

FACILITIES USE POLICY
(New language underlined)

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.

Revision: Added last sentence to # 4

Current - DRUG-FREE SCHOOLS AND CAMPUSES POLICY –
**Current policy (Struck through) will be replaced with ASBA policy (see following pages-
underlined)**

~~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

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 Lakeside Hospital St. Francis Hospital – West Memphis Office
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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

CERTIFIED PERSONNEL EMPLOYEE TRAINING (new language is underlined, deleted language is struck through)

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 end of the following school year~~ **July 31 of the current year** to make up the deficient hours. ~~This extension does not absolve the employee from also obtaining the following year's required 60 hours of professional development.~~ **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 curre

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)

Policy for Deletion (will follow the law as shown below 6-5-307 Classroom teacher salary requirement)

USE OF EDUCATIONAL EXCELLENT TRUST FUNDS FOR SALARY REQUIREMENT

~~Marion School District is subject to all laws requiring a minimum salary schedule and necessary incremental steps. Increases to the Educational Excellence Trust funds at greater than the 1991 levels, less the amount for new positions required by the Education Standards, less social security matching and teacher retirement, shall be distributed equally to each certified employee in a raise to the base salary. These funds shall not be used for salary schedule costs for added experience or for advanced hours or degrees attained. Any surplus dollars in the trust fund will be placed equally on the base salary of every certified employee. A.C.A. 6-5-307.~~

6-5-307. Classroom teacher salary requirement.

(a) Any increase in Educational Excellence Trust Fund funds allocated for teacher salaries shall be used by school districts to provide salary increases for current certified personnel positions and for no other purpose, except that required social security and teacher retirement matching required to be paid by the school districts for certified personnel may be paid from the funds.

(b) Educational Excellence Trust Fund funds allocated for teacher salaries shall be disbursed by the Department of Education to school districts pursuant to the state foundation funding formula under § 6-20-2305.

(c) In determining whether a school district has had an increase in Educational Excellence Trust Fund funds allocated for teacher salaries, any annual increase in such trust funds must exceed the level of the highest year since 1991 to be classified as an increase.

(d) "Salary increase", as used in this section, shall not include increments for experience or advanced hours or degrees.

HISTORY: Acts 1995, No. 1172, § 2; 1997, No. 1324, § 1; 2001, No. 1456, § 7; 2005, No. 2121, § 20; 2005, No. 2165, § 1.

