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**COTTER PUBLIC SCHOOLS
SECTION 5
CURRICULUM AND INSTRUCTION**

5.1—EDUCATIONAL PHILOSOPHY

The Cotter School District assumes the responsibility of providing students attending its schools a high quality education that challenges each student 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. A positive environment reflects in the moral and ethical values of students.
9. All people have a right to a safe environment.
10. Each person is responsible for his/her own actions.
11. Schools are responsible for creating the conditions that promote success.
12. Each person is entitled to retain his/her dignity.
13. 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: 6/20/19

Last Revised: 5/17/19

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.¹

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; 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.² 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).³ 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.¹

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.⁴

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.

Notes: ¹ See A.C.A. § 6-15-1702 for a detailed listing of required components of the parental involvement plan. The Model Policy Service has also provided a guide (See Supporting Information for Policies 6.11 and 6.12) for easier understanding of the language in the code.

² The Division of Elementary and Secondary Education (DESE) Rules Governing the Arkansas Educational Support and Accountability Act requires the board to approve the SLIP(s) and SDSP annually, which should be specifically noted in the board's minutes.

³ For districts classified in Level 3, Level 4, or Level 5 levels of support, the SDSP must be submitted to DESE by September 1 and DESEE must approve the SDSP. Districts whose SDSP must be approved by DESE must also post to the website the date the SDSP is approved by DESE, including the date(s) any revisions are approved by DESE.

⁴ For districts classified in Level 1 or Level 2 support, the SDSP must be posted to the website by no later than September 11. For districts classified in Level 3, Level 4, or Level 5 support, the SDSP must be posted to the website by the earlier of ten (10) days after the SDSP is submitted to DESE or by September 11.

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: 6/20/19

Last Revised: 6/6/19

5.3—CURRICULUM DEVELOPMENT

Sequential curricula should be developed for each subject area. Curricula are to be aligned with the curriculum frameworks and used to plan instruction leading to student proficiency on the Arkansas Academic Standards. Curricula should be in alignment with the District’s vision, mission, goals, and educational philosophy. Student achievement is increased through an integrated curriculum that promotes continuity and a growth in skills and knowledge from grade to grade and from school to school. Therefore, the Board desires that unnecessary duplication of work among the various grades and schools be eliminated and that courses of study and their corresponding content guides be coordinated effectively.

The Board of Education is responsible for reviewing and approving all instructional programs offered by the District as well as approving significant changes to courses or course materials before they are implemented. The Superintendent is responsible for making curriculum recommendations.

Each school 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 course content standards approved by the State Board of Education.¹ Each school’s administration shall implement a monitoring process to ensure that the instructional content of each course offered is consistent with the content 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.³

Notes: ¹ A.C.A. § 6-15-101 requires school boards to adopt and implement the academic standards and expected outcomes that have been defined by the State Board, which should be indicated by the adoption being noted in the district’s board minutes.

² A.C.A. § 6-15-1505(b) requires each district’s superintendent to submit a letter of assurance to ADE by October 1 of each year that the content of each class and subject area is aligned to the academic standards and curriculum frameworks developed by the State Board under its plan developed pursuant to A.C.A. § 6-15-1502(a).

Legal References: Standards for 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: 6/20/19

Last Revised: 6/6/19

5.4—SCHOOL IMPROVEMENT TEAMS

A team structure is officially incorporated into the school-level improvement plan. New school administrators shall receive a description of the teams' purposes and how each team is constituted; In addition, each new administrator shall receive training on methods for effective teams.

All teams shall create work plans for the year, which shall include specific work products for the team to produce. To aid in maintaining the work plan, all teams shall develop an agenda and keep minutes for each meeting. The school principal shall be responsible for maintaining a file of the agendas, work products, and minutes of all teams.

Team meetings shall take place outside of the student instructional day.

Leadership Team

Each school shall have a Leadership Team that consists of members that include:

1. The Superintendent;
2. The principal of each school;
3. The instructional facilitator; and
4. Other key professionals designated by the principal.

The Leadership Team shall meet for a minimum of one (1) hour at least two (2) times each month during the school year. Based on school performance data and aggregated classroom observation data, the Leadership Team shall make decisions and recommendations on curriculum, instruction, and professional development; in addition, the Leadership Team shall serve as a conduit of communication to the rest of the faculty and staff.

Instructional Teams

The teachers in each school shall belong to an Instructional Team. The instructional teams shall be organized by:

- a. Grade level;
- b. Grade level cluster; and/or
- c. Subject area.

Each Instructional Team shall meet for a minimum of forty-five (45) minutes at least one (1) times a month during the school year. The purpose of the Instructional Teams is to develop and refine units of instruction and review student learning data.

Notes:

Legal References: DESE Rules Governing the Arkansas Educational Support and Accountability Act
School-Level Improvement Plan Indicator 36
A.C.A. § 6-17-114
AG Opinion 2005-299

Date Adopted: 6/20/19

Last Revised: 6/6/19

5.5—SELECTION/INSPECTION OF INSTRUCTIONAL MATERIALS

The use of instructional materials beyond those approved as part of the curriculum/textbook program must be compatible with school and district policies. If there is uncertainty concerning the appropriateness of supplemental materials, the personnel desiring to use the materials shall get approval from the school's principal prior to putting the materials into use.

All instructional materials used as part of the educational curriculum of a student shall be available for inspection by the parents or guardians of the student. For the purposes of this policy, instructional materials is defined as instructional content provided to the student regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats. The term does not include academic tests or academic assessments.

Parents or guardians wishing to inspect instructional materials used as part of the educational curriculum for their child may schedule an appointment with the student's teacher at a mutually agreeable time. Parents/guardians wishing to challenge the appropriateness of any instructional materials shall follow the procedures outlined in Policy 5.6—CHALLENGE OF INSTRUCTIONAL/SUPPLEMENTAL MATERIALS.

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

Note: This policy is to be developed in conjunction with parents.

Legal Reference: 20 USC § 1232h

Date Adopted: 6/20/19

Last Revised: 5/17/19

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 filling out a *Challenge to Instructional Material* form available in the school's office.

The contesting individual may present a copy of the form to the principal and request a conference be held at a time of mutual convenience. Prior to the conference, the principal shall consult with the teacher regarding the contested material. In the conference, the principal shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.

Following the conclusion of the meeting, the principal shall have five (5) working days to submit a summary of the concerns expressed by the individual and the principal's response to those concerns to the Superintendent.

If the contesting individual is not satisfied with the principal's response, the individual may, after the five (5) working day period, request a meeting with the Superintendent where the individual shall present the same *Challenge to Instructional Material* form previously presented to the principal. The Superintendent shall explain to the contesting individual the criteria used for the selection of the material and its relevancy to the educational program as well as any other pertinent information in support of the use of the material.¹

Following the conclusion of the meeting, the Superintendent shall have five (5) working days to write a summary of the concerns expressed by the individual and the Superintendent's response to those concerns. The Superintendent shall create a file of his/her response along with a copy of the principal's response and a copy of the contesting individual's *Challenge to Instructional Material* form.

If, after meeting with the Superintendent, the contesting individual is not satisfied with the Superintendent's response regarding the appropriateness of the instructional or supplemental material, he/she may appeal the Superintendent's decision to the Board. The Superintendent shall present the contesting individual's *Challenge to Instructional Material* form to the Board at the next regularly scheduled meeting along with the written responses to the challenge. The Board may elect, if it so chooses, to hear brief verbal presentations from the parties involved in the challenge.

The Board shall decide at that meeting or their next regularly scheduled meeting whether to retain the material, limit the availability of the material, or remove the material from the school. The Board's primary consideration in reaching its decision shall be the appropriateness of the material for its intended educational use.

Notes: ¹ Because the removal of instructional material can involve First Amendment Free Speech issues, ASBA advises the district seek legal advice. This can be done at whatever challenge level you choose, but should certainly be done at least by the time it reaches the board.

Legal Reference: 20 USC 1232h

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.6F—REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL OR SUPPLEMENTAL MATERIALS

Name: _____

Date submitted: level one _____ level two _____ level three _____

Instructional material being contested:

Reasons for contesting the material (be specific):

What is your proposed resolution?

Signature of receiving principal _____

Signature of curriculum coordinator _____

Signature of Superintendent _____

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.7—SELECTION OF LIBRARY/MEDIA CENTER MATERIALS

The ultimate authority for the selection and retention of materials for the schools' media centers rests with the Board of Education which shall serve as a final arbiter in resolving a challenge to any media center materials. Licensed media center personnel shall make the initial selections in consultation with school and district licensed staff. Materials selected shall be in accordance with the guidelines of this policy.

The purpose of the schools' libraries/media centers is to supplement and enrich the curriculum and instruction offered by the District. Promoting the dialogue characteristic of a healthy democracy necessitates the maintenance of a broad range of materials and information representing varied points of view on current and historical issues. In the selection of the materials and resources to be available in each library/media center consideration will be given to their age appropriateness. Materials should be available to challenge the different interests, learning styles, and reading levels of the school's students and that will help them attain the District's educational goals.

Selection Criteria

The criteria used in the selection of media center materials shall be that the materials:

- a) Support and enhance the curricular and educational goals of the district;
- b) Are appropriate for the ages, learning styles, interests, and maturity of the schools' students, or parents in the case of parenting literature;
- c) Contribute to the examination of issues from varying points of view and help to broaden students understanding of their rights and responsibilities in our society;
- d) Help develop critical thinking skills;
- e) Are factually and/or historically accurate, in the case of non-fiction works and/or serve a pedagogical purpose;
- f) Have literary merit as perceived by the educational community; and
- g) Are technically well produced, physically sound (to the extent appropriate), and represent a reasonably sound economic value.

Retention and Continuous Evaluation

Media center materials shall be reviewed regularly to ensure the continued appropriateness of the center's collection to the school's curriculum and to maintain the collection in good repair. Those materials no longer meeting the selection criteria, have not been used for a long period of time, or are too worn to be economically repaired shall be withdrawn from the collection and disposed of. A record of withdrawn media materials including the manner of their disposal shall be maintained for a period of three years.

Gifts

Gifts to the media centers shall be evaluated to determine their appropriateness before they are placed in any media center. The evaluation shall use the same criteria as for all other materials considered for inclusion in the media centers. Any items determined to be unacceptable shall be returned to the donor or disposed of at the discretion of the media specialist. The media centers shall have a list of desired items to give to prospective donors to aid them in their selection of materials to donate.

Challenges:

The parent of a student affected by a media selection, or a District employee may formally challenge the appropriateness of a media center selection by following the procedure outlined in this policy. The challenged material shall remain available throughout the challenge process.

Before any formal challenge can be filed, the individual contesting (hereinafter complainant) the appropriateness of the specified item shall request a conference through the principal's office with a licensed media center employee. The complainant shall be given a copy of this policy and the *Request for Formal Reconsideration Form* prior to the conference. The meeting shall take place at the earliest possible time of mutual convenience, but in no case later than five (5) working days from the date of the request unless it is by the choice of the complainant.

In the meeting, the media specialist shall explain the selection criteria and how the challenged material fits the criteria. The complainant shall explain his/her reasons for objecting to the selected material. If, at the completion of the meeting, the complainant wishes to make a formal challenge to the selected material, he/she may do so by completing the *Request for Formal Reconsideration Form* and submitting it to the principal's office.

To review the contested media, the principal shall select a committee of five (5) or seven (7) licensed personnel consisting of the principal as chair and at least one media specialist. The remaining committee members shall be personnel with curriculum knowledge appropriate for the material being contested and representative of diverse viewpoints. The task of the committee shall be to determine if the challenged material meets the criteria of selection. No material shall be withdrawn solely for the viewpoints expressed within it and shall be reviewed in its entirety and not selected portions taken out of context.

The principal shall convene a meeting after a reasonable time for the committee members to adequately review the contested material and the *Request for Formal Reconsideration Form* submitted by the complainant. The complainant shall be allowed to present the complaint to the committee after which time the committee shall meet privately to discuss the material. The committee shall vote by secret ballot to determine whether the contested material shall be removed from the media center's collection. A member from the voting majority shall write a summary of the reasons for their decision. A notice of the committee's decision and the summary shall be given (by hand or certified mail) to the complainant.

If the decision is to not remove the material, the complainant may appeal the committee's decision to the district Board of Directors by filing a written appeal to the Superintendent within 5 working days of the committee's decision or of written receipt of the decision. The Superintendent shall present the original complaint and the committee's decision along with the summary of its reasons for its position plus a recommendation of the administration, if so desired, to the Board within 15 days of the committee's decision. The Board shall review the material submitted to them by the Superintendent and make a decision within thirty (30) days of receipt of the information. The Board's decision is final.

Legal Reference: A.C.A. § 6-25-101 et seq.

Date Adopted: 6/20/19
Last Revised: 5/17/19

5.7F—REQUEST FOR RECONSIDERATION OF LIBRARY/MEDIA CENTER MATERIALS

Name: _____

Date submitted: _____

Media Center material being contested:

Reasons for contesting the material. (Be specific about why you believe the material does not meet the selection criteria listed in policy 5.7—*Selection of Library/Media Center Materials*):

What is your proposed resolution?

Signature of receiving principal _____

Signature of Superintendent (if appealed) _____

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.8—USE OF COPYRIGHTED MATERIALS

Use of Copyrighted Work in Face-to-Face Classroom

The Board of Education encourages the enrichment of the instructional program through the proper use of supplementary materials. To help ensure the appropriate use of copyrighted materials, the Superintendent, or designee, will provide district personnel with information regarding the “fair use” doctrine of the U.S. Copyright Code as detailed in the “Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions with Respect to Books and Periodicals” and “Guidelines for Educational Uses of Music.”¹

Use of Copyrighted Works in Digital Transmissions

Definitions

“Class session”² means the length of time provided for students to access the materials necessary for the completion of course assignments and tests. Depending on the copyrighted work's overall importance to the course, which can vary from a single assignment to an entire course focusing on the copyrighted work, the class session will end on:

- The date set by the teacher for an assignment to be submitted; or
- The date on the school calendar for the end of classes.

“Course packs” are premade compilations of book excerpts; newspaper, magazine, and journal articles; and instructor-authored materials.

“Mediated Instructional activities” includes textbooks, workbooks, and course packs.

“Transmission” is the remote accessing, whether on or off campus, by students of a copyrighted work by means of a closed circuit television, an educational television channel, or in a digital format on a password protected secure webpage.³

The District recognizes that advances in technology have resulted in the need for guidelines for the use of copyrighted materials that are transmitted to students through a digital network. While the requirements to use a copyrighted work in a digital transmission have many similarities to those required to use a copyrighted work in a face-to-face classroom, Federal law places several additional requirements on the District’s teachers, IT staff, and librarians for the use of a digitally transmitted copyrighted work. The District is dedicated to providing the tools necessary for teachers, IT staff, and librarians to meet these additional Federal requirements.

The District shall make sure the server where materials are stored is secured, whether the server is located locally or remotely.

The District’s Informational Technologies staff shall develop the proper protocols and train teachers on their use in order to ensure:

1. The transmission of the copyrighted work is limited to only the students enrolled in the course;
 - Each student shall have a unique ID and password for accessing digital courses/materials⁴; or
 - Each course shall have a unique password to access course materials; and
 - The password to access the course materials shall be changed immediately following the close of the course.

1. To prevent students from retaining or further disseminating the copyrighted work for more than one class session;
 - The print function will be disabled;
 - A transparency shall be placed over any literary work, sheet music, or photograph;
 - Audio and video transmissions will be set to be streamed; and
 - The link to the webpage with a copyrighted work shall be deactivated at the end of the applicable class session.

Teachers who wish to provide copyrighted works to students through a digital transmission as part of a digital course as well as teachers wishing to supplement a face-to-face classroom course with a digital transmission must meet applicable copyright statutes and policy 5.11—DIGITAL LEARNING COURSES as well as the following requirements in order to use a copyrighted work:

- A. The use of the copyrighted work(s), whether in whole or in part, must be a part of regular classroom instruction and must be directly related and of material assistance to the course content;
- B. The extent of a copyrighted work that is used must comply with one or more of the following criteria:
 - The entirety of a non dramatic literary or musical work may be used. A non dramatic literary work includes poems and short stories. A non dramatic musical work covers all music that is not part of an opera or musical and does not cover the use of the music video format of a song.
 - Dramatic literary and musical works as well as videos may only be used in limited portions. Dramatic literary and musical works may only be used in the same amount as set forth in the requirements for a face-to-face classroom while videos, including music videos, may only have the portion used that is directly related to the subject of the class session and may not be transmitted in their entirety.
 - Still images or slides that a teacher would have used in the ordinary course of a face-to-face classroom session on a projector or a transparency may be used in a transmission.
 - Works primarily produced or marketed for use in the digital education market may not be transmitted.
 - Works the teacher had knowledge or reasonably believes to be unlawfully made or acquired may not be used.
 - Mediated Instructional activities may not be transmitted.
- A. A statement that works may be subject to copyright shall be placed in at least one of the following areas to provide notice to students of copyright status:⁵
 - Course syllabus;
 - Home webpage for the course;
 - Webpage for the particular class session; and/or
 - webpage with the copyrighted work.

The teacher and the District librarian shall work together when making digital copies of copyrighted work from physical or analog versions and shall fulfill the following requirements:

- I. The amount converted is only the amount allowed by law; **and**
- II. The District has no digital copy of the copyrighted work available; **or**

III. The District’s digital copy of the copyrighted work that is available has technological protections that prevent the use of the copyrighted work in the manner prescribed by law.

The District will not be responsible for any employee violations of the use of copyrighted materials.

Notes: A useful checklist for Districts to use to help ensure compliance with Federal copyright laws can be found at <http://library.uncc.edu/copyright/TEACH/teachtools>.

¹ Copies of the documents are available on the Policy Resources page at <http://arsba.org/policy-resources>.

² No current law or regulation provides a definition for “class session”. Unfortunately, the traditional meaning of a class session or a class period is impossible to apply to digital courses. Students have the option to digitally access course materials anytime during the day, may not be required to spend a certain period of time for a given course each day, and may complete course assignments at a time when the district is closed. Also, a class session cannot be based on a student’s logging in to access course materials as there are many valid reasons that would require a student to log in multiple times to complete an assignment. For now, we don’t know of any way to avoid the vagueness of the term and the intricacies of legally implementing it.

³ While we recognize the definition of “transmission” appears backwards from a traditional definition, it has been used in this policy because that is its statutory meaning. It actually refers to when students **access** something instead of referring to something being **sent** to students.

There is an important distinction in this policy between a **website** and a **webpage**. A website consists of one or more webpages all kept on the same domain while a webpage is a single place on a domain. Federal law requires reasonable measures be taken to prevent unauthorized access to copyrighted works. Therefore, districts have to ensure that any “transmission” in a digital format is by means of a password protected secure webpage. The easiest method for restricting access is by requiring users to enter a password; this does not mean that a password must be entered to access each copyrighted work. When the copyrighted work is accessed by selecting a particular webpage from a website, students should only be required to enter a password to access the website and not each individual webpage. If the webpage with the copyrighted work is reached from the district’s website, then students should be required to enter a password to access the specific webpage. In short, the password should apply to the largest point of entry. Note that there are times when a non-district website would be a single webpage. Unfortunately, other than forbidding teachers from doing it, the district would have no control over the requiring of a password to access a website/webpage that is disconnected from both the district site and the digital course sites that is not a website created by the teacher. There would be nothing the school could do if someone disconnected from the school posted a copyrighted work to the web and the teacher provided a link to students.

⁴ This does not require students to have a different ID or password for each digital course the student is enrolled in.

⁵ It is not required that a posting of copyright notice appear in multiple places but is highly recommended. The more times the notice appears the harder it is for someone to claim to not have seen it.

Cross Reference: 5.11—DIGITAL LEARNING COURSES

Legal Reference: 17 USC § 101 to 1010(Federal Copyright Law of 1976)

Date Adopted: 6/20/19

Last Revised: 5/17/19

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: 6/20/19

Last Revised: 5/17/19

5.10—RELIGION IN THE SCHOOLS

The First Amendment of the Constitution states that “Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof...” As the Supreme Court has stated (*Abington School District v. Schempp*, 374 U.S. 203) the Amendment thus, “embraces two concepts—freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be.” Therefore, 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 disparages 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 denigrate any particular form of religious practice

Accommodation will be considered for those portions of instructional activities in the schools that unduly burden a student's sincere religious belief provided such accommodation doesn't amount to a significant change in curriculum, program, or course of instruction and when it is possible that a substitution of equally rigorous material that advances the same instructional goals can be arranged. Parents and students are advised that such accommodations are easier to grant when the objection is to non-state mandated Framework material than if the material is required by the Frameworks.

A student or the student's parent can request the student's teacher accommodate the student's objection based on a religious belief to an instructional activity. Any such request must be made at least two (2) school days after the assignment has been assigned. Any objection must be raised in accordance with this policy's requirements or it will not be considered.

Upon receiving such a request, the student's teacher shall determine within five (5) work days if an accommodation is possible under the provisions of this policy. If the teacher decides an accommodation cannot be made or if the student or the student's parent believes the accommodation to be unreasonable, the student or the student's parent may request a conference with the teacher and the teacher's principal. A requested conference will occur at a time of mutual convenience, but no later than five (5) working days following the request. The principal shall have five (5) working days in which to make a decision on the appeal. If the student, the student’s parent, or the teacher is unsatisfied with the principal's decision, it may be appealed to the District Superintendent who shall convene a conference between the student, the parent and the teacher. The requested conference will occur at a time of mutual convenience, but no later than five (5) working days following the request. The Superintendent shall have five (5) working days in which to make a decision on the appeal which shall be final with no further right of appeal.

The teacher in charge of each classroom may, at the opening of school each day, conduct a brief 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.

Notes: The fourth, fifth, and sixth paragraphs in this policy are not required by law and can be deleted or amended as your district chooses. The goal, however, is to be proactive for the instances when such a request is made and to have established policy BEFORE the request.

Legal Reference: A.C.A. § 6-10-115

Date Adopted: 6/20/19

Last Revised: 5/17/19

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
1. 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.¹ 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 Division of Elementary and Secondary Education (DESE). 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 DESE.

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 5.8—USE OF COPYRIGHTED MATERIALS as well as applicable statutory requirements.

The District shall require all outside providers to incorporate Policy 5.8 as a condition of the service contract. Failure of the outside provider to abide by Policy 5.8 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.²

The District is responsible for providing all instructional materials for each student who enrolls in a District approved digital learning course.³

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.⁴

Notes: ¹ The district is NOT required to provide its own digital learning courses, but doing so affords the most oversight of what content such courses contain and how the courses are taught. Note that should the district choose to offer digital courses to non-district students, the district will have to go through the same provider approval process as is required for all "outside" providers.

² 8.04 of DESE Rules Governing Distance and Digital Learning allows a student to take all courses virtually. In addition, 7.08 and 7.09 of the rules requires the student's attendance in a digital course be tracked by time spent and coursework completed rather than simply by the student's physical presence (or lack thereof) at school. There are times when a student's schedule may require that the student be assigned a period during the day for the student to work on a digital course; such a student would not be treated as being absent for that period if the student was not there to be physically counted so long as the student logged the appropriate amount of time and completed all assignments but the student may be in trouble for truancy depending on the circumstances.

Example: A ninth (9th) grade student elects to take one (1) course digitally. The other courses the student takes are scheduled for first (1st), second (2nd), fourth (4th), fifth (5th), and sixth (6th) periods and the student has a study hall during seventh (7th) period. Because the student is too young to check out for third (3rd) period, the student is assigned third (3rd) period to work on the

digital course. If the student goes to the gym one day during third (3rd) period instead of the classroom where the student is supposed to be, the student would be truant but would not be absent so long as the student logged the appropriate amount of time and turned in any necessary assignments.

³ This sentence is based on the statutory definition of "instructional materials". The statute further provides that the instructional materials shall be provided at no cost to students for all subjects taught.

⁴ While digital learning offers great promise for engaging students, it also requires maturity and study skills that will not work for some students. The intention of the paragraph is to leave the initial digital enrollment open to previously poor and/or disengaged students who might thrive in a digital format, and yet still give the principal the authority to intervene when it's in the student's best interest.

Cross References: 4.7—ABSENCES
4.45—SMART CORE CURRICULUM AND GRADUATION
REQUIREMENTS FOR THE CLASSES OF 2018, 2019, AND 2020
4.45.1—SMART CORE CURRICULUM AND GRADUATION
REQUIREMENTS FOR THE CLASS OF 2021 AND THEREAFTER
5.8—USE OF COPYRIGHTED MATERIALS

Legal References: A.C.A. § 6-16-1401 et seq.
DESE RULES GOVERNING DISTANCE AND DIGITAL LEARNING

Date Adopted: 6/20/19

Last Revised: 6/6/19

5.12—COMPUTER SCIENCE INTERNSHIPS AND INDEPENDENT STUDIES

Internships

The Board of Directors believes that students who intend to begin careers immediately upon high school graduation or intend to complete post-secondary training prior to starting a career can benefit from an internship experience. The desired outcomes of the District's internship program include students advancing computer science skills, sharpening soft-skills, and learning new skills while in a workplace environment. The internship program provides intense, competency-based worksite immersion in advanced computer science concepts while linking the internship participants to current resources, information, and guidance from computing professionals.

Students who wish to participate in the internship program shall submit an application to the secondary principal and secondary counselor. In order for a student to be eligible to participate in the internship program, the student must have:

1. Received enough credits to qualify as a junior;
2. Either:
 - Have at least one (1) credit from Division of Elementary and Secondary Education (DESE) approved computer science course; or
 - Submit computer science work product that satisfactorily demonstrates the competencies expected within the DESE Computer Science Standards to the secondary counselor; and
3. At least a 3.0 GPA.

The student participating in an internship program is responsible for making sure the secondary counselor receives documentation authenticated by the student's supervisor of the hours worked by the student, proof of the student having completed projects, and regular evaluations of the student's work by the student's internship supervisor.

A student who completes a computer science internship shall receive credit for the internship as a Computer Science Flex Credit based on the amount of documented on-the-job work hours as follows:

- a. Half (1/2) credit for completing sixty (60) on-the-job work hours; or
- b. One (1) credit for completing one hundred twenty (120) on-the-job work hours.

Independent Studies

A Computer Science Independent Study Program shall be designed to enrich the student's computer science educational experience. A student who desires to complete an independent study shall:

1. Either:
 - Have at least one (1) credit from DESE approved computer science course; or
 - Submit computer science work product that satisfactorily demonstrates the competencies expected within the DESE Computer Science Standards to an advisory panel;
2. Develop an educational plan that is tied directly to extending the computer science concepts found within:
 - The most current revision of the Arkansas High School Computer Science Standards;
 - College Board AP Computer Science Principles or A; and/or

- IB Computer Science SL or HL;
- 3. Submit the study plan to an advisory panel for approval;
- 4. Have at least a 3.5 GPA; and
- 5. Produce a final product for presentation.

The advisory panel is responsible for reviewing, monitoring, and approving the student's study plan. The study plan should include anticipated objectives that allow the advisor to evaluate the student's study progress. The student is responsible for submitting regular written reports to the advisor concerning the student's progress towards the student's independent study goals.

The student's hours of study shall be documented by the most appropriate of the following methods:

- Being assigned a class period during the instructional day that is dedicated to the student's independent study;
- Using the District's system to track student time for digital courses if the student's attendance and assignments are through a digital classroom; and
- Using another hour tracking system approved by the district Superintendent that provides for accurate tracking of hours and provides safeguards against improper reporting by the student.

A student who completes a computer science independent study shall receive credit for the independent study as a Computer Science Flex Credit based on the amount of documented study hours as follows:

- a. Half (1/2) credit for completing sixty (60) study hours; or
- b. One (1) credit for completing one hundred twenty (120) study hours.

Notes:

Legal References: Arkansas Computer Science Standards for Grades 9-12 Internship Program
Arkansas Computer Science Standards for Grades 9-12 Independent Study

Date Adopted: 6/20/19

Last Revised: 6/6/19

5.13—SUMMER SCHOOL

The Cotter School District shall offer remediation programs during the school year to those students in kindergarten through third grade (K-3) not performing at grade level.

Legal Reference: A.C.A. § 6-16-704

Date Adopted: 6/20/19

Last Revised: 5/17/19

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: 6/20/19

Last Revised: 5/17/19

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, legal 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 also send timely progress reports and issue grades for each nine (9) week grading period to keep parents/guardians informed of their student's progress.

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 grades of a child in foster care shall not be lowered due to an absence from school due to:¹

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 grades 3-12 shall be as follows:

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

The grading scale for grades K-2 is based on mastery of skills.

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 (1) point greater than for regular courses with the exception that an F shall still be worth zero (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.

Notes: ¹ A.C.A. § 9-28-113(f) makes this requirement, but does not offer any statutory solution. Presumably, class work missed due to a foster child's absence for the listed reasons would fall under the same parameters for making up missed assignments or tests as any other absence. As such, a foster child's grades could be affected by how well the child does in making up their missed assignments or tests, but not merely because the child missed school for cause.

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: 6/20/19
Last Revised: 6/6/19

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.¹

Notes: ¹ The Division of Elementary and Secondary Education and Virtual Arkansas have developed a computer science proficiency tool that districts may use.

Cross Reference: 5.12—COMPUTER SCIENCE INTERNSHIPS AND INDEPENDENT STUDIES

Legal References: Arkansas Computer Science Standards for Grades 9-12
Commissioner's Memo COM-17-051
Commissioner's Memo COM-19-050

Date Adopted: 6/20/19

Last Revised: 6/6/19

5.17—HONOR ROLL AND HONOR GRADUATES

HONOR ROLL

The honor roll is announced at the end of each nine weeks and each semester. To qualify for the “A” Honor Roll, a student must make all “A’s” during the affected grading period. In order to make the “A-B” Honor Roll, a student must make all “A’s” and “B’s” for the affected grading period. To be eligible for the honor roll a student must also be enrolled in a minimum of four courses for which the student is earning credit for graduation.

Students receiving an “I” for a grading period will not qualify for honor roll that semester.

HONOR GRADUATES

To graduate with honors, a student must:

1. Complete Smart Core diploma requirements;
2. Complete at least two (2) Advanced Placement (AP) course, or earn twelve (12) hours of college concurrent credit, or a combination of six (6) hours of college concurrent credit and one Advanced Placement (AP) course; and
3. Attend public or private accredited schools for eight semesters (freshman, sophomore, junior, and senior years).

The following designations are made based on a student’s GPA:

- a. summa cum laude = 4.00 and above;
- b. magna cum laude = 3.75 – 3.99; and
- c. cum laude = 3.50 – 3.74

The valedictorian at Cotter High School must meet the requirements as laid out in numbers one through three in the above sub-section and must be a senior who is ranked number one (1) in his/her class at the end of seven (7) semesters, and have attended Cotter High School for at least three (3) semesters.

The salutatorian at Cotter High School must meet the requirements as laid out in numbers one through three in the above sub-section and must be a senior who is ranked number two (2) in his/her class at the end of seven (7) semesters, and have attended Cotter High School for at least three (3) semesters.

Legal References: A.C.A. § 6-18-101 (a) (1)
 A.C.A. § 6-18-101 (a) (2)
 A.C.A. § 6-18-101 (b)
 A.C.A. § 6-18-101(e)
 A.C.A. § 6-61-217(a)

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.17F— HONOR ROLL AND GRADUATE OPT OUT FORM

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 having the student named below publicly identified as an honor roll or honor graduate student.

Name of student (Printed)

Signature of parent (or student, if 18 or older)

Date form was filed (To be filled in by office personnel)

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 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 pupils.

While the school nurse is under the supervision of the superintendent, 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: 6/20/19

Last Revised: 6/6/19

5.19- Policy Deleted – Number Held for Future Use

In accordance with the Arkansas School Board Association, Cotter Public Schools, have repealed the policy language but are retaining the policy number for future use.

5.20—DISTRICT WEBSITE

The Cotter 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 Cotter 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.¹ 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.²

Each school's web page shall be under the supervision of the school's Web Master and the District's website shall be under the supervision of the District's Web Master. 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 and School Web Masters 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. All pages on the District's website may contain advertising and links only to educational sources.
2. 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.
3. Photos along with the student's name shall only be posted on web pages after receiving written permission from the student's parents or the student if the student is over the age of eighteen (18).³
4. No web page on the District website may contain public message boards or chat rooms.
5. All web pages on the District website shall be constructed to download in a reasonable length of time.
6. 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.⁴
7. 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 School District.
8. Included on the District's web site shall be:⁵
 - 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;
- i. The district's annual budget;
- j. The annual statistical report of the district;
- k. The district's personnel policies;
- l. The annual School Performance Report;⁶
- m. School-Level Improvement Plans;⁷
- n. The School District Support Plan;⁷
- o. Student discipline policies;
- p. Student services plan;
- q. The District financial policies;
- r. Student handbooks;
- s. The Annual Report to the Public; and
- t. The parent, family, and community engagement plan;
- u. The Immunization waiver report from Policy 4.57—IMMUNIZATIONS.

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:⁸

- 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.

Notes: ¹ A link to either a non-educational website or advertising from non-educational sources establishes your web site as a limited open forum, which would require you to allow links and advertising to other non-educational sources unless you could demonstrate that they could be disruptive to your educational environment.

² Collection of data from individuals under the age of thirteen (13) makes compliance with the Children's Online Privacy Protection Act (COPPA) more difficult and cumbersome. It's simply easier to have your policy state that you will collect no data on site visitors.

³ This relates to the Family Educational Rights and Privacy Act (FERPA). Directory Information as defined by FERPA (see policy 4.13) allows for the release of a student's name, address, and phone number, but because of the potential for significantly greater exposure of the Internet than exists in print media, ASBA recommends limiting the release of Directory Information on the Internet to a student's photo along with their name only **after** receiving written parental permission, or the student's permission if the student is over the age of

eighteen (18). Although it has not been definitively established by the U.S. Supreme Court, the vast increase in exposure offered by the Internet appears to dictate a more restrictive policy regarding the release of Directory Information as it relates to the Internet.

⁴ See policy 5.20.1

⁵ A) through k) are required by A.C.A. § 6-11-129.

⁶ The annual school performance report here refers to the reports required under both A.C.A. § 6-15-1402 and A.C.A. § 6-15-2101. Districts are required to provide a printed copy of the school performance report to an individual upon request; however, districts are no longer required to have the school performance report under § 6-15-1402 printed in the newspaper but must still have the school performance report under § 6-15-2101, which also contains information required by § 6-15-2006, printed in the newspaper.

⁷ The school-level improvement plans are required to be posted to the website by August 1 of each year. The school district support plans must be posted by the earlier of September 1 or within ten (10) days of the plan being submitted to ADE. If the district's school district support plan must be approved by ADE, then the posting to the website must include the date the plan was approved by ADE. Any amendments to the school district support plan must be posted to the website in addition to the original plan.

⁸ A.C.A. § 6-41-611 states that a district who fails to meet the dyslexia screening and intervention requirements may be placed in probationary status. If the district is placed in probationary status, the district is required to post to the district website that the district was placed in probationary status and why.

Cross Reference: 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: 6/20/19

Last Revised: 6/6/19

5.20 F1—PERMISSION TO DISPLAY PHOTO OF STUDENT ON WEB SITE

I hereby grant permission to the Cotter School District to display the photograph or video clip of me/my student (if student is under the age of eighteen {18}) on the District’s web site, including any page on the site, or in other District publications without further notice. I also grant the Cotter School District the right to edit the photograph or video clip at its discretion.

The student’s name may be used in conjunction with the photograph or video clip. It is understood, however, that once the photograph or video clip is displayed on a web site, the District has no control over how the photograph or video clip is used or misused by persons with computers accessing the District’s web site.

Name of student (Printed)

Signature of student (only necessary if student is over 18)

Signature of parent (required if student is under 18)

Date

5.20.1—WEBSITE PRIVACY POLICY*

The Cotter 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.

Notes:

* The language contained in both this Privacy Policy and the District Website policy has been carefully constructed with relation to the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Children’s Online Privacy Protection Act (COPPA). COPPA relates to the collection and dissemination of personally identifying information from children under the age of 13 from a website where such website or online service is operated for commercial purposes. The policies are also aimed at helping you avoid having your web site become a limited open forum. Establishing a limited open forum as it relates to the Internet would obligate your district to permit links from your site to essentially any other site unless you can demonstrate that a site could be disruptive to your educational environment. Before changing parts of either policy, ASBA urges you to call us for an opinion.

Legal Reference: 15 U.S.C. § 6501 (COPPA)

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.21—ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE, and HONORS COURSES

Students in grades 7-12 who take advanced placement (AP) courses, International Baccalaureate (IB) courses, honors or 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, or IB course:

- The course must be taught by an Arkansas licensed teacher who has received the appropriate training required by the 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 or IB examination 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 receive in the course as if it were a non-AP or IB course.¹

"Honors Courses" are those courses that have been approved by a DESE as honors courses. Honors courses must stress higher order learning and be offered in addition to curriculum offerings required by the Standards for Accreditation.

Students who transfer into the district will be given weighted credit for the AP courses; IB courses; honors or concurrent credit college courses; and other courses approved by the DESE for weighted credit that were taken for weighted credit at his/her previous school(s) according to the preceding scale.

Notes: ¹A.C.A. § 6-15-902(c)(2)(B) and the AP Rules (3.11) stipulate that students must take the applicable AP exam to receive weighted credit for the course. Because the state now pays the total cost of the AP exams and the student's score on the exam does not affect the student's

grade for the course, students can reasonably be expected to take the test. By standardizing the timing of awarding weighted credit across Arkansas, all students will be on a level playing field regarding their GPA for college applications.

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(c)(1)
A.C.A. § 6-16-806

Date Adopted: 6/20/19

Last Revised: 6/6/19

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 are responsible for having the transcript for the concurrent credit course(s) they've taken sent to their school in order to receive credit for the course(s). Credit for concurrent credit courses will not be given until a transcript is received. Transcripts for students who take concurrent credit courses as partial fulfillment of the end of the semester in which the course is taken. Students may not receive credit for the course(s) they took or the credit may be delayed if the transcripts are not received in time, or at all. This may jeopardize students' eligibility for extracurricular activities, graduation, or promotion.

Students will retain credit earned through the concurrent credit program which was applied toward a course required for high school graduation from a previously attended, accredited, public school.

Any and all costs of higher education courses taken for concurrent credit are the student's responsibility.

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: 6/20/19

Last Revised: 6/6/19

5.23—EQUIVALENCE BETWEEN SCHOOLS*

* This policy is for districts with only Title I schools and with more than one building for each grade span. This policy is **not** required for districts with only one building per grade span.

Legal Reference: 20 USC § 6321(a),(b), and (c)

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.24—STUDENT PARTICIPATION IN SURVEYS

Section One: No student shall be required to submit to a survey, analysis, or evaluation which is administered or distributed by a school, and is funded in whole or in part by any program administered by the U.S. Department of Education without the prior written consent of the parent/guardian that reveals information concerning the following:

1. political affiliations;
2. mental and psychological problems potentially embarrassing to the student or his/her family;
3. sex behavior and attitudes;
4. illegal, anti-social, self-incriminating, and demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Section Two: No surveys shall be administered without the prior approval of the school principal. Any survey created by a third party, or funded, in whole or in part, as part of any US Department of Education administered program, containing one or more of the eight categories listed above shall be available to be inspected by a student's parent/guardian before the survey is administered or distributed by a school to a student. Parents/guardians shall have the right to deny permission for their child to participate in the taking of the survey. The school shall not penalize students whose parents/guardians exercise this option. The school shall take reasonable precautions to protect students' privacy during their participation in the administration of any survey, analysis, or evaluation containing one or more of the eight categories listed above.

Section Three: Parents or guardians wishing to inspect a survey, analysis, or evaluation shall be able to do so in the administrative office of the administering school where the surveys shall be available for inspection for a period of ten (10)* days (regular school days when school is in session) after the notice of intent to administer the survey is sent. Included in the notice shall be information regarding how the survey or questionnaire will be administered; how it will be utilized; and the persons or entities that will have access to the results of the completed survey or questionnaire. Parents may refuse to allow their student to participate before or after reviewing the survey or questionnaire.

The requirements of sections one, two, and three of this policy do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA).

Section Four: Prior written parental permission is required before any survey or questionnaire (not including tests mandated by state or Federal law or regulation and standardized scholastic achievement tests) is administered to a student the responses to which are to be provided to a person or entity other than another public school, school district, or any branch of the Federal Government and which requests or requires a student to provide any of the eight (8) categories of information listed above and/or the following;

1. A student's name;
2. The name of the student's parent or member of the student's family;
3. The address, telephone number, or email address of a student or a member of a student's family;
4. A personal identification number, such as a social security number, driver's license number, or student identification number of a student or a member of the student's family;
5. Any information, the disclosure of which is regulated, or prohibited by any other state or federal law or regulation.

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

Notes: This policy is to be developed in conjunction with parents.

Parents must be "directly" notified of this policy, at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in the policy and include in the notice the specific or approximate dates (to the extent known) during the school year when these activities are scheduled.

"Directly notified" in regard to this policy means by mail or email: inclusion in the student handbook does not meet the law's requirements.

Legal References: 20 USC § 1232h (a), (b), (c) [NCLB Act of 2001, Part F, Section 1061 (c) (1)(A)(i)(ii)(B), (2)(A)(i)(ii)(B)(C)(ii), (5)(A)(ii)(B), (6)(C)(F)(G)]
A.C.A. § 6-18-1301 et seq.

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.24F1—OBJECTION TO PARTICIPATION IN SURVEYS, ANALYSIS, OR EVALUATIONS

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 participation by the student named below in the following survey, analysis, or evaluation.

I choose not to have my student participate in the following survey, analysis, or evaluation.

_____ Name of specific survey

____ All surveys

Name of student (Printed)

Signature of parent (or student, if 18 or older)

Date form was filed (To be filled in by office personnel)

5.24F2—PERMISSION TO PARTICIPATE IN A SURVEY, ANALYSIS, OR EVALUATION

I, the undersigned, being a parent or guardian of a student, or a student eighteen (18) years of age or older, hereby grant my permission for the student named below to participate in the following survey, analysis, or evaluation.

Name of survey _____

____ All surveys

Name of student (Printed)

Signature of parent (or student, if 18 or older)

Date form was filed (To be filled in by office personnel)

5.25—MARKETING OF PERSONAL INFORMATION

The Cotter 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.¹

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

9. A student or parent's first and last name,
10. A home or other physical address (including street name and the name of the city or town),
11. Telephone number, and
12. 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.

Notes: This policy is to be developed in conjunction with parents. Parents must be “directly” notified of this policy, at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in the policy.

¹ While the law does allow a school or district to collect and disclose “personal information” for marketing purposes under certain circumstances, the requirements for doing so are such that ASBA recommends you simply not go there. If you're extremely determined to do so, look at 20 USC § 1232h(c) to help you make your final decision.

Legal Reference: 20 USC § 1232h(c)

Date Adopted: 6/20/19

Last Revised: 5/17/19

5.26—ALTERNATIVE LEARNING ENVIRONMENTS

The District shall provide an eligible 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 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 parent, legal guardian, person having lawful control of the student, or person standing in loco parentis convenience, 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 (2) of the characteristics from items a through l below:

- a) Disruptive behavior;
- b) Dropping out from school;
- c) Personal or family problems or situations;
- d) Recurring absenteeism;

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:

- e) Ongoing, persistent lack of attaining proficiency levels in literacy and mathematics
- f) Abuse: physical, mental, or sexual;
- g) Frequent relocation of residency;
- h) Homelessness;
- i) Inadequate emotional support;
- j) Mental/physical health problems;
- k) Pregnancy; or

l) 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, 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: 6/20/19
Last Revised: 6/6/19

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: 6/20/19

Last Revised: 5/17/19

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 DESE 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)
 DESE 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: 6/20/19

Last Revised: 5/17/19

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 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: 6/20/19

Last Revised: 6/6/19

5.29—WELLNESS POLICY

The health and physical well-being of 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 Board of Directors 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 Arkansas 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.¹ The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference.² 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:³

- Members of the District's Board of Directors;
- School administrators;
- School nutrition personnel;
- Teacher representative;
- Teachers of physical education;
- Parents;
- Students;
- 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.⁴

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.⁵

Goals

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the District will adhere to the ADE 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, working with the SNPAAC, has established the following goals:⁶

1. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
2. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
3. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
4. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
5. Not use food or beverages as rewards for academic, classroom, or sports performances;
6. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
7. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
8. Abide by the current allowable food and beverage portion standards;
9. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's (USDA) Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;⁷
10. Restrict access to competitive foods as required by law and Rule;
11. 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.
12. Provide professional development to all district staff on the topics of nutrition and/or physical activity;⁸
13. Utilize the School Health Index available from the 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.⁹ 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.⁹ 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)¹⁰ 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.⁹

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.¹¹ 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:

- a. Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
- b. Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
- c. Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
- d. 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,¹² 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) year¹² 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;⁵
- 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) year¹² assessment of this policy.

Notes: First and foremost, remember that this policy is to be developed with input from the Wellness Committee (SNPAAC). There are very specific powers, duties, and responsibilities given to the committee.

Additional information on requirements and suggestions for local wellness policies are available from the USDA at <http://healthymeals.nal.usda.gov/school-wellness-resources>. Commissioner’s Memos CNU-17-010, CNU-17-013, and CNU-17-016 have several additional resources.

8.01.2 of the DESE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index allows a school to serve or provide to students during the school day, outside of the meal period, a serving of food and beverages that complies with the Federal Smart Snacks requirements as demonstrated by using the Alliance for a Healthier Generation Smart Snacks Calculator, including a copy of the Smart Snacks Calculator product compliance screen and a copy of the nutrition fact label of the product. This is a local control issue and does not have to be included in the policy, but you should be aware that it is an option and is on the ADE Wellness Policy Review Checklist.

As part of the Federal review, districts will be required to provide records demonstrating compliance with the regulations that include, but are not limited to:

- A copy of the wellness policy;
- Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public, which may include, but are not limited to: a copy of the district/school Web page where the local school wellness policy has been posted or a copy of the school newsletter/local newspaper;
- Documentation of the three (3) year assessment for each school; and
- Documentation to demonstrate compliance with the public notification requirements.

¹ The Rules Governing Nutrition and Physical Activity allow three options for accomplishing this requirement:

1. Establish a School Nutrition and Physical Activity Advisory Committee at each school in addition to the district committee;
2. Establish subcommittees of the district Committee, representing the appropriate age and grade configurations for your district; or
3. Include representatives from each appropriate grade level group (elementary, middle, junior and senior high) on the membership of the district committee.

Select the option you will use and rewrite the sentence to reflect your choice.

² The statutory powers are codified at A.C.A. § 20-17-135(e)(1) and repeated in the Rules starting at 6.01. The powers delegated solely through the Rules can be found starting at 6.06.

³ The Healthy, Hunger-Free Kids Act of 2010 requires the groups listed in this paragraph to be permitted to participate (rather than "must"). There is no mention in the Act of limitations to the numbers of individuals included in each category for the policy's oversight, but some limitation to the overall size of this review team may be necessary for efficiency purposes. As part of the review process, districts will be required to demonstrate attempts were made to recruit individuals even if no one in that particular group agrees to participate.

⁴ This paragraph is intended to meet the requirements of A.C.A. § 6-20-709 and the ADE advises that WRITTEN documentation that this requirement has been met will be required during the administrative review of the child nutrition program.

⁵ While the new Federal terminology is "designated district official", the responsibilities remain the same; i.e. ensuring compliance with the Wellness Policy. Indistar refers to this position as "Wellness Chair"; we choose not to make the title of this individual the "Wellness Chair" because we believe that it should be up to the SNPAAC to select the member to be its chair rather than having it set in policy.

You are not required to appoint school level School Health Coordinators. If you choose not to appoint the school level school health coordinators, remove the sentence appointing them.

⁶ The goals included in this policy are those specifically required by rule. Additional goals should be listed upon the advice of the SNPAAC and the consent of the Board. The USDA requires that the final policy include specific measurable goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. When setting the goals, districts are required to review and consider evidence-based strategies. At a minimum, districts are expected to review the "Smarter Lunchroom" tools and strategies; a copy may be found at <http://www.fns.usda.gov/healthierschoolday/tools-schools> under the "School Nutrition Improvement" heading.

⁷ The DESE uses Commissioner's Memos to inform districts of many wellness policy issues concerning nutrition in general, serving portion sizes, drinking water availability, etc. The SNPAAC should be kept abreast of such applicable Memos. You have the choice to exceed the state or federal requirements. If you choose to meet and not exceed those mandated by government, you should delete "or exceed" at the start of the sentence. Currently, some of the state's requirements are more stringent than the federal requirements, but this could change. By mentioning both governments in the policy, you'll still be covered. If you do choose to exceed existing requirements you will need to specify what they are in this policy.

⁸ The Rules require all staff to receive professional development, but, at this time, there is no provision for how much or what it is to consist of. ADE is currently in the process of creating professional development covering several nutrition and physical education areas that will be accessible through Arkansas IDEAS.

⁹ Foods and beverages sold or provided outside of the food service areas being required to meet the Federal Smart Snacks Standards is the minimum required by law. If you choose to exceed the minimum, you will need to include the standards that must be met in the policy.

¹⁰ Nine (9) is simply the maximum allowed by rule. You may insert a lower number if you choose.

¹¹ This language is the minimum required by law. You have the option to be more restrictive on what level of nutritional value food and beverage advertisements must meet to be on school property. If you choose to be more restrictive, keep in mind that the First Amendment requires that the exceptions for educational uses; clothing, apparel, and other personal items; and packaging brought from home still be included.

¹² The USDA refers to this as the “Triennial Assessment” and requires that the district’s wellness policy be assessed in depth at least once every three (3) years to determine the district’s progress on reaching the goals set in the policy. If you wish to assess the policy more regularly, replace this language with your desired timeline.

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))

Child Nutrition Act of 1966 42 U.S.C. § 1771 et seq.

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

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