

Fall 2011 Revisions

CERTIFIED AND CLASSIFIED PERSONNEL CONTRACT – RETURN

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

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

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

FF. CERTIFIED PERSONNEL EMPLOYEE TRAINING

All employees shall attend all required local professional development training sessions as directed by a supervisor.

1. ACSIP

The District shall develop and implement a plan for the professional development of its certified employees. The district plan includes all school plans. The district's plan shall, in part, align district resources to address the professional development activities identified in each school's ACSIP. The plan shall describe how the district's categorical funds will be used to address deficiencies in student performance and any identified academic achievement gaps between groups of students. At the end of each school year, the district shall evaluate the professional development activities' effectiveness in improving student performance and closing achievement gaps.

2. Definitions

See Arkansas Dept. of Education "Rules Governing Professional Development, July 2005," ADE website, www.arkansased.org Rules and Regulations.

3. Requirements

Each certified employee shall receive a minimum of sixty (60) hours of professional development annually to be fulfilled between June 1 and May 31. Professional development hours earned in excess of sixty (60) in the designated year cannot be carried over to the next year. Certified employees who are prevented from obtaining the required professional development hours due to their illness or the illness of an immediate family member as defined in board policy have until the **July 31 of the current year** to make up the deficient hours. **Summer make-up hours used to make up the former school year's 60-hour requirement cannot also be used for the following school year.**

The goal of all professional development activities shall be improved student achievement and academic performance that result in individual, school-wide, and system-wide improvement designed to ensure that all students demonstrate proficiency on the state criterion-referenced assessments. The district's professional development plan shall demonstrate scientifically, research-based best practice, and shall be based on student achievement data and in alignment with applicable ADE Rules and/or Arkansas code.

4. Personnel Involvement

Teachers and administrators shall be involved in the design, implementation, and evaluation of the plan for their own professional development. The results of the evaluation made by the participants in each program shall be used to continuously improve the district's professional development offerings and to revise the school improvement plan.

5. Swap Days

Flexible professional development days (swap days) are those days for which an employee is allowed to substitute professional development activities, different from those offered by the district, but which still meet criteria of either the employee's Individual Improvement Plan or the school's ACSIP, or both. The district shall determine on an annual basis how many, if any, swap days of professional development it will allow to be substituted for district scheduled professional development offerings. The determination may be made at an individual building, a grade, or by subject basis. The district administration and the building principal have the authority to require attendance at specific professional development activities. Employees must

receive, in advance, approval from the building principal for activities they wish to qualify for swap professional development days. To the fullest extent possible, professional development activities are to be scheduled and attended such that teachers do not miss their regular teaching assignments. Six (6) approved swap hours credited toward fulfilling the sixty (60) hour requirement shall equal one contract day. Hours of professional development earned by an employee that are not at the request of the district and are in excess of sixty (60) or not pre-approved by the building principal shall not be credited toward fulfilling the required number of contract days for that employee. Hours earned that count toward the required sixty (60) also count toward the required number of contract days for that employee. Employees shall be paid their daily rate of pay for professional development hours earned at the request of the district that necessitate the employee work more than the number of days required by their contract.

6. Make-Up Requirement

Teachers and administrators who, for any reason, miss part or all of any scheduled professional development activity they were required to attend, must make up the required hours in comparable activities which are to be pre-approved by the building principal.

7. Documentation

To receive credit for his/her professional development activity, each certified employee is responsible for obtaining and submitting documents of attendance for each professional development activity he/she attends. Documentation is to be submitted to the building principal or designee. All professional records will be maintained in a building office or central office file for a period of 5 years as a requirement of ADE monitoring.

8. Required Focus Areas

Teachers and administrators are required to obtain sixty (60) hours of approved professional development annually over a five-year period as part of licensure renewal requirements. At least six (6) of the sixty (60) annual hours shall be in the area of educational technology.

Teachers are required to receive at least two hours annually of their sixty (60) required hours of professional development designed to enhance their understanding of effective parental involvement strategies.

Teachers who provide instruction in Arkansas history shall receive at least two (2) hours of professional development in Arkansas history as part of the sixty (60) hours required annually.

Personnel who are likely to use automated external defibrillators shall receive the training required by Rule. Such training shall count toward the required hours of professional development.

Administrators are required to receive at least three (3) hours annually of their sixty (60) required hours of professional development designed to enhance their understanding of effective parental involvement strategies and the importance of administrative leadership in setting expectations and creating a climate conducive to parental participation. Each administrator's professional development is required also to include training in data disaggregation, instructional leadership and fiscal management.

Teachers required by the superintendent, building principal, or their designee to take approved training related to teaching an advanced placement class for a subject covered by the College Board and Educational Testing Service shall receive up to thirty (30) hours of credit toward the sixty (60) hours of professional development required annually.

Certified personnel may earn up to twelve (12) hours of professional development for time they are required to spend in their instructional classroom, office or media center prior to the first day of student/teacher interaction provided the time is spent in accordance with the state law and current ADE rules that deal with professional development. The hours may be earned through online professional development approved by the ADE, provided the professional development relates to the district's ACSIP and the teacher's professional growth plan.

9. University Coursework

Teachers are eligible to receive fifteen (15) professional development hours for a college course that meets the criteria identified in law and the applicable ADE rules. The board shall determine if the hours earned apply toward the required sixty (60). A maximum of thirty (30) hours may be applied toward the sixty (60) hours of professional development required annually.

10. Compliance

Employees who do not receive or furnish documentation of the required annual professional development jeopardize the accreditation of their school and academic achievement of their students. Failure of an employee to receive sixty (60) hours of professional development in any given year, unless due to illness as permitted by law, shall be grounds for disciplinary action up to and including termination.

11. Professional Development Formats

Approved professional development activities may include conferences, workshops, institutes, individual learning, mentoring, peer coaching, study groups, National Board for Professional Teaching Standards Certification, distance learning, internships, district/school programs, and approved college/university course work. Professional development activities should be consistent with the objectives developed by the National Staff Development Council Standards.

12. Required Content

Professional development activities shall relate to the following areas: content (K-12); instructional strategies; assessment; advocacy/leadership; systemic change process; standards, frameworks, and curriculum alignment; supervision; mentoring/coaching; educational technology; principles of learning/developmental stages; cognitive research; and building a collaborative learning community.

Adopted 6-28-2007
Revised 6-25-2009
Revised 2-24-2011

E. FACILITIES USE POLICY

1. Permission to use school buildings and property shall be obtained through the superintendent's office. Any usage of school properties shall not interfere with regular school activities or be in conflict with the purposes of the school.
2. The school instructional program holds first priority in the use of school facilities.
3. School activities shall have next priority at all times in the free use of school facilities.
4. School board meetings, pupil organizations and activities, teacher organizations, PTO, civic and other organizations devoted to the instruction of children or the well-being of the community will be given priority in permission of the use of the school facilities. School facilities will not be available for use by for-profit groups or agencies.
5. Requests for the use of school facilities by outside groups will be referred to the school board by the superintendent for approval and shall be confined exclusively to pre-designated or assigned space.

Approved by Board 2-24-2011

Student Attendance

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

Students shall not be absent, as defined in this policy more than 12 days in a semester. When a student has 6 absences, his/her parent, guardian, or person in loco parentis shall be notified that the student has missed half the allowable days for the semester. Notification shall be by telephone by the end of the school day in which such absence occurred or by regular mail with a return address sent no later than the following school day.

Whenever a student exceeds 12 absences in a semester, the District shall notify the prosecuting authority and the parent, guardian, or person in loco parentis shall be subject to a civil penalty as prescribed by law.

Students with 13 absences in a course in a semester shall not receive credit for that course. If the student fails to receive credit for a sufficient number of courses and at the discretion of the principal after consultation with persons having knowledge of the circumstances of the absences, the student may be denied promotion or graduation. Excessive absences, however, shall not be a reason for expulsion or dismissal of a student.

At any time prior to when a student exceeds the number of allowable absences (unless unable to do so due to unforeseen circumstances), the student, or his/her parent, guardian, or person in loco parentis may petition the school or district's administration for special arrangements to address the student's absences. If formal arrangements are granted, they shall be formalized into a written agreement which will include the conditions of the agreement and the consequences for failing to fulfill the agreement's requirements. The agreement shall be signed by the student, the student's parent, guardian, or person in loco parentis, and the school or district administrator or designee. Unless a student's excessive absence is due to an unforeseen circumstance, the District will not accept a doctor's note for a student's excessive absence.

Days missed due to in-school or out-of-school suspension shall not count toward the allowable number of days absent.

Additional Absences

Additional absences that are not charged against the allowable number of absences are those where the student was on official school business or when the absence was due to one of the following reasons and the student brings a written statement upon his/her return to school from the parent, guardian, person in loco parentis, or appropriate government agency stating such reason:

1. To participate in an FFA, FHA, or 4-H sanctioned activity;
2. To participate in the election poll workers program for high school students;
3. To serve as a page for a member of the General Assembly;

4. To visit his/her parent or legal guardian who is a member of the military and been called to active duty, is on leave from active duty, or has returned from deployment to a combat zone or combat support posting; and
5. For purposes pre-approved by the school administration such as visiting prospective colleges, to obey a subpoena, or to attend at an appointment with a government agency;

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

Applicants for an instruction permit or for a driver's license by persons less than eighteen (18) years old on October 1 of any year are required to provide proof of a high school diploma or enrollment and regular attendance in an adult education program or a public, private, or parochial school prior to receiving an instruction permit. To be issued a driver's license, a student enrolled in school shall present proof of a "C" average for the previous semester or similar equivalent grading period for which grades are reported as part of the student's permanent record.

Board Approved: 7-19-11

MAKE-UP WORK

Students who miss school shall be allowed to make-up the work they missed in accordance with the regulations approved by the building principal.

Board Approved: 7-19-11

CONTACT WITH STUDENTS WHILE AT SCHOOL

CONTACT BY PARENTS

Parents wishing to speak to their children during the school day shall register first with the office.

CONTACT BY NON-CUSTODIAL PARENTS

If there is any question concerning the legal custody of the student, the custodial parent shall present documentation to the principal or his/her designee establishing the parent's custody of the student. It shall be the responsibility of the custodial parent to make any court ordered "no contact" or other restrictions regarding the non-custodial parent known to the principal by presenting a copy of a file-marked court order. Without such a court order on file, the school will release the child to either of his/her parents. Non-custodial parents who file with the principal a date-stamped copy of current court orders granting visitation may eat lunch, volunteer in their child's classroom, or otherwise have contact with their child during school hours and the prior approval of the school's principal.

Unless prior arrangements have been made with the school's principal, Arkansas law provides that the transfer of a child between his/her custodial parent and non-custodial parent, when both parents are present, shall not take place on the school's property on normal school days during normal hours of school operation.

CONTACT BY LAW ENFORCEMENT, SOCIAL SERVICES, OR BY COURT ORDER

State Law requires that Department of Human Services employees, local law enforcement, or agents of the Crimes Against Children Division of the Department of Arkansas State Police, may interview students without a court order for the purpose of investigating suspected child abuse. In instances where the interviewers deem it necessary, they may exercise a "72-hour hold" without first obtaining a court order. Other questioning of students by non-school personnel shall be granted only with a court order directing such questioning, with permission of the parents of a student (or the student if above eighteen [18] years of age), or in response to a subpoena or arrest warrant.

If the District makes a report to any law enforcement agency concerning student misconduct or if access to a student is granted to a law enforcement agency due to a court order, the principal or the principal's designee shall make a good faith effort to contact the student's parent, legal guardian, or other person having lawful control by court order, or person acting in loco parentis identified on student enrollment forms. The principal or the principal's designee shall not attempt to make such contact if presented documentation by the investigator that notification is prohibited because a parent, guardian, custodian, or person standing in loco parentis is named as an alleged offender of the suspected child maltreatment. This exception applies only to interview requests made by a law enforcement officer, an investigator of the Crimes Against Children Division of the Department of Arkansas State Police, or an investigator or employee of the Department of Human Services.

In instances other than those related to cases of suspected child abuse, principals must release a student to either a police officer who presents a subpoena for the student, or a warrant for arrest, or to an agent of state social services or an agent of a court with jurisdiction over a child with a court order signed by a judge. Upon release

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

Board Approved: 7-19-11

APPEARANCE CODE

Marion School District expects its students to dress appropriately while attending school. Students will be asked to use the following principles to guide them in choosing apparel. Student clothing must not disrupt the educational process. One's clothing must not be personally hazardous in activities such as shop, lab work, physical education, art, and on-the-job training. Students must not wear immodest or profane clothing that shocks the conscience or wear clothing in an immodest manner. Students must refrain from wearing clothing that is made of see-through materials. Each school's principal or designee is charged with determining if a student's clothing is provocative in some way this resulting in a disruption to the educational process. Since clothing styles are ever-changing, each school's administration is charged with providing updated and specific examples of proscribed clothing.

The Marion School District expects more of students with regard to appearance when representing their school or the district in interscholastic competitions, whether during the school day or after school hours. Facial jewelry may not be worn by students during such times. This shall include tongue piercings. Ear wear is excluded from this policy.

The Marion Board of Education expects its faculty members to enforce its schools' appearance code. Because previous definitions of shirt length were repeatedly abused by students and were not enforced by faculty as required, the Board seeks to communicate more clearly its intent. The Board does not want "sagging" by students to be tolerated on any of its campuses.

Regarding head attire, at no time shall doo rags or sweatbands be worn by students during school or school activities. Hats, caps or sunglasses may not be worn inside the building. If worn correctly, hats, caps, ear warmers, toboggans, and sunglasses may be worn outdoors; not indoors unless there is documented medical necessity. Inside our buildings, hoodies that button or have a zippered front must be worn un-zippered or unbuttoned. This is to assure that our expectation that belts are to be worn and that shirts are to be tucked is met. Pullover hoodies do not meet the purposes of our appearance code and are not to be worn at school.

Young men will wear pants or appropriate length shorts that approach the knee, i.e. longer than mid-thigh. Both pants and such shorts must have belt loops. Shirt tails are to be tucked in completely around the waist and a belt must be worn correctly and must be visible. Except in physical education class or athletic practices, belts are to be worn at all times by male students. This means that basketball shorts or other athletic shorts may not be worn outside of P.E. or the athletic period. Additionally, shirts worn by male students must have short sleeves at a minimum.

For female students, Starter© shorts, gym shorts, knit pants or spandex or clingy, immodest spandex-like materials worn as pants are not appropriate as school attire. However, leggings or spandex can be worn under a garment that otherwise meets our appearance code. Shorts and skirts worn must be of a length that approaches the knee, i.e. longer than mid-thigh. Additionally, the guideline of at least a 3 inch one piece shoulder covering is clarified to mean that straps must be three fingers wide. This clarification is to mitigate against any unnecessary showing of cleavage and/or one's undergarments.

Students are prohibited from wearing, while on the school grounds during the school day and at school-sponsored events, clothing that exposes underwear, buttocks, or the breast of a female. This prohibition does not apply, however to a costume or uniform worn by a student while participating in a school-sponsored activity or event. (Act 835 of 2011)

The following consequences are adopted by semester for violations of the Appearance Code policy at Marion High School and Marion Jr. High:

1st Offense—Warning

2nd Offense—Suspension at the end of day; pending a parent conference

3rd Offense—1 day Saturday School

Marion Middle School does not have Saturday School so the 3rd offense will be 1 day In-School Suspension.
4th Offense—2 days In-School Suspension
5th Offense—5 days In-School Suspension
6th Offense—3 days Out-of-School Suspension
7th Offense—5 days Out-of-School Suspension
8th Offense—10 days Out-of-School Suspension
Next Offense—Recommendation to superintendent for Expulsion

Students violating the appearance code policy at any extracurricular school activity will be asked to comply immediately with policy or leave the event (no refund for gate admission).

Board Approved: 6-26-08

Revised: 6-11-09

Revised: 7-19-11

RULE 1. BULLYING

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

Definitions:

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

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

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

Electronic Act means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone, or other wireless communication device, computer, or pager that results in the substantial disruption of the orderly operation of the school or educational environment.

Electronic acts of bullying are prohibited whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose;

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

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

- Necessary cessation of instruction or educational activities;
- Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
- Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or,

- Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

Students are encouraged to report behavior they consider to be bullying to their teacher or the building principal, including a single action which, if allowed to continue, would constitute bullying. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed, that a student been a victim of behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the principal. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the principal. A school principal or his or her designee who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

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

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student behavior code which may have simultaneously occurred. For example: a student might be disciplined both for bullying and fighting; or bullying and sexual harassment; or, bullying and assault.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for student who bully shall be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, and school bus. Parents, students, school volunteers, and employees shall be given copies of the notice.

Copies of this policy shall be available upon request. Adopted 6-28-2007

Board Approved: 6-28-07

Revised: 7-19-11

POSSESSION AND USE OF CELL PHONES, BEEPERS, ETC.

USE OF CELL PHONES BY STUDENTS, OTHER DEVICES FOR GRADES 6-12

Use and misuse of cell phones have become a serious problem that threatens the ability of the district's schools to properly and efficiently operate its education program. The school board believes it is necessary to restrict student use and possession of cell phones, other electronic communication devices, cameras, MP 3 players, I-pods, and other portable music devices so that the opportunity for learning in the district's schools may be enhanced.

At the same time, cell phones and other electronic communication devices can, in controlled situations, offer a means to enhance student learning through their ability to access expanded sources of information. Teachers have the authority to permit student use of their cell phones for specific classroom lesson plans or projects. Students must abide by the guidelines the teacher gives for any such authorization. Students who fail to do so will be subject to the provisions of this policy governing misuse of cell phones.

For the purpose of this policy, the use of a cell phone, Bluetooth-type technology or other communication device includes any incoming call, text message, message waiting, or any other audible sound possible from the phone or device.

The student and/or the student's parents or guardians expressly assume any risk associated with students' owning or possessing such technology equipment.

Cell phone use by students while riding Marion School Buses to and from school is forbidden. In addition to the penalties listed below, bus riding privileges could also be removed.

Unless otherwise permitted in this policy, from the time of the first bell until after the last bell, students are forbidden from using cell phones, any paging device, beeper, Bluetooth-type receivers or similar electronic communication devices. When not permitted to be in use such devices may be stored in the student's book bag, locker or vehicle in an off or silent mode of operation. At prohibited times cell phones are not to be answered. Exceptions may only be made by the building principal or his/her designee for health or other compelling reasons.

Before and after normal school hours, possession of cell phones, any paging device, beeper, or similar electronic communication devices, cameras, MP 3 players, I-Pods, and other portable music devices is permitted on the school campus. The use of such devices at school-sponsored functions outside the regular school day is permitted to the extent and within the limitations allowed by the event or activity the student is attending.

Students using cell phones or other portable music devices after the first bell and before the last bell shall have them confiscated. This means the complete phone including the SIM card. Confiscated cell phones and other electronic communication devices may be picked up at the school's administration office by the student's parents or guardians as set forth below.

These consequences shall apply per semester:

First Offense: The complete device will be confiscated and parent/guardian must come to school to retrieve the item.

Second Offense: The complete device will be confiscated for five (5) days and parent/guardian must come to school after the five (5) day period to retrieve the item.

Third Offense: The complete device will be confiscated for 10 days and parent/guardian must come to the school after the ten (10) day period to retrieve the device. In addition, the student will receive two days of In-school suspension.

Fourth Offense: The complete device will be confiscated for the remainder of the semester. In addition, the school will assign a three (3) day out-of-school suspension.

Additional offenses will be referred to the superintendent for further penalties-even possible expulsion for non-compliance of the Board's policy.

Adopted 6-26-08

Revised 6-15-09

Revised 7-19-11

PLACEMENT OF MULTIPLE BIRTH SIBLINGS

The parent, guardian or other person having charge or custody of multiple birth siblings in grades pre-K through 6 may request that the multiple birth siblings are placed in either the same or separate classrooms. The request shall be in writing not later than the 14th calendar day prior to the first day of classes at the beginning of the academic year. The school shall honor the request unless it would require the school to add an additional class to the sibling's grade level. If one parent of multiple birth siblings requests a placement that differs from that of the other parent of the same multiple birth siblings, the school shall determine the appropriate placement of the siblings.

The school may change the classroom placement of one or more of the multiple birth siblings if:

- There have been a minimum of 30 instructional days since the start of the school year; and
 - After consulting with each classroom teacher in which the siblings were placed, the school determines the parent's classroom placement request is:
 - Detrimental to the educational achievement of one or more of the siblings;
 - Disruptive to the siblings' assigned classroom learning environment; or
 - Disruptive to the school's educational or disciplinary environment.

If a parent believes the school has not followed the requirements of this policy, the parent may appeal the multiple birth siblings' classroom placement to the Superintendent. The Superintendent's decision regarding the appeal shall be final.

Board Approved: 7-19-11

Current - DRUG-FREE SCHOOLS AND CAMPUSES POLICY – Current policy will be replaced with ASBA policy

In an effort to create a healthy environment for students and staff members, and in compliance with the provisions of Public Law 101-226, the Marion Board of Education prohibits the possession, use, or distribution of illegal drugs and/or alcohol by its employees on school district property or as a part of any school activity.

The illegal manufacture, distribution, dispensation, possession or use of narcotics, drugs, alcohol, or controlled substances during working hours, school activities or on school district property constitutes conduct unbecoming an employee and is prohibited. An employee shall not report to work or work after having used any prohibited drug. Compliance with this regulation is a condition of employment and any employee in violation will be subject to disciplinary action, up to and including discharge.

Any employee convicted in violation of drug statute will be suspended from work without pay until the next meeting of the school board. The employee will be recommended for termination at the board meeting. Employees are required to notify the superintendent of any conviction involving a drug statute within five (5) days of conviction.

Compliance with the standards of conduct stated in this policy is mandatory of all employees. Violations of any part of this policy may result in disciplinary action, including suspension and termination. If the situation warrants, the superintendent shall communicate all available information promptly to the proper law enforcement agency and offer full cooperation of the Marion School District in an investigation. Employees are encouraged to seek treatment and/or counseling for drug problems. The Marion School District will not assume any expenses incurred in counseling or attendance in a drug/alcohol program. Information about drug and alcohol counseling, rehabilitation and re-entry programs shall be available in the drug education coordinator's office at the district office.

The following are available for drug abuse and addiction information and treatment:

Parkwood Hospital Lakeside Hospital St. Francis Hospital – West Memphis Office
901-521-1400 1-800-232-5253 Addictive Disease Unit Manager # 732-2300

Any genuine request for assistance by a Marion School District employee who by personal recognition realizes that he is in violation of the prohibitions of this regulation will not be affected by the imposition of disciplinary actions.

Employees will receive a copy of these expected standards of conduct and the resulting disciplinary sanctions.

DRUG FREE WORKPLACE - CERTIFIED & CLASSIFIED PERSONNEL (this policy will replace our current policy)

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

Compliance with the standards of conduct stated in this policy is mandatory of all employees. Violations of any part of this policy may result in disciplinary action, including suspension and termination. If the situation warrants, the superintendent shall communicate all available information promptly to the proper law enforcement agency and offer full cooperation of the Marion School District in an investigation. Employees are encouraged to seek treatment and/or counseling for drug problems. The Marion School District will not assume any expenses incurred in counseling or attendance in a drug/alcohol program. Information about drug and alcohol counseling, rehabilitation and re-entry programs shall be available in the drug education coordinator's office at the district office.

The following are available for drug abuse and addiction information and treatment:

Parkwood Hospital 901-521-1400	Lakeside Hospital 1-800-232-5253	St. Francis Hospital – West Memphis Office Addictive Disease Unit Manager # 732-2300
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Should any employee be found to have been under the influence of, or in illegal possession of, any illegal drug or controlled substance, whether or not engaged in any school or school-related activity, and the behavior of the employee is such that it is inappropriate for a school employee, in the opinion of the superintendent, the employee may be subject to discipline, up to and including termination. This policy also applies to those employees who are under the influence of alcohol while on campus or at school-sponsored functions, including athletic events.

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

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

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

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

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

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

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

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

Note: Bus drivers are also subject to the DOT rules and regulations.

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

Date Adopted: February 24, 2011

DRUG FREE WORKPLACE POLICY ACKNOWLEDGEMENT

CERTIFICATION

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

Signature _____

Date _____

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:

1. Support and enhance the curricular and educational goals of the district;
2. Are appropriate for the ages, learning styles, interests, and maturity of the schools' students, or parents in the case of parenting literature;
3. 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;
4. Help develop critical thinking skills;
5. Are factually and/or historically accurate, in the case of non-fiction works and/or serve a pedagogical purpose;
6. Have literary merit as perceived by the educational community; and
7. 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.

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.

Approved by School Board: April 28, 2011

TEACHER OF THE YEAR ELECTION GUIDELINES

There will be one District Teacher of the Year selected from a campus on a rotation basis. The District Teacher of the Year will be eligible for region or state teacher of the year awards. In addition to the District Teacher of the Year, one teacher of the year will be selected from each campus except from the campus selecting the District Teacher of the Year. These teachers will not be eligible for region or state teacher of the year awards and will not provide a portfolio. Their recognition will be a local recognition only.

1. Only certified personnel based at the school will vote in the election.
2. The Personnel Policy Committee representative from that school shall provide guidance to the Personnel Policy Committee and not be involved in the ballot distribution, collection, and counting. If the representative becomes a top 3 finalist, he/she will be excused from the meeting.
3. Faculty members who leave the campus during the election forfeit their privilege to vote in this Teacher of the Year election. Voting may not occur by proxy. Faculty members not in attendance for the 1st round voting are excluded from all voting.
4. In the event of a tie, there will be multiple local winners. The winner submitted to the state Teacher of the Year will be the one with the most years of service in the Marion School District.
5. The Teacher of the Year election is by peers; administrators will not vote.

Approved by Personnel Policy Committee: 10-19-10

Approved by School Board: 11-16-10