated by such a schedule. The eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider.

When granting leave on an intermittent or reduced schedule for reasons 3 or 4 above that is foreseeable based on planned medical treatment, the District may temporarily transfer non-instructional, eligible employees for the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and that better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began. The employee will not be required to take more FMLA leave than necessary to address the circumstances requiring the need for the leave.

**Special Provisions relating to Instructional Employees as Defined in This Policy**

The FMLA definition of "instructional employees" covers a small number of classified employees. Any classified employee covered under the FMLA definition of an "instructional employee" and whose FMLA leave falls under the FMLA’s special leave provisions relating to "instructional employees" shall be governed by the applicable portions of policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE.
SECTION TWO

FMLA LEAVE CONNECTED TO MILITARY SERVICE

Leave Eligibility

The FMLA provision of military associated leave is in two categories. Each one has some of its own definitions and stipulations. Therefore, they are dealt with separately in this Section of the policy. Definitions different than those in Section One are included under the respective reason for leave. Definitions that are the same as in Section One are NOT repeated in this Section.

QUALIFYING EXIGENCY

An eligible employee may take FMLA leave for any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. Examples include issues involved with short-notice deployment, military events and related activities, childcare and school activities, the need for financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other activities as defined by federal regulations.

Definitions:

“Covered active duty” means:

- in the case of a member of a regular component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country; and

- in the case of a member of a reserve component of the Armed Forces, duty during deployment of the member with the armed forces to a foreign country under a call to order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

“Son or daughter on active duty or call to active duty status” means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active duty status, and who is of any age.

Certification

The District may require the eligible employee to obtain certification to help the district determine if the requested leave qualifies for FMLA leave for the purposes of a qualifying exigency. The District may deny FMLA leave if an eligible employee fails to provide the requested certification.
Employee Notice to District

Foreseeable Leave:

When the necessity for leave for any qualifying exigency is foreseeable, whether because the spouse, son, daughter, or parent of the employee is on covered active duty, or because of notification of an impending call or order to covered active duty, the employee shall provide such notice to the District as is reasonable and practicable regardless of how far in advance the leave is foreseeable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case.

Unforeseeable Leave:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Substitution of Paid Leave

When an employee’s leave has been designated as FMLA leave for any qualifying exigency, the District requires employees to substitute accrued vacation, or personal leave for the period of FMLA leave.

Intermittent or Reduced Schedule Leave

Eligible employees may take intermittent or reduced schedule leave for any qualifying exigency. The employee shall provide the district with as much notice as is practicable.

Special Provisions relating to Instructional Employees as Defined in This Policy

The FMLA definition of "instructional employees" covers a small number of classified employees. Any classified employee covered under the FMLA definition of an "instructional employee" and whose FMLA leave falls under the FMLA’s special leave provisions relating to "instructional employees" shall be governed by the applicable portions of policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

SERIOUS ILLNESS

An eligible employee is eligible for leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury under the following conditions and definitions.
Definitions:

“Covered Service Member” is:
1. A member of the Armed Forces, including a member of the National Guard or Reserves, who is a
   undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on
   the temporary disability retired list, for a serious injury or illness; or
2. A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and
   who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any
   time during the period of five (5) years preceding the date on which the veteran undergoes that medical
   treatment, recuperation, or therapy.

Outpatient Status: used in respect to a covered service member, means the status of a member of the Armed
Forces assigned to:

1. A military medical treatment facility as an outpatient; or
2. A unit established for the purpose of providing command and control of members of the Armed Forces
   receiving medical care as outpatients.

“Parent of a covered servicemember” is a covered servicemember’s biological, adoptive, step or foster father or
mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not
include parents “in law.”

“Serious Injury or Illness”:

1. In the case of a member of the Armed Forces, including the National Guard or Reserves, it means an injury
   or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the
   beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the
   Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office,
   grade, rank, or rating; and
2. In the case of a veteran who was a member of the Armed Forces, including a member of the National Guard
   of Reserves, at any time during a period as a covered service member defined in this policy, it means a
   qualifying (as defined by the U.S. Secretary of Labor) injury or illness that was incurred by the member in the
   line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty
   and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself
   before or after the member became a veteran.

“Son or daughter of a covered servicemember” means a covered servicemember's biological, adopted, or foster
child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is
of any age.

“Year”, for leave to care for the serious injury or illness of a covered service member, the twelve (12) month
period begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and
ends twelve (12) months after that date.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member
shall be entitled to a total of twenty-six (26) weeks of leave during one twelve (12)-month period to care for the
service member who has a serious injury or illness as defined in this policy. An eligible employee who cares for such a covered service member continues to be limited for reasons 1 through 4 in Section One and for any qualifying exigency to a total of twelve (12) weeks of leave during a year as defined in this policy. For example, an eligible employee who cares for such a covered service member for sixteen (16) weeks during a twelve (12) month period could only take a total of ten (10) weeks for reasons 1 through 4 in Section One and for any qualifying exigency. An eligible employee may not take more than twelve (12) weeks of FMLA leave for reasons 1 through 4 in Section One and for any qualifying exigency regardless of how little leave the eligible employee may take to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury.

If a legally married couple are both eligible employees employed by the District, the legally married couple are entitled to a combined total of twenty-six (26) weeks of leave during one twelve (12) month period to care for their spouse, son, daughter, parent, or next of kin who is a covered service member with a serious injury or illness, as defined in this policy. The leave taken by a legally married couple who care for such a covered service member continues to be limited to a total of twelve (12) weeks of FMLA leave for reasons 1 through 4 in Section One and for any qualifying exigency during a year, as defined in this policy, regardless of whether or not the legally married couple uses less than a combined total of fourteen (14) weeks to care for a covered service member with a serious injury or illness; moreover, the legally married couple’s twelve (12) weeks are combined when taken for reasons 1, 2, or to care for a parent under reason 3 in Section One. For example, a legally married couple who are both eligible employees and who care for such a covered service member for sixteen (16) weeks during a twelve (12) month period could:
1. Each take up to ten (10) weeks for reason 4 in section 1 or a qualifying exigency;
2. Take a combined total of ten (10) weeks for reasons 1, 2, or to care for a parent under reason 3 in Section One; or
3. Take a combination of numbers 1 and 2 that totals ten (10) weeks of leave.

Medical Certification

The District may require the eligible employee to obtain certification of the covered service member’s serious health condition to help the District determine if the requested leave qualifies for FMLA leave. The District may deny FMLA leave if an eligible employee fails to provide the requested certification.

Employee Notice to District

Foreseeable Leave:

When the need for leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury is clearly foreseeable at least thirty (30) days in advance, the employee shall provide the District with not less than thirty (30) days' notice before the date the employee intends for the leave to begin for the specified reason. An eligible employee who has no reasonable excuse for his/her failure to provide the District with timely advance notice of the need for FMLA leave may have his/her FMLA coverage of such leave delayed until thirty (30) days after the date the employee provides notice.

If the need for FMLA leave is foreseeable less than thirty (30) days in advance, the employee shall notify the District as soon as practicable. If the employee fails to notify as soon as practicable, the District may delay
granting FMLA leave for an amount of time equal to the difference between the length of time that the employee should have provided notice and when the employee actually gave notice.

When the need for leave is to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the district subject to the approval of the health care provider of the spouse, son, daughter, or parent of the employee.

Unforeseeable Leave:

When the approximate timing of the need for leave is not foreseeable, an employee shall provide the District notice of the need for leave as soon as practicable given the facts and circumstances of the particular case. Ordinarily, the employee shall notify the District within two (2) working days of learning of the need for leave, except in extraordinary circumstances where such notice is not feasible. Notice may be provided in person, by telephone, fax, email, or other electronic means. If the eligible employee fails to notify the District as required, unless the failure to comply is justified by unusual circumstances, the FMLA leave may be delayed or denied.

Substitution of Paid Leave

When an employee’s leave has been designated as FMLA leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury, the District requires employees to substitute accrued sick, vacation, or personal leave for the period of FMLA leave.

Intermittent or Reduced Schedule Leave

To the extent practicable, employees requesting intermittent or reduced schedule leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury shall provide the District with at least (30) days' notice, before the date the leave is to begin, of the employee's intention to take leave.

Eligible employees may take intermittent or reduced schedule FMLA leave to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury when the medical need is best accommodated by such a schedule. The eligible employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider.

When granting leave on an intermittent or reduced schedule to care for a spouse, child, parent or next of kin who is a covered servicemember with a serious illness or injury that is foreseeable based on planned medical treatment, the District may temporarily transfer non-instructional eligible employees for the period of scheduled intermittent or reduced leave to an alternative position that the employee is qualified for and that better accommodates recurring periods of leave than does the employee's regular position. The alternative position shall have equivalent pay and benefits but does not have to have equivalent duties. When the employee is able to return to full-time work, the employee shall be placed in the same or equivalent job as he/she had when the leave began.
Special Provisions relating to Instructional Employees (as defined in this policy):

The FMLA definition of "instructional employees" covers a small number of classified employees. Any classified employee covered under the FMLA definition of an "instructional employee" and whose FMLA leave falls under the FMLA’s special leave provisions relating to "instructional employees" shall be governed by the applicable portions of policy 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE.

Cross References: 8.5—CLASSIFIED EMPLOYEES SICK LEAVE
8.12—CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT
8.36—CLASSIFIED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION

Legal References: 29 USC §§ 2601 et seq.
29 CFR part 825

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.24—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES

“School Bus” is a motorized vehicle that meets the following requirements:
1. Is privately owned and operated for compensation, or which is owned, leased or otherwise operated by, or for the benefit of the District; and
2. Is operated for the transportation of students from home to school, from school to home, or to and from school events.

Any driver of a school bus shall not operate the school bus while using a device to browse the internet, make or receive phone calls or compose or read emails or text messages. A school bus driver may use a two-way radio communications device or any device used in a similar manner as a two-way radio communications device to communicate with the District’s central dispatch, transportation center, or in appropriate circumstances, other school bus drivers. In addition, if the school bus is safely off the road with the parking brake engaged, exceptions are allowed to call for assistance due to a mechanical problem with the bus, or to communicate with any of the following during an emergency:

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

In addition to statutorily permitted fines, violations of this policy shall be grounds for disciplinary action up to and including termination.

School buses in the Bryant School District are equipped with two-way radios that are available for use in the following situations:

- For emergency communications such as an accident, a mechanical problem, inclement weather, etc.
- To communicate information to the transportation office or to other bus drivers concerning road conditions, checking on a student, or other purposes.

Drivers shall limit their use of radios to a minimum that is necessary to perform their duties and shall avoid unnecessary conversations that are not related to bus operations.

Legal Reference: A.C.A. § 6-19-120

Date Adopted: May 19, 2015

Last Revised: June 20, 2019
8.25—CLASSIFIED PERSONNEL CELL PHONE USE

Excessive use of cell phones or other electronic communication devices by employees during their designated work time for other than District approved purposes is strictly forbidden unless specifically approved in advance by the superintendent, building principal, or their designees.

District staff shall not be given cell phones or computers for any purpose other than their specific use associated with school business. School employees who use school issued cell phones and/or computers for non-school purposes, except as permitted by District policy, shall be subject to discipline, up to and including termination. School employees who are issued District cell phones due to the requirements of their position may use the phone for personal use on an “as needed” basis provided it is not during designated work time.

Except when authorized in Policy 8.24—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES, all employees are forbidden from using school issued cell phones while driving any vehicle at any time. Violation may result in disciplinary action up to and including termination.

Except when authorized in Policy 8.24—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES, no employee shall use any device for the purposes of browsing the internet; composing or reading emails and text messages; or making or answering phone calls while driving a motor vehicle which is in motion and on school property. Violation may result in disciplinary action up to and including termination.

Cross References: 4.47—POSSESSION AND USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES 7.14—USE OF DISTRICT CELL PHONES AND COMPUTERS 8.24—SCHOOL BUS DRIVER’S USE OF MOBILE COMMUNICATION DEVICES

Legal Reference: IRS Publication 15 B

Date Adopted: May 19, 2015

Last Revised: June 20, 2019
Definitions

“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 3.26, 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.

“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 other's 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.

Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of bullying as defined in this policy, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the building principal, or designee, as soon as possible.

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

District staff are required to help enforce implementation of the district’s anti-bullying policy. Students who bully another person are to be held accountable for their actions whether they occur on school equipment or
property; off school property at a school-sponsored or school-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.

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 standing 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.

District employees are held to a high standard of professionalism, especially when it comes to employee-student interactions. Actions by a District employee towards a student that would constitute bullying if the act had been performed by a student shall result in disciplinary action, up to and including termination. This policy governs bullying directed towards students and is not applicable to adult on adult interactions. Therefore, this policy does not apply to interactions between employees. Employees may report workplace conflicts to their supervisor. In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Legal Reference: A.C.A. § 6-18-514

Date Adopted: March 16, 2015
8.27—CLASSIFIED PERSONNEL LEAVE — INJURY FROM ASSAULT

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

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

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

The staff member shall not hold any other job during the time the Board is paying full salary under the conditions of this policy and act.

Legal Reference: A.C.A. § 6-17-1308

Date Adopted: May 19, 2015

Last Revised:
8.28—DRUG FREE WORKPLACE - CLASSIFIED PERSONNEL

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

Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance, whether or not engaged in any school or school-related activity, and the behavior of the employee, if under the influence, is such that it is inappropriate for a school employee in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination. This policy also applies to those employees who are under the influence of alcohol while on campus or at school-sponsored functions, including athletic events.

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

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

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

Any employee who is charged with a violation of any state or federal law relating to the possession, use or distribution of illegal drugs, other controlled substances or alcohol, or of drug paraphernalia, must notify his/her immediate supervisor within five (5) week days (i.e., Monday through Friday, inclusive, excluding holidays) of being so charged. The supervisor who is notified of such a charge shall notify the Superintendent immediately.

If the supervisor is not available to the employee, the employee shall notify the Superintendent within the five (5) day period.
Any employee so charged is subject to discipline, up to and including termination. However, the failure of an employee to notify his/her supervisor or the Superintendent of having been so charged shall result in that employee being recommended for termination by the Superintendent.

Any employee convicted of any criminal drug statute violation for an offense that occurred while at work or in the performance of official duties while off district property shall report the conviction within 5 calendar days to the superintendent. Within 10 days of receiving such notification, whether from the employee or any other source, the district shall notify federal granting agencies from which it receives funds of the conviction. Compliance with these requirements and prohibitions is mandatory and is a condition of employment.

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

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

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

A report to the appropriate licensing agency shall be filed within seven (7) days of:

1. A final disciplinary action taken against an employee resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances, or

2. The voluntary resignation of an employee who is facing a pending disciplinary action resulting from the diversion, misuse, or abuse of illicit drugs or controlled substances.

The report filed with the licensing authority shall include, but not be limited to:

1. The name, address, and telephone number of the person who is the subject of the report; and
2. A description of the facts giving rise to the issuance of the report.

When the employee is not a healthcare professional, law enforcement will be contacted regarding any final disciplinary action taken against an employee for the diversion of controlled substances to one (1) or more third parties.

Legal References: 41 USC § 702, 703, and 706

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.28F—DRUG FREE WORKPLACE POLICY ACKNOWLEDGEMENT

CERTIFICATION

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

Signature _______________________________________________________

Date __________________

Date Adopted:  May 19, 2015

Last Revised:  May 19, 2016
8.29—CLASSIFIED PERSONNEL VIDEO SURVEILLANCE AND OTHER MONITORING

The Board of Directors has a responsibility to maintain discipline, protect the safety, security, and welfare of its students, staff, and visitors while at the same time safeguarding district facilities, vehicles, and equipment. As part of fulfilling this responsibility, the board authorizes the use of video/audio surveillance cameras, automatic identification, data compilation devices, and technology capable of tracking the physical location of district equipment, students, and/or personnel.

The placement of video/audio surveillance cameras shall be based on the presumption and belief that students, staff and visitors have no reasonable expectation of privacy anywhere on or near school property, facilities, vehicles, or equipment, with the exception of places such as rest rooms or dressing areas where an expectation of bodily privacy is reasonable and customary.

Signs shall be posted on district property and in or on district vehicles to notify students, staff, and visitors that video cameras may be in use. Violations of school personnel policies or laws caught by the cameras and other technologies authorized in this policy may result in disciplinary action.

The district shall retain copies of video recordings until they are erased, which may be accomplished by either deletion or copying over with a new recording.

Videos, automatic identification, or data compilations containing evidence of a violation of district personnel policies and/or state or federal law shall be retained until the issue of the misconduct is no longer subject to review or appeal as determined by board policy or staff handbook; any release or viewing of such records shall be in accordance with current law.

Staff who vandalize, damage, defeat, disable, or render inoperable (temporarily or permanently) surveillance cameras and equipment, automatic identification, or data compilation devices shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Video recordings and automatic identification or data compilation records may become a part of a staff member’s personnel record.

Date Adopted:  May 19, 2015

Last Revised:  April 18, 2018
8.30—CLASSIFIED PERSONNEL REDUCTION IN FORCE

SECTION ONE

The School Board acknowledges its authority to conduct a reduction in force (RIF) when a decrease in enrollment or other reason(s) make such a reduction necessary or desirable. A RIF will be conducted when the need for a reduction in the work force exceeds the normal rate of attrition for that portion of the staff that is in excess of the needs of the district as determined by the superintendent.

In effecting a reduction in force, the primary goals of the school district shall be: what is in the best interests of the students; to maintain accreditation in compliance with the Standards of Accreditation for Arkansas Public Schools; and the needs of the district. A reduction in force will be implemented when the superintendent determines it is advisable to do so and shall be effected through non-renewal, termination, or both. Any reduction in force will be conducted by evaluating the needs and long- and short-term goals of the school district in relation to the staffing of the district.

If a reduction in force becomes necessary, the RIF shall be conducted separately for each occupational category of classified personnel identified within the district on the basis of each employee’s years of service. The employee within each occupational category with the least years of experience will be non-renewed first. The employee with the most years of employment in the district as compared to other employees in the same category shall be non-renewed last. In the event that employees within a given occupational category have the same length of service to the district the one with the earlier hire date, based on date of board action, will prevail.

When the District is conducting a RIF, all potentially affected classified employees shall receive a listing of the personnel within their category with corresponding totals of years of service. Upon receipt of the list, each employee has ten (10) working days within which to appeal his or her total years of service to the superintendent whose decision shall be final. Except for changes made pursuant to the appeals process, no changes will be made to the list that would affect an employee’s total after the list is released.

Total years of service to the district shall include non-continuous years of service; in other words, an employee who left the district and returned later will have the total years of service counted, from all periods of employment. Working fewer than 120 days in a school year shall not constitute a year. Length of service in a licensed position shall not count for the purpose of length of service for a classified position. There is no right or implied right for any employee to “bump” or displace any other employee. This specifically does not allow a licensed employee who might wish to assume a classified position to displace a classified employee.

**Re-Employment of Personnel Affected by Staff Reductions**

If any positions abolished are reinstated within one calendar year from the employee’s last working day, the positions will be made available to those employees who were affected by the reductions in reverse order of their dismissal (the last dismissed will be the first rehired).

Employees from outside the district will not be considered for employment until all employees previously released by the Board have been considered for re-employment.
Legal Reference:  A.C.A. § 6-17-2407

Date Adopted:  May 19, 2015

Last Revised:
8.31—CLASSIFIED PERSONNEL TERMINATION AND NON-RENEWAL

For procedures relating to the termination and non-renewal of classified employees, please refer to the Public School Employee Fair Hearing Act A.C.A. § 6-17-1701 through 1705. The Act specifically is not made a part of this policy by this reference.

A copy of the code is available in the Bryant School District Central Office.

Legal reference: A.C.A. § 6-17-2301

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.32—CLASSIFIED PERSONNEL ASSIGNMENTS

Employees will have their work schedules determined by their immediate supervisor to parallel the needs of the department in which they work. Although a person is assigned to a particular job title which generally denotes the function of that job, that person may be assigned to any work activities designated by his/her immediate supervisor.

Regular work schedules (starting and ending times) may be altered by supervisors on days that students and/or teachers are not attending school. The scope of the work to be done on these days as set by supervisors will be the determining factor regarding scheduling changes.

Date Adopted: May 19, 2015

Last Revised:
8.32.1 – CLASSIFIED PERSONNEL ATTENDANCE

An employee absent for any reason must notify his/her immediate supervisor as soon as possible. Failure to do so may result in disciplinary action.

SNOW DAYS-WORK SCHEDULE FOR CLASSIFIED EMPLOYEES ON CONTRACTS OF 225 DAYS OR LONGER:

When school is dismissed due to snow or ice, classified employees on contracts of 225 days or longer shall report to work unless road conditions are such that it would be too hazardous to do so. **The decision as to whether to report to work will be left up to the employee and will not be mandated by direct supervisors.** No punitive action shall be taken against an employee who determines that he/she cannot report to work due to hazardous road or traffic conditions. However, the employee should make every effort to contact his/her supervisor to let the supervisor know that the employee will not be able to report to work. The following procedures will apply under these situations:

1. If the employee determines that he/she cannot report to work, a personal day or vacation day must be used unless the employee wishes to take unpaid leave. **Sick leave cannot be used unless the employee is ill on this date.** Employee late arrivals that are reasonable and justifiable will be allowed on these days due to the fact that road or traffic conditions may not allow the employee to be at work "on time".

2. If employees are able to report to work, it is expected that they will work their regular schedule unless it is determined by district administrators or direct supervisors that an early departure is advisable due to deteriorating weather/road conditions.

3. If inclement weather prevents a classified employee from working a full 8-hr. day, a full day's salary will be received by the employee if a minimum of 5 hours work has been performed and documented by the direct supervisor from the time that the employee actually reports to work (not to include lunch). If the employee has worked less than 5 hours he/she will be paid according to the actual hours worked.

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.32.2 – BUS DRIVER ATTENDANCE INCENTIVE

A $375 attendance bonus is available for contracted bus drivers per route per a morning and/or afternoon semester. The incentive is available to any contracted bus driver who does not miss driving more than five (5) routes each semester. The maximum attendance bonus per semester to be paid to any one bus driver is $750, regardless of the number of routes, or hours driven per day. The incentive for the fall semester will be paid with the January payroll, and the incentive for the spring semester will be paid with the June payroll.

The attendance bonus amount is based on the assumption that a full 178-day bus driving contract will be worked. If an employee is hired after the beginning of the school year, the attendance bonus will be prorated based on the number of actual contracted days per semester. If a bus driver resigns before the school year ends, the bus driver shall forfeit the attendance bonus for the semester during which the bus driver resigns.

The attendance bonus will be reduced for absences, using the percentages listed below:

1st absence – 5% ($18.75)  
2nd absence – 5% ($18.75)  
3rd absence – 5% (18.75)  
4th absence – 10% ($37.50)  
5th absence – 10% ($37.50)  
6th absence – Driver forfeits the incentive for the semester.

A contracted bus driver who misses driving their route six (6) times or more will receive no bonus for that route in that semester. The contracted bus driver will again be eligible to receive the attendance bonus the following semester.

The Transportation Director maintains the right to change driving assignments for contracted drivers based on the District’s need. The incentive is intended to place an emphasis on daily attendance for each contracted bus driver, regardless of the route driven.

Date Adopted: May 19, 2016

Last Revised: April 20, 2017
8.33—CLASSIFIED PERSONNEL SCHOOL CALENDAR

A school calendar shall be developed each year and approved by the School Board. The calendar will designate workdays, holidays, and non-instructional days for students and employees.

The District shall not establish a school calendar that limits or interferes with any scheduled statewide assessment that might jeopardize or limit the valid assessment and comparison of student learning gains.

Legal References:

A.C.A. § 6-15-2907(f)
A.C.A. § 6-17-2301
ADE Rules Governing the Arkansas Educational Support and Accountability Act

Date Adopted: May 19, 2015

Last Revised: June 22, 2017
8.34—CLASSIFIED PERSONNEL WHO ARE MANDATED REPORTERS – DUTIES

It is the statutory duty of classified school district employees who are mandated reporters to:

- If the classified employee has reasonable cause to suspect child abuse or maltreatment, then the classified employee shall directly and personally report these suspicions to the Arkansas Child Abuse Hotline, by calling 1-800-482-5964. Failure to report suspected child abuse, maltreatment, or neglect by calling the Hotline can lead to criminal prosecution and individual civil liability of the person who has this duty. Notification of local or state law enforcement does not satisfy the duty to report; only notification by means of the Child Abuse Hotline discharges this duty.
- If the classified employee has a good faith belief that there is a serious and imminent threat to the public based on a threat made by an individual regarding violence in or targeted at a school that has been communicated to the classified employee in the ordinary course of his/her professional duties, then the classified employee shall make every attempt to immediately notify law enforcement of the serious and imminent threat to the public and have notified law enforcement within twenty-four (24) hours of learning of the serious and imminent threat to the public.

The duty of mandated reporters to report suspected child abuse or maltreatment or serious and imminent threats to the public is a direct and personal duty, and cannot be assigned or delegated to another person. There is no duty to investigate, confirm or substantiate statements a student may have made which form the basis of the reasonable cause to believe that the student may have been abused or subjected to maltreatment by another person or that form the basis of the serious and imminent threat to the public; however, a person with a duty to report may find it helpful to make a limited inquiry to assist in the formation of a belief that child abuse, maltreatment, or neglect has occurred; that a serious and imminent threat to the public exists; or to rule out such a belief.

Employees and volunteers who call the Child Abuse Hotline or who report serious and imminent threats to the public to law enforcement in good faith are immune from civil liability and criminal prosecution.

By law, no school district or school district employee may prohibit or restrict an employee or volunteer who is a mandated reporter from directly reporting suspected child abuse, maltreatment, or a serious and imminent threat to the public, or require that any person notify or seek permission from any person before making a report to the Child Abuse Hotline or law enforcement.

Legal References:

A.C.A. § 12-18-107
A.C.A. § 12-18-201 et seq.
A.C.A. § 12-18-402

Date Adopted: May 19, 2015
Last Revised: June 20, 2019
§ 8.35 — OBTAINING AND RELEASING STUDENT’S FREE AND REDUCED PRICE MEAL ELIGIBILITY INFORMATION

Obtaining Eligibility Information

A fundamental underpinning of the National School Lunch and School Breakfast Programs (Programs) is that in their implementation, there will be no physical segregation of, discrimination against, or overt identification of children who are eligible for the Program's benefits. While the requirements of the Programs are defined in much greater detail in federal statutes and pertinent Code of Federal Regulations, this policy is designed to help employees understand prohibitions on how the student information is obtained and/or released through the Programs. Employees with the greatest responsibility for implementing and monitoring the Programs should obtain the training necessary to become fully aware of the nuances of their responsibilities.

The District is required to inform households with children enrolled in District schools of the availability of the Programs and of how the household may apply for Program benefits. However, the District and anyone employed by the district is strictly forbidden from requiring any household or student within a household from submitting an application to participate in the program. There are NO exceptions to this prohibition and it would apply, for example, to the offer of incentives for completed forms, or disincentives or negative consequences for failing to submit or complete an application. Put simply, federal law requires that the names of the children shall not be published, posted or announced in any manner.

In addition to potential federal criminal penalties that may be filed against a staff member who violates this prohibition, the employee shall be subject to discipline up to and including termination.

Releasing Eligibility Information

As part of the district’s participation in the National School Lunch Program and the School Breakfast Program, the district collects eligibility data from its students. The data’s confidentiality is very important and is governed by federal law. The district has made the determination to release student eligibility status or information as permitted by law. Federal law governs how eligibility data may be released and to whom. The district will take the following steps to ensure its confidentiality:

Some data may be released to government agencies or programs authorized by law to receive such data without parental consent, while other data may only be released after obtaining parental consent. In both instances, allowable information shall only be released on a need to know basis to individuals authorized to receive the data. The recipients shall sign an agreement with the district specifying the names or titles of the persons who may have access to the eligibility information. The agreement shall further specify the specific purpose(s) for which the data will be used and how the recipient(s) shall protect the data from further, unauthorized disclosures.

The superintendent shall designate the staff member(s) responsible for making eligibility determinations. Release of eligibility information to other district staff shall be limited to as few individuals as possible who shall have a specific need to know such information to perform their job responsibilities. Principals, counselors, teachers, and administrators shall not have routine access to eligibility information or status.
Each staff person with access to individual eligibility information shall be notified of their personal liability for its unauthorized disclosure and shall receive appropriate training on the laws governing the restrictions of such information.

Legal References:
Commissioner’s Memos IA-05-018, FIN 09-041, IA 99-011, and FIN 13-018
DESE Eligibility Manual for School Meals Revised July 2017
A.C.A. § 6-18-715
7 CFR 210.1 – 210.31
7 CFR 220.1 – 220.22
7 CFR 245.5, 245.6, 245.8
42 USC 1758(b)(6)

Date Adopted: May 19, 2015

Last Revised: June 20, 2019
8.36—CLASSIFIED PERSONNEL WORKPLACE INJURIES AND WORKERS’ COMPENSATION

The district provides Workers’ Compensation Insurance, as required by law. Employees who sustain any injury at work must immediately notify their immediate supervisor, or in the absence of their immediate supervisor, notify the Business Office. An injured employee must fill out a Form N at the Bryant School District Business Office. While many injuries will require no medical treatment or time lost at work, should the need for treatment arise later, it is important that there be a record that the injury occurred. All employees have a duty to provide information and make statements as requested for the purposes of the claim assessment and investigation.

For injuries requiring medical attention, the district will exercise its right to designate the initial treating physician and an injured employee will be directed to seek medical attention, if necessary, from a specific physician or clinic.

A Workers’ Compensation absence may run concurrently with FMLA leave (policy 8.23) when the injury is one that meets the criteria for a serious health condition. To the extent that workers compensation benefits and FMLA leave run concurrently, the employee will be charged for any paid leave accrued by the employee at the rate necessary to bring the total amount of combined income up to 100% of usual contracted daily rate of pay. If the health care provider treating the employee for the workers compensation injury certifies the employee is able to return to a “light duty job,” but is unable to return to the employee’s same or equivalent job, the employee may decline the District’s offer of a “light duty job.” As a result, the employee may lose his/her workers’ compensation payments, but for the duration of the employee’s FMLA leave, the employee will be paid for the leave to the extent that the employee has accrued applicable leave.

Employees who are absent from work in the school district due to a Workers’ Compensation claim may not work at a non-district job until they have returned to full duties at their same or equivalent district job; those who violate this prohibition may be subject to discipline up to and including termination. This prohibition does NOT apply to an employee whose has been cleared by his/her doctor to return to "light duty" but the District has no such position available for the employee and the employee's second job qualifies as "light duty”.

To the extent an employee has accrued sick leave and a WC claim has been filed:
- the employee will be charged for a day's sick leave for the all days missed until such time as the WC claim has been approved or denied;
- an employee whose WC claim is accepted by the WC insurance carrier as compensable and who is absent for eight or more days shall be charged sick leave at the rate necessary, when combined with WC benefits, to bring the total amount of combined income up to 100% of the employee's usual contracted daily rate of pay;
- an employee whose WC claim is accepted by the WC insurance carrier as compensable and is absent for 14 or more days will be credited back that portion of sick leave for the first seven (7) days of absence that is not necessary to have brought the total amount of combined income up to 100% of the employee's usual contracted gross pay.

Cross References: 8.5—CLASSIFIED EMPLOYEES SICK LEAVE
8.12—CLASSIFIED PERSONNEL OUTSIDE EMPLOYMENT
8.23—CLASSIFIED PERSONNEL FAMILY MEDICAL LEAVE

Legal References: Ark. Workers Compensation Commission RULE 099.33 - MANAGED CARE
A.C.A. § 11-9-508(d)(5)(A)

Date Adopted: May 19, 2015

Last Revised: May 19, 2016
8.37—CLASSIFIED PERSONNEL SOCIAL NETWORKING AND ETHICS

Definitions

Social Media Account: a personal, individual, and non-work related account with an electronic medium or service where users may create, share, or view user-generated content, including videos, photographs, blogs, podcasts, messages, emails or website profiles or locations, such as Facebook, Twitter, LinkedIn, or Instagram.

Professional/education Social Media Account: an account with an electronic medium or service where users may create, share, or view user-generated content, including videos, photographs, blogs, podcasts, messages, emails or website profiles or locations, such as Facebook, Twitter, LinkedIn, or Instagram.

Blogs are a type of networking and can be either social or professional in their orientation. Professional blogs, approved by the principal or his/her designee, are encouraged and can provide a place for staff to inform students and parents on school related activities. Social blogs are discouraged to the extent they involve staff and students in a non-education oriented format.

Policy

District staff are encouraged to use educational technology, the Internet, and professional/education social networks to help raise student achievement and to improve communication with parents and students. However, technology and social media accounts also offer staff many ways they can present themselves unprofessionally and/or interact with students inappropriately.

It is the duty of each staff member to appropriately manage all interactions with students, regardless of whether contact or interaction with a student occurs face-to-face or by means of technology, to ensure that the appropriate staff/student relationship is maintained. This includes instances when students initiate contact or behave inappropriately themselves.

Public school employees are, and always have been, held to a high standard of behavior. Staff members are reminded that whether specific sorts of contacts are permitted or not specifically forbidden by policy, they will be held to a high standard of conduct in all their interactions with students. Failure to create, enforce and maintain appropriate professional and interpersonal boundaries with students could adversely affect the District’s relationship with the community and jeopardize the employee’s employment with the district.

Staff members are discouraged from creating personal social media accounts to which they invite students to be friends or followers. Employees taking such action do so at their own risk and are advised to monitor the site’s privacy settings regularly.

District employees may set up blogs and other professional/education social media accounts using District resources and following District guidelines to promote communications with students, parents, and the community concerning school-related activities and for the purpose of supplementing classroom instruction. Accessing professional/education social media during school hours is permitted.
Staff are reminded that the same relationship, exchange, interaction, information, or behavior that would be unacceptable in a non-technological medium, is unacceptable when done through the use of technology. In fact, due to the vastly increased potential audience that digital dissemination presents, extra caution must be exercised by staff to ensure they do not cross the line of acceptability. A good rule of thumb for staff to use is, “if you wouldn’t say it face-to-face in a group, don’t say it online.”

Whether permitted or not specifically forbidden by policy, or when expressed in an adult-to-adult, face-to-face context, what in other mediums of expression could remain private opinions, including “likes” or comments that endorse or support the message or speech of another person, when expressed by staff on a social media website, have the potential to be disseminated far beyond the speaker’s desire or intention. This could undermine the public’s perception of the individual’s fitness to interact with students, thus undermining the employee’s effectiveness. In this way, the expression and publication of such opinions, could potentially lead to disciplinary action being taken against the staff member, up to and including termination or nonrenewal of the contract of employment.

Accessing social media websites for personal use during school hours is prohibited, except during breaks or preparation periods. Staff are discouraged from accessing social media websites on personal equipment during their breaks and/or preparation periods because, while this is not prohibited, it may give the public the appearance that such access is occurring during instructional time. Staff shall not access social media websites using district equipment at any time, including during breaks or preparation periods, except in an emergency situation or with the express prior permission of school administration. All school district employees who participate in social media websites shall not post any school district data, documents, photographs taken at school or of students, logos, or other district owned or created information on any website. Further, the posting of any private or confidential school district material on such websites is strictly prohibited.

Specifically, the following forms of technology based interactivity or connectivity are express permitted or forbidden:

**Privacy of Employee's Social Media Accounts**

In compliance with A.C.A. § 11-2-124, the District shall not require, request, suggest, or cause a current or prospective employee to:

1. Disclose the username and/or password to his/her personal social media account;
2. Add an employee, supervisor, or administrator to the list of contacts associated with his/her personal social media account;
3. Change the privacy settings associated with his/her personal social media account; or
4. Retaliate against the employee for refusing to disclose the username and/or password to his/her personal social media account.

The District may require an employee to disclose his or her username and or password to a personal social media account if the employee’s personal social media account activity is reasonably believed to be relevant to the investigation of an allegation of an employee violating district policy, or state, federal or local laws or regulations. If such an investigation occurs, and the employee refuses, upon request, to supply the username and/or password required to make an investigation, disciplinary action may be taken against the employee, which could include termination or nonrenewal of the employee’s contract of employment with the District.
Notwithstanding any other provision in this policy, the District reserves the right to view any information about a current or prospective employee that is publicly available on the Internet.

In the event that the district inadvertently obtains access to information that would enable the district to have access to an employee’s personal social media account, the district will not use this information to gain access to the employee’s social media account. However, disciplinary action may be taken against an employee in accord with other District policy for using district equipment or network capability to access such an account. Employees have no expectation of privacy in their use of District issued computers, other electronic device, or use of the District's network.

Cross reference: 8.22—CLASSIFIED PERSONNEL COMPUTER USE POLICY

Legal Reference: A.C.A. § 11-2-124

Date Adopted: May 19, 2015

Last Revised:
8.38—CLASSIFIED PERSONNEL VACATIONS

240 day contracted employees are credited with 10 days of vacation at the beginning of each fiscal year. This is based on the assumption that a full contract year will be worked. If an employee fails to finish the contract year due to resignation or termination, the employee’s final check will be reduced at the rate of .833 days per month, or major portion of a month, for any days used but not earned.

An employee shall normally use all days of vacation by June 30 each year. An employee may carry over up to five (5) days of unused vacation past June 30 of each year, but the employee shall use all unused vacation days by September 30 of the same calendar year.

Earned but unused vacation will be paid upon the conclusion of the employee’s employment with the school district at the employee’s current daily rate of pay.

Date Adopted: May 19, 2015

Last Revised: April 18, 2018
8.39—DEPOSITING COLLECTED FUNDS

It is the responsibility of any staff member to deposit all funds they have collected on a daily basis into the appropriate accounts for which they have been collected. The Superintendent or his/her designee shall be responsible for determining when receipts for funds collected shall be required. If questions arise concerning procedures to be followed in handling money, the Bryant School District Business Procedures Manual shall be followed at all times.

Staff that use any funds collected in the course of their employment for personal purposes, or who deposit such funds in a personal account, may be subject to discipline up to and including termination.

Date Adopted: May 19, 2015

Last Revised:


8.40—CLASSIFIED PERSONNEL WEAPONS ON CAMPUS

Firearms

Except as permitted by this policy, no employee of this school district, including those who may possess a “concealed carry permit,” shall possess a firearm on any District school campus or in or upon any school bus or at a District designated bus stop.

Employees who meet one or more of the following conditions are permitted to bring a firearm onto school property.

- He/she is participating in a school-approved educational course or program involving the use of firearms such as ROTC programs, hunting safety or military education, or before or after-school hunting or rifle clubs;
- The firearms are securely stored and located in an employee’s on-campus personal residence and/or immediately adjacent parking area;
- He/she is a registered, commissioned security guard acting in the course and scope of his/her duties; or
- He/she is a certified law enforcement officer, either on or off duty.

Possession of a firearm by a school district employee who does not fall under any of the above categories anywhere on school property, including parking areas and in or upon a school bus, will result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Other Weapons

An employee may possess a pocket knife which for the purpose of this policy is defined as a knife that can be folded into a case and has a blade or blades of less than three (3) inches or less each. An employee may carry, for the purpose of self-defense, a small container of tear gas, pepper spray, or mace which for the purpose of this policy is defined as having a capacity of 150cc or less. Employees are expected to safeguard such items in such a way as to ensure they are not possessed by students. Such items are not to be used against students, parents or other school district employees. Possession of weapons, knives or self-defense items that do not comply with the limits contained herein, the failure of an employee to safeguard such items, or the use of such items against students, parents or other school district employees may result in disciplinary action being taken against the employee, which may include termination or nonrenewal of the employee.

Legal References:  

A.C.A. § 5-73-119  
A.C.A. § 5-73-120  
A.C.A. § 5-73-124(a)(2)  
A.C.A. § 5-73-301  
A.C.A. § 5-73-306

Date Adopted: May 19, 2015

Last Revised: June 20, 2019
8.41—WRITTEN CODE OF CONDUCT FOR EMPLOYEES INVOLVED IN PROCUREMENT WITH FEDERAL FUNDS

For purposes of this policy, “Family member” includes:

- An individual's spouse;
- Children of the individual or children of the individual's spouse;
- The spouse of a child of the individual or the spouse of a child of the individual's spouse;
- Parents of the individual or parents of the individual's spouse;
- Brothers and sisters of the individual or brothers and sisters of the individual's spouse;
- Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual's spouse; or
- Anyone acting or serving as an agent of the individual or as an agent of the individual's spouse.

No District employee, administrator, official, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds, including the District Child Nutrition Program funds, if a conflict of interest exists, whether the conflict is real or apparent. Conflicts of interest arise when one or more of the following has a financial or other interest in the entity selected for the contract:

1. The employee, administrator, official, or agent;
2. Any family member of the District employee, administrator, official, or agent;
3. The employee, administrator, official, or agent’s partner; or
4. An organization that currently employs or is about to employ one of the above.

Employees, administrators, officials, or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements including, but not limited to:

a. Entertainment;
b. Hotel rooms;
c. Transportation;
d. Gifts;
e. Meals; or
f. Items of nominal value (e.g. calendar or coffee mug).

Violations of the Code of Conduct shall result in discipline, up to and including termination. The District reserves the right to pursue legal action for violations.

All District personnel involved in purchases with Federal funds, including child nutrition personnel shall receive training on the Code of Conduct. Training should include guidance about how to respond when a gratuity, favor, or item with monetary value is offered.

Legal References: A.C.A. § 6-24-101 et seq.
Arkansas Department of Education Rules Governing the Ethical Guidelines And Prohibitions For Educational Administrators, Employees, Board Members And Other Parties
Commissioner’s Memo FIN 09-036
Commissioner’s Memo FIN-10-048
Commissioner’s Memo FIN 15-074
2 C.F.R. § 200.318
7 C.F.R. § 3016.36
7 C.F.R. § 3019.42

Date Adopted: May 19, 2016

Last Revised:
8.42—CLASSIFIED PERSONNEL BUS DRIVER END OF ROUTE REVIEW

Each bus driver shall walk inside the bus from the front to the back to make sure that all students have gotten off the bus after each trip. If a child is discovered through the bus walk, the driver will immediately notify the Transportation Director to make arrangements for transporting the child appropriately. If children are left on the bus after the bus walk through has been completed and the driver has left the bus for that trip, the driver shall be subject to discipline up to and including termination.

Date Adopted: May 19, 2015

Last Revised:
8.43—CLASSIFIED PERSONNEL USE OF PERSONAL PROTECTIVE EQUIPMENT

Employees whose job duties require the use or wearing of Personal Protective Equipment (PPE) shall use or wear the prescribed PPE at all times while performing job duties that expose employees to potential injury or illness. Examples of PPE include, but are not limited to:

- **Head and face protection:**
  - Hard hat;
  - Bump cap;
  - Welding helmet;
  - Safety goggles;
  - Safety glasses;
  - Face shield;

- **Respiratory protection:**
  - Dust/mist mask;
  - Half-face canister respirators;

- **Hearing protection:**
  - Ear plugs;
  - Ear muffs;

- **Hand protection, which is based on hazard exposure(s) and type(s) of protection needed:**
  - Leather;
  - Latex;
  - Rubber;
  - Nitrile;
  - Kevlar;
  - Cotton;

- **Body protection:**
  - Welding apron;
  - Welding jackets;
  - Coveralls/Tyvek suits;

- **Foot Protection:**
  - Metatarsal protection;
  - Steel toed boots/shoes;
  - Slip resistant shoes;

- **Fall Protection:**
  - Belts, harnesses, lanyards;
  - Skylight protection;
  - Safe ladders;
  - Scissor lifts.

Employees operating a school-owned vehicle that is equipped with seat belts for the operator shall be secured by the seat belt at all times the employee is operating the vehicle. If the vehicle is equipped with seat belts for passengers, the employee operating the vehicle shall not put the vehicle into motion until all passengers are secured by a seat belt. Employees traveling in, but not operating, a school owned vehicle that is equipped with seat belts for passengers shall be secured by a seat belt at all times the vehicle is in motion.
Employees who fail to use or wear the prescribed PPE required by their job duties put themselves and co-workers at risk of sustaining personal injuries. Employees who are found to be performing job duties without using or wearing the necessary PPE required by the employee’s job duties may be disciplined, up to and including termination.

A supervisor may be disciplined, up to and including termination, if the supervisor:
1. Fails to ensure the employee has the prescribed PPE before the employee assumes job duties requiring such equipment;
2. Fails to provide an employee replacement PPE when necessary in order for the employee to continue to perform the job duties that require the PPE; or
3. Instructs the employee to perform the employee’s job duties without the prescribed PPE required by those job duties.

An employee shall not be disciplined for refusing to perform job duties that require the employee to use/wear PPE if:
   a. The employee has not been provided the prescribed PPE; or
   b. The PPE provided to the employee is damaged or worn to the extent that the PPE would not provide adequate protection to the employee.

An employee’s immediate Supervisor is responsible for providing the employee training on the proper use, care, and maintenance of any and all PPE that the employee may be required to use.

Cross Reference: 8.11—OVERTIME, COMPTIME, and COMPLYING WITH FLSA

Date Adopted: April 18, 2018

Last Revised: