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## **INTRODUCTION**

The technology center operates according to policies developed and established by the board of education. The board, which represents the local community, develops policies after careful study and deliberation. The board will regularly assess the effects of its policies and make revisions as necessary.

This manual contains the policies that govern the technology center. Policy development in a modern, progressive school system is a dynamic, on-going process. New problems, issues and needs create a continuing need to develop new policies and revise existing ones.

District office will maintain all updates on Canadian Valley Technology Center's Intranet and a printed copy is available for review in Human Resources office.

## **PHILOSOPHY**

The philosophy of Canadian Valley Technology Center is to create a culture of continuous improvement by focusing on developing our leaders, teachers, staff, students, and community through innovative learning experiences and teaching techniques. Our goal is to create a healthy, inclusive, learning environment focused on the success and well-being of everyone we serve. We do this by implementing ethical practices, high expectations, clear communication, fair and consistent accountability standards, and creating an environment of trust, safety, and respect for all.

We are committed to serving others and strengthening economic development through our business and industry partnerships, quality competency-based instruction, and educating students to meet workforce demands. Our commitment to rigorous and relevant education, continuous improvement, support of economic development, and serving the individual through intellectual, social, and emotional growth and development opportunities will provide the foundation for lifelong personal and professional success and enrichment.

**MISSION STATEMENT**

Canadian Valley Technology Center prepares people to succeed through quality career and technical education programs and services.



## **HEALTH AND SAFETY**

It is the policy of the technology center board of education to provide healthful and safe facilities, surroundings and activities for employees, students, clients and patrons. The board and administration are committed to this policy and will make every reasonable effort to comply with applicable laws and recognized standards of good safety practice, and initiate safety programs as may be warranted. Temporary expediency shall not take precedence over recognized and established safety procedures in any activity.

All employees shall observe and help to enforce compliance with technology center safety procedures and established rules.

All students shall follow recognized good safety practices and established rules and shall not take short cuts that jeopardize themselves or others.

If any employee, student, or visitor believes an unsafe condition exists it should be immediately reported to any instructor, supervisor, or administrator. This action will be without prejudice to the person reporting.

The health and safety programs shall cover/include, but not be limited to, the following:

1. Requirements of the Occupational Safety and Health Administration (OSHA) Safety and Health Standards, Workers Compensation Law, and the Environmental Protection Agency (EPA) and its affiliates.
2. Maintenance of safe equipment, facilities and surroundings.
3. Safe methods and practices.
4. Safety Equipment.
5. Safety inspections including environmental monitoring of noise and fumes within the facilities.
6. Safety training for employees and students.
7. Procedures to be followed in case of an accident/injury including medical treatment and reporting requirements.
8. Accident investigation.
9. Accident record system.
10. Monitoring accident and loss records.

The superintendent is responsible for ensuring compliance with all applicable health and safety regulations, including establishing necessary procedures and positions to carry out this compliance. It is the policy of this district to cooperate fully with any audits or investigations by governmental authorities.

The superintendent and/or his/her designee(s) shall annually evaluate the technology center's health and safety programs and procedures, revise those that are not adequate and establish additional ones if necessary.

### Procedures and Standard Practices

Procedures and standard practices will be developed and maintained by the technology center's District Safety Committee in compliance with this policy and all applicable law. All technology center department and campus personnel will subscribe to these procedures and standard practices once developed. These procedures and standard practices will include the following activities and topics:

1. Accident reporting/Investigating
2. Defensive driving
3. Hazard communication
4. Bloodborne pathogens/infectious diseases
5. Hearing conservation
6. Hotwork/welding
7. Laboratory safety
8. Hazardous material generation and disposal
9. Respiratory protection
10. Lock-out/tag-out
11. Electrical safety
12. Asbestos awareness
13. Fire protection
14. First aid and cardiopulmonary resuscitation (CPR)
15. Recordkeeping
16. Required safety training
17. Personal protective equipment
18. Compressed Gas and Compressed Air Equipment
19. Confined Space (Permit Required/Non-Permit Required)
20. Emergency Action Plan
21. Fall Protection
22. Hand and Portable Power Tools
23. Hand Safety
24. Machine and Machine Guarding
25. Material Handling and Storage (Mechanical – powered industrial truck/dolly/cart; Manual lifting)
26. Utility Vehicles – UTV, Tractor, Skid Steer, etc.
27. Temperature Extremes (Heat and Cold Related Illness)
28. Working at Heights (Scaffolds, Aerial Lifts, Ladders)
29. Slips, Trips, and Falls
30. Other related topics as may be required by law, regulation and board policy.

## **CODE OF ETHICS / POWERS AND DUTIES**

The powers and duties of the Board shall be conferred and prescribed by law. Complete and final authority on all matters pertaining to the district educational system, except as restricted by law, will be vested in the Board. It is further recognized that the Board may enter into contracts and agreements in conformity with state law.

### Code of Ethics

We believe that the following statements are the core components of the ethical foundation for the Oklahoma Career Tech System – a system that helps prepare Oklahomans to succeed in the workplace, in education, and in life. To this end, we subscribe to the following statements as standards for the Technology Center Code of Ethics

Guidelines to the Technology Center Code of Ethics appear in bold print and suggested activities to fulfill the requirements include, but are not limited to, the examples listed.

I (will):

1. **Focus on the success of students and clients as the fundamental value upon which all decisions are made.**
  - Provide a safe, supportive environment to include up-to-date facilities, equipment, instructional materials, and methods, as well as other appropriate student services to enhance the educational experience and enable all students to achieve their full potential for success.
  - Ensure that all instructors are appropriately qualified to provide a high level of instruction to enable students to obtain realistic training and education for successful career and workplace readiness.
2. **Acknowledge that the System is accountable to the taxpayers and patrons of the local district and the State of Oklahoma.**
  - The district will compile and make available an annual report or profile that identifies the standards by which the district measures program success. A copy of this report will also be published on the district website. The annual report or profile may measure standards such as teacher qualifications, cost per program, cost per student, economic impact of programs and services, completion rates, sending school secondary service rate, positive placement of completers, percentage of completers who attain a state or national licensure or certification, etc.
3. **Understand that the role of the board of education is to set policy and direction for the school district, and the role of the administration and staff is to implement the policies of the board in a fair and consistent manner.**

- The district will maintain and enforce an up-to-date manual of policies.
  - The district will utilize a strategic planning process that will include, at a minimum, the following components: core values and beliefs, vision statement, mission statement, and strategic goals.
  - Adoption of policies not in conformity with the administrator's recommendations or beliefs is not just cause for refusal by the administration to support and implement those policies.
  - Administration must be impartial in the execution of the school policies and the enforcement of rules and regulations. It is a breach of ethics to give preferential consideration to any individual or group because of special status or position in the school system or the community.
- 4. Not use position or influence for any personal gain; and will avoid actions that create a conflict of interest and strive to avoid actions that might appear to create a conflict of interest.**
- The term "conflict of interest" describes any circumstances that could cause doubt on a person's ability to act with total objectivity with regard to the district's interest. Conflicts of interest are prohibited.
  - It is improper for a board member or school administrator to profit financially from interest in any business which publishes, manufactures, sells, or in any way deals in goods or services which are, or may be expected to be, purchased by the school system they serve.
  - It is a breach of public trust for a board member or administrator to use confidential information concerning school affairs (such as knowledge of the selection of specific school sites) for personal profit or to divulge such information to others who might profit.
  - Although it is impossible to list all potential conflict of interest situations, the following examples represent situations where a conflict of interest could arise.
    - A direct or indirect financial interest in any business or organization that is a district vendor or competitor, if the employee or board of education member can influence decisions with respect to the district's business.
    - Use of any district asset for the employee's personal advantage (examples of such assets include not only equipment, tools, and supplies, but also valuable ideas, technical data, and other confidential information).
  - Relationships, including business, financial, personal, and family may give rise to conflicts of interest or the appearance of a conflict. Employees should carefully evaluate relationships as they relate to district business to avoid conflict or the appearance of a conflict.
- 5. Fulfill professional responsibilities with honesty and integrity.**
- The board of education, superintendent, administration, faculty, and staff will fulfill their duties and responsibilities with honesty and integrity and improve their professional effectiveness through continuing professional development.

- Board members will be diligent and well informed of issues surrounding board decisions and regularly attend board meetings.
- 6. Support the Constitutions of the State of Oklahoma and the United States of America and obey all federal, state, and local laws.**
- Board members will uphold the oath of office.
  - Professional development will be held annually for board members, superintendent, administration, faculty, and staff to learn about new laws.
- 7. Encourage effective communication between the board, the students, the staff, and all elements of the community.**
- A communication plan will be developed to address internal and external audiences.
- 8. Improve professional effectiveness through continuing professional development.**
- In addition to meeting the minimum requirements for continuing education mandated by state law, board members, administration and staff have a professional obligation to attend conferences, seminars, and other learning activities that hold promise of contributing to their professional growth and development.

#### Reporting and Resolving Alleged Ethical Violations

Board members and employees should report any concerns about Canadian Valley Technology Center business practices that appear to be unethical, or which may violate Canadian Valley's Code of Ethics policy or any applicable laws. Employees should report ethical concerns or violations to their supervisor or to the Superintendent. Concerns involving the Superintendent should be reported to the President of the Board of Education. If the individual making the report believes that the complaint may involve the President of the Board, he/she may report to any other member of the Board of Education. The nature of the complaint shall determine the manner in which the complaint shall be investigated and resolved. However, generally the district shall use the procedures included in district-approved grievance procedures, with adaptations in the procedures appropriate to the nature and severity of the ethical complaint.

No adverse action shall be taken or threatened against any employee as a reprisal for making a complaint or disclosing information, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard or deliberate indifference for its truth or falsity.

**RELATIONSHIP WITH THE EDUCATION  
FOUNDATION**

Canadian Valley Technology Center, recognizing the importance of its foundation, as well as the financial benefits which it, as a "local foundation" provides to the technology center, and further recognizing the distinct separateness of the foundation as an entity separate and distinct from the technology center, sets forth the following policy with respect to the interrelationship between the foundation and the technology center.

Pursuant to the provisions of applicable Oklahoma law,

- No employee of the technology center shall serve as a voting member of the foundation's board of directors.
- Employees of the technology center may serve in an ex officio capacity on the foundation's board of directors, if requested to do so by the foundation, provided that (i) the total number of ex officio members of the foundation's board shall be less than the number of the voting members of the foundation's board, and (ii) no ex officio member of the foundation's board, nor any employee of the technology center, shall receive any compensation from the foundation for services.
- Members of the technology center's board of education may serve, at the request of the foundation, on the foundation's board provided that such board of education members shall not at any time constitute a majority of the members of the foundation's board of directors, nor shall any such individuals be compensated by the foundation.
- No member of the technology center's board of education, nor any employee of the technology center, shall perform services for the foundation unless such services are pursuant to a written contract between the foundation and the technology center - and the foundation makes adequate payment or reimbursement to the technology center for the services so rendered.
- The technology center shall not provide items of value (other than office space as set forth in this policy) to the foundation without receiving documented adequate payment therefor, according to a written contract.
- Upon prior approval of the board of education, as noted in the minutes of the meeting at which approval is given, the technology center may provide to the foundation, space in any of the technology center's buildings for any amount of rent (including \$1) as mutually agreed upon by the technology center and the foundation.

Appropriate members of the technology center's administrative staff are encouraged to serve as liaisons to the foundation so as to share information and ideas with the foundation to assist the foundation to fulfill its goals as a local foundation for the benefit of the technology center.

No member of the technology center's board of education nor any employee of the technology center, including but not limited to administrative, certified and clerical employees, shall direct the activities or functions of the foundation.

No member of the technology center's board of education nor any employee of the technology center, including but not limited to administrative, certified and clerical employees, shall unilaterally prepare or submit grant applications to philanthropic organizations. Any grant applications which are, at the request of the foundation, prepared in whole or in part by a member of the technology center's board of education, or an employee of the technology center shall be reviewed and, if applicable, approved, signed and submitted by an officer of the foundation.

**PRIVACY AT SCHOOL**

The board expects all actions and activities associated with the technology center to be conducted within the confines of the law and with the best interests of students and staff in mind.

To (a) ensure compliance with state and federal privacy laws, (b) reduce the risk of stifling the free exchange of ideas, (c) shield young people from potential embarrassment, and (d) otherwise limit the disruption of the educational environment for students and staff, the technology center does not permit the audio or visual recording of communications or activities occurring in classrooms, offices, or common areas during the school day without prior consent of a technology center administrator and upon such terms and conditions deemed appropriate by the administrator. Any person who believes ~~that~~ that consent has been unreasonably withheld may appeal the decision to the superintendent, whose decision shall be final.



**BOARD OF EDUCATION  
LEGAL STATUS**

The board of education is comprised of five (5) members elected by a vote of the technology center. The board of education derives its authority from state law. The board's power is judicial and legislative, and the superintendent selected by the board serves as its chief executive officer. When not in legal session, a board member has no legal authority whatsoever – except as may be conferred by the board of education.

The legislative function of the board is to make plans and policies, select the superintendent and delegate to him or her the responsibility to place plans and policies into operation, and provide the financial means for their achievement as more fully detailed in board policies.

The judicial function of the board is to hear and resolve hearings, grievances, disciplinary appeals, public complaints and other actions of a judicial nature.

Reference: OKLA. STAT. tit. 70 § 5-107A

**BOARD VACANCIES**

The board of education shall determine if and when a vacancy occurs on the board. Such vacancy shall be filled by appointment, and the appointee shall serve until the next regular election if the person is appointed to fill such vacancy in the first half of the term of office for the board position. If the person is appointed to fill such vacancy after the first half of the term of office for the board position, then the appointee shall serve for the balance of the unexpired term. If no one is appointed within sixty (60) days of the date the board declared the seat vacant, a special election shall be held, and the elected member shall fill the vacancy for the unexpired term.

Each board member is expected to attend all board meetings. If an emergency situation should arise which will prevent a board member from attending a scheduled meeting, the board member should promptly notify the board president or the superintendent.

Reference: OKLA. STAT. tit. 26 §13A-110

## **CONTINUING EDUCATION FOR BOARD MEMBERS**

### **Instruction for New and Incumbent Board Members**

Except as provided below, at the time a school district elector files a notification and declaration of candidacy for the office of board of education membership, the elector shall agree and pledge in writing that, upon election or appointment as a member of the board, he or she will attend a two-day workshop to be held by the State Department of Education or, upon approval of the State Board of Education, attend 12 hours of other workshops held by another organization or association representing Oklahoma school district boards of education, for study and instruction concerning school finance, the Oklahoma School Code and related laws, and the ethics, duties and responsibilities of board of education members. If elected, the elector must complete the workshop(s) within 15 months following or preceding his or her election.

When an incumbent board member files a notification and declaration of candidacy for reelection to the board of education, the incumbent shall not be required to comply with the statutory requirement described above if the incumbent produces a certificate of completion showing that he or she has completed the workshop described above. However, the member will be required to agree and pledge in writing that, upon reelection, he or she will attend a six-hour workshop emphasizing changes in school law, within 15 months following his or her election.

Upon completion of the workshop(s) described above, the member's certificate of completion will be included in the public records of the board's minutes.

Any member of the board or any individual elected, certified as the elected member by the county election board, but not sworn in and seated as a member of the board of education at the time of a workshop, who attends and successfully completes a workshop as required above, shall be reimbursed for expenses incurred, not to exceed compensation in the sum of \$25 per day and actual expenses that are itemized and documented for lodging, meals, registration fees and transportation to and from the place of the workshop, as provided in the State Travel Reimbursement Act.

### **Continuing Educational Requirements**

In addition to the workshop requirements described above, every member of the board shall be required to attend a minimum of 15 hours of continuing education during any full term of office of the member. The continuing education courses, local and state workshops, seminars, conferences and conventions that will satisfy these requirements will be held within the state and will be approved jointly by the State Department of Education and the State Department of Career and Technology Education. Failure by a board member to satisfy the continuing education requirements of this section shall result in the ineligibility of the member to run for reelection to the board of education. Any member of the board who attends and completes a course that satisfies in part or in full the requirements of this policy shall be reimbursed by the district for expenses incurred. This paragraph shall not apply to those school board members who filed for reelection prior to July 1, 1991.

## **Failure to Meet the Educational Requirements**

Upon receiving any notice by the State Board of Education that a board member has not completed their instructional or continuing educational requires, both the board member and the superintendent shall alert the board to such default.

Upon receiving a final certified notice by the State Board of Education, the board member shall have sixty (60) days in accordance with Oklahoma law to complete the requirements. Should a board member not complete the required instructional or continuing educational requirements within that time period, the board shall declare the board member's seat vacant in accordance with Oklahoma law. The board seat must be declared vacant within sixty (60) days of the last date the board member had to complete the instructional or continuing education requirements according to the final certified notice by the State Board of Education.

Any board member who does not obtain the required education will be ineligible, pursuant to Oklahoma law, to serve on the board of education for a period of 2 years.

Reference: OKLA. STAT. tit. 70 § 5-110, 70 OKLA. STAT. §5-110.2

**BOARD INTERNAL ORGANIZATION**

The term of office of newly elected board members shall begin at the first regular, special or emergency board meeting after the member has been certified as elected.

The board of education shall be organized at the beginning of the first regular, special, or emergency meeting following the annual school election and certification of election of new members. The board shall elect from its membership a president and vice-president, each of whom shall serve for a term of one year and until a successor is elected and qualified. The board shall also elect a clerk and, in its discretion, a deputy clerk, either of whom may be one of the members of the board, each of whom shall hold office during the pleasure of the board and each of whom shall receive such compensation for services as the board may allow.

Reference: 70 OKLA. STAT. §5-107A, 70 OKLA. STAT. §5-119

**BOARD OF EDUCATION OFFICERS**  
**PRESIDENT**

The president of the board of education serves as the presiding officer and manages routine work of the board, signs all contracts, appoints all committees, signs all warrants ordered by the board of education to be drawn upon the treasurer of school money, certifies tax levies and defends them, serves as spokesperson, and performs other duties that are delegated to him/her by state law or by order of the board of education.

In addition to performing the duties specifically imposed by the board of education, the president shall have the authority to enforce all permanent rules and regulations adopted for the governance and control of the technology center, and shall at all times take such measures and employ such means as may be proper and lawful to enforce school laws within the technology center in the interim between meetings of the board.

The president shall have authority to appoint a member or members as ex officio representatives of the board of education to other organizations of the community that request such representation.

Reference: OKLA. STAT. tit. 70 § 5-120, 135

**BOARD OF EDUCATION OFFICERS**  
**VICE-PRESIDENT**

It shall be the duty of the vice-president to perform all of the duties of the president in case of the president's absence or disability.

Reference: OKLA. STAT. tit. 70 §5-121

**BOARD OF EDUCATION - TREASURER**

It is the policy of the board of education to employ a treasurer for the technology center. The treasurer shall serve at the pleasure of the board and for such compensation as the board may determine, and shall perform those duties as the board may in its discretion confer upon the treasurer, including but not limited to the duty to maintain records and files as required by law or as instructed by the board or the superintendent. The board of education shall require a minimum bonding capacity of \$100,000.00 when using an independent treasurer and may increase that amount as circumstances warrant.

Reference: OKLA. STAT. tit. 70 § 5-114



**BOARD OF EDUCATION - CLERK**

The board of education has established the following duties for the clerk of the board of education:

1. Attend all meetings of the board, countersign all warrants for school monies drawn upon the treasurer by the board and perform such other duties as the board may direct.
2. In addition to performing the duties specifically imposed upon him/her by the school code, cooperate with the superintendent of schools, the board treasurer and the minutes/encumbrance clerk in the management of the business affairs of the school.
3. Attest, in writing, the execution of all deeds, contracts, reports and other instruments that are to be executed by the board of education.
4. Furnish, whenever requested, any and all reports concerning school affairs, on such forms and in such manner as the State Board of Education, Oklahoma Department of Career and Technology Education, or the Superintendent of Public Instruction may require.
5. Destroy all claims, warrants, contracts, purchase orders and any other financial records or documents, including those relating to school activity funds, on file or stored in the offices of the board of education of the district for a period of longer than five (5) years.
6. Maintain all required school board election related filings for a period of four (4) years, including coordinating efforts with the district's technology department for including the filings on the district's website.

Reference: OKLA. STAT. tit. 70 §5-119

**MINUTES CLERK**

The board of education has established the following duties for the minute clerk:

1. Attend all meetings of the board and keep an accurate journal of the proceedings thereof.
2. Furnish tentative minutes to newspapers requesting copies.
3. Perform such other duties as directed by the board of education.

The minute clerk will post a surety bond in the amount of \$1,000.00 before discharging any duties as minute/encumbrance clerk.

Reference: OKLA. STAT. tit. 70 §5-119

**ENCUMBRANCE CLERK**

The board of education has established the following responsibilities for the encumbrance clerk:

1. Keep technology center books and documents.
2. Enter authorized amounts of appropriations in the appropriate accounts.
3. Charge the correct appropriation account and credit the affected encumbrance outstanding accounts with approved encumbrances after first determining that the encumbrances do not exceed the balance of the appropriation charged.
4. Perform other duties as assigned by the board of education, which may include completing purchase order forms and continuing education requirements.

The encumbrance clerk will post a surety bond in the amount of \$1,000.00 before discharging any duties as encumbrance clerk.

Reference: OKLA. STAT. tit. 70 §5-119

## **BOARD MEETINGS**

The board of education shall transact all business at official meetings of the board. These may be regular, continued or reconvened, special or emergency meetings, defined as follows:

1. Regular Meeting – the usual, official legal action meeting held regularly.
2. Continued or Reconvened Meeting – a meeting assembled for the purpose of finishing business appearing on an agenda of a previous meeting.
3. Special Meeting – an official legal action meeting called between scheduled regular meetings to consider specific topics.
4. Emergency Meeting – an official legal action meeting held only for dealing with situations involving either injury to persons or injury or damage to public or personal property or immediate financial loss so severe that the 48-hour notice period for a special meeting would be impractical and increase the likelihood of injury or damage or immediate financial loss.

A “meeting” is defined as the gathering of a quorum of members of the technology center to propose or take legal action, including any deliberations with respect to such action.

No meetings will be held by teleconference. However, meetings may be held by videoconference as long as the meeting conforms to the requirements of Oklahoma’s Open Meeting Act. Accordingly, any meeting conducted by videoconference must meet the following requirements:

1. A quorum must be present in person at the physical meeting site as posted on the meeting notice and agenda.
2. The meeting notice and agenda prepared in advance of the meeting shall indicate that the meeting will include videoconferencing locations and shall state the location, address and telephone number of each available videoconference site, the identity of each member of the body, and the specific site from which each member of the body shall be physically present and participating in the meeting.
3. After the meeting notice and agenda are prepared and posted, no member of the public body shall be allowed to participate in the meeting from any location other than the specific location posted on the agenda in advance of the meeting.
4. The method of meeting described in the meeting notice shall not be modified prior to the meeting, and the board shall conduct the meeting according to the methods described in the notice. If a code or password is required to access the videoconference meeting, the code or password shall be included in the public notice.
5. In order to allow the public to attend and observe each board member carrying out their duties, a member of the board desiring to participate in a meeting by videoconference shall participate from a site and room from within the

technology center. Each site or room where a member of the board is present for a meeting that includes videoconference, shall be open and accessible to the public, and the public shall be allowed into that site or room.

6. Public bodies may provide additional videoconference sites as a convenience to the public, but additional sites shall not be used to exclude or discourage public attendance at any video at any videoconference site.
  7. The public shall be allowed to participate and speak, as allowed by rule or policy set by the public body.
  8. Any materials shared electronically between members of the public body, before or during the videoconference, shall also be immediately available to the public in the same form and manner as shared with members of the public body.
  9. All votes occurring during any meeting conducted using videoconferencing shall occur and be recorded by roll call vote.
- 10.9. Executive sessions by videoconference are prohibited.

The regular meeting of the board of education shall be on the second Tuesday of each month at 5:30 o'clock p.m. at the location indicated in the annual letter to the Canadian County Clerk. The board may change the meeting place and hour of the meeting by agreement of a majority of the whole number elected.

Special meetings of the board may be called by the president at any time, and he/she shall call special meetings whenever so requested, in writing, by any member of the board. Business transacted at any special meeting may be for either a specific or a general purpose.

Each member of the board of education shall be paid from the district's general fund a stipend of twenty-five dollars (\$25.00) for each regular, special or adjourned meeting of the board of education that he or she attends, up to a maximum of four meetings in any calendar month.

Reference: OKLA. STAT. tit. 25, §§ 304, 307.1 (2021); OKLA. STAT. tit. 70 § 5-118

**BOARD OF EDUCATION  
NOTIFICATION OF  
MEETINGS**

Notice of all meetings of the board of education shall be made in accordance with the Oklahoma Open Meeting Act.

Notice to County Clerk

Prior to December 15 each year, the board of education shall provide the county clerk a listing of the time, date and place of all regular meetings for the coming calendar year.

Any change in the date, time or place of a regular meeting shall be provided in writing to the county clerk at least ten days prior to implementing the change.

Notice of the time, date and place of a special meeting shall be provided to the county clerk in person, in writing, or by telephone at least forty-eight (48) hours prior to the meeting.

Emergency meetings may be held without the required public notice if it is reasonably believed that delay would increase the likelihood of personal injury, property damage or immediate financial loss to the district. The person calling an emergency meeting shall give as much advance notice as is possible in person or by telephone.

Meeting Notices

At least twenty-four (24) hours prior to a regular or special meeting, a meeting agenda shall be posted which shall include the date, time and place of the meeting and the business to be undertaken at the meeting. The calculation of the twenty-four (24) hour period shall exclude Saturdays, Sundays, and holidays.

Written notice of the date, time and place of the meeting will be mailed or delivered to each person, newspaper, wire service, radio station and television station that has filed a written request for such notice. Such requests must be renewed annually, and an annual fee of Eighteen Dollars (\$18.00) will be charged each person or entity that requests written notification.

Continuing Meetings

In the event any meeting of the board is to be continued or reconvened, public notice of the action, including the date, time and place of the continued meeting, shall be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting which is continued may be discussed at the continued or reconvened meeting.

Internet Website

Within 6 months of the establishment of an internet website the district shall make available on its website or on a general website, if a general website is used, a schedule and information about regularly scheduled meetings of the district's board of education. The information shall include the date, time, place and agenda of each board meeting. When reasonably possible the district shall also provide information about the date, time, place and agenda of any special or emergency meeting of the district's board of education.

#### Videoconference

In any instance in which the board, in accordance with the Open Meetings Act, will conduct a meeting by videoconference, its meeting notice and agenda shall indicate that the meeting will include videoconferencing locations and shall state the location, address, and telephone number of each available videoconference site. The notice and agenda shall also state the identity of each member of the board of education who shall participate in the board's meeting by videoconference and the specific site from which each member of the board shall be physically present and participating in the meeting. If a code or password is required to access the videoconference meeting, the code or password shall be included in the public notice.

References: OKLA STAT. tit. 25, §307.1 (2021), 311; OKLA. STAT. tit. 74, §3106.2

**QUORUM**  
**BOARD MEETING PROCEDURE**

A quorum consisting of a majority of the board membership present in person at the meeting site shall be necessary to conduct business at a meeting of the board of education. In the event that a quorum is not present in person at the meeting site and a regularly scheduled board meeting cannot be convened, the meeting shall be cancelled. If a regularly scheduled board meeting is cancelled due to lack of a quorum, a notice of such cancellation shall be immediately prepared and posted with the original agenda of the cancelled meeting. A special meeting may then be called with the appropriate minimum of 48 hours' notice to the county clerk. The agenda for the special meeting shall include all of the items listed on the agenda of the regular meeting.

If a quorum is present in person at the meeting site, but the meeting needs to be relocated due to lack of space, building problem, etc., a motion to reconvene the meeting at another place will be made and voted upon. If the board decides to reconvene the meeting, the decision will be announced and a written notice will be posted with the original agenda showing the date, time and place of the reconvened meeting. The minutes of the original meeting will reflect the decision to reconvene and the full announcement.

Reference: OKLA. STAT. tit. 25, §§ 303, 304, 307.1 (2021), 311



## **PUBLIC PARTICIPATION IN BOARD MEETINGS**

### **Philosophy**

The board recognizes the value to school governance of public comment on educational issues and the importance of involving members of the public in board meetings. By this policy the board has established guidelines to govern public participation in board meetings necessary to conduct its meetings and to maintain order.

In order to permit fair and orderly expression of public comment, the board shall provide an opportunity at each regular meeting of the board for public comment on items listed on the agenda of the regular meeting for board action.

### **Public Comments – General Guidelines**

If the board determines there is not sufficient time at a meeting for public comments, the comment period may be deferred to the next regular meeting. In addition, the board has the right to expect that public discussion will be orderly and civil. If not, the board can, in its discretion, discontinue public comment.

Whenever issues identified by the participant are subject to remediation under policies and procedures of the board or district, they shall be dealt with in accordance with those policies and procedures. In particular, the board will not hear either positive or negative comments about staff members or persons connected with the district until those comments/complaints have reached the board through proper administrative procedures.

Board members will not respond to questions or comments during public participation.

No individual or group may use any agenda item as a forum for campaigning for or against a candidate for public office or ballot measure.

### **Public Comments on Agenda Items**

Participants must be recognized by the president or other presiding officer and must preface their comments by an announcement of their name and group affiliation, if applicable.

Comments of the speaker must relate to an item on the meeting agenda. Generally, participants shall be limited to comment of a maximum of three (3) minutes duration unless altered by the presiding officer, with the approval of the board. All public comments during any one regular meeting shall be limited to no more than fifteen (15) minutes. No participant may speak more than once during a single meeting. All statements shall be directed to the presiding officer; no participant may address or question board members individually.

Individuals or groups wishing to speak during the public comment period of the meeting must check in with the board clerk at least fifteen minutes prior to the start of the board

meeting. The individual must provide the following information, in writing, in order to speak before the board:

- Name and address of the individual
- The agenda action item(s) the individual wishes to address
- The organization the individual represents or is affiliated with, if applicable

Reference: 25 OKLA. STAT. §303, 304

**BOARD OF EDUCATION**  
**EXECUTIVE OFFICER – SUPERINTENDENT**

The board of education recognizes that the superintendent is the executive officer of the board of education and the administrative head of the technology center. The superintendent must hold an administrator's certificate recognized by the Oklahoma Department of Career and Technology Education. If the superintendent is employed for the first time in Oklahoma, he or she must attend training seminars as required by the Oklahoma Department of Career and Technology Education. The following duties have been established for the office of the superintendent:

1. The superintendent is the executive officer of the board and the leader of the educational forces of the community. The board shall seek the superintendent's recommendation on technology center matters.
2. The superintendent shall attend the meetings of the board (except when his/her employment is being considered) and advise the board on all technology center matters.
3. The superintendent shall make recommendations to the board of candidates for teacher and supervisory positions, as well as other employees of the technology center as the need arises. The board shall not normally employ a technology center employee against the recommendation of the superintendent. The board will direct the superintendent to make additional recommendations if necessary.
4. The superintendent shall devote him/herself to the study of educational trends, keep the board informed on conditions of the campuses/sites of the technology center, and present recommendations for the determination of policy. The superintendent shall, once policies have been established, devise ways and means for their operation and make periodic reports on the success of such policies.
5. All purchases of supplies, materials or equipment shall be made on authority approved by the superintendent.
6. Responsibility for the operation and maintenance of the activity funds shall be delegated to the superintendent.
7. The superintendent shall be responsible for the administration of suspensions and student exclusions for any reason.
8. The superintendent shall be responsible for providing the ways and means for teaching the subjects, as may be designated or approved by the board of education.

9. The superintendent shall have all school accounts audited each year and a copy of the audit filed with the clerk of the board of education.
10. The superintendent shall carefully observe the methods of instruction and the discipline of instructors; suggest improvements; remedy defects in their management; advise as to the best methods of instruction and discipline; and pay special attention to the classification of students, the program of studies and the apportionment of time allotted to each of the prescribed subjects.
11. The superintendent shall secure adequate plant facilities; standardize supplies, equipment and other materials used in the technology center; and formulate standard procedures for purchasing equipment in all departments of the technology center.
12. The superintendent shall prepare a well-coordinated budget by requiring the various divisions of the technology center to participate in its development.
13. The superintendent shall have the authority to close the technology center in case of emergency.
14. The superintendent shall visit other technology centers to observe developing educational trends and to suggest appropriate means for the advancement of the technology center.

The renewal of the superintendent shall be considered by the board and announced at a board meeting each year. It is the duty of the board president to notify the superintendent as soon as possible following the board's decision.

### **BOARD-SUPERINTENDENT RELATIONSHIP**

Delegation by the board of its executive powers to the superintendent provides freedom for the superintendent to manage the technology center within the board's policies and frees the board to devote its time to policy making and other governance functions.

The board holds the superintendent responsible for the administration of its policies, the execution of board decisions, the operation of the internal machinery designed to serve the technology center, and for keeping the board informed about technology center operations and problems.

The board as a whole, as individual members, shall:

1. Give the superintendent full administrative authority for properly discharging his or her professional duties, holding him or her responsible for acceptable results.
2. Except under extraordinary circumstances, act only upon the recommendation of the superintendent in matters of school personnel.
3. Hold all meetings of the board in the presence of the superintendent except when the superintendent's contract, salary, or employment are under consideration.
4. Refer all complaints to the superintendent and discuss them only at a board meeting after administrative solutions fail to resolve the complaints.
5. Strive to provide adequate safeguards around the superintendent and other staff members.
6. Present personal criticisms of any employee directly to the superintendent.

**TERM OF OFFICE AND SALARY  
OF SUPERINTENDENT**

The superintendent of the technology center shall be employed for a term specified by this board and will be employed on a twelve-month basis, with vacation time to be agreed upon. The salary of the superintendent, including all fringe benefits, if any, will be determined prior to the execution of an employment contract and shall be stated therein.

It is the policy of this board to consider the issuance of the superintendent's contract each year to insure continuity and stability in the office. The renewal of the contract shall be considered in January, each year, or at some other date as determined by the board. In its discretion, the board may contract with the superintendent for a term as mutually agreed upon, but not to exceed three (3) years beyond the fiscal year in which the contract is approved by the board and accepted by the superintendent.

Prior to considering the superintendent's contract for renewal, the board shall complete and present to the superintendent an evaluation form pertaining to the superintendent's performance. The superintendent shall provide evaluation forms at least thirty (30) days prior to the superintendent's scheduled evaluation session.

The superintendent's employment contract shall include terms and conditions as agreed upon in writing by the board and the superintendent and will be filed by the superintendent with the State Department of Education within fifteen (15) days after it is signed. The board may not pay any salary, benefits or other compensation not specified in the contract on file and may not pay any amounts for accumulated sick leave or vacation leave benefits not calculated on the same formula used for determining payments for such benefits for other full-time employees of the technology center.

Reference: OKLA. CONST. X, § 26

### **EVALUATION OF THE SUPERINTENDENT**

The board of education, in recognition of its accountability to the community and its obligations under state law, will conduct an annual formal evaluation of the superintendent of the technology center. The evaluation shall be conducted toward the goal of improving the technology center through an improving superintendency.

Members of the board will first evaluate the superintendent independently, using a written form adopted by the board for this purpose. The board will convene to discuss the assessments and to prepare a composite evaluation. The composite evaluation will be discussed by the full board and the superintendent. The board and the superintendent will each retain a copy of the written evaluation report.

Evaluation of the superintendent shall be conducted in such manner as to:

1. Provide positive and constructive feedback to the superintendent that will support and promote the superintendent's professional growth and development;
2. Help the board evaluate its work in planning the educational program in this community; and
3. Strengthen the working relationship between the board and the superintendent by providing a comprehensive vehicle of communication.

**DIRECT DEPOSIT OF PAYROLL**

In the interests of economy and to provide its employees the convenience of having payroll funds available in their bank accounts on payday, the Board of Education has determined to have the net pay of all Canadian Valley Technology Center employees directly deposited in a specific banking institution account that is designated in writing by the employee.

Participation in the direct deposit program shall be mandatory from November 10, 2021. Thereafter, all employees shall have their payroll wage payments disbursed through direct deposit to the financial institution of each employee's choice. Agreement to accept direct deposit of payroll funds shall be a prerequisite for new employment with the Canadian Valley Technology Center. The Board may grant exemptions from this policy on such terms and conditions as it deems necessary.

Direct deposit forms shall be given to every current and new employee on which employees shall designate the financial institution and account information necessary for direct deposit. It shall be the duty of all current employees to submit their completed direct deposit forms to the business office by a date that will be specified by and communicated to them by the Board of Education. Should any current employee fail to submit a completed direct deposit form by the date specified, that employee shall receive a paper check which must be collected from the business office during non-work hours or provide to the business office a self-addressed stamped envelope for each pay period. New employees must submit their completed direct deposit forms to the business office before receiving their first paycheck.

Direct deposit of payroll funds will be made in accordance with the Technology Center's payroll schedule for the current year. The Technology Center shall electronically provide each employee their direct deposit payroll advice that details payroll information by means that are not burdensome to the employee. No fee or assessment shall be charged to any employee because of the implementation and administration of the direct deposit program under this policy.

It shall be the responsibility of each employee to notify the Technology Center's business department of any changes to either the employee's designated bank account or banking institution that would affect direct deposit of funds at least 5 (five) days before the next scheduled payroll disbursement.

Reference: 70 OKLA. STAT. § 6-106.2



## **MANAGEMENT AND INVESTMENT OF FUNDS**

This investment policy is adopted in accordance with the provisions of applicable law by the board of education of the technology center. This policy sets forth the investment policy for the management of the public funds of the technology center. The policy is designed to ensure prudent management of public funds, the availability of funds when needed, and reasonable investment returns.

### Investment Authority:

The technology center treasurer is required by the board of education to invest technology center monies in the custody of the treasurer in those investments permitted by law. The treasurer shall, to the extent practicable, use competitive bids when purchasing direct obligations of the United States Government or other obligations of the United States Government, its agencies, or instrumentalities.

The technology center treasurer shall limit investments to:

1. Direct obligations of the United States Government to the payment of which the full faith and credit of the Government of the United States is pledged; provided the technology center treasurer, after completion of an investment education program in compliance with applicable law, may invest funds in the investment account in other obligations of the United States Government, its agencies or instrumentalities;
2. Obligations to the payment of which the full faith and credit of this state is pledged;
3. Certificates of deposits of banks when such certificates of deposit are secured by acceptable collateral as in the deposit of other public monies;
4. Savings accounts or savings certificates of savings and loan associations to the extent that such accounts or certificates are fully insured by the Federal Savings and Loan Insurance Corporation;
5. Repurchase agreements that have underlying collateral consisting of those items specified in paragraphs 1 and 2 above including obligations of the United States, its agencies and instrumentalities, and where the collateral has been deposited with a trustee or custodian bank in an irrevocable trust or escrow account established for such purposes;
6. County, municipal or technology center direct debt obligations for which an ad valorem tax may be levied or bond and revenue anticipation notes, money judgments against such county, municipality or technology center ordered by a court of record or bonds or bond and revenue anticipation notes issued by a public trust for which such county, municipality or technology center is a

beneficiary thereof. All collateral pledged to secure public funds shall be valued at no more than market value;

7. Money market mutual funds regulated by the Securities and Exchange Commission and which investments consist of obligations of the United States, its agencies and instrumentalities, and investments in those items and those restrictions specified in paragraphs 1 through 6 above;
8. Warrants, bonds or judgments of the technology center;
9. Qualified pooled investment programs through an interlocal cooperative agreement formed pursuant to applicable law and to which the board of education has voted to be a member, the investments of which consist of those items specified in paragraphs 1 through 8 above, as well as obligations of the United States agencies and instrumentalities;
10. Investment programs administered by the state treasurer; or
11. Any other investment that is authorized by law.

#### Investment Philosophy:

This policy shall be based upon a “prudent investor” standard. The board of education recognizes that those charged with the investment of public funds act as fiduciaries for the public, and, therefore the treasurer is directed to exercise the judgment and care that persons of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs as to the permanent non-speculative disposition of their funds, with due consideration of probable income earnings and probable safety of capital. In investing the technology center’s funds, the treasurer shall place primary emphasis on safety and liquidity of principal and earnings thereon.

#### Liquidity:

Available funds will be invested to the fullest extent practicable in interest-bearing investments or accounts, with the investment portfolio remaining sufficiently liquid to meet reasonably anticipated operating requirements.

#### Diversification:

The investment portfolio will be reasonably diversified so as to avoid any one investment having a disproportionate impact on the portfolio. Provided this restriction will not apply to securities of the United States Treasury backed by the full faith and credit of the United States Government.

#### Safety of Principal:

Although investments are made to produce income for the technology center, investments will be made in a manner that preserves principal and liquidity.

#### Yield:

The portfolio will be designed to attain maximum yield within each class of investment instrument, consistent with the safety of the funds invested and taking into account

investment risk and liquidity needs.

Maturity:

Investments may have maturities extending to thirty-six (36) months, provided sufficient liquidity is available to meet major outlays, and except that general fund investments may not exceed three (12) months.

Quality of the Instrument and Capability of Investment Management:

The superintendent shall be responsible for seeing that the treasurer and any assistant treasurer are qualified and capable of managing the investment portfolio and satisfactorily complete any investment education programs required by state law or by the board of education.

Safekeeping and Custody:

The treasurer will maintain a list of the financial institutions and pooled investment programs governed by an interlocal cooperative agreement formed pursuant to OKLA. STAT. tit. 70 § 5-117b which are authorized to provide investment services and will maintain a separate list of financial institutions with collateral pledged in the name of the technology center.

Securities purchased from a bank or dealer, including any collateral required by state law for a particular investment, shall be placed under an independent third-party custodial agreement. The Trust Department of a financial institution will be considered to be independent from the financial institution.

All securities will be in book entry form, and physical delivery of securities will be avoided.

Telephone transactions may be conducted, but such transactions must be supported by written confirmation, which may be made by way of a facsimile on letterhead with authorized signatures of the safekeeping institution.

Written transactions and confirmations of transactions by computer connections will be kept in the treasurer's office.

Reporting and Review of Investments:

The treasurer will prepare an investment report to be submitted to the board of education on at least a monthly basis. The report will include:

1. A list of individual securities held at the end of the reporting period.
2. The purchase and maturity dates of these securities.
3. The name and fund for these securities.
4. The yield rate of these securities.
5. Any collateral pledged by a custodian.

The board of education shall review the treasurer's investment performance on a regular basis that is no less frequent than monthly.

Depositing of Interest:

Unless otherwise directed by the board of education through policy or by special directive, by the Oklahoma Constitution, or by the federal government, income earned from the investment of non-activity funds shall be deposited in the general fund or building fund, dependent on fund that earns the interest, and income earned from the investment of activity funds shall be deposited as directed by the board of education.

**PUBLIC GIFTS TO THE TECHNOLOGY CENTER**

The board of education assumes responsibility, within its financial capabilities, for providing at public expense all items of equipment, supplies and services that may be required in the technology center under its jurisdiction. Gifts, grants or bequests will be accepted and the action recorded, provided the conditions of acceptance do not remove any degree of control of the technology center from the board and will not cause inequitable treatment of any student(s) or student group(s).

Propositions giving funds, equipment or materials to the technology center with a “matching agreement” or restriction are generally not acceptable. Acceptance of donated equipment or materials may depend upon compliance with the board’s policy of standardizing materials and equipment in the technology center. The acceptance of a gift for a particular campus, however, indicates the board’s approval of the use the benefactor specified.

Gifts, grants, or bequests should be approved by the superintendent, who may accept the gift, thank the donor, and inform the board, except that offers of real property will be accepted only by the board. Also, where the appropriateness of a gift is in doubt, the superintendent may refer the matter to the board for its acceptance or rejection. For example, single gifts of considerable value exhibiting the donor’s name or business shall be considered on an individual basis by the board.

All conditional gifts must be approved by the board.

Any gift or grant accepted by the board or the superintendent as its executive officer will become the property of the district and will comply with all state and federal laws.

**ANNUAL STATISTICAL / FINANCIAL REPORTS**

The board of education will make annual statistical and financial reports to the Oklahoma Department of Career and Technology Education in a timely manner. The statistical report will be made as of June 30. Each of such reports will be filed with the Oklahoma Department of Career and Technology Education as soon as information is available following the effective date of such reports.

The board of education shall implement budgeting procedures in compliance with the provisions of the School District Budget Act.

Reference: OKLA. STAT. tit. 70 § 5-128; OKLA. STAT. tit. 70 § 5-150

**SURETY BONDS FOR SUPERINTENDENT AND FINANCIAL OFFICERS**

Pursuant to OKLA. STAT. tit. 70, §5-116a (2009), the superintendent and any financial officer of the technology center are required to furnish a surety bond in the penal sum of not less than One Hundred Thousand Dollars (\$100,000.00) or an amount otherwise set by law to assure the faithful performance of the duties of the superintendent and financial officers.

The board finds that a reasonable definition of “financial officer” is any person whose job description or board policy or practice requires that he or she supervise or handle monetary receipts or disbursements on a reasonably consistent basis and any person who has oversight of funds or who actually transacts financial business on behalf of the technology center. In accord with this definition the board defines “financial officers” to include the individuals holding in whole or in part the following positions or their functional equivalent: chief financial or business officer, encumbrance clerk, payroll clerk, treasurer, assistant treasurer, or activity fund custodian. Provided however, the bonding requirements of this policy shall not apply to the treasurer which requirements are specifically governed by OKLA. STAT. tit. 70, § 5-115 (1991).

The requirement as to the terms, conditions, penalty, amount or quality or type of surety shall be deemed to mean the furnishing of a separate bond or surety contract for each individual officer or employee, or the furnishing of a “blanket bond”. The latter means a technology center officer and employees blanket position bond which covers all officers and employees up to the penalty of the bond for each officer and employee and the full penalty of the bond is always enforced during its term and no restoration is necessary and there is no additional premium after a loss is paid.

The surety bonds required by § 5-116a shall be furnished by a company duly qualified under the insurance laws of Oklahoma and shall be purchased by the technology center. Each surety bond shall be payable to the technology center and require “financial officers” and the superintendent to faithfully perform their duties during their employment or term of office and properly account for all monies and property received by virtue of their position or employment.

In the event of a conflict between this policy and any opinion of a court of competent jurisdiction or an opinion of the Oklahoma Attorney General regarding who constitutes a “financial officer” of the technology center, the opinion will be deemed to control over any contradictory definition in this policy.

Reference: OKLA. STAT. tit. 70 § 5-116a

### **ACTIVITY FUNDS**

The board of education will exercise complete control over all activity funds and will adopt appropriate rules and regulations for handling, expending and accounting for all such funds.

At the beginning of each fiscal year, the board will approve all activity fund subaccounts, all subaccount fund raising activities and all purposes for which the monies collected in each subaccount can be expended. The board will approve any activity fund raising events during the fiscal year.

The superintendent will cause the activity account to be audited annually by a certified public accountant who will be selected by the board. The audit will be furnished to the board, and the cost of the audit will be paid from the general fund.

No expenditures will be made from activity funds except by check and on the authorization of administration. All such checks are to be issued and signed by the custodian of the activity fund and countersigned by a person designated by the board.

All activity monies will be deposited with the office of the superintendent. The custodian of such funds will cause the funds to be deposited daily with the central office.

The superintendent will cause to be kept complete and accurate accounts of all activity funds and will see that monthly reports are made to appropriate parties.

The activity fund custodian will be appointed by the board of education. The custodian will provide a surety bond in an amount determined by the board, but not less than one thousand dollars (\$1,000.00).

These provisions will not apply to funds collected by student achievement programs that are sanctioned by the board of education.

Reference: OKLA. STAT. tit. 70 § 5-129



<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY</p>	<p style="text-align: center;"><i>Business and Auxiliary Services</i></p> <p style="text-align: center;">Adopted: 2/9/2021 Revised: 12/14/2021</p>
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**FEDERAL PROGRAMS**

The technology center participates in a variety of federal programs and receives funding (“Awards”) through those programs. All technology center representatives will comply with all regulatory guidance and laws applicable to the individual programs.

The technology center will regularly monitor its compliance efforts and make appropriate information available to the federal awarding agency (“FAA”), state pass-through entity (“State Entity”), inspectors general, and/or US comptroller. The district will make required performance reports using OMB approved information collections reports.

**Audits**

If the technology center expends \$750,000 or more in federal awards during the fiscal year, it will have an audit conducted.

**Employee Compensation**

Regardless of the source of the funds, employees are paid pursuant to the technology center’s salary schedule for all work performed. If personnel costs are paid with Awards, those costs will be calculated as wages and fringe benefits permitted in 2 C.F.R. § 200.431 for services rendered during the relevant time period.

Employees who are paid with Award funds – in whole or in part - must maintain adequate records documenting the time spent performing each set of duties so that their compensation can be correctly allocated to the Award. 2 C.F.R. § 200.430

**Travel and Conference Expenses**

The technology center will follow its standard travel reimbursement and professional development policies and procedures when spending Award funds, except when a federal requirement is more stringent, in which case the district will adhere to the more stringent requirement. Any travel, conference / professional development participation and expenses will be reasonable, necessary, and related to the federal program tied to the Award.

**Conflict of Interest / Mandatory Disclosure Regarding Contracting**

The technology center will make written disclosure of any potential conflict of interest to the FAA or State Entity in accordance with the FAA’s policy.

All members of the board, officers, employees and agents of the technology center are expected to maintain high ethical standards and use good judgment in

conducting school business. Board members are also required to follow the same standards of professional conduct required of all district employees. Board members, officers, employees and agents of the technology center specifically agree to refrain from using their position for any unfair personal or business advantage or engaging in any action which gives the appearance of such misconduct. Any board member who violates this policy will be subject to censure by the board, may be referred to the Oklahoma Ethics Commission, and may also be referred for criminal prosecution. Any officer, employee or agent of the technology center will be subject to disciplinary action, including but not limited to termination and/or prosecution for violation of the requirements related to standards of conduct and conflict of interest.

### Business Arrangements and Financial Transactions

All board members are required to familiarize themselves with and comply with all the requirements of OKLA. STAT. tit. 70 § 5-124.

As required by law, the technology center will not contract with any member of the board or any company, individual or business concern in which any member of the board is directly or indirectly interested. A member of the board is considered to be interested in any contract with a company, individual or business concern if the member of the board or any member of the immediate family (including a partner) of the member of the board owns any substantial interest in the same, or if an organization employs or is about to employ one of these parties. The only exceptions will be those allowed by OKLA. STAT. tit. 70 § 5-124.

If a contract is allowed by an exception listed in OKLA. STAT. tit. 70 § 5-124, then the board will not give special consideration to any company based on its affiliation with a board member or a board member's family or partner. If the board is seeking to conduct business with a company affiliated with a board member (or a board member's family member or partner) that member will abstain from the contracting process unless a statutory exception applies.

### Gifts

Board members may not seek or accept gifts, payments, services, entertainment, travel, valuable privileges, etc. from individuals or vendors who do business or seek to do business with the district, although board members may accept common courtesies such as meals and promotional items as are customarily exchanged in the normal course of business. These courtesies must be of nominal value only. Board members are expected to use good judgment in accepting such courtesies and must avoid any conflict of interest or even the appearance of impropriety.

### Reporting Misconduct

In the event a board member engages in misconduct such as fraud, bribery, or gratuity violations, the board president, or the vice president if the president is the board member engaging in the misconduct, will report the violation to the FAA or State Entity in order to help prevent or prosecute waste, fraud, and abuse.

## **Financial Management Procedures**

### Internal Controls

The Chief Financial and Operating Officer is responsible for implementing appropriate internal controls over Award funds which are consistent with 2 C.F.R. Part 200 Subpart E. This includes, but is not limited to, reviewing and comparing Awards, budgets, and allocations to determine whether the Awards are being expended appropriately and in compliance with relevant guidelines. The Chief Financial and Operating Officer is also responsible for taking prompt action if noncompliance is discovered. The Chief Financial and Operating Officer is required to take reasonable measures to safeguard protected personally identifiable and protected information.

### General Recordkeeping

The technology center will expend all Awards and account for those Awards in accordance with all applicable laws and regulations. The Chief Financial and Operating Officer is responsible for maintaining appropriate records, documentation, and oversight related to all Awards. This includes, but is not limited to the following:

- information to prepare all required reports
- compliance documentation to establish conformity with federal statutes, regulations, and the specific terms and conditions of an Award
- proof of the appropriate expenditure of Awards
- records of receipt / expenditure of Awards, including the federal program under which the Award was made, any applicable CFDA number, Award identification number and year, name of the FAA, and name of any applicable State Entity
- accurate, current, and complete disclosure of the financial results of all Awards in accordance with current OMB standards and the terms of the Award
- source documents showing the application for funds, authorizations, obligations, unobligated balances, assets, expenditures, and income and interest related to an Award
- evidence that all Award funds, property, and other assets have been safeguarded and are used solely for authorized purposes
- a comparison of Award expenditures and budgets
- the technology center's written procedures to minimize the elapsed time between the transfer of funds and disbursement by the technology center, when possible, to receive funds in advance from the FAA
- the technology center's written procedures for determining the allowability of costs in accordance with 2 CFR part 200 subpart E and the terms and conditions of the Award

### Records Retention Timeline

The technology center will maintain all records pertinent to any Awards it receives. All documents will be maintained a minimum of 3 years from the date of submission of the final expenditure report OR 3 years from the date of the quarterly or annual financial report UNLESS there are pending claims related to project OR the FAA has notified the district the records should be maintained longer OR the records have been transferred to or are maintained by the FAA or State Entity. The technology center will retain records for real property and equipment maintained for 3 years after final disposition.

### Interest

The Chief Financial and Operating Officer is responsible for maintaining advance Award payments in an interest bearing account unless:

- the technology center receives less than \$120,000 in Awards per year
- the technology center would earn less than \$500 per year in interest on federal cash balances
- the depository would require an unfeasible minimum balance
- the banking system prohibits interest bearing accounts

The Chief Financial and Operating Officer is responsible for retaining up to \$500 per year of interest earned on Awards for the technology center to utilize for administrative expenses. The Chief Financial and Operating Officer is responsible for remitting any additional earned interest to the Department of Health and Human Services Payment Management System.

### Budgeting

The Chief Financial and Operating Officer is responsible for regularly reviewing budgets and expenses and making appropriate reports and requests for deviations in the budget or project scope.

### Real Property, Equipment, and Supplies

The technology center will appropriately insure all real property, equipment, and supplies ("Property") acquired or improved with Awards, and will take reasonable steps to safeguard and adequately maintain the Property. All Property will be labeled.

The technology center will not encumber Property acquired or improved with an Award without prior approval from the FAA.

The technology center will maintain appropriate records of the Property. These records will include, as applicable, a description, serial/identification number, source of funding (including the Federal Award Identification Number), name of title holder, acquisition date, cost, percentage of federal participation in the project's cost, location, use and condition, disposition data (including date of disposal and sale price).

The technology center will conduct an inventory of Property at least every 2 years, and will review/update the inventory annually. The technology center will include the following information on the inventory: fund source, description, serial number, acquisition date, acquisition cost, and location.

The technology center will use the Property as long as needed, and may make the Property available for other federal projects as long as this will not disrupt the intended use.

Once the Property is no longer needed, it will be disposed of in accordance with current federal standards.

Property purchased for a Title I, Part A Targeted Assistance program will be reserved only for identified students.

## **General Procurement Standards and Vendor Selection**

### **General Standards**

The technology center will follow its standard procurement policies and procedures when spending Award funds, except when a federal requirement is more stringent, in which case the technology center will adhere to the more stringent requirement. The Chief Financial and Operating Officer is responsible for overseeing that contractors perform in accordance with the terms of their contracts / purchase orders.

Any employee who has oversight or compliance responsibilities for administering an Award will comply with the technology center's stated conflict of interest policy above.

The technology center will use processes and analysis designed to avoid acquiring unnecessary and duplicative items and will actively attempt to make economical purchases with Award funds. This may include, when appropriate, consideration of leases, shared service agreements, use of federal excess and surplus property, and value engineering clauses in construction contracts.

The technology center will only award contracts to responsible contractors possessing the ability to successfully perform. In determining whether a contractor is a responsible contractor, the technology center will consider integrity, compliance with public policy, record of past performance, and financial and technical resources.

The technology center will maintain adequate records detailing the history of procurement, including the rationale for the procurement method, selection of the contract type, contractor selection or rejection, and the basis for the contract price for all Awards.

In procurement with Awards, the technology center will only use time and material type contracts after determining that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. If such a contract is used, the technology center will utilize extra oversight on the project.

The technology center will utilize good practices and sound business judgment to settle all procurement issues related to Awards, including source evaluations, protests, disputes, and claims.

### **Procurement Methods**

For procurement processes with Award funds, the technology center will make technical specifications on proposed procurements available to the FAA or State Entity if requested.

All contracts connected with an Award will comply with 2 C.F.R. §§ 200.318-.326.

For all procurements using funds from an Award, the technology center will utilize one of the procurement methods identified below:

- Micro-purchase will be utilized for purchases under \$10,000 (or \$2,000 if the purchase is subject to the Davis-Bacon Act). The technology center will attempt to distribute these purchases equitably among qualified suppliers, and the technology center will not solicit competitive quotations if the technology center believes a purchase price is reasonable.
- Small purchase procedures will be utilized for purchases under the Simplified Acquisition Threshold (\$250,000). When utilizing this procurement method the technology center will obtain quotes from an adequate number of qualified sources.
- Sealed bids will be utilized when complete, adequate, and realistic specifications are available, multiple bidders are willing and able to compete effectively for the business and the procurement lends itself to a firm fixed price and the successful bidder can be made principally on the basis of price. When utilizing this procurement method, the technology center will timely and publicly issue the invitation for bids - including adequate information about the project. All the bids will be publicly opened as prescribed in the invitation for bids, and the contract will be awarded in writing to the lowest responsible bidder. If a sealed bid is rejected, the technology center will document the reason for the rejection.
- Competitive proposals will be utilized when other procurement methods are not appropriate. The first step of the competitive proposal process is getting an independent estimate. When utilizing this procurement method, the technology center will publicize the evaluation factors and their relative importance to an adequate number of qualified sources and will consider all responses. The technology center will use an established, written method for conducting technical evaluations of the proposals (including receiving independent estimates before receiving bids or proposals) and award the project to the proposal which is most advantageous to the technology center.

The technology center may also use competitive proposals for qualifications-based procurement of architectural/engineering (A/E) services to award proposals to the most qualified competitor – subject to fair and reasonable compensation. The technology center will not use this type of procurement to purchase other types of services through A/E firms.

- Noncompetitive proposals will be utilized when an item is only available from a single source, there is an urgent situation which precludes the delays associated with competitive selection, the FAA or State Entity has expressly authorized this method, or solicitation from multiple sources has yielded inadequate competition.
- Negotiating Profit will be negotiated as a separate element of the price for

each contract if there is no price competition and in all cases where cost analysis is performed.

For all procurements using funds from an Award, the technology center:

- will not utilize a cost plus a percentage of cost or percentage of construction cost method of contracting
- will not accept bids or proposals from a contractor that develops or drafts specifications, requirements, statements of work, invitations for bids, or similar documents
- will not unnecessarily restrict bidders to a specific geographic area
- will ensure that if a list of prequalified persons, firms or products are used, that the list is current and includes enough qualified sources to ensure maximum open and free competition
- will take appropriate affirmative steps to ensure that small and minority businesses, women's business enterprises, and labor surplus area firms ("target groups") are included in its contracting process, including:
  - including target groups on the solicitation list and ensure that these target groups are solicited whenever they are potential sources
  - dividing total requirements, if economically feasible, to permit maximum participation by target groups
  - establishing delivery schedules, when possible, which encourage target groups to participate
  - utilizing groups which interface with the target groups (e.g., Small Business Administration, Minority Business Development Agency of the Department of Commerce, etc.)
  - requiring the prime contractor, if using subcontracts, to take these same affirmative steps to include target groups
  - ensuring the technology center and all its contractors comply with the with § 6002 of the Solid Waste Disposal Act, including procuring only items which contain the highest percentage of recovered materials practicable for purchases over \$10,000, procuring solid waste management services which maximize energy and resource recovery, and establishing an affirmative procurement program for procuring recovered materials identified in EPA guidelines

#### Suspension and Debarment

The following language shall be included within the terms of any contract for goods and services that will be paid for using federal funding:

#### Certification Regarding Debarment, Suspension and Ineligibility

To the best of its knowledge and belief, the contractor or any of its principals

are not presently debarred, suspended, proposed for debarment or otherwise declared ineligible for the award of contracts by any Federal agency by the inclusion of the contractor or its principals in the current "LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT OR NONPROCUREMENT PROGRAMS" published by the U.S. General Services Administration Office of Acquisition Policy.

The prospective lower tier participant shall provide immediate written notice to the District if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. Should the prospective lower tier participant enter into a covered transaction with another person at the next lower tier, the prospective lower tier participant agrees by accepting this agreement that it will verify that the person it intends to do business with is not excluded or disqualified.



## **FEDERAL PROGRAMS COMPLAINTS**

The technology center receives federal funds and the board has established this policy to help ensure compliance with federal grant requirements. Any student, parent, community member or employee who believes the district has violated any regulation connected with the expenditure of federal funds should notify the technology center using the process outlined in this policy. This policy specifically covers, but is not limited to, complaints related to the following issues:

- Use of Title I funds
- Flexible Learning Program
- Parental involvement
- Private school access to federal funds
- Homeless student enrollment, transportation and barriers to education
- Teacher and principal training and recruiting
- Math and science partnerships
- Enhancing education with technology
- English language acquisition
- Safe and drug free schools
- Community learning centers
- Innovative programs
- Small, rural, and/or low-income school programs

### Definitions

#### *Grievance Coordinator:*

The person designated to process complaints, moderate and keep records during hearings. The grievance coordinator is:

Chief Financial and Operating Officer  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, OK 73036-9117

*Grievant:*

The person making the complaint.

*Respondent:*

The person alleged to be responsible for the improper activity contained in the complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.

*Day:*

Day means a working day when the technology center's main administrative offices are open. The calculation of days shall exclude Saturdays, Sundays and legal holidays.

Procedural Steps

*Step 1:*

Address the problem informally. Prior to filing a written complaint, individuals are encouraged to visit with the responsible party or a school administrator and make reasonable efforts to resolve the problem. School employees are required to participate in this process.

*Step 2:*

If the problem was not resolved informally, or if a parent, student or patron believes informal resolution is not advisable, the grievant may submit a complaint to the grievance coordinator on the attached form. The form must contain all the requested information.

The grievance coordinator will conduct an impartial investigation within ten (10) days of receipt of the complaint (or as soon as reasonably possible given the circumstances, but not more than thirty (30) days). The investigation will include, but not be limited to, interviewing the grievant, respondent, and witnesses, and reviewing relevant documents. The grievance coordinator will specifically ask the respondent to confirm or deny facts, accept or reject the grievant's requested action, and outline alternatives.

After the investigation, the grievance coordinator will prepare a written decision regarding the results of the investigation. The decision will be mailed to the grievant, respondent, and superintendent within five (5) days of the conclusion of the investigation.

*Step 3:*

If either the grievant or respondent are dissatisfied with the step 2 decision, he or she may appeal. The grievance coordinator must receive a written notice of appeal within five (5) days of the appealing party's receipt of the step 2 decision or the

matter is deemed resolved. The appeal notice must include a specific statement explaining the basis for the appeal.

Within five (5) days of receipt of a timely appeal, the grievance coordinator will refer the matter to the superintendent (or other impartial individual if the superintendent is the respondent).

The superintendent (or other impartial individual if the superintendent is the respondent) will conduct a hearing within ten (10) days of his/her receipt of the appeal. The grievant, respondent and grievance coordinator will all be invited to attend the appeal hearing, and relevant employees are required to participate in this process.

At the hearing, the superintendent (or other impartial individual if the superintendent is the respondent) will review the information collected through the investigation and may ask for additional oral or written evidence from the parties and any other individual he/she deems relevant. The grievance coordinator will make arrangements to audiotape any oral evidence presented.

After the investigation, the superintendent (or other impartial individual if the superintendent is the respondent) will prepare a written decision regarding his/her findings. The decision will be mailed to the grievant, respondent, and grievance coordinator within five (5) days of the conclusion of the appeal hearing.

*Step 4:*

If either the grievant or respondent are dissatisfied with the step 3 decision, he or she may appeal. The grievance coordinator must receive a written notice of appeal within five (5) days of the appealing party's receipt of the step 3 decision or the matter is deemed resolved. The appeal notice must include a specific statement explaining the basis for the appeal.

Within five (5) days of receipt of a timely appeal, the grievance coordinator will notify the board of education clerk. The board will conduct a hearing within thirty (30) days of the clerk's receipt of the appeal. The grievant, respondent and grievance coordinator will all be invited to attend the appeal hearing, and relevant employees are required to participate in this process.

At the hearing, the board may ask for oral and written evidence to be presented by both parties. The board clerk will make arrangements to audiotape any oral evidence presented.

After the hearing, the board clerk will prepare a written decision regarding the board's findings. The decision will be mailed to the grievant, respondent, grievance coordinator, and general counsel of the Oklahoma State Department of Education / Department of CareerTech within five (5) days of the conclusion of the appeal hearing. The board's decision may be appealed by submitting a request to OSDE / ODCTE's general counsel within thirty-five (35) days of the board hearing.

## General Provisions

### *Extension of time:*

Any time limits set by these procedures may be extended by mutual consent of the parties involved, although the total number of days from the date the complaint is filed until the board of education issues a final decision shall not exceed one hundred twenty (120) days.

### *Confidentiality of Records:*

Complaint records will remain confidential, to the extent allowed by law, unless permission is given by the parties involved to release such information. All complaint records will be kept separate from any other records of the district. No complaint record shall be entered in any personnel file unless adverse employment action is taken against an employee. Complaint records shall be maintained on file for three years after complaint resolution.

### *Representation:*

The grievant and the respondent may have a representative assist them through the grievance process and accompany them to any hearing.

### *Retaliation:*

The technology center prohibits retaliation, intimidation, threats, or coercion related to any aspect of the grievance process, including but not limited to: making a complaint, testifying, assisting, appealing, or participating in any other proceeding or hearing. The technology center will take steps to prevent retaliation. These steps include notifying students and employees that they are protected from retaliation, making sure grievants know how to report future problems and making follow-up inquiries to see if there have been any new incidents. If retaliation occurs, the technology center will take strong responsive action.

### *Basis of Decision:*

At each step in the grievance procedure, the decisionmaker will take or recommend appropriate measures based on the facts taken as a whole, as revealed by the investigation and hearing, and the totality of the circumstances, such as the nature, extent, context and gravity of the activities or incidents.

## **EMPLOYEE FUNDRAISING**

The board prefers to limit fundraising and seeks to provide all necessary furniture and supplies for technology center use. This practice safeguards standardization throughout the district's programs, allows for appropriate oversight of activity funds, and ensures the technology center meets its obligations for equity in its programs.

The board also acknowledges that fundraising is a reasonable way to pay for special projects and activities. In order to ensure that fundraising efforts do not inadvertently impede the technology center's overall financial plans or create disorder within the technology center, the board may approve fundraising throughout the year as it deems appropriate.

Any employee who wishes to conduct fundraising must obtain prior approval from the board. This approval may be sought by submitting a request for board consideration to the Campus Director. The Superintendent, and/or the Assistant Superintendent, has full discretion in determining whether to bring a fundraising request before the board.

Unless the board grants authorization, no employee may solicit donations for any purpose connected with the technology center. This prohibition includes, but is not limited to: raffles, any type of sale (bake sales, rummage sales, etc.), requests for donations, and/or the use of crowdfunding websites (GoFundMe.com, DonorsChoose.org, etc.).

Any employee who is granted authorization to engage in fundraising activities must adhere to all requirements established by the Superintendent. These requirements include but are not limited to identifying:

- the group or activity benefitting from the funds
- the individuals who will participate in the fundraiser, including the program involved
- the type of fundraiser, including specific products or services to be sold, auctioned, etc.
- the proposed dates for the fundraiser
- the employee who will oversee the fundraiser
- the estimated amount of revenue to be generated per unit and in total
- the procedural safeguards to be utilized to ensure the security of all funds

## **EMPLOYEE TRAVEL EXPENSE REIMBURSEMENT**

### Statement of policy

Expenses incurred by individuals for travel on behalf of the technology center should be reimbursed by the technology center. Reimbursement to individuals should be made upon approval by the board of education after proper presentation of supporting documentation, as defined below.

### Definitions

Terms used in this policy are defined as follows:

"Travel" means transportation arrangements made or incurred by car, airplane, train, bus or other means or hotel accommodations and meals, for the purposes of advancing the interests of the technology center. Travel may be within or without the technology center. Travel does not mean transportation to and from the employee's residence or abode to the technology center for employment.

"Employee" means any person employed by the technology center or a member of the board, acting in his or her capacity as a board member, on behalf of the technology center.

"Non-employee" travel and related expense reimbursement is limited to reimbursement of students and sponsors, engaged in approved technology center related activities. Expenses eligible for reimbursement are only those for necessary meal and lodging expenses. Students and sponsors seeking reimbursement must follow the procedures included in this policy or any reimbursement will be forfeited.

"Expenses" means any actual indebtedness incurred and paid by an individual employee on behalf of the technology center, for the benefit of the technology center or for the purpose of advancing the interests of the technology center, with the intention of being reimbursed by the technology center. Expenses may include, but are not limited to, these items:

1. air, bus, taxi or train fares and car rentals;
2. per diem;
3. hotel or motel accommodations;
4. other travel related expenses when applicable, such as mileage; and
5. registration fees and meeting expenses.

"Receipt" means an invoice document issued by a vendor which has been paid as an expense by an employee. A receipt must contain the following information:

1. date indebtedness incurred;
2. date indebtedness paid;
3. amount paid;
4. amount of indebtedness;
5. who paid the indebtedness;
6. method of payment;
7. the purpose of the indebtedness including an itemized description of the goods or services purchased; and
8. the name, address and telephone number of the vendor.

A credit card slip alone is NOT a receipt.

"Supporting documentation" means a memorandum to the board containing a request for reimbursement and explanation of the reason for the expense. All receipts for which reimbursement is sought and a travel claim must be attached to the memorandum.

"Travel claim" is a document prepared by an employee who seeks reimbursement which contains the following information:

1. dates entering and ending travel status;
2. points of travel;
3. mileage to and from destination(s) when personally owned vehicle is used;
4. amount per mile reimbursed;
5. air, bus or train fares when public transportation is used;
6. parking fees, taxi fares, car rentals and turnpike fees;
7. ~~meals or~~ per diem rate established by the board of education, if any;
8. purpose, time, location and those in attendance for meals;
9. motel and hotel expenses;
10. registration fees and meeting expenses;
11. other technology center business expenses such as telephone calls, tips, etc., which properly occur during the time an employee is in travel status;
12. encumbrance to be charged for expense; and
13. by whom the travel activity was approved.

"Credit card slip" is the customer's copy of the credit card charge form. A credit card slip alone is NOT a receipt. To qualify as a receipt a credit card slip must be attached to a supporting invoice issued by the vendor which contains all the information required of a receipt.

"Vendor" means the individual or entity that provided the goods or services to the technology center for which reimbursement is sought and a receipt for payment has been issued.

"Meals" means actual food expenses incurred while traveling outside the technology center or within the technology center if allowed by other board policies.

#### Procedure for Reimbursement

To obtain reimbursement for travel expenses the employee must submit an online employee expense reimbursement request within iVisions to include the attachment of any necessary documentation.

#### Other Issues

A request for reimbursement must be made within thirty (30) days after the vendor's invoice is issued. Notwithstanding this time limitation, all requests for reimbursement must be made prior to the end of the following month in which the vendor's invoice was issued and services rendered. Reimbursement requests not complying with these requirements will be denied unless unusual circumstances are presented to and approved by the superintendent.

Reimbursements issued by the board are only for the actual amount of out of pocket expenses paid by the employee. No additional charges may be added by the employee and the employee may not obtain a warrant for funds he or she expects to pay or incur in the future.

Any interpretation of this policy shall be made solely by the board of education and shall be binding in all respects.

Violation of any of the provisions of this policy may result in dismissal, nonrenewal, or other adverse action.

Reference: OKLA. STAT. tit. 70 § 5-117



**AUDITOR**

The board of education will provide for and cause to be made an annual audit of the technology center for each fiscal year. The audit will include a financial audit and a compliance audit of all technology center funds. Audits will be made at the end of each fiscal year at a minimum and may be required by the board at more frequent intervals.

A written report of the audit will be furnished to the board by the auditor. The board will conduct a final exit interview with the auditor at an open board meeting.

Reference: OKLA. STAT. tit. 70 § 22-103

### **PURCHASING AND DISTRIBUTION**

It is the policy of the board of education that purchasing and distribution shall be under the supervision of the superintendent, but may be delegated ~~in writing~~ by the superintendent to a staff member. Written delegations of authority should contain specific limitations imposed by the board or superintendent upon the designee or may provide a complete delegation of purchasing and distribution duties. No person except the superintendent or the superintendent's designee shall make purchases without written authorization.

The superintendent should take advantage of discounts for buying in quantity and, if possible, purchase in sufficient quantities for one full fiscal year. Requisitions for supplies shall follow the appropriate chain of command, originating from instructors to the superintendent. Purchases shall be made from local firms when economically wise to do so.

No expenditure involving an amount greater than \$500.00 shall be made except in accordance with a written contract or purchase order.

A contract may be awarded for a supply or service without competition when the Superintendent, or a designee, determines in writing that there is only one source for the required supply or service, and it is in the best interest of the school district to have the supply or service. The writing justifying the sole source must specify why it is necessary and justified.

## **PROCUREMENT**

To ensure fair and open competition in the purchase of needed equipment and supplies, the district shall seek quotes or proposals in the following manner:

### Quotes/Requests for Proposals:

- Less than \$1,000      Shall be secured verbally. Purchase order may be approved by the superintendent or superintendent's designee.
- \$1,000 to \$15,000      Shall be obtained in written form from the supplier. Purchase order may be approved by superintendent or superintendent's designee.
- \$15,000 and over      Shall be secured by quotes or formal request for proposal in accordance with specific procedures established by the superintendent. Quotes or contract must be submitted to the board of education for approval before the award is made.

A summary of quotes and/or proposals will be attached to purchase orders.

### Bids

No contract involving an expenditure of more than \$100,000 (or any construction management trade contract or subcontract exceeding \$50,000) for the purpose of constructing a building or making any improvements or repairs to school buildings shall be made except upon sealed bids in accordance with the Public Competitive Bidding Act of 1974, OKLA. STAT. tit. 61, § 101 et seq. (the "Act"). No contract shall be split into two or more contracts involving sums below this threshold for the purpose of avoiding the requirements of the Act.

The Act does not prohibit the district from erecting a building or making improvements on a force account basis. The term "force account" means the purchase of necessary materials and the use of the district's regularly employed staff to provide necessary labor.

New busses shall be purchased from the list maintained by the State Board of Education by sealed bid at a price not greater than the price filed with the State Board of Education in accordance with the provisions of OKLA. STAT. tit. 70, § 9-109.

Reference: OKLA. STAT. tit. 61 § 103  
OKLA. STAT. tit. 70 § 9-109

**DUPLICATE CHECKS**

The technology center may issue a second or duplicate check in lieu of any check issued and subsequently lost or destroyed by the payee. No second or duplicate check will be issued until the technology center has stopped payment on the check by the payor bank or, in the alternative, until an affidavit explaining the circumstances regarding how the original check was lost or destroyed has been submitted to the technology center by the payee. The appropriate administrator may use his/her discretion in determining which alternative to use to preclude any technology center loss, taking into account the technology center's past relationship with the payee, the amount of the original check, and other relevant factors.

Reference: OKLA. STAT. tit. 70 § 5-189

## **SAFETY DRILLS AND EMERGENCY MANAGEMENT**

The board of education has appointed a committee composed of the superintendent and other designated personnel for the purpose of developing and maintaining the technology center's emergency plans. A crisis plan will be developed by local officials to provide guidance for those responsible for the safety of students and property. This plan will be evaluated regularly to ensure it meets the school's safety needs. Although the complete plan will only be available to those with a legitimate need to know the information, the technology center will make an overview of its plan containing all pertinent information available to all students and employees.

A minimum of 10 safety drill activities per year will be planned and implemented by the superintendent, the fire marshal, or other civil authorities, to ensure orderly movement of students to the safest available space(s) should an emergency occur. Whenever drills occur, all individuals on campus will fully participate in the drills. The following drills will be conducted each school year:

- Security (4 drills per year at different times of day; 1 drill within the first 15 days of the start of each semester and 1 other drill per semester)
- Fire (1 drill within the first 15 days of the start of each semester)
- Tornado (1 drill in September and 1 drill in March)
- Other drills such as security, fire, tornado, terrorism, suicide, weapons, etc. (2 drills per year)

The superintendent will maintain communication with other community agencies in order to share information on preparedness and planned procedures. It is the responsibility of the superintendent to ensure that the technology center work in cooperation with these other agencies during such emergencies. Campus directors are responsible for documenting each of the safety drills which are conducted and filing a copy of the documentation in the campus office, with the technology center's main administrative office, and with the Oklahoma School Security Institute

Emergency preparedness will be discussed with employees and students at least once per semester or as deemed necessary by the campus director. Each classroom shall post a copy of rules, evacuation signals, evacuation routes and emergency procedures. Instructors will discuss these procedures with each class using the room during the first day(s) of the school year.

All teachers and staff members shall make themselves familiar with safety procedures. During an actual emergency or a safety drill, teachers are responsible for following all procedures, including ensuring that doors and windows are closed appropriately, electrical circuits and gas jets are turned off, order is maintained, and all students are either accounted for or promptly reported missing to the campus director.

In the case of building evacuations, all meeting areas will be at least 50 feet away from buildings and driveways.

In addition to other notification actions deemed appropriate to the situation, the technology center may also send texts and/or email alerts related to significant emergencies or dangerous situations if there is a threat to the health or safety of students or employees.

All decisions related to such notifications and alerts will be made by the Superintendent or his/her designee based on the totality of the circumstances at the time of the decision. Information on how to sign up for the alert system will be provided to students and employees at the beginning of each semester.

The administration will also issue timely warnings for situations which are not emergency situations, but which warrant campus wide notifications. These timely warnings will be disseminated through email, technology center website, school messenger system (telephone and text message), social media, and PA system.

Students and patrons with information about a crime at the technology center should report that information to any of the following employees: Campus Director and/or SRO; (405) 224-7220—Chickasha Campus; (405) 345-3333—Cowan Campus; (405) 262-2629—El Reno Campus.

Any employee who receives information about a crime is required to promptly notify the Campus Director and/or SRO; (405) 224-7220—Chickasha Campus; (405) 345-3333—Cowan Campus; (405) 262-2629—El Reno Campus.

**CAMPUS SAFETY AND THE  
JEANNE CLERY ACT**

The technology center has taken steps toward improving the safety and well-being of students, employees and visitors. The technology center engages in comprehensive violence prevention efforts, including education programs which seek to increase awareness and reduce incidents of misconduct such as bullying, harassment, intimidation, retaliation, and criminal acts including sex offenses. The technology center will not tolerate these acts on its campus, or off campus if such conduct impacts the education environment.

Bullying, Harassment, Intimidation and Retaliation

These forms of misconduct will be investigated and responded to under the technology center's policies and procedures related to such misconduct. Copies of these policies and procedures are available in the student handbook and policy manual.

Criminal Activity and Sex Offenses

Criminal activity is defined as any conduct which violates a local, state or federal law. Examples include, but are not limited to, all forms of homicide, assault, battery, robbery, theft, arson, property crimes, hate crimes, weapons violations, and drug/alcohol violations.

Sex offenses are a type of criminal activity and are defined as unwelcome conduct of a sexual nature. Sex offenses commonly include stalking, rape, and acquaintance rape. Sex offenses may include other misconduct, whether violent or nonviolent, if the conduct is unwelcome and is of a sexual nature.

Reporting Criminal Activity and Sex Offenses

Any individual who has witnessed or been the victim of criminal activity, including sex offenses, should immediately report the incident to a Campus Director and/or SRO; (405) 224-7220—Chickasha Campus; (405) 345-3333—Cowan Campus; (405) 262-2629—El Reno Campus. This will increase safety and allow for critical evidence to be preserved. Any member of the technology center's administrative team will help students report sex offenses to law enforcement upon the student's request.

Sex offenses should also be promptly reported to the technology center's Title IX Coordinator so the technology center can conduct an appropriate investigation and take the necessary remedial actions. Reports can be made to:

Title IX Coordinator Chief  
Financial and Operating Officer  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, OK 73036-9117

### Investigations

All criminal activity and sex offenses alleged to have occurred on campus, whether involving a visitor, employee or student, will be promptly investigated. All sex offenses alleged to have occurred off campus but involving a technology center student will be investigated to determine if the incident has impacted the education environment. Although this investigation may be conducted in conjunction with local law enforcement, the technology center will independently determine whether student or employee disciplinary consequences are appropriate and what, if any, victim supportive services should be offered.

### Disciplinary Procedures and Consequences

Both the accused and the accuser have the right to be present and/or represented at any formal disciplinary hearing, and both shall be informed of the outcome of the investigation.

Any student or employee who is determined to have committed a sex offense or other crime on campus will face severe disciplinary consequences, up to and including termination for employees and expulsion for students. A full statement of the technology center's disciplinary procedures can be found in policies regarding student behavior (for students) and professional conduct (for employees). These technology center sanctions are independent of other civil or criminal penalties through law enforcement.

### Supportive Services for Victims of Sex Offenses

Any individual who is the victim of a an on-campus sex offense, and any student who is the victim of an off-campus sex offense impacting the education environment may receive information on community resources such as mental health care, victim advocacy and housing referrals. Technology center administrators will work with these individuals to assess the need and craft appropriate interventions to ensure continued student and employee success.

### Statistical Information

Prior to October 1<sup>st</sup> of each year, the technology center will disseminate a campus crime report to all current students and employees via the technology center website. The report will comply with all aspects of the Clery Act. Applicants and members of the public may request a copy of this report by requesting a copy from the Financial Aid Office.

The district will maintain all statistical data on Clery Act crimes for seven (7) years.



## **SMOKING, VAPING, AND THE USE OF TOBACCO PRODUCTS**

The board is dedicated to providing a healthy, comfortable, and productive environment for staff, students, and citizens. The board believes that education has a central role in establishing patterns of behavior related to good health and that measures are necessary to help its students to resist tobacco use. The board is concerned about the health of its employees and also recognizes the importance of adult role-modeling for students. Therefore, the board shall discourage the use of tobacco products by its staff and students. The technology center will refer employees, parents/guardians, family members, and students (13 and older) interested in quitting tobacco use to the Oklahoma Tobacco Helpline and other available cessation resources

### Tobacco on Campus

Smoking, vaping, and the use of tobacco products or vapor products in any form is prohibited on technology center property by all persons. This prohibition includes school buildings, grounds, and school-owned vehicles. Possession of tobacco products or vapor products by minor students on school property is prohibited. This policy also applies to students and staff at any off-site, school sponsored meeting or event, including, but not limited to, field trips and athletic events.

### Marijuana on Campus

Smoking, vaping, or possessing marijuana (as defined in Board of Education Policy, *Medical Marijuana, Hemp & Cannabidiol (CBD)*) on technology center property is strictly prohibited. Refer to the technology center's policy on *Medical Marijuana, Hemp & Cannabidiol (CBD)* for further information.

### Posting Signs Pursuant to this Policy

At or near each entrance of every technology center building the following sign shall be conspicuously posted: Tobacco or Marijuana Smoking or Marijuana Vaping is Prohibited.

### Definitions

"Tobacco products" includes, but is not limited to: cigarettes, cigars, loose tobacco, rolling papers, chewing tobacco, snuff, matches and lighters.

"Vapor product" includes noncombustible products that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. "Vapor product" shall also include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device.

“Vapor product” does not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.

“Smoking” means the carrying by a person or having access to a lighted cigar, cigarette, pipe or other lighted smoking article, expressly including lighted marijuana and active vaporizing devices. Smoking also includes using products which mimic or simulate smoking behavior, regardless of whether such products actually contain tobacco. This prohibition includes but is not limited to vapor products as defined in this policy.

### Enforcement

The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of smokers and non-smokers. All individuals on school premises share in the responsibility for adhering to and enforcing this policy. Any individual who observes a violation on school property may report it in accordance with the procedures listed below.

### Students

Any student using, possessing or distributing tobacco products in violation of this policy will be subject to appropriate disciplinary measures, including removal from the program for adult students or out-of-school suspension for secondary students.

### Staff

Any violation of this policy by staff will be referred to the appropriate supervisor. One written warning will be issued to the staff member with a copy placed in his or her personnel file. Further violations will be considered willful neglect of duty and will be dealt with accordingly based on established policies and procedures for suspension, demotion, dismissal and non-renewal of staff.

### Citizens

Citizens who are observed smoking or using tobacco products or vapor products on technology center property in violation of this policy will be asked to refrain from using these products on technology center property. If the individual fails to comply with the request, his or her violation of policy may be referred to the campus director or other supervisory personnel responsible for the area or program during which the violation occurred. The supervisor shall make a decision on further action which may include a directive to leave technology center property. Repeated violations may result in a recommendation to the superintendent or board of education to prohibit the individual from entering technology center property for a specified period of time. If deemed necessary by the school administration or the board of education, local law enforcement officials may be called upon to assist with enforcement of this policy.

Reference: 70 O.S. §§ 1210.212, 1210.213

**INTERFERENCE WITH THE  
PEACEFUL CONDUCT OF TECHNOLOGY CENTER ACTIVITIES**

**I. Interfering with Peaceful Conduct**

The superintendent or anyone designated by the superintendent or the board of education to maintain order in/at the technology center sites shall have the authority and power to direct any person to leave property or any school activity when students are present, who is not a student, officer or employee thereof, and who:

1. Interferes with the peaceful conduct of activities on school property;
2. Interferes with the peaceful conduct of school activities off school property when students are present;
3. Commits an act that interferes with the peaceful conduct of activities on school property;
4. Commits an act that interferes with the peaceful conduct of school activities off school property when students are present;
5. Enters school property for the purpose of committing an act that may interfere with the peaceful conduct of activities on school property;
6. Enters non-school property when students are present for the purpose of committing an act that may interfere with the peaceful conduct of school activities

For purposes of Section I of this policy, conduct that “interferes with the peaceful conduct of activities on school property” includes, but is not limited to, actions that directly interfere with any student activities, classes, study, student or faculty safety, housing or parking areas or extracurricular activities or any lawful activity; threatening or stalking any person; damaging or causing waste to any property belonging to another person or the technology center; or direct interference with administration, maintenance or security of property belonging to the technology center.

Any person to whom this policy applies, who fails to leave a premises as directed or returns within six (6) months thereafter, without first obtaining written permission from the superintendent or anyone designated by the superintendent or the board of education, shall be guilty of a misdemeanor.

Appeal Process

After receiving a directive to leave the premises under this policy, the person issued the directive may request reconsideration by taking the following steps:

### *First Level of Appeal*

The person may request review of the initial decision by letter to the superintendent. If no written request is received within five (5) calendar days of the person's receipt of written notification of the directive to leave the premises, the directive will be final and nonappealable. If the superintendent issued the initial directive to leave the premises, the person issued the directive may proceed directly to the final level of appeal.

### *Final Level of Appeal*

The person may request review of the superintendent's decision by letter to the superintendent or the clerk of the board of education. If no written request is received within five (5) calendar days of the person's receipt of the superintendent's written notification of his or her decision, the superintendent's decision will be final and nonappealable. The person will be notified in writing of the date, time and place of the board meeting at which the decision will be reviewed. The Board's decision will be final and nonappealable.

### *Appeal Process*

The person may request review of the initial decision by letter to the superintendent. If no written request is received within five (5) calendar days of the person's receipt of written notification of the directive to leave the premises, the directive will be final and nonappealable. If the superintendent issued the initial directive to leave the premises, the superintendent will appoint another administrator to review his/her decision. The decision of the superintendent or his/her designee will be final and non-appealable.

The superintendent or person who issues the directive to leave the premises will give the person to whom the directive is issued a copy of this policy within a reasonable amount of time after issuing the directive. During any appeal process, the person given the directive to leave the premises must remain off school property and away from school activities, whether on technology center property or not, unless the superintendent, in writing, instructs that the directive is to be stayed pending the appeal process.

## **II. Disturbing, Interfering, or Disrupting School District Business**

- A. **Disturbing, interfering or disrupting.** Any person, alone or in concert with others and without authorization, who willfully disturbs, interferes or disrupts 1) school district business, including any publicly posted meetings; or 2) school district operations; or 3) any school district employee, agent, official, or representative, shall be guilty of a misdemeanor.
  
- B. **Refusing to leave property.** Any person who is without authority or who is causing any disturbance, interference or disruption who willfully refuses to disperse or leave any property, building, or structure 1) owned, leased, or occupied by the school district or its employees, agents or representatives; or 2) used in any manner to conduct school district business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel, shall be guilty of a misdemeanor.
  
- C. **Definition of "disturb, interfere or disrupt."**

For purposes of Section II of this policy, the term “disturb, interfere or disrupt” means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

References: OKLA. STAT. tit. 21 §§ 1375, 1376  
OKLA. STAT. tit. 70 §§ 24-131, 24-131.1  
OKLA. STAT. tit. 12 § 1398  
OKLA. STAT. tit. 21, § 2011

**RESTRICTIONS ON PRESENCE OF SEX OFFENDERS  
ON SCHOOL PROPERTY**

Purpose

The purpose of this policy is to identify the circumstances under which registered sex offenders are permitted by law to come within 300 feet of a campus and to identify the technology center's procedures when such an exemption applies.

Policy

By law, a person who has been convicted of a crime that requires the person to register pursuant to the Oklahoma Sex Offenders Registration Act and when the victim was a child under the age of 13 at the time of the offense is prohibited from loitering within 300 feet of any campus of the technology center. The same prohibition applies to a person who has been convicted of an offense in another jurisdiction, which offense, if committed or attempted in Oklahoma, would have been punishable as an offense listed in OKLA. STAT. tit. 57, § 582 and the victim was a child under the age of 13 at the time of the offense. Persons convicted of sex offenses in the State of Oklahoma prior to the effective date of the Oklahoma Sex Offenders Registration Act, which is November 1, 1989, are not subject to this prohibition.

By law, the only exemption to this prohibition occurs when:

- The person is the custodial parent or legal guardian of a child enrolled in the school and
- The person is enrolling, delivering or retrieving that child at the school during regular school hours or for school-sanctioned extracurricular activities.

The technology center intends to enforce the legal prohibition and to strictly construe the exemption. The legal prohibition does not apply to sex offenses committed against children 13 and over.

To enter a campus building to enroll his or her student, the person must first confer with the campus director. The person must comply with the director's instructions for the student's enrollment.

To deliver or retrieve his or her enrolled student from school during regular school hours or for a school-sanctioned extracurricular activity, the person must remain in his or her vehicle at all times unless the person has obtained prior written approval from the campus director to leave the vehicle to deliver or retrieve the student at a designated location.

If the person desires to enter a campus site for a matter concerning his or her enrolled student that is not covered by the legal exemption, he or she must first confer with the campus director. Some examples might be to review records, to attend a parent-teacher conference or to attend an IEP team meeting for the student. The campus director will

attempt to work with the person to provide the desired information at a non-school site, via telephone or through some other medium.

Any person who violates this policy may be barred from all technology center property. Violators may also be subject to criminal penalties.

### **TRANSPORTATION MANAGEMENT**

The board of education recognizes that transportation is a necessary element of educational opportunity and, therefore, the board shall grant opportunities for transportation. Transportation is a privilege extended to technology center students only when necessary for the accomplishment of one of the following purposes:

1. To provide transportation for any in-district secondary student who is participating in a program of the technology center.
2. To allow, when practicable, the use of school buses for the transportation of students to activities and on field trips that have been approved by the superintendent.
3. To provide adequate education facilities and opportunities which otherwise would not be available.



### **SCHOOL TRANSPORTATION SAFETY PROGRAM**

The safety and welfare of student riders will be the first consideration in matters pertaining to transportation. Students will be instructed as to the proper and safe conduct while aboard transportation vehicles. Emergency evacuation drills will be conducted regularly to acquaint students thoroughly with appropriate procedures for emergency situations.

All vehicles used to transport students will be maintained in a condition that will provide reasonably safe and efficient transportation service with a minimum of delay and disruption due to mechanical or equipment failure. Buses and vans will be replaced as required to provide good equipment at all times.

Complete reports on any transportation accident should be filed in a timely manner. These reports should be brought to the attention of the superintendent as soon as possible.

Drivers will always bring busses or vans to a full stop – with caution lights flashing, if applicable – before loading or unloading passengers. When unloading passengers, the driver will stay in place with caution lights on (if applicable) until the exiting passengers are at a safe distance away from the bus/van and/or clear of the street.

In furtherance of the technology center's School Transportation Safety Program, the technology center may install and operate a video-monitoring system in or on its school buses or bus stop-arms for the purpose of recording a violation by a driver attempting to overtake a school bus with red loading signals in operation. See technology center policy "Use of Security Cameras."

Reference: OAC 210:35-13-115; OKLA. STAT. tit. 47 § 11-705)

### **CONTAGIOUS HEALTH CONDITIONS**

The technology center is committed to providing a safe and healthy environment for all students and employees. School administrators will enforce this policy for the benefit of all members of the school community but will attempt to avoid embarrassment to an affected individual as practical given the totality of the circumstances. Students and employees with unique health circumstances may request an exception to this policy by providing a statement from a physician certifying that there is no danger of the condition spreading to others in the school environment. The district will comply with physician instructions when implementing the requirements of this policy.

Any student or employee who is determined to be afflicted with a contagious health condition such as head lice or bed bugs—in all stages/forms of life—shall be prohibited from attending school until a health officer (licensed physician, licensed physician’s assistant, health department official, school nurse, etc.) has determined that the individual is free of the condition or that there is no danger of the condition spreading to others in the school environment.

Students and employees who have pink eye or another eye infection must be symptom free or provide a physician’s statement prior to returning to school.

## **COMMUNICABLE DISEASES**

Many communicable diseases, including Human Immunodeficiency Virus (HIV) and/or Acquired Immune Deficiency Syndrome (AIDS), require special consideration in the school environment. The board of education seeks to provide an environment which is safe for all students and employees, while maintaining the dignity and privacy of individuals infected with communicable diseases.

Current research indicates that the risk of transmitting HIV/AIDS and other communicable diseases is low in the school setting when appropriate procedures are followed. All school employees are required to follow the district's Bloodborne Pathogen Exposure Control Plan at all times when there is a potential for exposure to any bodily fluid. Parents/guardians will be notified in the event a minor student has been exposed to a potentially infectious agent.

Information regarding an individual's communicable disease status will be maintained in a separate confidential file and will only be disclosed:

- in compliance with Oklahoma law; or
- with the express approval of the superintendent.

Information about an individual's communicable disease status will not be included in the individual's regular school or health records. Any individual who discloses another person's communicable disease status without the superintendent's express authorization will face disciplinary action.

### Communicable Diseases for Which Isolation or Quarantine is Required

No student having a communicable disease, requiring a period of isolation or quarantine, shall enter or remain at a technology center site. This shall be in effect until the order for quarantine or isolation has expired or permission for entry and return to the technology center site and activities has been given by the local county health department or State Department of Health. It shall be the responsibility of the student's parent(s) or legal guardians and technology center administration—not the student's instructor—to exclude the student. In the event a student known to be infected arrives at a technology center site or, after their arrival, is discovered to be infected—a technology center site administrator shall discretely remove the student from the class or activity, place the student in a monitored room where the student will not come into close contact with non-infected persons, and contact the student's parent or legal guardian to make arrangements to send the student home.

### Student Admission

No student will be denied an education or participation in the activities of the district based solely on his/her status as a student infected with a communicable disease. In the event the school administration learns that a student may have a communicable disease, the superintendent or designee will consult with the Oklahoma State Department of Health regarding an appropriate educational environment for the student. All decisions regarding an appropriate educational setting for the student will be made on a case-by-case basis following established policies and procedures for students with chronic health problems or other disabilities. The placement decision will be periodically reviewed, and will also be reviewed at any time a staff member observes behavior which

might pose a reasonable risk of transmitting the communicable disease.

### Employment

No individual will be denied employment or have his/her contract nonrenewed based solely on his/her status as an individual infected with a communicable disease.

Reference: OKLA. STAT. tit. 63, § 1-507 (2021)

### **SUBSTITUTE INSTRUCTORS**

The board of education employs substitute teachers to follow the daily lesson plan provided by a regular teacher who is unable to be present in his/her class. Individuals wishing to perform duties as a substitute teacher must be approved by the board or be subsequently approved by the board for inclusion on the school's list of substitute teachers. Only substitute teachers included on the technology center's approved substitute list will be employed. All substitute teachers will be paid at the annual board approved substitute rate of pay.

Prior to employment with the technology center, a substitute teacher may be required to undergo a background check pursuant to the board's policy governing criminal records searches. General exceptions to the background check requirement relate to teachers of ten or more years who have retired from the technology center and individuals who have been full time Oklahoma teachers in the past five years at another district where a background check is already available.

The employment of an individual substitute teacher within the technology center shall be limited as follows:

- maximum of 135 days per school year if the substitute does not have a current or lapsed/expired teaching certificate or bachelor's degree, with a maximum of 135 days in the same assignment;
- maximum of 145 days if the substitute has a lapsed/expired certificate or possesses a bachelor's degree, with a maximum of ~~100~~ 145 days in the same assignment; or
- no limit on the number of days within the district or in the same assignment if the substitute holds a valid certificate.

This policy does not pertain to teachers substituting in non-certified teaching positions.

Reference: 70 Okla. Stat. § 6-105

### **STUDENT INTERVIEWS AND INTERROGATIONS**

Should it become necessary for a member of a law enforcement agency or a social service agency to talk with a student and/or school personnel during the school day, the following procedures shall be observed to protect the rights of all parties involved.

In the event of an emergency which necessitates that law enforcement be contacted, law enforcement personnel may use whatever legal means are necessary to ensure the safety of all district students, patrons and employees.

In non-emergency situations, such as when law enforcement personnel wish to question a student or employee, law enforcement personnel must coordinate their business through the assistant superintendent or campus director's office. The director or designee is authorized to summon the student or employee to a private area so that law enforcement personnel may conduct a private interview. If the interview involves a minor student, an administrator will attempt to contact the student's parent or guardian prior to the interview. However, the inability to reach the student's parent or guardian will not prevent the interview from being conducted. A school employee may remain present during the interview of a minor student to ensure compliance with the child's rights but may not participate in the interview. Students will not be removed from campus unless the student is being arrested or being placed in protective custody.

Child welfare workers wishing to interview minor students about suspected abuse or neglect must also coordinate their business through the campus director's office. The director or designee is authorized to summon the student to a private area so that the child welfare personnel may conduct a private interview. The director or designee will ask the child welfare worker whether a parent/guardian may be contacted and/or whether a school official may be present for the interview, and school officials must comply with those instructions. Child welfare workers wishing to remove any student from school property must have a properly signed court order or be accompanied by local law enforcement for the removal of the child.

Reference: OKLA. STAT. tit. 10A § 1-2-105

**CUSTODIAL AND NON-CUSTODIAL PARENTAL RIGHTS  
OF MINOR STUDENTS**

It is the policy of the board of education that a parent who is awarded legal custody of a minor student by court action shall file a copy of the court decree awarding such custody with the technology center. If the custodial parent does not wish the minor student to be released to the non-custodial parent, an appropriate written instruction should also be filed with the technology center.

All staff members are instructed to refer any questions to the appropriate campus director or the superintendent.

Absent a court order to the contrary, both natural parents have the right to view the minor student's school records; to receive school progress reports; and to visit the minor student briefly at school.

Reference: OKLA. STAT. tit. 43 § 109.6

**DISTRICT WIDE PARENTAL INVOLVEMENT**  
**(Secondary Students - Parent Bill of Rights)**

The board supports parents' efforts to be involved in the technology center's education programs. This policy outlines the technology center's efforts to educate parents and support parent involvement in response to the 2014 Parents' Bill of Rights.

Parents have the right be involved in their minor child's education, including directing that education. Parents are encouraged to exercise their rights in conjunction with technology center guidance so as not to inadvertently impede their minor child's compliance with federal and state mandated requirements – including requirements related to graduation or program completion. Parents also have the right to review school records related to their minor child.

Parents generally have the right to consent prior to an audio or video recording being made of their minor child. This right does not preempt the technology center's right to make recordings (without specific parental approval) related to:

- safety, general order and discipline
- academic or extracurricular activities
- classroom instruction
- security/surveillance of the buildings or grounds
- photo ID cards

Parents have the right to receive prompt notice if their minor child is believed to be the victim of a crime perpetrated by someone other than the parent, unless law enforcement or DHS officials have determined that parental notification would impede the related investigation. These notice provisions do not apply to matters which involve routine misconduct typically addressed through student discipline procedures. School personnel will not attempt to encourage or coerce a child to withhold information from parents.

1. The technology center will promote parent participation with the goal of improving parent and teacher cooperation in areas such as homework, attendance and discipline. This will be accomplished through activities such as:

- Parent teacher conferences
- Meet the Teacher events
- School sponsored webpages
- School newsletters
- Progress reports
- School Reach notifications
- On-line Learning Management Systems
- Attendance phone calls and mailings

2. The technology center will inform parents about their child's course of study by disseminating this information:

- Annual enrollment activities
- Student handbooks



- On-line Learning Management Systems
- Meet the Teacher events
- District's webpage
- Progress reports
- School Reach notifications
- Phone calls and mailings

Parents may review learning materials affecting their minor children's course of study, including supplemental materials, by making a request through the campus director.

3. Parents who object to a learning material or activity may withdraw their minor child from the class or program in which the material is used. In order to withdraw a student, the parent must submit a written request, signed and dated by a parent, to the campus director. Parents who choose to withdraw their minor child from a class are responsible for making alternate arrangements for the child to earn credit for the work missed.
4. If a teacher is going to provide instruction or presentations regarding sexuality in a course, the teacher will send written notice home to parents a minimum of two (2) days in advance of the presentation. Parents who object to their minor child's participation in such instruction may send a written request to the campus director to have the student excused from the presentation. Any such student will be permitted to study in the office during the presentation.
5. Parents may learn about the nature and purpose of clubs and activities which are part of the technology center's curriculum by reviewing student handbooks and the technology center's website. The school's extracurricular clubs and activities are also published in student handbooks, the policy manual, and are available on the district's website.
6. Parents have numerous rights and decision-making responsibilities concerning their minor children. To assist parents in meeting these responsibilities and to fulfill its obligations under the 2014 Parent Bill of Rights, the district has compiled the following information for parents:
  - A. The technology center does not provide sex education but relies on sending schools to meet this requirement. Parents may opt their student out of the relevant program by following the procedures established by the sending district.
  - B. Parents who are not residents of the technology center district may enroll their minor children in accordance with board policy. A copy of that policy is available in the superintendent's office.
  - C. The district utilizes a number of resources to educate students. Parents who object to an assignment based on sex, morality or religion may opt their minor child out of the assignment by following the procedures established in item 3 above.
  - D. Students are generally required to receive a predetermined set of immunizations prior to enrolling in any Oklahoma school. This requirement may be waived if the parent submits a note from the minor child's physician stating that the child should be excused from the immunization for health reasons or if the parent submits a note objecting to the immunization of the child.

- E. Students are required to meet certain obligations in order to be promoted to a subsequent grade at their sending school, particularly with regard to learning to read. Parents can learn about those requirements – including efforts the sending district takes in order to help students become successful readers – by reviewing the sending district’s policies on Reading Sufficiency Act testing, and student promotion. Copies of those policies are available from the sending district.
- F. Students are required to meet certain obligations in order to graduate from high school and/or complete their technology center course of study. Parents can learn about these requirements each year during course enrollment or by talking with a technology center enrollment counselor. This information is also available in student handbooks and on the Oklahoma State Department of Education’s website ([www.ok.gov/sde/](http://www.ok.gov/sde/)).
- G. The technology center does not provide AIDS education but instead relies on the sending school to complete this task. Parents may opt their minor student out of this education by following the procedures established by their child’s sending school.
- H. Parents have the right to review student test results related to their minor student. Parents may review the results of classroom exams by contacting their child’s teacher. Parents may review the results of state-wide testing at the child’s sending school by following the procedures established by their child’s sending school.
- I. Qualifying students have the right to participate in their sending school’s gifted and talented program in accordance with the sending district’s policy regarding the program. A copy of the policy is available through the sending district.
- J. Parents have the right to review teachers’ manuals, films, tapes or other supplementary instructional material if the materials are being used in connection with a research or experimentation program or project. In order to review these materials, the parent should contact the campus director.
- K. Parents have the right to receive a school report card related to their child’s sending school. Information regarding these report cards will be provided through the sending district.
- L. Students are required to attend school regularly, and the technology center will notify parents of any student absence unless the parent has already contacted the technology center to report the absence. The technology center will send a written notice to parents if their minor student appears to be in danger of exceeding the maximum allowable number of absences and will notify the district attorney and the parent if a child may be considered truant. Parents may contact the campus director for additional information regarding student absences.
- M. Parents have the right to review the technology center’s courses of study and textbooks. Arrangements for this review can be made through the campus director.

- N. Students may be excused from school for religious purposes provided the parent contacts the campus director to request such an absence.
- O. Parents have the right to review all technology center policies, including parental involvement policies. Copies of these policies are available through the superintendent's office.
- P. Parents have the right to participate in parent-teacher organizations through their child's sending school. Information regarding these groups will be made available through the sending school.
- Q. Parents may opt out of selected data collection related to state longitudinal student data system reporting. Parents may not opt out of necessary and essential record collecting. Parents may file an opt out request through the superintendent's office.
- R. The technology center will not procure, solicit to perform, arrange for the performance of, perform surgical procedures or perform a physical examination upon a minor student or prescribe any prescription drugs to a minor student without first obtaining a written consent for the proposed assessment or treatment. The written consent will be effective for the school year for which it was granted, and must be renewed each subsequent school year. If the assessment or treatment for which the written consent is provided is performed through telemedicine at a school site, and if the written consent is provided by the Parent and is currently effective, the health professional shall not be required to verify that the parent is at the school site.
- S. The technology center will not procure, solicit to perform, arrange of the performance of or perform an assessment for mental health therapy on a minor student without first obtaining consent of a parent or legal guardian of the minor. The written consent will be effective for the school year for which it was granted, and must be renewed each subsequent school year. If the assessment or treatment for which the written consent is provided is performed through telemedicine at a school site, and if the written consent is provided by the Parent and is currently effective, the health professional shall not be required to verify that the parent is at the school site. However, a student shall not be seen without consent.
- T. A student shall not be vaccinated at school or on school grounds or receive a vaccine as part of the mobile vaccination effort without prior written authorization, including the signature of the parent or legal guardian of the student for the vaccine or group of vaccines to be administered during a single visit.

Parents requesting information outlined in this policy should submit written requests for information through the campus director or superintendent, as noted in the respective section. Appropriate school personnel will either make the information available or provide a written explanation of why the information is being withheld within ten (10) days of the request. Any parent whose request is denied or who does not receive a response within fifteen (15) days may submit a written request for the information to the board of education. The board will include an item on its next public meeting agenda (or the following meeting, if time does not permit inclusion of the item on the agenda) to allow the board to formally consider the parent's request.

Okla. Stat. tit. 70 § 1-116.2  
 OKLA. STAT. tit. 25 § 2001  
 OKLA. STAT. tit. 25 § 2004, *et seq.*

Section

### **REVIEW OF INSTRUCTIONAL MATERIAL**

In order to promote transparency in the education process, the technology center's instructional materials will be available for review by parents of minor children. Instructional materials include items such as teacher manuals, films, tapes and other supplementary materials regardless of format.

In order to review these materials, a parent should submit a written request to the campus director. The request must specify the class/subject, teacher, student's name, and the types of items being requested for review. Within ten (10) days the campus director will arrange for a mutually convenient time for the review or will notify the parent that a review cannot be permitted. If the campus director declines to allow a parent to review the materials, the director will provide the parent with an explanation of why the material is not available. All reviews will be conducted between the hours of 7:30 a.m. and 4:00 p.m. in the Student Services Office at each campus location. Instructional materials may not be removed from the Student Services Office.

In the event the requested review is denied or after fifteen (15) days with no response from the campus director, the parent may request this information through the board of education in accordance with the technology center's policy regarding parent rights.

Reference: OKLA. STAT. tit. 70 § 11-106.1

## **DISTRIBUTION OF MATERIALS**

In order to ensure student safety and the orderly operation of the technology center, non-school materials (fliers, booklets, magazines, buttons, announcements, signs, etc.) will only be distributed to district students under limited circumstances. All campuses will provide notice of the proper procedures for the distribution of materials. Permission to distribute materials is not an endorsement of the content of the materials either by the individual granting the permission or the board of education.

This policy does not apply to official technology center publications, such as yearbooks or student newspapers, and does not apply to signs posted for school events.

### Authorized Groups

Authorized Groups include technology center recognized organizations and school sponsored student organizations, programs, and activities. These Authorized Groups may distribute materials to students as long as these materials are related to the Authorized Group's mission.

### Other Individuals and Groups

Other Individuals and Groups (Others) may distribute materials directly to students with the superintendent's prior approval. Others may also request that the technology center distribute materials to students by contacting the superintendent. The superintendent has final authority in determining whether the materials are appropriate for distribution and the terms and conditions for the distribution. The following criteria will be used in the superintendent's consideration of the request:

- Materials which are of educational value to students should be considered for distribution;
- Materials which provide notice of a community service or event likely to be of value to students and families may be considered for distribution;
- Materials which are of a political or commercial nature will generally not be considered for distribution, unless there is a compelling reason that the material should be distributed;
- Materials which are inappropriate for the education environment will not be considered for distribution, including materials which:
  - Are obscene to minors - (a) material which, taken as a whole, lacks serious literary, artistic, political or scientific value for minors and, (b) when an average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to an obsessive interest in sex by minors of the age to whom distribution is directed;

- Are libelous - a false and unprivileged statement about a specific individual which tends to harm the individual's reputation;
- Are vulgar, lewd or indecent - material which, taken as a whole, an average person would deem improper for presentation to minors because of sexual connotations or profane language;
- Display or promote unlawful products or services - material which advertises or advocates the use of products or services prohibited by law from being sold or provided to minors;
- Defames any group - material which disparages a group or a member of a group on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information – including racial and religious epithets, “slurs,” insults and abuse;
- Disrupts school operations - material which, on the basis of past experience or based on specific instances of actual or threatened disruptions relating to the written material in question, is likely to cause a material and substantial disruption of the proper and orderly operation of school activities or school discipline.

If distribution is approved the superintendent or his/her designee shall designate the appropriate time, method, and location of distribution of the materials.

### Students

Students may distribute materials at building entrances and exits 30 minutes before the start of the school day and 30 minutes after the conclusion of the day, and in the cafeteria during typical meal periods. Students may also distribute materials at the entrances and exits of school facilities (auditoriums, etc.) when those facilities are being used for a school sponsored activity.

The content of any student distributed materials must be appropriate, as outlined above.

Students may not distribute the materials in a manner which is disruptive and may not pressure or force individuals to accept materials.

Students who distribute materials are responsible for removing all discarded and leftover copies from the facilities prior to leaving the premises after distribution.

Students who violate this policy shall be subject to disciplinary action in accordance with the district's policies on student behavior.

### Information Tables at Open House Events

The superintendent may, but is not required, to designate an open house event up to one (1) time per semester to allow Authorized Groups and Others to set up information tables and meet with parents and students. Authorized Groups may also have additional opportunities and preferential locations for providing materials and information to parents and students.

Others will not be excluded solely because of political, religious, or philosophical beliefs.

**SELECTION OF A CONSTRUCTION MANAGER**

Pursuant to 61 O.S. § 62, the Board of Education authorizes the Superintendent or his or her designee to develop and maintain procedures for the selection of a construction manager for each project for which the technology center determines that the employment of a construction managers is permitted and desirable. This procedure shall, at a minimum:

1. Extend consideration only to construction mangers recognized as qualified by the Department of Real Estate Services of the Office of Management and Enterprise Services;
2. Evaluate the candidates' professional qualifications, including but not limited to, licensing, registration, certifications, technical abilities and past experience relevant to the contemplated project; and
3. Select a construction manager based on professional qualifications and technical experience.

Upon selection of a construction manager, the technology center shall negotiate a contract with the highest qualified construction manager, provided that a fee can be negotiated that is fair and reasonable to both parties. In the event a reasonable fee cannot be negotiated with the selected construction manager, the technology center may negotiate with other construction managers in order of their qualifications.

Reference: 61 O.S. § 62

## **FREEDOM OF EXPRESSION**

The Canadian Valley Technology Center respects and values student activism. The technology center takes pride in our students' interactions with social and political issues, viewing it as a desirable, if not essential, component of civic engagement and, therefore, adopts the following policy.

### **Policy**

The outdoor areas of any campus of the technology center are deemed public forums for the campus community, and the technology center will not create "free speech zones" or other designated areas of campus outside of which expressive activities are prohibited. The technology center may maintain and enforce reasonable time, place and manner restrictions narrowly tailored in service of a significant institutional interest when the restrictions employ clear, published, content- and viewpoint-neutral criteria and provide for ample alternative means of expression. Any such restrictions shall allow for members of the campus community to spontaneously and contemporaneously assemble and distribute literature. Nothing in this paragraph shall be interpreted as applying to student expression taking place elsewhere on campus.

Any person who wishes to engage in noncommercial expressive activity on campus shall be permitted to do so freely, as long as the person's conduct is not unlawful and does not materially and substantially disrupt the functioning of the technology center.

Nothing in this policy shall be interpreted as preventing the technology center from prohibiting, limiting or restricting expression that the First Amendment does not protect or prohibiting harassment as defined in this policy.

Nothing in this policy shall enable individuals to engage in conduct that intentionally, materially and substantially disrupts another person's expressive activity if that activity is occurring in a campus space reserved for that activity under the exclusive use or control of a particular group.

Nothing in this policy shall prohibit the technology center from maintaining and enforcing reasonable time, place and manner restrictions that are narrowly tailored to serve a significant institutional interest only when such restrictions employ clear, published, content- and viewpoint-neutral criteria. Any such restrictions shall allow for members of the campus community to spontaneously and contemporaneously assemble, speak and distribute literature.

The technology center will make public in its student handbook, on its websites and through its orientation programs for students the policies, regulations and expectations of students regarding free expression on campus consistent with this policy.

The technology center will develop materials, programs and procedures to ensure that those persons who have responsibility for discipline or education of students, including but not limited to administrators, campus police officers, and instructors, understand the policies, regulations and duties of the technology center regarding free expression on campus.



## **Reporting Requirement**

By December 31st each year, the technology center will public post on its website and submit to the Governor and Legislature a report that details the course of action implemented to comply with the provisions a report which details the course of action implemented to be in compliance with the requirements of 70 O.S. §2120. A report shall also be submitted in the instance of any changes or updates to the chosen course of action. The report provided on the website shall be:

- a. Accessible from the technology center's website home page by use of not more than three links;
- b. Searchable by key words and phrases; and
- c. Accessible to the public without requiring registration or use of a user name, password or another user identification.

The technology center's report will include the following information:

- a. a description of any barriers to or incidents of disruption of free expression occurring on campus, including but not limited to attempts to block or prohibit speakers and investigations into students or student organizations for their speech. The description shall include the nature of each barrier or incident, as well as what disciplinary action, if any, was taken against members of the campus community determined to be responsible for those specific barriers or incidents involving students without revealing those students' personally identifiable information, and
- b. any other information the technology center deems valuable for the public to evaluate whether free expression rights for all members of the campus community have been equally protected and enforced.

In the event the technology center is sued for an alleged violation of First Amendment rights, a supplementary report, with a copy of the complaint or amended complaint, will be submitted to the Governor and the Legislature within thirty (30) days.

## **Definitions**

"Campus community" means students, administrators, faculty and staff at the technology center and their invited guests;

"Expressive activities" include, but are not limited to, any lawful verbal, written, audio-visual or electronic means by which individuals may communicate ideas to one another, including all forms of peaceful assembly, protests, speeches and guest speakers, distribution of literature, carrying signs and circulating petitions.

"Harassment" means only that expression that is unwelcome, so severe, pervasive and subjectively and objectively offensive that a student is effectively denied equal access to educational opportunities or benefits provided by the technology center.

"Materially and substantially disrupts" means when a person, with the intent to or with knowledge of doing so, significantly hinders another person's or group's expressive activity, prevents the communication of the message or prevents the transaction of the business of a lawful meeting, gathering or procession by:

- a. engaging in fighting, violent or other unlawful behavior, or
- b. physically blocking or using threats of violence to prevent any person from attending, listening to, viewing or otherwise participating in an expressive activity. Conduct that "materially disrupts" shall not include conduct that is protected under the First Amendment to the United States Constitution or Section 22 of Article 2 of the Oklahoma Constitution. Such protected conduct includes but is not limited to lawful protests in the outdoor areas of campus generally accessible to the members of the public, except during times when those areas have been reserved in advance for other events, or minor, brief or fleeting nonviolent disruptions of events that are isolated and short in duration;

"Outdoor areas of campus" means the generally accessible outside areas of campus where members of the campus community are commonly allowed, such as grassy areas, walkways or other similar common areas and does not include outdoor areas where access is restricted from a majority of the campus community.

"Student organization" means an officially recognized group at the technology center, or a group seeking official recognition, comprised of admitted students that receive or are seeking to receive benefits at the technology center.

Reference: 70 O.S. § 2120

## **ELECTRONIC RECORDS, CONTRACTING AND SIGNATURES**

Under certain conditions, electronic records and signatures satisfy the requirements of a written signature when transacting business. The technology center desires to promote effective and efficient use of electronic records to conduct business. The authenticity and reliability of electronic records and signatures relating to governmental transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, signed and stored. The purpose of this policy is to provide guidelines for the use of electronic records and signatures in connection with the transaction of technology center business.

This policy does not mandate the use of an electronic signature or otherwise limit the right of a party to conduct a transaction on paper, nor does it apply to any situation where a written signature is required by law.

### **Definitions**

1. **Attribution** - An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to whom the electronic record or electronic signature was attributable.
2. **Electronic Signature** - An electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
3. **Electronic Record** - Any information created, generated, sent, communicated, received or stored by electronic means.

### **Guidelines**

#### **Electronic Records**

Electronic records created or received by the technology center shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The technology center shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the technology center shall be given the full force and effect of a paper record if the following conditions are satisfied:

1. The record is an electronic filing or recording and the technology center agrees to accept or send such record electronically; and
2. If a signature is required on the record by any statute, rule or other applicable law or technology center policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures. Signatures cannot be altered by ordinary means.

## Electronic Signature

An electronic signature may be used unless there is a specific statute, regulation, rule of law or technology center policy that requires records to be signed in manual (i.e., non-electronic) form. The issuance and/or acceptance of an electronic signature by the technology center shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws. Such electronic signature shall have the full force and effect of a manual signature only if the signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;
2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed
4. The electronic signature must be electronically encrypted or transmitted by technological means designed to protect and prevent access, alteration, manipulation or use by any unauthorized person; and
5. The electronic signature conforms to all other provisions of this policy.

## Authorized Technology Center Officers

The following positions are considered Authorized Officers/Employees:

Board of Education President  
Board of Education Vice President  
Board of Education Clerk  
Board of Education Treasurer  
Superintendent of Schools  
Superintendent's Designee  
Chief Financial Officer

Authorized Officers/Employees are the individuals delegated the authority to electronically sign documents on behalf of the technology center, where signatory authority has been granted for a specific transaction or purpose. **This policy is not intended to grant signatory authority to any person who does not have such authority by virtue of their position.**

Unless prohibited by law, Authorized Officers/Employees may, but are not required, to sign documents through an electronic signature on any record, including without limitation contracts, agreements, correspondence, certificates, reports, minutes or similar documents in those instances in which the Authorized Officer's/Employee's signature is required or permitted. Use of an electronic signature requires the approval of the Authorized Officer/Employee.

All electronic signatures are subject to the technology center's authentication procedures and Authorized Officers/Employees are required to comply with all security procedures established by the technology center and its software vendors.

### **Prohibited Use – All Employees and Officers**

No employee or officer may use an electronic signature on any technology center document on behalf of any other employee or officer unless that person has been granted specific, written authorization to do so. Any unauthorized employee who uses electronic methods to sign documents, or falsifies electronic records or electronic signatures will be subject to disciplinary action up to and including dismissal. The technology center may also refer violations of this policy for possible criminal prosecution. All employees are required to immediately report any violations of this policy, suspected fraud, or other security concerns to the superintendent.

### **Employment Applications, Contracts and Related Paperwork**

Any person applying for employment with the technology center or signing an employment contract with the technology center may be required by the technology center to electronically sign an employment application, contract of employment, or any other employment related paperwork. All electronic signatures are subject to the technology center's authentication procedures and applicants and employees are required to comply with all security procedures established by the technology center and its software vendors.

Reference: OKLA. STAT. tit. 12A, §§ 15-101 to 15-121.

### **MEDICAL MARIJUANA, HEMP & CANNABIDIOL (CBD)**

Regardless of a student, employee, parent or any individual's status as a medical marijuana license holder, marijuana is not allowed on the premises of the technology center or in any school vehicle or in any personal vehicle transporting a student under any circumstances. While the use of medical marijuana in conjunction with the possession of a medical marijuana license is legal in the State of Oklahoma, marijuana is a prohibited controlled substance under federal law regardless of the use being for medical purposes. Accordingly, possession of marijuana by a student, employee, parent or any individual, notwithstanding the possession of a medical marijuana license, is strictly prohibited while on the premises of the technology center and in school vehicles; going to and from and attending technology center sponsored functions, events, and athletic activities, including those technology center sponsored functions, events and/or athletic activities which occur in a location other than the premises of the technology center; utilizing technology center equipment or transportation; and in any other instance in connection with the technology center where the technology center reasonably deems the possession of marijuana to be illegal.

In the event that a student, employee, parent or any individual is found to possess or to have possessed marijuana in any of the instances stated above, the technology center will proceed with all actions and consequences that are afforded to the technology center under any state or federal law, employment contract, technology center policy, student handbook provision, or any other authority applicable to or adopted by the technology center.

#### **A. Definitions**

The following definitions shall apply:

1. **Marijuana:** all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin (except cannabidiol made from hemp which meets the definition of "Hemp Cannabidiol" as defined below). The term "marijuana" shall not include any federal Food and Drug Administration-approved cannabidiol medication.
2. **Hemp Cannabidiol ("Hemp CBD"):** a nonpsychoactive cannabinoid made from hemp that has a tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%).
3. **Hemp:** the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.
4. **THC:** tetrahydrocannabinol.

The terms "marijuana" and "possession of marijuana" will be interpreted by the technology center in accordance with state and federal law. Any conflict between state and federal law as to the definition or treatment of "marijuana," "possession of

marijuana,” “hemp” or “cannabidiol” will be interpreted in accordance with the circumstances and proper legal authority.

B. Nondiscrimination

There will be no discrimination in the technology center because of an individual’s status as a medical marijuana license holder.

C. Hemp and Hemp Cannabidiol (Hemp CBD)

1. Regulation: Hemp CBD is regulated differently than marijuana under both state and federal law. Possession and administration of Hemp CBD shall be treated differently based on the concentration of THC in the Hemp CBD. In no instance will this section be construed to apply to a substance that (1) is not made from hemp or (2) contains more than 0.3% THC.

a. Hemp CBD Containing 0.0% THC

(1) Employees and other Non-Student Individuals: Employees and individuals who are not students of the technology center may possess and self-administer Hemp CBD containing 0.0% THC on the premises of the technology center. However, employees or non-student individuals must be able to certify, upon request, that the Hemp CBD contains 0.0% THC at the time of possession and/or self-administration via a reliable product label. Employees and non-student individuals are not permitted to self-administer Hemp CBD in the presence of students.

(2) Students: A parent or legal guardian of a student may administer Hemp CBD containing 0.0% THC to the student in accordance with this policy. Hemp CBD containing 0.0% THC may only be administered to a student in an area designated by the technology center’s personnel. The parent, legal guardian must certify that the Hemp CBD contains 0.0% THC via a declaration given under penalty of perjury prior to administering such Hemp CBD to the student in the technology center’s designated administration area. Such declaration shall be effective for the semester in which it is given. A new declaration must be provided by a parent or legal guardian each semester. After the parent or legal guardian of the student has administered the Hemp CBD containing 0.0% THC to the student, the parent or legal guardian must remove the Hemp CBD from the technology center’s premises.

b. Hemp CBD Containing 0.3% THC

(1) Employees and other Non-Student Individuals: Employees and individuals who are not students of the technology center may possess and self-administer Hemp CBD containing up to a maximum of three-tenths of one percent (0.3%) THC on the premises of the technology center provided they meet one of the following:

- (a) The employee or individual who is not a student is a medical marijuana license holder; or
- (b) The employee or individual who is not a student has a written certification from a physician licensed in Oklahoma that the employee or individual that is not a student has been diagnosed by a licensed physician as having one of the following:

- i. Lennox-Gastaut Syndrome;
- ii. Dravet Syndrome, also known as Sever Myoclonic Epilepsy of Infancy;
- iii. Any other severe form of epilepsy that is not adequately treated by traditional medical therapies;
- iv. Spasticity due to multiple sclerosis or due to paraplegia;
- v. Intractable nausea and vomiting; or
- vi. Appetite stimulation with chronic wasting diseases.

Employees or non-student individuals must be able to verify, upon request, (1) that they meet an exception listed above, and (2) that the Hemp CBD contains no more than 0.3% THC at the time of possession and/or self-administration, via a reliable product label or a physician's certification. Employees and non-student individuals are not permitted to self-administer Hemp CBD in the presence of students.

- (2) **Students:** Students of the technology center may not possess and/or self-administer Hemp CBD containing THC in an amount no greater than 0.3%. However, the parent, legal guardian or caregiver (as defined in 63 O.S. § 420A) of the student may administer Hemp CBD containing THC in an amount no greater than 0.3% on technology center premises in accordance with this policy if the student meets one of the following exceptions:

- (a) The student is a medical marijuana license holder; or
- (b) The parent, legal guardian, or caregiver of the student has a written certification from a physician licensed in Oklahoma that the student has been diagnosed by a licensed physician as having one of the following:
  - i. Lennox-Gastaut Syndrome;
  - ii. Dravet Syndrome, also known as Sever Myoclonic Epilepsy of Infancy;
  - iii. Any other severe form of epilepsy that is not adequately treated by traditional medical therapies;
  - iv. Spasticity due to multiple sclerosis or due to paraplegia;
  - v. Intractable nausea and vomiting; or
  - vi. Appetite stimulation with chronic wasting diseases.

The physician's written certification must also provide that the Hemp CBD being administered to the student has a THC level of not more than 0.3% and the Hemp CBD was delivered to the student, parent, or legal guardian in a liquid form.

The parent, legal guardian, or caregiver may administer Hemp CBD containing THC in an amount no greater than 0.3% to the student in an area designated by the technology center's personnel. The parent, legal guardian, or caregiver must certify that the Hemp CBD contains THC in an amount no greater than 0.3% via a declaration given under penalty of perjury prior to administering such Hemp CBD to the student in the technology center's designated administration area. Such declaration shall be effective for the semester in which it is given. A new declaration must be provided by the parent, legal guardian, or caregiver each semester. After the parent, legal guardian or caregiver of the student has administered the Hemp CBD to the student, the parent, legal guardian or caregiver must remove the Hemp CBD from the technology center's premises.



2. Administration by School Personnel and Storage: In no instance will a technology center employee administer Hemp CBD to a student, unless they are the parent, legal guardian, or caretaker for that student. The technology center will not maintain or store a student's Hemp CBD for any length of time.
3. Violations: In the event that a student, employee, parent or any individual is found to have violated the technology center's policy regarding Hemp CBD possession and/or self-administration, the technology center will proceed with all actions and consequences that are afforded to the technology center under any state or federal law, employment contract, technology center policy, student handbook provision, or any other authority applicable to or adopted by the technology center.

#### D. Overlap with Other Technology Center Policies

The technology center recognizes that the legal aspects and consequences of medical marijuana, cannabidiol, and hemp are new and possibly subject to change. These legal aspects and consequences of medical marijuana, cannabidiol, and hemp effect many areas of the technology center's current policies regarding employees, students, parents and individuals on technology center premises or attending technology center events. The technology center will continue to enforce its current adopted policies. As the need arises with changes in state and/or federal law, the technology center will consider and/or examine technology center policies in order to assess whether revisions, if any, may be needed to a technology center policy in order to comply with state and federal law.

#### E. Employees

Employees of the technology center are expected to comply with state and federal law at all times as a term of their continued employment with the technology center. In that regard, employees are hereby notified that any person who uses or is addicted to marijuana, regardless of whether his or her state has passed legislation authorizing marijuana use for medicinal or recreational purposes, is an unlawful user of or addicted to a controlled substance and is prohibited by federal law from possessing firearms or ammunition. See 18 U.S.C. § 922(g)(3); see also Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") open letter to all federal firearms licensees (<https://www.atf.gov/file/60211/download>). Employees are expected to adhere to any and all open letters, formal opinions, directives, or any other instruction provided by federal or state agencies regarding state and/or federal law.

#### F. Prescription Medications

This policy does not apply to any federal Food and Drug Administration-approved cannabidiol medication. Such medication may not be possessed or self-administered by students. These medications must be stored in technology center offices and may be administered by the school nurse or other designated technology center personnel in accordance with the technology center's policy on Administration of Medicine.

## **CRIMINAL HISTORY AFFIDAVITS FOR CONTRACTORS**

The technology center seeks to ensure that individuals who will be present on technology center property do not have prior criminal histories indicating that their presence poses a threat to the safety of students and employees. Therefore, and in accordance with applicable law, individuals and entities that enter into certain contracts with the technology center involving the performance of work/services on technology center property shall be required to execute criminal history affidavits as set forth below.

### Definitions

1. **Contractor** - A person or business having a contract with the technology center under which the contractor and/or employees of the contractor will (1) perform services on the property of the technology center, and/or (2) perform work on a full-time or part-time basis that would otherwise be performed by technology center employees.

### Criminal History Affidavits Required for Contractors

Prior to board approval of any contract between the technology center and a contractor, an authorized representative of the contractor shall be required to execute and deliver to the technology center an affidavit declaring under penalty of perjury that (1) no individual working on technology center premises under authority of the contractor is currently registered or required to register under the provisions of the Oklahoma Sex Offenders Registration Act or the Mary Rippey Violent Crime Offenders Registration Act, and (2) no individual who will perform work on technology center premises that would otherwise be performed by technology center employees under the authority of the contractor has been convicted in the United States of any felony offense unless ten (10) years has elapsed since the date of the criminal conviction or the employee has received a pardon for the criminal offense. The affidavit shall be in the form attached to this policy.

No contractor shall be permitted to perform work/services on technology center property until the contractor or an authorized representative of the contractor has executed and delivered a criminal history affidavit as required by this policy.

Individuals/business/other entities that do not fall within the definition of a "contractor" set forth above, including, but not limited to, vendors, volunteers, college/professional/military recruiters, architects and/or attorneys, are not required to provide criminal history affidavits.

### Requests for Felony Records Searches by Contractors

Contractors whose employees will perform work on a full-time or part-time basis that would otherwise be performed by technology center employees may submit requests for felony records searches regarding their employees to the State Board of Education ("OSBE"). It shall be the sole responsibility of the contractor to request appropriate felony records

searches regarding the contractor's employees from the OSBE consistent with the requirements of this policy.

Reference: OKLA. STAT. tit. 70, § 6-101.48

**FINANCIAL GIFTS TO THE TECHNOLOGY CENTER UNDER THE  
OKLAHOMA EQUAL OPPORTUNITY EDUCATION SCHOLARSHIP ACT**

In addition to the procedure for accepting gifts outlined in the Technology Center's *Public Gifts to the Schools* policy, the Technology Center, and approved public school foundations, may also accept financial contributions from individuals and business entities consistent with the *Oklahoma Equal Opportunity Education Scholarship Act* ("OEOESA"). When doing so, the Technology Center, and any approved public school foundation, shall follow the application, registration, reporting, and continuing eligibility requirements outlined in OKLA. STAT. tit. 68, § 2357.206 and O.A.C. 710: 15-50-115.1. The Technology Center shall also follow the guidelines set forth in this policy.

Definitions

As used in this policy, the following words and phrases are defined as follows:

**"Public school foundation"** means a nonprofit entity formed pursuant to the laws of Oklahoma that is exempt from federal income taxation pursuant to either Sections 501(c)(3) or 509(a) of the Internal Revenue Code of 1986, as amended, which must also be approved by the Oklahoma Tax Commission ("OTC" or "Tax Commission") and the Board of Education prior to accepting qualifying donations under the OEOESA;

**"Educational improvement grant"** means a grant to an eligible public school to implement an innovative educational program for students, including the ability for multiple public schools to make application and be awarded a grant to jointly provide an innovative educational program; and

**"Innovative educational program"** means an advanced academic or academic improvement program that is not part of the regular coursework of a public school but that enhances the curriculum or academic program of the school or provides early childhood education programs to students.

Application, Continuing Eligibility, and Posting Requirements

Before accepting any financial gifts pursuant to the OEOESA, the Technology Center must first be approved by OTC, which shall be accomplished by submitting its application on a form prescribed by the Tax Commission.

Thereafter, so that it may maintain its eligibility to receive donations under the OEOESA, the Technology Center shall, in compliance with the administrative rules promulgated by OTC and the Oklahoma State Department of Education, annually report to OTC the following information on a prescribed OTC form (that shall be made available to the Technology Center by May 1<sup>st</sup> of each year) and annually publish this same information on the Technology Center's website by September 1<sup>st</sup> of each year:

1. The name of the innovative educational program or programs and the total amount of grant or grants made to those programs during the immediately preceding school year;

2. A description of how each grant was utilized during the immediately preceding school year and a description of any demonstrated or expected innovative educational improvements;
3. The names of the public schools where innovative educational programs that received grants during the immediately preceding school year were implemented;
4. Where the Technology Center collects information on a county-by-county basis; and
5. The total number and total amount of grants made during the immediately preceding school year for innovative educational programs at the public school by each county in which the organization made grants.

#### Information Collection, Reporting, and Notification Requirements

To comply with its statutory reporting requirements under the OEOESA, the Technology Center shall collect information from each contributor which will allow OTC to accurately determine the identity of the contributor. By January 10<sup>th</sup> of the year immediately following each calendar year, the Technology Center shall then electronically provide OTC with the following information on each contribution accepted during such taxable year:

- The Technology Center's federal employer identification number;
- The name of each contributor and sufficient other information to accurately determine the identity of each contributor, which must include each contributor's social security number (SSN);
- The date and dollar amount of each contribution; and
- Whether the taxpayer made a written commitment to contribute the same amount for one additional consecutive year.

At least once each taxable year, the Technology Center shall notify each contributor that Oklahoma law provides for a total, statewide and per-school district cap on the amount of income tax credits allowed annually. Additionally, at least once each year when OTC publishes the percentage of the contribution which may be claimed as a credit by contributors for the most-recently completed calendar year on the Tax Commission's website (which will be made available by OTC no later than February 15<sup>th</sup> of each year), the Technology Center shall notify contributors of that amount in writing.

Any time the Technology Center issues any notice to contributors pursuant to the OEOESA, the following disclaimer shall also accompany the notice:

"This information is provided to you pursuant to the Technology Center's legal obligations under the *Oklahoma Equal Opportunity Education Scholarship Act*, OKLA. STAT. tit. 68, § 2357.206. The Technology Center does not provide tax, legal, or accounting advice. This material has been prepared for informational purposes only; it is not intended to provide tax, legal, or accounting advice and should not be relied on by you for those purposes. Because tax rules are complex, change frequently, and are dependent upon individual circumstances, consult your tax, legal, and/or accounting advisor(s) before engaging in any transaction regarding this information."

On or before April 30, 2024, and once every four (4) years thereafter, the Technology Center shall submit an audited financial statement along with information detailing the benefits, successes, or failures of the programs to the following entities: 1) OTC, 2) the Governor, 3) the President Pro Tempore of the Senate, and 4) the Speaker of the House of Representatives.

#### Board Approval of Public School Foundations Under the OEOESA

Prior to accepting any OEOESA donation from a public school foundation, the Board must first approve the foundation. The Technology Center may approve those foundations which, according to the Board's sole determination, advance the educational objectives of the

Technology Center, are beneficial to students, meet the requirements of this policy, and have submitted to the Board a copy of the foundation's approved OTC application to receive OEOESA contributions pursuant to OKLA. STAT. tit. 68, § 2357.206(L)(1).

Reference: OKLA. STAT. tit. 68, § 2357.206, O.A.C. 710: 50-15-115.1

**ATTENDANCE/ACTIVITIES**

The board of education believes that attendance in regularly scheduled classes is a key factor in student achievement. Thus, any absence from those classes represents an educational loss to the student. The board recognizes, however, that the cocurricular program of the technology center also has educational benefit. Therefore, it shall be the policy of this board to minimize absenteeism from regular classes while providing students the opportunity to participate in cocurricular activities.

**CLASSROOM VISITATION**

In order to provide students with a reasonable opportunity to study and learn, it is the policy of the board of education to restrict classroom visitation to a minimum.

Any person who needs to visit a classroom or other technology center facility must obtain permission from the superintendent or campus director's office. Visitors on technology center property without permission may be asked to leave the premises.

The superintendent shall establish appropriate procedures to provide for a safe environment for students, staff members and patrons. Such procedures will include posting notices at the entrances to the technology center building. The notices will require visitors to report to the building administration's office before visiting any classroom or other facility.

Building administrators are authorized discretion in permitting visitation.

Classroom visitors will respect classroom decorum and will not interrupt the class in any way. Visitors who disrupt the classroom or the campus in any manner will be required to leave the technology center grounds.



## **UNITED STATES COPYRIGHT LAW**

The technology center does not condone, and will not allow, violations of the United States copyright laws. Employees are expected to ensure that their actions comply with copyright law and to impress upon students the importance of compliance with copyright law.

### Ownership of Copyrighted Works

Copyright protection applies to original works of authorship fixed in any tangible medium of expression, from which they can be perceived, reproduced, or otherwise communicated. Examples of copyrighted works include books, pictures, drawings, sound recordings, motion pictures, television shows, sheet music and scripts. In general, the copyright protections that apply to printed materials also apply to visual and digital formats.

### Exclusive Rights of Copyright Holders

Subject to certain specific exceptions, the owner of a copyright to a work has the exclusive right to reproduce, adapt, distribute, perform, or display the copyrighted work or to authorize such reproduction, adaptation, distribution, performance, or display.

### Exceptions to Exclusive Rights

The following exceptions may authorize the use of a copyright work without violating the exclusive rights of the copyright holder. Employees that reproduce, distribute, perform or display copyrighted works are responsible for ensuring that their planned use of a copyrighted work falls under one or more of the exceptions set forth below.

#### A. Fair Use

The “fair use” of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. The following factors shall be considered in determining whether a given use of a copyrighted work is considered fair use:

1. The purpose and nature of the use; whether the use is of a commercial nature or for non-profit educational purposes.
2. The nature of the copyrighted work.
3. The amount and importance of the portion used in relation to the copyrighted works as a whole.
4. The effect of the use upon the potential market for, or the value of, the copyrighted work.

The United States Copyright Office has published a regulatory guidance document entitled “Reproduction of Copyrighted Works by Educators,” also known as “Circular 21,” which sets forth a series of “safe harbor” rules providing that certain specific uses of copyrighted works are

considered fair use. Circular 21 is available at the Copyright Office's website (<https://www.copyright.gov/circs/>). Employees should familiarize themselves with these rules and, to the extent doing so is feasible, use copyrighted works in ways that are consistent with the safe harbor requirements.

#### B. Face-to-Face Teaching Activities

A further exception to the exclusive rights of copyright holders applies to the performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other place devoted to instruction.

This exception does not apply to the performance/display of a copy of a motion picture or other audiovisual work that the person responsible for the performance/display knew or had reason to know was not lawfully made.

#### C. Electronic Transmission During Distance Learning Class Sessions

A further exception applies to the performance or display of a copyrighted work as a regular part of a class session conducted via distance learning if the following conditions are met:

1. The copyrighted material is directly related to and of material assistance to the teaching content of the class.
2. The amount of material provided is comparable to that typically displayed in a live classroom session. A performance of an entire nondramatic literary or musical work may also satisfy this requirement.
3. Students are provided with notice that materials distributed in the course may be subject to copyright protection.
4. The transmission of copyrighted material is limited to students enrolled in the class to the extent technologically feasible,
5. Copyrighted works are made available to students for a limited duration no longer than the class session. Students may not be permitted to retain a permanent copy of the material or to further disseminate it.
6. The instructor does not interfere with technological measures used by copyright owners to prevent unauthorized retention/dissemination of copyrighted works.
7. The technology center provides appropriate informational materials to faculty, students, and relevant staff members that accurately describe, and promote compliance with, the laws of the United States relating to copyright.

This exception does not apply to the conversion of print or other analog versions of works into digital formats unless: (1) no digital version of the work is available, or (2) the digital version employs technological protection measures that prevent its use.

This exception does not apply to the performance/display of a copy of a motion picture or other audiovisual work that the instructor knew or had reason to know was not lawfully made.

#### D. Public Domain

Works that are in the public domain are no longer under copyright protection or do not meet the requirements for copyright protection.

#### Use of Copyrighted Works with Permission

In order to obtain authorization to make use of a copyrighted work in a way that is not permitted by one or more of the exceptions detailed above, technology center employees may also seek to obtain permission for such use from the copyright holder.

A request for permission should include detailed information about the nature of the permission sought, including (1) a specific description of the item to be copied (title, author, edition, page numbers, frames, excerpts, etc.), (2) the type of duplication and number of copies, and (3) plans for usage and distribution of copies and the frequency of use. Any permission received from a copyright owner for use of a work must be in writing.

#### Copyright Infringement

Unless an exception applies or appropriate permission has been obtained from the copyright holder, engaging in the reproduction, distribution, performance, or display of a copyrighted work constitutes unlawful copyright infringement, which may carry civil and/or criminal penalties.

Employees who engage in copyright infringement do so at their own risk, and assume all liabilities and responsibilities associated with such conduct, and may be subject to disciplinary action.

Reference: 17 U.S.C. §§ 102, 106, 107, 110, 112, 201, and 501.

**CONSTITUTION DAY AND CITIZENSHIP DAY**

Constitution Day and Citizenship Day shall, in accordance with federal law, be held each year on September 17. The purpose of Constitution Day and Citizenship Day is to commemorate the formation and signing on September 17, 1787, of the United States Constitution and recognize all who, by coming of age or by naturalization, have become citizens.

The technology center shall hold an educational program on the United States Constitution on September 17 of each year for the students served by the district in observation of Constitution Day and Citizenship Day. When September 17 falls on a weekend or holiday, the day shall be observed on a school day just before or after September 17. The manner in which the day shall be commemorated shall be within the discretion of the superintendent or designee.

Reference: 36 U.S.C. § 106; Public Law 108-447.

**VETERANS DAY**

It shall be the policy of the district that “Veterans Day,” November 11<sup>th</sup>, will be observed with an appropriate ceremony/activity.

In any year in which the date of November 11<sup>th</sup> is a Saturday or Sunday or classes are not in regular session, the district shall observe the previous school day as “Veterans Day.”

**OBSERVATION OF MOMENT OF SILENCE**

The Oklahoma Legislature has directed the board to ensure the district observe approximately one minute of silence each day. This policy is adopted to comply with that directive.

The administrator in charge in each school building within the school district is hereby directed to designate approximately one minute of instructional time each school day for the observation of a moment of silence. At the beginning of each semester, the building administrator or his or her designee will give instructional personnel direction as to how the moment of silence is to be observed. The moment of silence shall be for the purpose of allowing each student, in the exercise of his or her individual choice, to reflect, meditate, pray, or engage in any other silent activity that does not interfere with, distract, or impede other students in the exercise of their individual choices. Instructors shall neither encourage students to use nor discourage students from using the moment of silence for any particular purpose, such as reflection, meditation, prayer, or other silent activity. All instructors shall be made aware that it is the student's decision as to how to utilize the moment of silence, provided that the student's choice does not interfere with, distract, or impede other students in the exercise of their individual choices.

Reference: 70 OKLA. STAT. §11-101.2

## **USE OF TECHNOLOGY CENTER FACILITIES**

### **Standards for Use of School Facilities**

The technology center will permit use of school facilities by educational, political, literary, cultural, religious, scientific, civic or recreational community organizations provided that:

1. The intended use of the facility by the organization meets certain established criteria; and
2. When required, a previously established fee is paid by the organization.

Providing every student with the best education possible is the primary function and responsibility of the board. Therefore, school-related functions will be given priority when it is necessary to use school facilities. However, the board is also vitally interested in helping out-of-school activities which support and supplement the efforts of this district.

School facilities are often useful in carrying on the activities of various non-school organizations. Since many constructive educational activities take place outside the classroom, the administration should do as much as possible to encourage and aid the commendable efforts of many parents and citizens who work with youth to attain objectives which are similar to the goals of this district.

### **Procedures for Use of School Facilities**

If the organization's request is one with regularly occurring dates, approval may be given for the entire schedule. Should a conflict develop with a school activity, the technology center reserves the right to cancel the permission granted or to require a change to a mutually satisfactory date and time.

Although application by a minor is not acceptable, this does not prohibit the use of school premises by them, provided the application is made by a competent adult who will supervise and be responsible for the group.

### **Permitted Use**

Permission for use of school facilities belonging to this district may be granted to educational, political, literary, cultural, religious, scientific, civic or recreational organizations for purposes and programs which:

1. Are beneficial to the youth of the district and to the programs of the district; and
2. Do not result in an increased monetary burden on the citizens of the district.

## **Priority Use**

The superintendent or his/her designee is to determine whether the proposed use of the building will conflict with scheduled school programs and is to monitor the building for signs of misuse or abuse.

## **Prohibited Use**

School facilities will not be used for:

1. Meetings which promote subversive teachings and doctrines contrary to the spirit of American institutions;
2. Activities tending to cause unrest in the community, or which reflect upon or promote discrimination against citizens of the United States because of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information;
3. Any activity that may be destructive or injurious to the buildings, grounds or equipment; or
4. Any purpose in conflict with school objectives.

## **Responsibility of Applicant**

The applicant and his/her organization will be held responsible for the proper use of the building, for payment for the use of school facilities, for the conduct of persons attending the meeting, and will see to it that activities are confined to the areas requested and to the hours agreed upon in the application. The applicant will indemnify the technology center for any theft, loss or damage to school property over and above normal wear which might be expected from his/her use thereof, and will make prompt payment for such theft, loss or damage. An indemnity bond or a deposit may be required if circumstances warrant. It is required that users of school facilities will see that the activities are conducted at all times under competent adult supervision. The superintendent or his/her designee will be the judge of unwarranted damages to the school property.

All rooms or areas will be left in as good condition as they were found, except the usual accumulation resulting from normal building use. No applicant may sublet any part of the building area named in the application request. All applications for repetitious use of the school facilities will be renewed at the beginning of each school year and are subject to review by the superintendent.

Users of school property must assume responsibility for the safety and protection of the audience, workmen and participants to the extent required by law. The superintendent has the right to require minimum limits of public liability and property damage insurance for all groups using any school facility, and to require that there be evidence presented to the superintendent in the form of a certificate of insurance, showing Canadian Valley Technology School District No. 6 of Canadian County, Oklahoma, as an additional named insured.



## **Time Limits**

The superintendent of schools shall approve times for all meetings on school property.

## **Cancellations**

Requests for cancellation of the use of school facilities must be received at least 24 hours in advance of the meeting time. Failure to do so will obligate the applicant and his/her organization to pay for all custodial and such other expenses as are incurred in opening the building for his/her use.

Cancellation of permission may be ordered whenever such action is deemed in the best interest of the district. However, such cancellations will not be made except when unforeseen emergencies arise, and then with as much advance notice as possible. Permission may be canceled by the superintendent if conduct or infraction of regulations warrant.

## **Holidays**

As a general rule school property will not be available for use by outside organizations on school or national holidays. Should one or more meetings approved as a series of meetings fall on such days, such meeting dates will be automatically canceled for these days only. The superintendent may, in his/her best judgment, authorize limited exceptions to this rule for good cause shown.

## **Non-School Days**

School facilities will be available on non-school days, such as weekends and summer months, provided proper application is made and approved by the superintendent and provided such use is not a conflict with use of the facilities by school organizations or students.

## **Charges**

Charges made for use of school facilities are not rentals as that term is generally used, but are based on the cost of operating expenses that would not otherwise have been incurred, such as utilities, supplies, maintenance of facilities, custodial and cafeteria services, as well as clerical services necessary to process each application. Such reimbursement charges are subject to change or may be waived as the superintendent may deem necessary.

## **Building Use Without Charge**

School and community organizations such as student organizations, school employee groups and educational organizations, school board organizations, etc., are granted building use without charge as long as such use does not conflict with regular school sessions.

No fee will be assessed against school-affiliated and youth-serving organizations for their regularly scheduled meetings. Other groups may present information to the superintendent so that he/she can establish whether they are school-affiliated and youth-serving organizations for whom fees will be waived for periodic meetings. If there should be additional meetings of the above-mentioned or other school-affiliated and youth-serving organizations, they will be charged for custodial services and/or cafeteria employee services as required, according to the regular fee as determined by the superintendent.

Organizations which qualify for use of meeting space without charge on weekdays will be charged regular rates for meetings held on Saturdays and Sundays, for weekday meetings which extend beyond 10:00 p.m.

### **Custodial Care**

A school custodian or other staff are assigned for continuous duty during the time the group will be using the school facility. The custodian will return to open the building prior to the time set for the meeting, arrange the requested facilities and serve as the official representative of the technology center. No one except the qualified custodian will be allowed to operate or adjust equipment in the building. Upon conclusion of the meeting the custodian will clean, properly arrange the facilities and carefully inspect the premises before locking the building. For situations in which the meeting does not materialize and has not been previously canceled, the custodian will remain on duty for one hour after the requested starting time of the meeting and, if no word is received within that period indicating a later starting time, he/she will lock the building.

Custodians are instructed not to open any areas other than those required in the application. Additional space may be arranged by filing an additional application. Emergency needs may be requested by telephone.

### **Security**

Uniformed officers must be on duty when so directed by the superintendent.

### **Alcohol, Drugs, Tobacco and Dangerous Weapons**

The use or possession of alcoholic beverages, low-point beer or controlled substances (drugs) will not be permitted on school property. Organizations using school property for any purpose are expected to comply with technology center policy concerning the use of tobacco. Dangerous weapons are prohibited on school property. Individuals must comply with state and federal laws applicable to possession and storage of a firearm, machete, blackjack, loaded cane, hand chains and metal knuckles on school property. Firearms, machetes, blackjacks, loaded canes, hand chains and metal knuckles are restricted to the school parking lot and must not be brought onto any other school property or into school buildings, offices or other structures, absent the written consent of the school's superintendent.

### **Apparatus and Equipment**

Requests to use public address systems, projection equipment and screens, spotlights, stage sceneries, pianos and so forth will be included in the application. The costs of transparencies, gelatins, special scenery, and special lighting effects are to be paid by the using groups. All such equipment and properties will be operated, moved and controlled only by persons specifically designated by the superintendent.

Classroom apparatus, such as shop, science, physical education, homemaking, music, business education, art laboratory, data processing equipment and athletic equipment which is regularly used for school instruction will not be available for use by non-school groups.

## **Cafeterias**

Use of cafeterias will be granted with or without use of kitchen facilities. No organization will have access to the cafeteria kitchen area unless the cafeteria manager is present and in charge, together with such additional paid help from the cafeteria manager's staff as may be required. In planning an event which will use the cafeteria kitchen equipment, the area dietitian, the cafeteria manager, and whatever number of helpers they deem necessary, must all be involved in the planning, operation and supervision of such project. Because of the food supplies and expensive equipment, and because of the rigid requirements of health and sanitation authorities, the use of cafeteria facilities must be under the direct control of the cafeteria department.

## **Parking Lots**

Parking lots are provided with the use of most school buildings. If use of only a parking lot is desired, application will be made as for use of any school facility. Parking areas are not reserved exclusively for groups using school buildings.

## **Church Services**

Church services by established religious groups may be scheduled in school facilities on a temporary basis due to emergency situations or to early organizational efforts of such groups to build or expand a church facility. Under no circumstances will such usage be beyond one (1) calendar year from first usage.

## **Concessions**

Concession rights at all school facilities are reserved for this technology center. These may be assigned to school organizations upon request or may be contracted by outside vendors.

## **Interpretation of the Policy and Procedures**

The superintendent shall interpret and enforce all provisions of this policy and procedures. The superintendent's interpretation shall be final unless one board member directs that the issue be brought to the board of education for review.

Reference: OKLA. STAT. tit. 21 § 1277

**ALCOHOL ON CAMPUS**

Canadian Valley Technology Center does not permit possession or consumption of any alcoholic beverage on campus.

## **SALE OF TECHNOLOGY CENTER SURPLUS PROPERTY**

### **Real Property**

When district-owned real estate is no longer needed for school purposes, the board of education may declare the property to be surplus to the needs of the technology center. Following such a declaration surplus real estate may be sold at any time using the following procedure:

1. Prior to requesting bids for a property, the technology center will have the property appraised by at least two (2) disinterested, qualified, independent appraisers chosen by the superintendent. If the superintendent deems it appropriate additional appraisals may be obtained. All appraisals will be confidential until after the property is sold. When the property is sold, all appraisals will be made available for public inspection. Any appraisal must be made within six (6) months of the date on which the property is offered for public bid.
2. The superintendent will prepare a notice to bidders advising that sealed bids for the purchase of a property will be received by the technology center at a time and place designated in the bid notice. The bid notice will require each bidder to state, in his or her bid, the intended use of the property. This use may be a factor in determining the successful bidder.
3. The bid notice will be published at least ten (10) days prior to the bid opening in at least one (1) issue of a newspaper of general circulation in the county in which the property is located. The bid notice may be published in additional newspapers in or advertised by additional means at the discretion of the superintendent or by direction of the board of education.
4. The bids will be opened at the time and place specified in the bid notice and the bids will be referred to the board of education for acceptance or rejection. The board of education will reserve the right to reject any and all bids or to accept any particular bid.
5. Surplus real estate will not be sold at private sale unless the real estate has first been offered for sale by public sale or public bid and all such bids have been rejected.
6. Surplus real estate will not be sold to any bidder for less than 75% of the appraised value.
7. Any conveyance of real estate by private sale to a non-profit organization, association, or corporation to be used for public purposes, unless for exchange, will contain a reversionary clause which returns the real estate to

the district upon cessation of the use without profit or for public purposes by the purchaser or the assigns of the purchaser.

### **Personal Property**

District owned personal property includes all property owned by the technology center other than real estate (equipment, furniture, etc.). When district-owned personal property is no longer needed, the board may declare the property to be surplus to the needs of the technology center. Following such a declaration, surplus personal property may be disposed of using the following procedure:

1. The board must declare the property surplus during a regular or special board meeting. The meeting agenda (or an attachment to the agenda) must contain a description of all property to be declared surplus.
2. After the board has declared the property surplus, the superintendent is authorized to use the most economical and beneficial means to dispose of the property. These methods may include sale (public auction, written bids, online services, etc.), trade, salvage/scrap, discard, or any other means the superintendent determines to be appropriate based on the condition of the property and the totality of the circumstances. If property is sold or traded, the technology center must receive reasonable compensation.
3. The superintendent or designee will maintain records regarding disposition of surplus property for five years from disposition of the property.
4. Surplus computers, copiers, and other electronics that store data must be either electronically wiped clean or have the hard drive destroyed so that any sensitive or confidential information (social security numbers, health information, personal identification information, school financial information, licensed software, etc.) cannot be recovered from the equipment.
5. Partner school districts may be given an opportunity to take any needed surplus personal property.
6. School board members (and their second-degree relatives) are prohibited by state law from purchasing property from the district.
7. The following are prohibited from obtaining surplus inventory, either directly or indirectly: superintendent, assistant superintendent(s), campus director(s), assistant campus director(s), director(s) of student services, BIS director(s), fiscal office personnel, as well as spouses and children of any of the above.

Any Canadian Valley Technology Center employee, along with their spouse and children, within the department or program recommending the surplus of inventory will also be prohibited from obtaining related surplus inventory, either directly or indirectly.

Reference: 70 OKLA. STAT. §5-117(11); 60 OKLA. STAT. tit. 16 § 812

**ASBESTOS INSPECTION**

Canadian Valley Technology Center has been deemed asbestos free at all locations.

Reference: 15 U.S.C. § 2643

### **BUILDINGS AND GROUNDS MAINTENANCE**

The board of education believes that adequate maintenance of buildings, grounds and property is essential to efficient management of the technology center.

The board directs a continuous program of inspection and preventative maintenance of technology center buildings and equipment.

The superintendent shall develop and implement a maintenance program that will include:

- A regular program of repair and conditioning;
- ~~Critical~~ Spare parts inventory;
- An equipment replacement procedure; and
- A long-range program of building modernization and conditioning.

The superintendent shall develop such guidelines as may be necessary for the maintenance and repair of the physical plant.

The maintenance supervisor shall conduct a physical inspection of each building on a regular basis and report findings to the campus director.



**USE OF BUSES  
OTHER THAN REGULAR TRANSPORTATION OF STUDENTS**

School buses may be used for activity trips, extra-curricular activities and any field trips. Requests for transportation vehicles for those purposes should be made one (1) week in advance.

Requests for a bus will be presented to, and approved by, the campus director.

Activity sponsors and instructors are responsible for picking up litter or trash at the conclusion of each activity trip.

Any person using technology center equipment or vehicles for personal use may be subject to disciplinary action, which could include termination or dismissal.

## **LOANING OF TECHNOLOGY CENTER EQUIPMENT**

District owned equipment is used to support the mission of the school. At times, it may be appropriate to loan equipment to other public or non-profit organizations that have a similar mission as Canadian Valley Technology Center. It may also be necessary to allow employees and/or students to use district equipment for off-campus instructional activities. The loaning of equipment should not cause a hardship to the district or interrupt the educational experience for the students. Under no circumstances should the loaning or use of the equipment violate local, state or federal statutes or guidelines. The use of district facilities and/or equipment for personal gain is strictly prohibited.

### **Procedure**

The Superintendent or designee must approve the loaning or use of any district owned equipment to other public or non-profit organizations. Individuals will be required to provide evidence of competency in the safe and proper use of the equipment. A person authorized to represent the organization must sign an agreement to be responsible for damaged or lost equipment including the cost to repair and/or replace at the district's discretion. This agreement will include an inventory of the equipment with a description, model/serial numbers, CVTECH inventory tag number, and value. The agreement will also include a release of liability.

Employees needing to utilize district equipment for off-campus instructional activities (other than laptops and iPads/tablets assigned specifically to them) will be required to obtain approval from their supervisor or campus director. The employee will be required to provide evidence of competency in the safe and proper use of the equipment. Employees will also be required to sign an agreement that includes an inventory of the equipment with a description, model/serial numbers, CVTECH inventory tag number, and value. Employees approved to borrow equipment are responsible for damaged or lost equipment including the cost to repair and/or replace at the district's discretion.

Students needing to utilize district equipment for unsupervised off-campus instructional activities must obtain approval from their instructor. Students will be required to provide evidence of competency in the safe and proper use of the equipment. Students must sign an agreement to be responsible for damaged or lost equipment including the cost to repair and/or replace at the district's discretion. The agreement will include an inventory of the equipment with a description, mode/serial numbers, CVTECH inventory tag number, and value. The agreement will also include a release of liability. Parents or guardians of secondary students will be required to sign the agreement.

## **INVENTORIES**

A current inventory of all non-consumable items valued at \$1,000 or more with life expectancy of more than one year shall be maintained in the business office.

Each program and/or department is required to maintain a small equipment inventory of any item with a value up to \$999 and life expectancy of more than one year.

### **Procedure**

Periodically, a major equipment inventory will be furnished for review and update. Major equipment inventory records are maintained by the inventory clerk. New equipment purchases will be added to the inventory at the time of payment by the business office.

All state-owned inventoried items will be tagged under the direction of the inventory clerk. When a state inventoried item is no longer of value to the program, contact the inventory clerk. At this time an adjustment form will be completed, and an official request will be sent to the State Department of Career Technology. The item cannot be removed from inventory until approval is received from the State Department.

Complete the Inventory Transfer Form when loaning or transferring items or reporting lost or stolen items.

## **INTELLECTUAL PROPERTY**

The Canadian Valley Technology Center (“District”) respects the intellectual property of others, including students, patrons and employees. The purpose of this policy is to provide the necessary protections and incentives to encourage both the discovery and development of new knowledge and its transfer for public benefit. The ownership rights to all intellectual property that is created in whole or part at the District or under District sponsorship or with the use of District course materials, facilities, funds, equipment or any other resources of whatever nature or kind owned or controlled by the District shall be determined generally as set forth in this policy.

### **I. Definitions**

1. “Author” and “member” are defined as the individual or as part of a group of other “authors” that invents, authors, discovers, or otherwise creates or helps to create intellectual property.
2. “Course materials” are defined as any and all materials prepared for use in teaching, fixed or unfixed, in any form, including, but not limited to, digital, print, audio, visual, or any combination thereof. Course materials include, but are not limited to, lectures, lecture notes, and materials, syllabi, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, and educational software.
3. “Creator” is defined as being synonymous with and can be used interchangeably with “author” and “member” as used in this policy.
4. “District facilities” are defined to include, but are not limited to, buildings, equipment, and other facilities under the control of the District.
5. “District funds” are defined as funds under the control and responsibility, or authority of the District, regardless of source.
6. “District resources” are defined as all tangible resources including, but not limited to, buildings, equipment, facilities, computers, software, personnel, and funding.
7. “Employee” is, unless there is a written agreement providing otherwise, an individual employed by the District in a full-time or part-time position, including certified and support staff, appointed personnel, persons with “no salary” appointments, volunteers, contractors, persons on an extra duty or supplemental contract.
8. “Intellectual property” is defined as any works, products, processes, tangible research property, copyrightable subject matter, works of art, trade secrets, know how, inventions and other creations the ownership of which are recognized and protected from unauthorized exploitation by law. Examples of

intellectual property include, but are not limited to, scholarly, artistic, and instructional materials.

9. "Invention" is defined as all discoveries, conceptions, ideas, improvements, innovations, problem solutions and/or technological developments.
10. "Patent" is defined as both United States and foreign patents and patent applications, and the rights conferred upon the patent holder by applicable law.
11. "Student" is defined as any individual who is attending or who has attended any schools within the District.
12. "Trademark" is defined as any mark that identifies an item of intellectual property or an educational or training service.
13. "Work" is defined as any "original work of authorship fixed in a tangible medium" as used in the federal Copyright Act.

## **II. Patents**

All discoveries and inventions, whether patentable or un-patentable, and including any and all patents based thereon and applications for such patents, which are made or conceived by any member of the faculty, staff, or student of the District, either in the course and/or scope of employment with the District or that is created in whole or part with the use of District course materials, facilities, funds, employees, or any other resources of the District shall be owned by and be the sole property of the District and the member will assign and by participating in any activity which leads to any discovery and invention does hereby assign all of member's rights in and to the discoveries and inventions to the District.

## **III. Trademarks**

The District owns all rights and titles to any trademarks related to any item of intellectual property owned by the District.

## **IV. Copyright**

Except as specifically provided herein, copyright rights to works developed by an employee either in the course and/or scope of employment with the District are the sole property of the District. Ownership of copyrights to works of artistry or scholarship in the creator's professional field such as textbooks, course materials, scholarly papers and articles, software and other computer materials when they are works of artistry or scholarship, novels, poems, paintings, musical compositions or other such works of artistic imagination produced by District employees who have a general obligation to produce such works where the specific choice, content, course, and direction of the effort is determined by the employee without direct assignment or supervision by the District ("Artistic or Scholarly Works") shall reside in the creators and the works shall not be deemed "works made for hire" under this policy unless they are also sponsored/contracted works or specifically assigned by the District.

Upon request by the District, an employee who creates an Artistic or Scholarly Work while acting in the course and/or scope of his or her employment or with the use of District course materials, facilities, funds, or any other resources of the District shall grant the District a nonexclusive, free of cost, world wide right and license to exercise all copyright rights in and to such Artistic or Scholarly Work, except the right to commercially display, use, perform, or distribute copies of the Work, unless to do so would impair the ability of the creator to have the Work published or distributed.

**V. Authority to Reference District**

The District shall have the right and sole authority to determine whether or not to put its name on a work. If so, requested by the District, the author agrees to credit the District, in a manner satisfactory to the Board or its designee, in any way to the creation of such work. Similarly, the author agrees upon request to remove any reference to the District in the work.

**VI. Marketing Decisions**

The Superintendent of the District or his/her designee will be responsible for all marketing decisions involving patentable inventions. This includes all patents to which the District has ownership rights under this policy.

**VII. Release of Liability**

Any student or employee who creates or participates in the creation of a work in whole or part at the District or under District sponsorship or with the use of District course materials, facilities, funds, employees, or any other resources agrees to indemnify and hold harmless the District against any loss, damage, liability, or expense that it may incur as a result of the preparation, production, or distribution of such work, including but not limited to, any material in such work that infringes or violates any copyright, right of privacy, or any other right of any person, or is libelous, obscene, or contrary to law.

## **USE OF SECURITY CAMERAS**

### **Policy Statement**

1. Security cameras may be installed in situations and places where the security of either property or people would be enhanced.
2. When appropriate, cameras may be placed throughout the Technology Center, inside and outside of Technology Center buildings or vehicles.
  - a. Cameras will be used in a manner consistent with all existing Technology Center policies; and
  - b. Camera use will be limited to situations that do not violate the reasonable expectation of privacy as defined by law. Generally, an individual has no reasonable expectation of privacy in public places or common areas, including, but not limited to:
    - Classrooms
    - Offices
    - Hallways
    - Parking lots
    - Cafeterias
    - Technology Center-owned or leased transportation

### **Policy Purpose**

1. The purpose of this policy is to regulate the use of security cameras.
2. The function of security cameras is to assist in protecting the safety and property of the Technology Center.
3. The primary use of security cameras will be to record images for future identification of individuals involved in criminal activities.

### **Policy Requirements**

1. The following position(s) is/are designated be involved with, or have access to, Technology Center security camera data: Administrators, School Resource Officers, IT, and Maintenance.
2. When an incident is suspected to have occurred, the individual designated under paragraph 1 of this section may review the images from the security camera data.
3. No video data may be copied, e-mailed, downloaded or otherwise distributed without prior authorization.

4. An automated log will be maintained documenting access of authorized users to the data stored in the Technology Center's video security system.
5. The installation of new security cameras must be approved in advance by the superintendent or designee. The Superintendent may authorize the use of security cameras when he/she deems the use in the best interest of the Technology Center.
  - a. Once approved, new security cameras, except in limited instances approved by the Superintendent, must connect to the Technology Center's centralized security system which will be maintained by the IT Department.
6. No employee, student, staff, administrator, media or member of the public is allowed to install or conceal camera devices in or around Technology Center property.
7. Any person acting to remove, alter, bypass, disconnect or otherwise affect the operation of any camera or monitor installed in, or around, Technology Center property or vehicles without the express prior approval of the Superintendent, or who violates this policy, will be subject to disciplinary or other adverse action including, but not limited to, removal from Technology Center property and prosecution.

### **School Buses and Technology Center Vehicles**

In furtherance of the Technology Center's School Bus Safety Program, the technology center may install and operate a video-monitoring system in or on its school buses or bus stop-arms, or contract with a private vendor to do so on behalf of the technology center for the purpose of recording a violation of the following statutory requirement:

The driver of a vehicle meeting or overtaking a school bus that is stopped to take on or discharge school children, and on which the red loading signals are in operation, is to stop the vehicle before it reaches the school bus and not proceed until the loading signals are deactivated and then proceed past such school bus at a speed which is reasonable and with due caution for the safety of such school children and other occupants. (47 O.S. §11-705)

In the event the video-monitoring system captures a recording of a violation, appropriate personnel at the technology center shall extract data related to the violation from the recording. The extracted data shall include a recorded image or video of the license plate of the vehicle, an identifiable picture of the driver's face, the activation status of at least one warning device and the time, date and location of the vehicle when the image was recorded.

For the purposes of this policy, "video-monitoring system" means a system with one or more camera sensors and computers installed and operated on a school bus that produces live digital and recorded video of motor vehicles being operated in violation of subsection A of this section.

The technology center shall submit the extracted data for review to the law enforcement agency with jurisdiction in which the violation occurred. If the reviewing law enforcement agency determines there is sufficient evidence to identify the vehicle and the driver, such evidence shall be submitted to the technology center attorney's office for prosecution.



This policy also provides for the use of security cameras on technology center buses or technology center vehicles for disciplinary and security purposes. This policy will support efforts to maintain discipline and to ensure the safety and security of all students, staff, contractors and others being transported on Technology Center-owned, operated, or contracted buses or vehicles.

School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of technology center students to or from other schools or events related to such schools or school-related activities.

The use of security cameras shall not place a duty on the technology center to regularly monitor live camera images and/or video or audio recordings, and it shall not place on the technology center any additional duty in regard to providing a safe facility.

A security camera will not necessarily be installed in each and every vehicle owned, leased, contracted and/or operated by the technology center, but cameras may be rotated from vehicle to vehicle without prior notice.

### **Notification Requirements**

Except in emergency or investigative situations, all locations with security cameras will have signs displayed that provide reasonable notification of the presence of security cameras.

Notification signs shall be placed in conspicuous areas in close proximity to the security cameras. For buildings with interior cameras, this shall include, at a minimum, the placement of signs at all primary building entrances. All such signs shall contain a notification that the cameras may or may not be monitored.

Students and staff will also receive additional notification at the beginning of the school year regarding the use of security cameras in the schools, on technology center vehicles and school grounds.

### **Related Policy Information**

1. Security cameras will not record or monitor sound;
2. Recorded security camera data must be retained for a period of at least 14 days unless retained as part of a criminal or civil investigation, court procedure, or other bona fide use;
3. Security camera data is not considered to be Directory Information and may be subject to confidentiality restrictions including, but not limited to, FERPA requirements.
  - a. Requests to release information obtained through security cameras must be submitted to the superintendent, or designee, and be approved prior to release.

### **Exclusions**

1. Cameras installed or utilized for criminal and civil investigations are subject to appropriate state and federal laws and are excluded from this policy;
2. Cameras used for instructional purposes are excluded from this policy; and
3. Cameras used for internal personal investigations are excluded from this policy.

## Definitions

<b>Word</b>	<b>Definition</b>
Security camera	Any item, system, camera, technology device, communications device, or process, used alone or in conjunction with a network, for the purpose of gathering, monitoring, recording or storing an image or images of technology center facilities and/or people in technology center facilities. Such devices may include, but are not limited to: analog and digital security cameras, close circuit television, web cameras, and computerized visual monitoring.
Security camera data	Images captured by security cameras, which may be real-time or preserved for review at a later date.
Centralized Security System	Core infrastructure maintained by IT for purposes of storing and retrieving images from all security cameras deployed across the technology center. Infrastructure could include storage resources, such as disk drive arrays, as well as dedicated servers. Servers could perform activities such as storing images for later retrieval, retrieving images for investigation purposes, and maintaining logs of all access to stored security camera data.

## Responsibilities

### Role Responsibility

IT	Maintains infrastructure for the technology center's main security camera infrastructure, including storage space, server systems, and backup resources (as appropriate).
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Reference: OKLA. STAT. tit. 47 §11-705

## **USE OF MULTIPLE OCCUPANCY RESTROOMS AND CHANGING AREAS**

Pursuant to SB615 (2022), each multioccupancy restroom and changing area located in public schools serving students in prekindergarten through twelfth grades shall be designated as either for the exclusive use of the male sex or for the exclusive use of the female sex. The Technology Center has, therefore, designated its restrooms for use as follows: “males,” “men,” or “boys”; “females,” “women,” or “girls”; and “single-occupancy.”

“Sex,” for the purposes of this policy is defined as the physical condition of being male or female based on genetics and physiology, as identified on the individual’s original birth certificate.

“Multiple occupancy restroom or changing area” is defined as an area in a public school or public charter school building designed or designated to be used by more than one individual at a time, where individuals may be in various stages of undress in the presence of other individuals. The term may include but is not limited to a school restroom, locker room, changing room, or shower room.

“School” means any public school and public charter school that serves students in prekindergarten through twelfth grades in this state.

“Individual,” for the purposes of this policy is defined as any student, teacher, staff member, or other person on the premises of a School.

If an individual does not wish to comply by using the appropriate restroom or changing room based on sex as defined herein, the Technology Center shall provide a reasonable accommodation by providing access to a single-occupancy restroom or changing room.

An individual shall be disciplined by the Technology Center for refusing to (a) use the appropriate multiple occupancy restroom or changing area designated for their sex as defined herein, (b) designate multiple occupancy restrooms or changing areas for the exclusive use of one sex as defined herein, or (c) provide access to a single-occupancy restroom or changing room to an individual who does not wish to utilize the multiple occupancy restroom or changing area designated for their sex, provided that such individual is authorized to be on Technology Center premises. Students shall be disciplined pursuant to the Technology Center’s student behavior policy. Employees shall be disciplined pursuant to the appropriate Technology Center policy and Oklahoma law based on the employee’s position within the Technology Center. Other persons on the premises of the Technology Center shall be disciplined pursuant to the appropriate Technology Center policy and Oklahoma law.

This policy does not apply to individuals entering the multioccupancy restroom or changing facility designated for the opposite sex under the following circumstances:

1. For custodial, maintenance, or inspection purposes; or
2. To render emergency medical assistance.

### **DRUG AND ALCOHOL FREE WORKPLACE**

In order to maintain a healthy educational and working environment, and to comply with the requirements of the Drug-Free Workplace Act of 1988 for purposes of receiving federal assistance, the board of education adopts the following policies and regulations:

1. Use, possession, dispensing, manufacture, sale, or distribution; or conspiring to sell, distribute, or possess; or being in the chain of sale or distribution; or being under the influence of a controlled substance, alcoholic beverage, or beer (as defined by Oklahoma law) in any of the technology center's facilities, on technology center property (including vehicles), or at a technology center sponsored function or event by an employee is prohibited. Violation of this prohibition shall result in disciplinary action, which may include dismissal or nonrenewal of employment. Violations which constitute criminal acts will be referred for prosecution.
2. Employees who are engaged in the performance of work under the terms of a federal grant must, as a condition of their employment, notify a technology center administrator in writing of any drug conviction (including a plea of nolo contendere) for a violation of a criminal drug statute which occurred at a technology center workplace within five calendar days after the conviction. The conviction shall result in dismissal or nonrenewal, or a requirement that the employee satisfactorily participate in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement or other appropriate agency.
3. The conviction shall be reported in writing by the technology center's grant administrator to the relevant federal granting agency within 10 calendar days of the notification by the employee or other actual notice of the conviction.
4. This policy statement shall be included in the technology center's employee handbook, and shall be distributed electronically to all employees at the commencement of each school year.
5. The employee in-service training period prior to the commencement of each school year shall include a review and discussion of the dangers of drug and alcohol abuse in the workplace, the technology center's policy for a drug and alcohol free workplace, the penalties for violating the policy, and available sources of information, counseling, rehabilitation, and re-entry programs regarding drug and alcohol use.

Reference: Drug Free Workplace Act of 1988

**TESTING EMPLOYEES AND APPLICANTS  
FOR EMPLOYMENT (OTHER THAN BUS DRIVERS)  
WITH REGARD TO THE USE OF ALCOHOL  
AND ILLEGAL CHEMICAL SUBSTANCES**

The board, with the intent that all employees have notice and knowledge of the ramifications concerning alcohol and illegal chemical substance use, possession, purchase, sale or distribution when the employee is on duty or on school property, adopts the following policy on Testing Employees and Applicants for Employment (Other Than Bus Drivers) With Regard to the Use of Alcohol and Illegal Chemical Substances.

Statement of Purpose and Intent

1. The safety of students and employees of the technology center is of paramount concern to the board.
2. An employee who is under the influence of alcohol or an illegal chemical substance when the employee is on duty or on school property poses serious safety risks to students and other employees.
3. The use of alcohol and illegal chemical substances has a direct and adverse effect on the safety, personal health, attendance, productivity and quality of work of all employees and the safety of all students.
4. Scientific studies demonstrate that the use of alcohol and illegal chemical substances reduces an employee's ability to perform his job beyond the time period of immediate consumption or use.
5. The board recognizes that all employees have certain personal rights guaranteed by the Constitutions of the United States of America and the State of Oklahoma as well as by the Oklahoma Standards for Workplace Drug and Alcohol Testing Act ("Act"), OKLA. STAT. tit. 40 § 551 et seq., as amended. This policy will not infringe on those rights.
6. Due to the devastating impact that the use of alcohol and illegal chemical substances can have on the safety of students and employees and their adverse effect on an employee's ability to perform the employee's job, the board will not tolerate employees who use, possess, distribute, purchase, sell or are under the influence (as defined in the policy) of alcohol or illegal chemical substances when on duty or while on school property.
7. This policy will apply to all employees of the technology center regardless of position, title or seniority except bus drivers. The testing of bus drivers for alcohol or illegal chemical substances is exclusively governed by the technology center's policy on Alcohol and Drug Testing for Drivers and the federal Omnibus Transportation Act of 1991. Bus drivers whose

job assignment involves duties independent of bus driving shall be subject to this policy as to all non-bus driving duties.

8. Violations of this policy will subject the employee to disciplinary action, including, but not limited to, termination.

### Definitions

1. "Applicant" means a person who has applied for a position with an employer and received a conditional offer of employment, or an existing employee seeking transfer or reassignment to a different position, or an existing employee who is being transferred or reassigned to a different position.
2. "Illegal chemical substance" means any substance which an individual may not sell, possess, use, distribute or purchase under either Federal or Oklahoma law. "Illegal chemical substance" includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substances Act, all prescription drugs obtained without authorization and all prescribed drugs and over the counter drugs being used for an abusive purpose. By this policy, applicants and employees are placed on notice that the technology center may test individuals for drugs and alcohol.
3. "Alcohol" means ethyl alcohol or ethanol.
4. "Under the influence" means any employee of the technology center or applicant for employment with the technology center who has any alcohol or illegal chemical substance or the metabolites thereof present in the person's body in any amount which is considered to be "positive" for such alcohol or drug or drug metabolites using any scientifically substantiated alcohol or drug use screen test and alcohol or drug use confirm test.
5. "Positive" when referring to an alcohol or drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of alcohol or an illegal chemical substance or the metabolites thereof using the cutoff standards or levels determined by the State Board of Health or in the absence of such State Board cutoff levels, the cutoff levels customarily established by the testing laboratory administering the alcohol or drug use test.
6. "School property" means any property owned, leased or rented by the technology center, including but not limited to school buildings, parking lots and motor vehicles.
7. "Drug or alcohol test" means a chemical test administered for the purpose of determining the presence or absence of a drug or its metabolites or alcohol in a person's bodily tissue, fluids or products. Adulteration of a specimen or of a drug or alcohol test shall be considered as a refusal to test.
8. "Confirmation test" means a drug or alcohol test on a sample to substantiate the results of a prior drug or alcohol test on the same sample and which uses different chemical principles and is of equal or greater accuracy than the initial test.

In instances when a breathalyzer test is used, a confirmation test means a second sample test that confirms the prior result. Where a single use test is utilized, a confirmation test means a second test confirmed by a testing facility.

9. "Employee" means any person who supplies labor for remuneration to his or her employer in this state and shall not include an independent contractor, subcontractor or employees of an independent contractor; provided, however, an independent contractor, subcontractor, or employees of an independent contractor, may be subject to a workplace drug or alcohol testing policy under the terms of the contractual agreement when the drug or alcohol testing policy applies to other workers at the job site or workers who are in the same or similar classification or group.
10. "On duty" means any time during which an employee is acting in an official capacity for the technology center or performing tasks within the employee's job description, including the taking of an annual physical examination.
11. "Bus driver" means:
  - A. a technology center employee who is required to have a commercial drivers' license ("CDL") to perform the employee's duties;
  - B. employees of independent contractors who are required to have a CDL;
  - C. owner-operators;
  - D. leased drivers; and
  - E. occasional drivers.
12. "Direct Child Care" means the following:
  - A. Administering to the needs of infants, toddlers, preschool-age children, and school-age children outside of school hours;
  - B. By persons other than their parents, guardians, or custodians;
  - C. For any part of the twenty-four-hour day;
  - D. In a place other than a child's own home, except that an in-home aide provides child care in the child's own home.
13. To the extent not specifically defined herein, the definition of any term, word or phrase found in this policy shall be as set forth in the Act.

#### Procedures for Alcohol or Illegal Chemical Substance Testing

1. Any alcohol or drug use test administered under the terms of this policy will be administered by or at the direction of a testing facility licensed by the Oklahoma State Department of Health ("Department") and using scientifically validated toxicological methods that comply with rules promulgated by the Department. Testing facilities shall be required to have detailed written specifications to assure chain of custody of the samples, proper labeling, proper laboratory control and scientific testing. All aspects of the alcohol and drug use testing program, including the taking of samples, will be conducted so as to safeguard the

personal and privacy rights of applicants and employees. The test sample shall be obtained in a manner which minimizes its intrusiveness.

In the case of urine samples, the samples must be collected in a restroom or other private facility behind a closed stall or as otherwise permitted by the Department or its board; a sample shall be collected in sufficient quantity for splitting into two (2) separate samples, pursuant to rules of the State Board of Health, to provide for any subsequent independent analysis in the event of a challenge of the test results of the main sample; the test monitor shall not observe any employee or applicant while the sample is being produced but the test monitor may be present outside the stall to listen for the normal sounds of urination in order to guard against tampered samples and to insure an accurate chain of custody; and the test monitor may verify the normal warmth and appearance of the sample. If at any time during the testing procedure the test monitor has reason to believe or suspect that an employee/applicant is tampering with the sample, the test monitor may stop the procedure and inform the test coordinator. The test monitor shall be of the same gender as the applicant/employee giving the sample.

The test monitor shall give each employee or applicant a form on which the employee or applicant may, but shall not be required to, list any medications he has taken or any other legitimate reasons for his having been in recent contact with alcohol or illegal chemical substances.

2. If the initial drug use test is positive for the presence of an illegal chemical substance or the metabolites thereof, the initial test result will be subject to confirmation by a second and different test of the same sample. The second test will use an equivalent scientifically accepted method of equal or greater accuracy as approved by rules of the State Board of Health, at the cutoff levels determined by board rules. An applicant for employment will not be denied employment or an employee will not be subject to disciplinary procedures unless the second test is positive for the presence of illegal chemical substances or the metabolites thereof.
3. If an initial alcohol use test is positive for the presence of alcohol, the initial test result will be subject to confirmation by a second and different test using any scientifically accepted method approved by rules of the State Board of Health, at the cutoff levels determined by board rules.
4. A written record of the chain of custody of the sample shall be maintained from the time of the collection of the sample until the sample is no longer required.
5. Any applicant for employment or employee who is subject to disciplinary action as a result of being under the influence of alcohol or an illegal chemical substance, as and for an appeal procedure, will be given a reasonable opportunity, in confidence, to explain or rebut the alcohol or drug use test results. If the applicant or employee asserts that the positive test results are caused by other than consumption of alcohol or an illegal chemical substance by the applicant or employee, then the applicant or employee will be given an opportunity to present evidence that the positive test result was produced by other than consumption of alcohol or an illegal chemical substance. The technology center will rely on the opinion of the technology center's testing facility which performed the tests in determining whether the positive test result was produced by other than consumption of alcohol or an illegal chemical substance.



In the case of drug use testing, the employee or applicant will have a right to have a second test performed on the same test sample at the expense of the employee or applicant. In the case of alcohol testing, the employee or applicant will have a right to have a second test performed on the same test sample using any scientifically accepted method approved by rules of the State Board of Health, at the cutoff levels determined by board rules. The request for the second test must be made within twenty-four (24) hours of receiving notice of a positive test in order to challenge the results of a positive test and subject to the approval by the technology center's testing facility that (a) the facility selected by the applicant or employee for the second test meets the qualifications required for a testing facility under the Act and (b) the testing methodology used by the facility selected by the employee or applicant conforms to scientifically accepted analytical methods and procedures, including the cutoff levels, as determined by the State Board of Health. If the re-test reverses the findings of the challenged positive result, then the technology center will reimburse the applicant or employee for the costs of the re-test. A proper chain of custody shall be maintained at all times in transmitting the sample to and from a second testing facility.

6. The technology center may permit testing for drugs or alcohol by other methods reasonably calculated to detect the presence of drugs or alcohol, including but not limited to breathalyzer testing, testing by use of a single-use test device, known as onsite or quick testing devices, to collect, handle, store, and ship a sample collected for testing.
7. The testing facility reports and results of alcohol and drug use testing will be maintained on a confidential basis except as otherwise required by law. The laboratory performing alcohol or drug use tests for the technology center will not report on or disclose to the technology center any physical or mental condition affecting an employee or employment applicant which may be discovered in the examination of a sample other than the presence of alcohol or illegal chemical substances or the metabolites thereof. The use of samples to test for any other substances will not be permitted.
8. The records of all drug and alcohol test results and related information retained by the technology center shall be the property of the technology center unless:
  - A. the information will be admissible evidence by an employer or employee in a court case or administrative agency hearing if either the employer or employee is a named party;
  - B. the information is required to comply with a valid judicial or administrative order; or
  - C. the technology center's employees, agents or representative needs to access the records in the administration of the Act.

#### Employee Alcohol and Drug Use Test Requirements

The technology center is authorized to conduct drug and alcohol testing in accordance with the Act. The technology center has chosen to conduct drug or alcohol testing under the following circumstances:

1. *Applicant testing:* The technology center will require an applicant, as defined above, to undergo drug or alcohol testing and may use a refusal to undergo testing or a positive test result as a basis for refusal to hire or grant a voluntary transfer/reassignment.

2. *For-cause testing:* The technology center will require an employee to undergo drug or alcohol testing at any time the superintendent, or designee, reasonably believes that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:
  - A. drugs or alcohol on or about the employee's person or in the employee's vicinity,
  - B. conduct on the employee's part that suggests impairment or influence of drugs or alcohol,
  - C. a report of drug or alcohol use while at work or on duty,
  - D. information that an employee has tampered with drug or alcohol testing at any time,
  - E. negative performance patterns, or
  - F. excessive or unexplained absenteeism or tardiness.
3. *Post-accident testing:* The technology center may require an employee to undergo drug or alcohol testing if the employee or another person has sustained an injury while at work or property has been damaged while at work, including damage to equipment. The technology center may require post-accident drug or alcohol testing if there is a reasonable possibility that employee drug use could have contributed to the reported injury or illness. For purposes of workers' compensation, no employee who tests positive for the presence of substances defined and consumed pursuant to Section 465.20 of Title 63 of the Oklahoma Statutes, alcohol, illegal drugs, or illegally used chemicals, or refuses to take a drug or alcohol test required by the employer, shall be eligible for such compensation;
4. *Random testing:* As determined appropriate by the board of education, the technology center may require an employee or all members of an employment classification or group to undergo drug or alcohol testing at random and may limit its random testing programs to particular employment classifications or groups, except that the technology center will require random testing only of employees who:
  - A. are police or peace officers, have drug interdiction responsibilities, or are authorized to carry firearms, or
  - B. are engaged in activities which directly affect the safety of others, including but not limited to school vehicle mechanics and those employees designated as "safety sensitive" pursuant to this policy.
5. *Scheduled, periodic testing:* The technology center will require an employee to undergo drug or alcohol testing as a routine part of a routinely scheduled employee fitness-for-duty medical examination, or in connection with an employee's return to duty from leave of absence, of employees who:
  - A. are police or peace officers, have drug interdiction responsibilities, or are authorized to carry firearms, or

B. are engaged in activities which directly affect the safety of others, including but not limited to school vehicle mechanics and those employees designated as “safety sensitive” pursuant to this policy.

6. *Post-rehabilitation testing:* The technology center may request or require an employee to undergo drug or alcohol testing for a period of up to two (2) years commencing with the employee’s return to work, following a positive test or following participation in a drug or alcohol dependency treatment program.

Employee Use, Sale, Possession, Distribution, Purchase or Being Under the Influence of Alcohol or Illegal Chemical Substance

Any employee who possesses, uses, distributes, purchases, sells or is confirmed by alcohol or drug use tests to be under the influence (as defined by this policy) of alcohol or an illegal chemical substance while on duty, while on school property or as a result of alcohol or drug use tests conducted under this policy, or who refuses to submit to an alcohol or drug test permitted under the Act will be subject to disciplinary action, including, but not limited to, termination.

Alcohol and Drug Use Tests of Applicants for Employment -- When Required

All applicants for employment will be required to submit to alcohol and/or drug use testing after a conditional offer of employment has been made to the applicant. All applicants will be notified that alcohol and/or drug use testing will occur if they are offered a conditional offer of employment. Any applicant who refuses to submit to an alcohol or drug use test after a conditional offer of employment will not be hired.

Applicants Under the Influence of Alcohol or An Illegal Chemical Substance

Any applicant who is confirmed by alcohol or drug use tests to be under the influence (as defined by this policy) of alcohol or an illegal chemical substance will not be hired.

Person Authorized to Order Alcohol or Drug Testing

The following persons have the authority to require alcohol or drug use testing of employees under this policy:

1. The superintendent;
2. Any employee designated for such purposes by the superintendent or board.

Release of Information

1. Upon written request, the applicant for employment or the employee will be provided, without charge, a copy of all information and records related to the individuals’ testing. All test records and results will be confidential and kept in files separate from the employee or applicant’s personnel records.
2. The technology center shall not release such records to any person other than the applicant, employee or the technology center’s review officer unless the applicant or employee, in writing following receipt of the test results, has expressly granted permission for the

technology center to release such records in order to comply with a valid judicial or administrative order.

3. The testing facility, of any agent, representative or designee of the facility, or any review officer, shall not disclose to any employer, based on the analysis of a sample collected from an applicant or employee for the purpose of testing for the presence of drugs or alcohol, any information relating to the general health, pregnancy, or other physical or mental condition of the applicant or employee.
4. The testing facility shall release the results of the drug or alcohol test, and any analysis and information related thereto, to the individual tested upon request.
5. This policy does not preclude the technology center, when contracting with another employer, from sharing drug or alcohol testing results of any tested person who works pursuant to a contractual agreement.

### Medical Marijuana

Pursuant to OKLA. STAT. tit. 63, § 420A *et. seq.*, unless failure to do so would cause the technology center to imminently lose a monetary or licensing related benefit under federal law or regulations, the technology center will not discriminate against an applicant in hiring or take employment action against an employee on the basis of the employee's or applicant's status as a medical marijuana license holder.

Additionally, the technology center shall not refuse to hire, discipline, discharge, or otherwise penalize an applicant or employee solely on the basis of a positive test for marijuana components or metabolites unless:

1. The applicant or employee is not in possession of a valid medical marijuana license;
2. The licensee possesses, consumes or is under the influence of medical marijuana or medical marijuana product while at the place of employment or during the fulfillment of employment obligations; or
3. The position is one involving safety-sensitive job duties, as set out in this policy.

When permitted, adverse action pursuant to this policy may be taken against an employee or applicant for a positive drug test for marijuana components or metabolites.

As used in this section, a determination of whether an applicant or employee is "under the influence of medical marijuana or medical marijuana product" shall be based on the totality of circumstances. Circumstances that may contribute to a determination that the applicant or employee is under the influence may include, but are not limited to:

1. Observation of any of the conduct or phenomenon described below:
  - A. The odor of marijuana on or around the individual;
  - B. Disorganized thinking;

- C. Paranoia and/or confusion;
  - D. Bloodshot eyes;
  - E. Increased heart rate;
  - F. Increased appetite; or
  - G. Loss of Coordination and
2. Any circumstance that would permit the technology center to engage in “for cause” drug or alcohol testing of the employee under this policy.

The technology center has determined that the following categories of jobs qualify as having safety sensitive job duties:

1. Police or peace officers, those employees with drug interdiction responsibilities, or who are authorized to carry firearms;
2. Maintenance Personnel;
3. Employees whose responsibilities require the driving a school vehicle;
4. Employees who are authorized to administer medicine to Students;
5. Employees whose responsibilities include direct patient care or direct child care, or the instruction thereof; and
6. Teachers and Technical Assistants responsible for the following courses: Automotive Maintenance, Automotive Collision Repair, Aviation Maintenance, Bio-Medical Sciences, Construction, Cosmetology, Diesel, Early Child Development/Childcare, Electrical, Health Related Programs Involving Direct Patient Care (Full-Time and Short Term), HVAC, Industry Trainer, MakerSpace, Medical Assisting, Precision Machining, Pre-Engineering, Safety Instructors, Welding, Wind Energy.

Notice of Policy

This policy shall be given broad circulation to all employees of the technology center which shall include prominent posting in the technology center. Each employee shall be given a copy of this policy and each applicant shall be given a copy of this policy upon the tender of a conditional offer of employment. Delivery of the policy to applicants or employees may be accomplished in any of the following ways:

1. Hand-delivery of a paper copy of or changes to the policy;
2. Mailing a paper copy of the policy or changes to the policy through the U.S. Postal Service or a parcel delivery service to the last address given by the employee or applicant;
3. Electronically transmitting a copy of the policy through an email or by posting on the employer’s website or intranet site; or

4. Posting a copy in a prominent employee access area.

The Standards for Workplace Drug and Alcohol Testing Act

This policy is subject to and supplemented by the Act. To the extent that any provision of this policy is in conflict with the Act, then the Act shall control. To the extent that this policy is silent as to any matter covered by the Act, then the Act shall control. This policy shall be interpreted by the board of education of the technology center and its employees consistent with the Act.

## **ABUSE, NEGLECT, EXPLOITATION AND TRAFFICKING**

### Introduction

Under Oklahoma law, technology center employees have varying legal obligations to report abuse, neglect and exploitation. In addition, technology center employees have an obligation to report suspected abuse, neglect, exploitation or trafficking affecting students to campus directors or other technology center officials to ensure the student's safety and welfare while at the technology center or participating in technology center activities. The purpose of this policy is to provide directives and guidelines to assist technology center employees in fulfilling their legal responsibility.

### Definitions

Certain terms used in this policy have the following definitions:

1. "Abuse, neglect or exploitation" shall include, but is not limited to all of the following:
  - a. "Abuse" is defined as:
    - i. harm or threatened harm through action or inaction to a child's health, welfare (including non-accidental physical pain or injury, or mental injury), or safety, sexual abuse, sexual exploitation, or negligent treatment or maltreatment, including but not limited to the failure or omission to provide adequate food, clothing, shelter or medical care or protection from harm or threatened harm, by a person responsible for the child's health or welfare. (10A OKLA. STAT. § 1-1-105);
    - ii. willful or malicious harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child under eighteen (18) years of age by another, or the act of willfully or maliciously injuring, torturing or maiming a child under eighteen (18) years of age by another. (21 OKLA. STAT. § 843.5); or
    - iii. the intentional infliction of physical pain, injury, or mental anguish or the deprivation of food, clothing, shelter, or medical care to an incapacitated person, partially incapacitated person, or a minor by a guardian or other person responsible for providing these services. (30 OKLA. STAT. § 1-111).
  - b. "Neglect" is defined as any of the following:
    - i. the failure or omission to provide any of the following:
      1. adequate nurturance and affection, food, clothing, shelter, sanitation, hygiene, or appropriate education,
      2. medical, dental, or behavioral health care,
      3. supervision or appropriate caretakers, or
      4. special care made necessary by the physical or mental condition of the child,
    - ii. the failure or omission to protect a child from exposure to any of the following:
      1. the use, possession, sale, or manufacture of illegal drugs,

- 2. illegal activities, or
  - 3. sexual acts or materials that are not age-appropriate;
  - iii. abandonment. (10A OKLA. STAT. § 1-1-105); or
  - iv. the failure to provide protection, adequate shelter or clothing; or the harming or threatening with harm through action or inaction by either another individual or through the person's own action or inaction because of a lack of awareness, incompetence, or incapacity, which has resulted or may result in physical or mental injury. (30 OKLA. STAT. § 1-111).
- c. "Sexual abuse" is defined as behavior that includes but is not limited to rape, incest and lewd or indecent acts or proposals, made to a child, as defined by law, by a person responsible for the health, safety, or welfare of the child. (10A OKLA. STAT. § 1-1-105).
- d. "Sexual exploitation" is defined as behavior that includes but is not limited to allowing, permitting, encouraging, or forcing a child to engage in prostitution, as defined by law, by any person eighteen (18) years of age or older or by a person responsible for the health, safety, or welfare of a child, or allowing, permitting, encouraging or engaging in the lewd, obscene or pornographic photographing, filming or depicting of a child in those acts by a person responsible for the health, safety, and welfare of the child (10A OKLA. STAT. § 1-1-105).
- e. "Contributing to the delinquency of a minor" is defined as behavior that knowingly or willfully causes, aids, abets or encourages a minor to be, to remain, or to become a delinquent child or a runaway child. (21 OKLA. STAT. § 856).
- f. "Incest" is defined as marrying, committing adultery or fornicating with a person within the degrees of consanguinity within which marriages are by the laws of the state declared incestuous and void. (21 OKLA. STAT. § 885).
- g. "Forcible Sodomy" is defined as sodomy committed:
- i. By a person over eighteen (18) years of age upon a person under sixteen (16) years of age;
  - ii. Upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime;
  - iii. With any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime;
  - iv. By a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state, or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision of this state;
  - v. Upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system;



- vi. Upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused;
  - vii. Upon a person where the person is intoxicated by a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit; or
  - viii. Upon a person who is at least sixteen (16) years of age but less than eighteen (18) years of age by a person responsible for the child's health, safety or welfare. (21 OKLA. STAT. § 888).
- h. “Maliciously, forcibly or fraudulently taking or enticing a child away” is defined as maliciously, forcibly or fraudulently taking or enticing away any child under the age of sixteen (16) years, with intent to detain or conceal such child from its parent, guardian or other person having the lawful charge of such child or to transport such child from the jurisdiction of this state or the United States without the consent of the person having lawful charge of such child. (21 OKLA. STAT. § 891).
- i. “Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child pornography” is defined as:
- i. Willfully solicits or aids a minor child to perform any of the following actions:
    - 1. Lewdly exposing his or her person or genitals in any public place, or in any place where there are present other persons to be offended or annoyed thereby;
    - 2. Procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons, for the purpose of sexual stimulation of the viewer;
    - 3. Writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting, or otherwise preparing, publishing, selling, distributing, keeping for sale, knowingly downloading on a computer, or exhibiting any obscene material or child pornography; or
    - 4. Making, preparing, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or child pornography; or
  - ii. Shows, exhibits, loans, or distributes to a minor child any obscene material or child pornography for the purpose of inducing said minor to participate in:
    - 1. Lewdly exposing his or her person or genitals in any public place, or in any place where there are present other persons to be offended or annoyed thereby;
    - 2. Procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons, for the purpose of sexual stimulation of the viewer;
    - 3. Writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting, or otherwise preparing, publishing, selling, distributing, keeping for

- sale, knowingly downloading on a computer, or exhibiting any obscene material or child pornography; or
4. Making, preparing, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or child pornography. (21 OKLA. STAT. § 1021).
- j. “Procuring or causing the participation of any minor child in any child pornography or knowingly possessing, procuring or manufacturing child pornography” is defined as procuring or causing the participation of any minor under the age of eighteen (18) years in any child pornography or who knowingly possesses, procures, or manufactures, or causes to be sold or distributed any child pornography. (21 OKLA. STAT. § 1021.2).
- k. “Permitting or consenting the participation of a minor child in any child pornography” is defined as a parent, guardian or individual having custody of a minor under the age of eighteen (18) years who knowingly permits or consents to the participation of a minor in any child pornography. (21 OKLA. STAT. § 1021.3).
- l. “Facilitating, encouraging, offering or soliciting sexual conduct with a minor” is defined as facilitating, encouraging, offering or soliciting sexual conduct with a minor, or other individual the person believes to be a minor, by use of any technology, or engaging in any communication for sexual or prurient interest with any minor, or other individual the person believes to be a minor, by use of any technology. (21 OKLA. STAT. § 1040.13a).
- m. “Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act” is defined as:
- i. Offering, or offering to secure, a child under eighteen (18) years of age for the purpose of prostitution, or for any other lewd or indecent act, or procure or offer to procure a child for, or a place for a child as an inmate in, a house of prostitution or other place where prostitution is practiced;
  - ii. Receiving or offering or agreeing to receive any child under eighteen (18) years of age into any house, place, building, other structure, vehicle, trailer, or other conveyance for the purpose of prostitution, lewdness, or assignation, or to permit any person to remain there for such purpose; or
  - iii. Directing, taking, or transporting, or offering or agreeing to take or transport, or aid or assist in transporting, any child under eighteen (18) years of age to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution, lewdness, or assignation. (21 OKLA. STAT. § 1087).
- n. “Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution” is defined as:
- i. By promise, threats, violence, or by any device or scheme, including but not limited to the use of any prohibited controlled dangerous substance causing, inducing, persuading, or encouraging a child under eighteen (18) years of age to engage or continue to engage in prostitution or to become

- or remain an inmate of a house of prostitution or other place where prostitution is practiced;
  - ii. Keeping, holding, detaining, restraining, or compelling against his or her will, any child under eighteen (18) years of age to engage in the practice of prostitution or in a house of prostitution or other place where prostitution is practiced or allowed; or
  - iii. Directly or indirectly keeping, holding, detaining, restraining, or compelling or attempting to keep, hold, detain, restrain, or compel a child under eighteen (18) years of age to engage in the practice of prostitution or in a house of prostitution or any place where prostitution is practiced or allowed for the purpose of compelling such child to directly or indirectly pay, liquidate, or cancel any debt, dues, or obligations incurred, or said to have been incurred by such child. (21 OKLA. STAT. § 1088).
- o. **“Rape”** is defined as sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:
- i. Where the victim is under sixteen (16) years of age;
  - ii. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
  - iii. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
  - iv. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit;
  - v. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
  - vi. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
  - vii. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision that exercises authority over the victim;
  - viii. Where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with

a person who is eighteen (18) years of age or older and is an employee of the same school system; or

- ix. Where the victim is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency or tribal court and engages in sexual intercourse with a foster parent or foster parent applicant. (21 OKLA. STAT. § 1111).
  - p. “Rape” is defined as an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person. (21 OKLA. STAT. § 1111).
  - q. “Rape by instrumentation” is defined as an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided further that (1) where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of the same school system, or where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, or (2) where the victim is nineteen (19) years of age or younger and in the legal custody of a state agency, federal agency or tribal court and engages in conduct prohibited by this section of law with a foster parent or foster parent applicant, consent is not an element. (21 OKLA. STAT. § 1111.1).
  - r. “Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16)” is defined as making any oral, written or electronically or computer-generated lewd or indecent proposal to any child under sixteen (16) years of age, or other individual the person believes to be a child under sixteen (16) years of age, for the child to have unlawful sexual relations or sexual intercourse with any person. (21 OKLA. STAT. § 1123).
  - s. “Exploitation” is defined as an unjust or improper use of the resources of an incapacitated person, a partially incapacitated person, or a minor for the profit or advantage, pecuniary or otherwise, of a person other than an incapacitated person, a partially incapacitated person, or a minor through the use of undue influence, coercion, harassment, duress, deception, false representation or false pretenses (30 OKLA. STAT. § 1-111).
  - t. “Child Trafficking” as defined below.
2. “Child Trafficking” includes, but is not limited to behavior that consists of the acceptance, solicitation, offer, payment or transfer of any compensation, in money, property or other

thing of value, at any time, by any person in connection with the acquisition or transfer of the legal or physical custody or adoption of a minor child, except as ordered by the court or except as otherwise provided by Section 7505-3.2 of Title 10 of the Oklahoma Statutes. (21 Okla. Stat. § 866).

3. A "person responsible for a child's health, safety or welfare" includes a parent, a legal guardian, a custodian, a foster parent, a person 18 years of age or older with whom the child's parent cohabitates or any other adult residing in the home of the child, an agent or employee of a public or private residential home, institution or facility, or an owner, operator or employee of a child care facility as defined by OKLA. STAT. tit. 10 § 402.
4. "Parent" refers to parents, guardians or others who have legal responsibilities for specific children.

#### Reporting Suspected Abuse, Neglect Exploitation or Trafficking

Any technology center employee having reasonable cause to believe that any student **under the age of eighteen (18) years** is **a victim of abuse, neglect or exploitation** shall immediately report this matter to:

- (1) Oklahoma Department of Human Services ("DHS") through the hotline designated for this purpose (1-800-522-3511), AND
- (2) local law enforcement.

Any technology center employee having reasonable cause to believe that any student **eighteen (18) years or older** is **a victim of abuse, neglect or exploitation** shall immediately report this matter to local law enforcement.

Additionally, any technology center employee must report **suspected child trafficking** to:

- (1) Oklahoma Bureau of Narcotics and Dangerous Drugs Control ("OBNDCC") at 1-800-522-8031,
- (2) DHS through the hotline designated for this purpose (1-800-522-3511), AND
- (3) local law enforcement.

After a report is made to DHS or OBNDCC via the hotline or to law enforcement, the reporting party will prepare a written report which contains the confirmation number of the report (if applicable), the date and time of the telephone contact, the name of the person to whom the technology center employee made the oral report, the names and addresses of the student, the parents, and any other responsible persons, the student's age, the nature and extent of injuries, any previous incidents, and any other helpful information. A copy of this report will be furnished to the campus director ~~principal~~ or, if the reporter believes the campus director is not an appropriate individual, to the superintendent.

Local law enforcement shall keep confidential and redact any information identifying the reporting technology center employee unless otherwise ordered by the court. A technology center employee with knowledge of a report made to DHS and/or local law enforcement shall not disclose

information identifying the reporting technology center employee unless otherwise ordered by the court or as part of an investigation by local law enforcement or DHS.

#### Investigating Abuse, Neglect or Exploitation

At the request of appropriately identified investigators of DHS, OBNDDC or the district attorney's office or local law enforcement, the superintendent, campus director or other technology center official shall permit the investigators access to the student about whom the agency received a report. The interview will be arranged in a manner that minimizes embarrassment to the student. The superintendent will not contact the parent, guardian or other person responsible for the student's health or welfare prior to or following the interview, unless permission for parent contact is provided by DHS, OBNDDC or the district attorney's office<sup>1</sup> or law enforcement authorities. No technology center employee will be present during the interview. However, a technology center employee may be present prior to the interview if the employee believes that his or her temporary presence will make the student more comfortable or if the representatives request the presence of a technology center employee during the interview.

#### Reports to Campus Director or Other Technology Center Officials

Suspected instances of abuse, neglect, exploitation or trafficking, whether the result of circumstances at home, technology center or at other locations, affects the student while he or she is at technology center or participating in technology center activities. Consequently, employees are required to report any suspicion of abuse, neglect, exploitation or trafficking by any individual, whether the identity is known or unknown, to the campus director or other technology center official. This reporting obligation exists in all instances, including circumstances suggestive of this conduct at technology center or connected with technology center activities. Accordingly, this policy includes an obligation to notify the campus director or other technology center official, if for any reason the employee has a reasonable belief that the campus director should not be notified, in any instance involving suspected abuse, neglect, exploitation or trafficking of a student.

#### Immunity for Good-Faith Reports

Oklahoma law provides that any technology center employee who in good faith and exercising due care makes a report to DHS or another appropriate law enforcement office, allows access to a student by persons authorized to investigate a report concerning the student or participates in any judicial proceeding resulting from a report, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed.

Neither the board of education nor any technology center employee will discharge or in any manner discriminate or retaliate against the person who in good faith provides such reports or information, testifies, or is about to testify in any proceeding involving abuse, neglect, exploitation, or trafficking, provided that the person did not perpetrate or inflict the abuse, neglect, exploitation or trafficking.

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<sup>1</sup> 10A OKLA. STAT. § 1-6-103(B)(3)(b)

### Information Concerning Abuse, Neglect or Exploitation

In any instance in which the technology center receives a report from DHS regarding any confirmed report of sexual abuse or severe physical abuse concerning the student, the superintendent will forward to a subsequent school in which the student enrolls all confirmed reports of sexual abuse and severe physical abuse received from DHS, and the superintendent will notify DHS of the student's new school and address, if known.

All information or documents generated or received by the technology center in regard to the matter are confidential and shall not be disclosed except to investigators of DHS, the technology center's attorneys, the district attorney's office, a subsequent district in which the student enrolls, a person designated to assist in the treatment of or with services provided to the student or other state or federal officials in connection with the performance of their official duties. The information or documents shall be maintained and transmitted by the technology center in the same manner as special education records.

Reference: 10A OKLA. STAT. § 1-2-101 *et seq.*  
30 OKLA. STAT. § 4-903  
70 OKLA. STAT. § 1210.163

**WORKERS' COMPENSATION**

The technology center provides benefits established under the Oklahoma Workers' Compensation Act (Act) to all technology center employees who are injured in on-the-job accidents.

All regular employees who are injured in on-the-job accidents shall receive statutory benefits including medical expenses, temporary compensation and benefits for permanent disability or death as required by the Act.

Accrued and unused personal leave and sick leave benefits shall be paid as allowed by law to the injured employee in addition to workers' compensation benefits for temporary disability if the injured employee should so elect. An appropriate election form will be given to every employee as soon as possible after an on-the-job injury. No supplemental payment shall be made until such time as the employee returns the election form to the technology center. If the election for supplemental pay is made sick leave shall be used and exhausted before personal leave unless different instructions are directed by the employee, in writing, to the technology center.



## **HIRING**

The technology center does not discriminate on the basis of race, color, sex, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information in the operation of its educational programs, activities, recruitment, admissions, or employment practices. In order to ensure against discrimination, established procedures for advertising full-time employment vacancies have been developed. They are described below.

The technology center will advertise all job openings both internally and externally with the following exceptions:

1. When reorganization within the technology center creates new positions that can be filled through transfer of an existing qualified school employee.
2. When there is one or more qualified candidate employed by the technology center and the superintendent has concluded that the position should be filled through promotion or transfer of an existing employee. In this case, the position will be advertised internally only.

In both of the above instances, the superintendent may determine that although the school has individuals qualified for a vacancy, the technology center would be best served by seeking a broader applicant pool from which to fill the position.

When vacancies are advertised externally, the following procedure may be followed:

1. Personnel:
  - A. A notice of the vacancy may be placed in a newspaper of local circulation.
  - B. A notice will be sent to all current employees electronically.

Upon receipt of the applications for an advertised position, the superintendent or superintendent's designee will review the submissions to ensure that the applicants have met the stated qualifications. Interviews will be conducted to select the individual who is best matched to the responsibilities listed in the job description for each position vacancy.

The final decision regarding *recommendation* for employment is made by the superintendent. The superintendent will recommend one or more applicants to the board of education at the next regularly scheduled meeting. Notification will be made to all unsuccessful applicants.

The technology center is under no obligation to consider unsolicited applications. In the event the superintendent receives an application prior to posting a vacancy he or she *may* contact the applicant and inform him or her that there are no openings currently available but that an opening *may* be available in the immediate future and encourage the applicant to check back with the district for opportunities.

### **CRIMINAL RECORDS SEARCHES**

It shall be the policy of the technology center that it will obtain the results of a national criminal history record check (“record check”), as defined by OKLA. STAT. tit. 74, §150.9, of every prospective employee and conduct an annual search of the Oklahoma Sex Offender and Mary Rippy Violent Crime Offender Registries with respect to all employees who offer or provide services to children, including but not limited to secondary students.

The provisions of this policy shall not apply to school district employees hired on a part-time or temporary basis for the instruction of adult students only. The district may waive an initial criminal record check for any employee who has obtained certification from the Oklahoma State Department of Education within the past twelve (12) months.

#### Felony Record Search of Prospective Employees

During the first interview with each employment applicant, the technology center will advise the applicant that:

1. The technology center requires a record check of every prospective employee as a condition of employment;
2. To enable technology center to request the search and obtain the results, the applicant must complete and sign an authorization and release form provided by the technology center;
3. The technology center will only request a felony record search if the superintendent recommends employment of the applicant;
4. If the superintendent recommends employment of the applicant, the applicant must permit himself/herself to be fingerprinted, if applicable, provide a social security number and provide any other information necessary to facilitate the felony record search; and
5. The applicant, if placed on duty prior to receipt of the felony search results, will be classified as a temporary employee until the technology center is notified that the search is clear of any felony conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant. All felony record searches will be made in compliance with the Federal Fair Credit Reporting Act.

If the results of the record check are not received by the technology center within sixty (60) days, if the record check reveals a prior felony offense conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of

students or if the conviction indicates a potential conflict with the duties to be performed by the applicant, or if the record check reveals a false response to one or more of the questions on the authorization and release, the applicant shall be deemed to have resigned his or her employment. The administration will review the facts and circumstances of each situation and decide whether to recommend the resignation be accepted. Such resignation may be accepted by the board of education at any time. Under these circumstances, the applicant waives any due process procedures which might be available under federal and state law and technology center policies and procedures. The sixty (60) day temporary employment period shall begin on the first day the prospective employee reports for duty at the technology center.

The technology center may waive the requirement to obtain a new records search if the applicant for a full-time teaching position has been employed as a full-time or substitute teacher in another Oklahoma school district, produces a copy of an existing national criminal history record check from within the past five (5) years, and produces an original letter from the former district stating that the employee left in good standing.

#### Felony Record Searches of Employees

The technology center will also request a record check of the name, fingerprints, social security number or other relevant information of any current technology center employee if the board or superintendent requests a search of that employee's felony record.

#### Felony Record Searches of Substitutes

The technology center may, in its discretion, require a national criminal history record search for substitutes of the same type and using the same standards applicable to prospective employees, or it may obtain a current records search, if available, from a school district that employed the substitute in the year preceding prospective employment by the technology center. Likewise, any person seeking employment as a substitute who has been employed as a full-time teacher by a school district in the State of Oklahoma in the five (5) years immediately preceding application for employment as a substitute, is not required to obtain a national criminal history record check if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the district in which the teacher was last employed stating the teacher left in good standing. Similarly, any person seeking employment as a substitute who has been employed as a full-time teacher by a school district for ten (10) or more consecutive years immediately preceding application for employment as a substitute and who left full-time employment with the school district in good standing is not be required to have a national criminal history record check for as long as the person remains employed as a substitute for consecutive years by the technology center.

#### Felony Record Searches of Volunteers

The technology center may, in its discretion, require a national criminal history record search for any volunteer, who has substantive contact with minor students, of the same type and using the same standards applicable to prospective employees or some other national criminal history records search that uses social security numbers instead of fingerprints. All felony record searches will be made in compliance with the Federal Fair Credit Reporting Act.

Annual Search of Sex Offender and Violent Crime Offender Registries

Pursuant to OKLA. STAT. tit. 57, § 589, the technology shall conduct an annual name search against the Oklahoma Sex Offenders Registry and the Mary Rippy Violent Crime Offenders Registry of all employees who provide or offer services to secondary students and children.

**ASSAULT AND BATTERY  
INVOLVING TECHNOLOGY CENTER EMPLOYEES**

Any technology center employee upon whom an assault, battery, assault and battery, aggravated battery or aggravated assault and battery is committed while in the performance of any duties as a technology center employee shall immediately notify the campus director and superintendent. If the technology center employee seeks emergency medical treatment as a result of the incident, the employee may make the report after obtaining such treatment or through a designee. All such reports must state the name of the person who committed the offense, the person upon whom the offense was committed, the nature, context and extent of the offense, the date(s) and time(s) of the offense and any other information necessary to a full report and investigation of the matter. The report may be made orally or in writing. The campus director or superintendent or his/her designee will deliver a copy of this policy to the technology center employee upon receipt of the report. The campus director or superintendent will investigate the incident and take appropriate action based upon the results of that investigation. The technology center employee must cooperate in the investigation. The campus director or superintendent will notify the State Department of Education in writing of all such incidents for the previous year on July 1 of each year or the first business day thereafter if July 1 falls on a weekend or legal holiday. The report must include a description of the incident and the final disposition of the incident.

The technology center will also refer appropriate incidents to law enforcement for investigation and prosecution. The technology center's decision to report or not to report a particular incident to law enforcement does not preclude the technology center employee from making a report to law enforcement. To the extent permitted by law, the technology center will share information and cooperate with law enforcement in the conduct of its investigation and in any subsequent prosecution.

No technology center employee will be subject to any civil liability for any statement, report or action taken in reporting or assisting in reporting a battery or assault and battery committed upon the technology center employee while in the performance of any duties unless such report or assistance was made in bad faith or with malicious purpose.

The technology center will post in a prominent place at each technology center site the following notice: "Felony charges may be filed against any person(s) committing an aggravated assault or battery upon any technology center employee."

For purposes of this policy, a "technology center employee" means an instructor or any duly appointed person employed by the technology center or employees of a firm contracting with the technology center for any purpose, including any personnel not directly related to the instruction process, and members of the board of education during board meetings.

For purposes of this policy, the terms "assault," "battery" and "aggravated assault and battery" are defined as follows: An "assault" means any willful and unlawful attempt or offer with force or violence to do a corporal hurt to another. A "battery" is any willful and unlawful use of force or violence upon the person of another. An "assault and battery" becomes "aggravated" when committed under any of the following circumstances: (1) when great bodily injury is inflicted upon the person assaulted; or (2) when committed by a person of robust health or strength upon one who is aged, decrepit or incapacitated, as defined by law.

## **LEAVE**

### Annual Leave

For full-time 12-month employees, annual leave is accrued as follows:

- Full-time personnel (12-month, contract employees) shall receive annual leave with pay. The annual leave allowance for eligible employees is based on the length of service established by anniversary date and shall accrue according to the total number of days of annual leave granted according to annual leave policy.

Annual leave is to be taken during the fiscal year in which it is granted. All annual leave must have prior approval from supervisor. A maximum of eighty (80) hours may be carried over to the next fiscal year, anything over that will be lost. Employees will be compensated for unused annual leave upon leaving the school district or retiring.

Any employee hired prior to July 1, 1998 for a full-time position qualifying for annual leave, will accrue annual leave as follows:

- 80 hours (2 weeks) after 1 year of continuous employment;
- 120 hours (3 weeks) after 3 years of continuous employment; and
- 160 hours (4 weeks) after 5 years of continuous employment.

Any employee hired for a full-time position qualifying for annual leave on or after July 1, 1998, will accrue annual leave as follows based on years of service:

- Annual leave will be accrued at a rate of 6.67 hours per month for new hires. After three (3) years of continuous employment, annual leave will accrue at a rate of 10 hours per month. After five (5) years of continuous employment, annual leave will accrue at a rate of 13.33 hours per month. Annual leave can be taken upon prior approval of supervisor as soon as it has accrued. A maximum of eighty (80) hours may be carried over the next fiscal year, anything over that will be lost.

Any employee transferring from a full-time non-annual leave position to an annual leave position, will be given credit for years of service based on the employee's anniversary date. Part-time employees transferring to a full-time annual leave position, will be given credit for years of service based on number of hours actually worked during their part-time service divided by 2080 to determine number of years to calculate annual leave.

### Sick Leave

The Board of Education provides sick leave for all full-time employees at Canadian Valley Technology Center. Sick leave is to be granted to employees who are absent from their duties due to personal accidental injury, illness or pregnancy, or accidental injury or illness in the immediate family. This also includes dental, physical, and eye examinations for employee and dependents in the immediate family.

For the purposes of this policy, the following definitions apply:

- “Full-time employee” – Employee of Canadian Valley Technology Center who is employed full-time for the type of services provided for a minimum of one hundred seventy-two (172) days per year.
- “Certified staff” – Teachers and counselors whose duties and responsibilities require certification from the Oklahoma Department of Education.
- “Immediate Family” – Father, mother, brother, sister, husband, wife, partner, child, grandparent, or grandchild.

Sick leave is to be vested at the beginning of each contract period equal to one (1) day per month of contract. Sick leave is cumulative with the maximum amount of sixty (60) days to be carried over to the next contract period.

Pay for sick leave will be at the current salary rate then in effect during the contract period for which leave is taken. Pay for sick leave is limited to the number of hours per day for which the employee is regularly employed.

When an employee severs full-time status with the district for any reason other than retirement, all accumulated sick leave is cancelled. In the case that an employee is employed by another school district the next succeeding school year, up to sixty (60) days of accumulated sick leave may be transferred to the receiving district.

If after exhausting all sick leave, a certified staff member is absent from his/her duties for personal accidental injury, illness, or pregnancy the employee shall receive for a period not to exceed twenty (20) days his/her full contract salary less the amount actually paid a certified substitute teacher for his or her position if a certified substitute teacher is hired; or normally paid a certified substitute teacher for his or her position if a certified substitute teacher is not hired.

Any misuse or use of sick leave for other purposes may result in disciplinary action including but not limited to suspension, non-renewal, or termination.

Employees requiring sick leave will notify their supervisor at the earliest possible time. Arrangements for a substitute, if necessary, will be made by the supervisor.

It is the employee’s responsibility to fill out an online Request for Time Off. If the leave extends more than three (3) working days and requires a physician’s care, a release from the attending physician is necessary to return to work.

#### Personal Business Leave

All qualified personnel will be provided five (5) days personal business leave; these days are noncumulative. Days will be prorated according to procedure if employee is hired after July 1. All personal business leave must have prior approval of supervisor, exceptions for emergency situations.



Personal business leave is awarded at the beginning of each fiscal year. For new employees who begin work at Canadian Valley during the fiscal year, the schedule of accrual follows:

For 11 and 12-month employees who start work:

- July 1 to October 31: 5 Personal business days
- November 1 to February 28/29: 3 Personal business days
- March 1 to June 30: 1 Personal business day

For 10-month employees who start work:

- August 1 to November 10: 5 Personal business days
- November 11 to February 20: 3 Personal business days
- February 21 to May 31: 1 Personal business day

### Attendance Incentive

An attendance incentive payment is available to qualified personnel for unused sick leave over the maximum carryover of sixty (60) days and unused personal business leave up to a maximum of three (3) days.

This incentive payment may occur following the end of each fiscal year by reimbursing employees based on the unused sick and personal business leave earned at the rate of .002 X number of unused days X annual base salary. This policy excludes pay for supplementary contracts such as, but not limited to, curriculum development, short term adult instruction and consulting.

This incentive payment will be contingent upon district funds available and approval by the Superintendent and Board of Education on an annual basis.

### Community Service Leave

The District encourages employees to be active citizens and provides leave for participation in organizations and activities of benefit to the community. All regular full-time employees are eligible to apply for up to one day of Community Service Leave for the purpose of volunteerism. Examples of appropriate utilization include volunteering at the CV Tech Foundation Golf Tournament, United Way, Food Bank, sending school, or participation in an event/activity sponsored by a nonprofit organization. Leave may not be used for events with a political or religious purpose. Such leave is noncumulative and nontransferable.

Community service leave is awarded at the beginning of each fiscal year. For new employees who begin work at Canadian Valley during the fiscal year, the schedule of accrual is as follows:

- July 1 to December 31: 1 day
- January 1 to June 30: 0.5 day

All community service leave must have prior approval of supervisor.

### Jury Duty

An employee may be absent from duties for jury duty without loss of pay. The employee shall submit any compensation, excluding mileage reimbursement, received for jury duty to the school treasurer upon receipt.

### Military Leave

It is the policy of the technology center to provide leave for employees who are a component of the armed forces in the United State including members of the National Guard, when that support employee is ordered by proper authorities to active duty of service.

For support employees, military leave shall be without loss of status, efficiency rating pay or benefits during the first thirty (30) calendar days or the first thirty (30) regularly scheduled work days for support employees, or not to exceed two hundred forty (240) hours, of such leave of absence in any federal fiscal year.

For certified employees, military leave shall be without loss of status, efficiency rating pay or benefits during the first thirty (30) working days of such leave. The technology center will also comply with all other rights guaranteed under state and federal law.

### Professional Leave

Professional leave is defined as leave granted to an employee to attend work-related improvement activities, staff development programs, or educational organization functions. Professional leave may also be granted to attend local or community civic affairs.

All professional leave must be requested and approved by immediate supervisor prior to the day(s) of leave. In the absence of the employee's supervisor, leave may be approved by the assistant superintendent or designee. The Superintendent is authorized to take corrective action against any abuse or professional leave.

### Bereavement Leave

The board of education will provide up to 3 days leave with pay for each bereavement in the immediate family of an employee, with an additional 2 days leave with pay for a spouse/partner, parent, or a child. If additional time is needed because of travel or other special consideration, a request may be submitted. Some of the additional time may be charged to leave available (excluding community service leave) to the employee. Such leave must be approved by the Assistant Superintendent/Campus Director. If the employee has to be absent for a funeral other than immediate family, the absence will be charged to leave available (excluding community service leave) to the employee.

Immediate family is defined as the employee's spouse/partner, parent or guardian, child, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew or each similar relationship as established by marriage; or a person residing in the same household as the employee.

### Epidemic Leave

Support employees who are full-time employees of the District, as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee, and who are also employed a minimum of one hundred seventy-two (172) days, shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health

officer authorized by law to issue the order.

### Early Release

The Board of Education grants authorization to the Superintendent to authorize early release as deemed appropriate.

Early release allows employees to leave the work day earlier than their normally scheduled end time without taking leave or away without pay, if they are able.

### Authorized Absence

The Board of Education authorizes the superintendent to grant paid authorized absence during school closure and other campus specific or district-wide emergencies. Such leave can be assigned to individuals, groups or all staff and faculty as deemed necessary by the Superintendent.

### Employee Association Leave

An employee may request a leave of absence to hold office as an officer, director, trustee, or agent of a nation, statewide, or technology center employee association. The certified employee requesting employee association leave must provide the technology center superintendent, or their designee, with proof of election and proof of the term of office for the national, statewide, or technology center employee association. Proof of election must include certification by the employee association of the date of the election and the results of the election.

The board of education may, at its sole discretion, grant a request for leave of absence under this section, but such leave will be without pay and without benefits granted by the technology center, regardless of whether the benefit is paid by the employee on leave or the association for which the employee is servicing as an officer, director, trustee, or agent. If the request for employee association leave is granted, the board of education will provide definitive beginning and end dates for the approved leave of absence.

During the employee association leave period, the employee's position with the technology center will be maintained without advancement on the minimum salary schedule and without accrual of sick leave, personal business leave, or personal leave. Furthermore, the employee on leave will not accumulate service credit within the Teacher's Retirement System of Oklahoma. Following the conclusion of a leave of absence approved by the board of education under this section, the employee may return to their former position or a comparable position.

During the leave of absence, the employee granted leave will be prohibited from accessing technology center office space.

Reference: OKLA. STAT. tit. 44, §209; OKLA. STAT. TIT. 72, §48; OKLA. STAT. tit. 70, §6-104; OKLA. STAT. tit. 70, § 6-101.40; Atty. Gen. Op. No. 73-297; Atty. Gen. Op. No. 76-161; OKLA. STAT. tit. 70, § 509.12

**TELEWORK DURING EXTENDED SCHOOL CLOSURE OR FOR INTERMITTENT USE**

THIS POLICY SHALL BE IN EFFECT WHEN DISTRICT SCHOOL SITES ARE CLOSED FOR AN EXTENDED PERIOD DUE TO EXIGENT CIRCUMSTANCES OR WHEN INTERMITTENT TELEWORK ARRANGEMENTS ARE WARRANTED; THESE PROCEDURES WILL NOT BE USED WHEN THE DISTRICT IS OPEN FOR IN-PERSON INSTRUCTION EXCEPT AS DETERMINED NECESSARY BY THE SUPERINTENDENT.

The board of education, while preferring that all District employees perform their work duties at their Primary Work Locations, does recognize that under certain extenuating circumstances it may be necessary to require or authorize some District employees to work from an alternative work location.

The purpose of this policy is to ensure the District is able to effectively continue educating and serving its students when it is required to temporarily close District work sites for an extended period due to extenuating circumstances, including, but not limited to, pandemic health emergencies and closure orders from federal, state, or local authorities or when the Superintendent determines that intermittent telework arrangements are necessary and meet District needs.

**DEFINITIONS**

- **District Work Location:** A location, either on or off District property, to which a Teleworking Employee must physically report to complete a task or work assignment by his/her supervisor.
- **On-Call:** A work assignment where the employee is considered “at work,” though not physically present at his/her Primary Workplace, by being immediately available and accessible by electronic or telephonic means during the employee’s regular work hours, including any other designated hours due to a staggered or alternate work schedule, and who is required to physically report to a District Work Location or the Teleworking Employee’s Primary Workplace when directed by their supervisor.
- **Primary Workplace:** The Teleworking Employee’s usual and customary workplace or work site.
- **Telework/Teleworking:** A flexible work arrangement in which the superintendent or designee directs or allows Teleworking Employees to perform their essential job functions at pre-approved Telework Locations in accordance with their same performance expectations.
- **Telework Employee(s)/Teleworking Employee(s):** District personnel who have been authorized by District administration to Telework during a Telework Event to produce an

agreed upon work product and/or complete work-related duties. This includes support personnel who are working On-Call.

- **Telework Event:** A potentially recurring situation during which time designated employees may Telework in lieu of physically reporting to their Primary Workplace.
- **Telework Location:** A work site or space not owned or leased by the District, but which is an approved location from which Teleworking Employees may perform their assigned job functions, which can include an employee's home. A Telework Location is one which is safe, secure, free of undue distractions, adequately equipped to allow the Teleworking Employee to complete assigned work tasks and duties, and one which allows the employee to be immediately available and accessible by electronic or telephonic communication means during regular work hours and any other assigned or designated hours (e.g., required office hours pursuant to any virtual or distance learning policy).

## **GENERALLY**

In circumstances which necessitate extended cessation of in-person instruction and/or closure of some or all District work sites, the District considers Telework to be a viable alternative work arrangement for the delivery of instruction and services to students from designated certified employees and support staff. Therefore, under certain circumstances, the board of education (board) delegates authority to the superintendent or designee to designate employees, individually or collectively, who may or must Telework until further advised.

Teleworking, in part or whole, will continue as an acceptable work arrangement as long as, in the superintendent's sole discretion, such conditions continue to exist which necessitate the use of Teleworking as a means to deliver instruction and/or services to students. The superintendent will consider local, state and/or federal guidance related to the Telework Event when making this determination.

The decision of whether Telework is appropriate or required for a particular employment position is at the sole discretion of the superintendent. The superintendent or designee is authorized to establish any necessary guidelines or procedures to be used in identifying suitable work positions and employees who are eligible to Telework and may require any employee to Telework or not Telework. Teleworking arrangements may be discontinued at any time with reasonable advance notice.

Telework may be appropriate for some employment positions and employees; however, Teleworking is not an entitlement. Telework may be denied to certain employees at the sole discretion of the superintendent or designee, and any such denial is not appealable to the board. The superintendent's discretion under this policy shall, in compliance with federal and state antidiscrimination laws, be exercised in a non-discriminatory manner.

Notwithstanding the provisions above, if the assignment or denial of Telework to an employee effectively results in a demotion, suspension, or termination, this policy shall not prevent a qualified employee from exercising due process rights under the district's policies related to that demotion, suspension or termination.

Not all employees may be eligible for Teleworking. Employees who may not be eligible to Telework can include, but are not limited to, those employees that are identified as emergency

personnel, members of critical infrastructure pursuant to any federal or state order, or employees whose physical presence at their Primary Workplace is essential to the performance of their duties (e.g., food service, maintenance, administrative personnel, etc.). If an employee is not eligible for Telework and the employee is unable to work during assigned hours, the employee may be required to take any available accrued leave, whether paid or unpaid, in compliance with relevant District leave policies, unless the employee is eligible for other state or federal leave benefits available at the time.

Neither this policy, nor the procedures outlined herein, are intended to and do not confer additional employment rights on any District employee, including the right to Telework or be assigned to a position that is eligible for Teleworking under this policy.

The board reserves discretion to overrule or modify the superintendent's decisions to permit, require, or terminate Telework under this policy.

### **TELEWORK LOCATION APPROVAL:**

Any and all telework locations must be approved prior to the employee beginning telework assignments. It is the duty of the employee to provide the address of the telework location to the superintendent/designee and to receive written approval within a reasonable time frame prior to commencing telework. No employee shall commence telework without written prior approval of the telework location by the superintendent or designee. The requested telework location may be denied to employees at the sole discretion of the superintendent or designee. Extended telework out-of-state will not be approved due to the myriad tax, employment and other issues presented when employees seek to work in out-of-state locations.

If an employee wishes to work from an alternative location, other than the pre-approved location, the employee must give prior notice to the superintendent/designee including the new address of the location and reason for the relocation. The employee must receive written approval prior to commencing telework in the new location.

All teleworking employees must be available to report to the district worksite location at all times during work hours unless a health consideration exists.

Out-of-state telework is prohibited without prior written approval by the superintendent and such approval may be denied at the sole discretion of the superintendent or designee.

### **CONDITIONS OF TELEWORK**

Employees may not Telework on a full-time, permanent basis. Teleworking Employees shall adhere to all applicable District policies and procedures, unless specifically preempted pursuant to this policy.

Employees who Telework via electronic means must be computer literate and have access to a pre-approved, appropriate Telework Location, along with the required computer and telecommunications resources necessary for completion of work responsibilities. District-owned technology and equipment will be assigned to employee(s) when available. If necessary and with the superintendent or designee's approval, district-owned software may be installed on a Telework Employee's personal computer equipment in compliance with and subject to applicable software license agreements and must be removed from the employee's personal electronic equipment

upon direction by District Administration. In all cases, if an employee separates from the District for any reason, all District software must be removed from the employee's personal electronic equipment. All district owned technology and equipment must be returned.

Employees must seek prior approval to remove district technology or equipment from the pre-approved telework location. Absent approval, teleworking employees may not remove district technology or equipment from the pre-approved telework location for any reason.

Teleworking Employees must be available by phone and email during their regularly-scheduled work hours and during any alternate or staggered schedule hours as necessary under the circumstances and assigned by the employee's supervisor (e.g., scheduled office hours pursuant to any virtual or distance learning policy). Attendance at the employee's Primary Workplace for mandatory on-site meetings, training sessions, or other official District business activities is required when scheduled by the District.

On-Call Employees must be immediately available and accessible by electronic or telephonic communication means during the employee's regular work hours, including any other designated hours due to a staggered or alternate work schedule, from their Telework Location and are required to physically report to a District Work Location or the Teleworking Employee's Primary Workplace when directed by their supervisor.

All District and professional standards of performance and conduct that apply in the employee's Primary Workplace continue to apply at Telework Locations. Furthermore, employees shall adhere to all District policies, rules, and regulations while Teleworking. Employees with questions as to how a specific policy or procedure will be effective in the Telework environment should contact their direct supervisor for guidance.

The District may, but is not required, to give the employee a list of directives regarding teleworking in relation to this policy. Any work-related injuries that occur while the employee is teleworking must be reported to the District.

### **IMPACT ON SALARY AND BENEFITS**

Any change in salary and hourly pay or benefits will be done in accordance with Oklahoma law. Teleworking employees unable to Telework due to illness or other reasons should contact their supervisor in accordance with District leave policies.

### **TELEWORKING AS AN ADA ACCOMMODATION**

This policy does not apply to employees who Telework as an accommodation under the Americans with Disabilities Act (ADA). Should the District determine that Teleworking is a reasonable accommodation under the ADA and does not impose an undue burden on the District, the District and employee shall follow the District's applicable ADA accommodations procedures and policies with respect to such accommodation.

Reference: 29 U.S.C. 201-209; 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 3

### **SICK LEAVE SHARING PROGRAM**

The Board of Education provides for a sick leave sharing program for all fulltime employees of Canadian Valley Technology Center. The program permits employees to donate sick leave to a fellow employee who is pregnant, or recovering from childbirth, or who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has or is likely to cause the employee to take leave without pay.

For the purposes of this policy, the following definitions apply:

- “Relative of the employee” – spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee.
- “Household members” – persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another, including foster children and legal wards, even if they do not live in the household. This does not include persons sharing the same general house, when the living style is that of a dormitory or commune.
- “Severe or extraordinary” – serious, extreme or life-threatening, including temporary disability resulting from pregnancy, miscarriage, childbirth, and recovery therefrom.
- “District employee” – instructor or any full-time employee of Canadian Valley Technology Center.
- “Full-time employee” – Employee of Canadian Valley Technology Center who is employed full-time for the type of services provided for a minimum of one hundred seventy-two (172) days per year.
- “Certified staff” – Teachers and counselors whose duties and responsibilities require certification from the Oklahoma Department of Education.

An employee may be eligible to receive shared leave pursuant to the following conditions:

- The maximum number of days that may be received by a certified staff member is forty (40) days per personal occurrence and/or (60) days per occurrence for immediate family with no more than sixty (60) days combined of all occurrences per year.
- The maximum number of days that may be received by all other full-time employees is sixty (60) days per occurrence with no more than sixty (60) days combined of all occurrences per year.



- A medical certificate from a licensed physician or healthcare practitioner verifying the severe or extraordinary nature and expected duration of the condition will be required.
- Employees will not be eligible to receive leave through the Sick Leave Sharing Program until all of his/her earned and accumulated leave has been exhausted.

The receiving employee will be paid at their current salary rate for any donated days used.

An employee may donate sick leave to another employee pursuant to the following conditions:

- Employees may donate only sick leave days that are earned pursuant to Title 70, Section 6-104 of the Oklahoma Statutes.
- Employees may donate any amount of sick leave; provided the donation of sick leave does not cause their balance to fall below 10 days.
- Donated sick leave will be designated as such and will be maintained separately from all other sick leave balances.
- Any contribution of sick leave is strictly voluntary. No employee shall be coerced, threatened, intimidated or financially induced into donating sick leave under this policy.

Donated sick leave not used by the employee shall be returned to the donating employees on a prorated basis and reinstated at its original value to the sick leave balance of each donor.

An employee's request for and authorization of shared sick leave shall be made in accordance with the following guidelines:

1. The employee must submit a request for sick leave sharing program then forward to the Human Resources Director. In the event the employee is unable to complete the form due to illness or injury, a person designated by the employee may submit the form on his/her behalf.
2. The Human Resource Director will submit the request along with the medical certificate from a licensed physician or healthcare practitioner verifying the severe or extraordinary nature and expected duration of the condition to the Superintendent.
3. The Superintendent will review the documents and make a decision regarding the request.
4. If the Superintendent determines the request does not meet the requirements of the Sick Leave Sharing policy, the employee or designee will be notified in writing.
5. The Human Resources Director will communicate a district wide notification for sick leave donations to the employee.

6. An employee may not solicit donations of sick leave from other employees. Doing so could result in the employee losing eligibility to participate in the program.
7. Employees willing to donate will submit their intent, in writing, to the Human Resource Director indicating the amount of sick leave willing to donate.
8. The Human Resource Director will make the determination of how many sick leave days or partial days each employee will be donating. The determination will be made based upon each employee's intent to donate amount of days requested, and total days offered to donate. The Human Resource Director will notify each donating employee, in writing, of the amount of sick leave donated.
9. If an employee who submits an intent to donate does not meet the criteria to donate, the Human Resource Director will notify the employee in writing.
10. The Human Resource Director will prorate the unused donated days back to each donating employee.
11. The Human Resource Director will be responsible for accounting and tracking of all records pertaining to the Sick Leave Sharing Program.

Reference: OKLA. STAT. tit. 70 § 6-104.6

## **FAMILY AND MEDICAL LEAVE**

It is the policy of the technology center to comply fully with the requirements of the Family and Medical Leave Act of 1993 (FMLA) and all its related revisions, including the National Defense Authorization Act (NDAA), collectively referred to in this policy as "FMLA." The technology center is a covered employer and, accordingly, will provide up to 12 workweeks of unpaid leave to eligible employees. This leave must run concurrently with any paid leave the eligible employee has available. Eligible employees may also be entitled to 14 additional workweeks of leave (26 workweeks total) for servicemember family leave.

Any employee utilizing FMLA leave is required to cooperate in matters of scheduling, providing prompt notice of the need to use leave and availability for return to work, completing paperwork, etc.

This policy is not intended to create any leave obligations for the technology center in addition to those provided under the FMLA. In the event any conflict exists between this policy and the FMLA, the FMLA will be the final authority.

### Definitions

- "Eligible employees" are those employees who:
  - have been employed for at least one year by the technology center; and
  - worked at least 1,250 hours during the previous 12 month period; and
  - have requested leave for a reason covered by the FMLA; and
  - there are at least 50 employees within a 75 mile radius.

Full-time instructional employees are deemed to have met the 1,250 hours of employment requirement if they worked full time during the prior year.

- A "child" means a biological, adopted, foster or step child, a legal ward, an individual with an in loco parentis relationship with the employee or military member, and adult children who are physically or mentally incapable of self-care.
- A "serious health condition" is one which requires either in-patient care or continuing treatment by a health care provider. This includes conditions or illnesses affecting health to the extent that in-patient care is required, or absences are necessary on a recurring basis or for more than just a few days. A "serious health condition" does not include short-term conditions for which treatment and recovery are very brief as such conditions would normally be covered by the technology center's sick leave policies.

- A “year” means a rolling 12-month period measured backward from the date an employee uses any leave.
- A “workweek” means the employee’s usual or normal schedule (hours / days per week) prior to the start of FMLA leave.
- A “covered military member” (for purposes of active duty leave) is an individual serving in the Regular Armed Forces or the National Guard and Reserves and who has been called to active duty. Veterans receiving treatment or therapy, or those who are recuperating and were discharged or released for any reason other than dishonorable discharge within the 5 years preceding the employee’s request for leave are also included in this definition.
- A “covered military member” (for purposes of servicemember family leave) is an individual serving in the Regular Armed Forces or the National Guard and Reserves who is undergoing treatment or therapy for a serious injury or illness incurred or exacerbated while on active duty.
- A “serious injury or illness” is an injury or illness incurred (or exacerbated) by the servicemember in the line of duty in the Armed Forces or National Guard and Reserves which:
  - may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; or
  - resulted in the member receiving a VA Service Related Disability Rating of 50% or more; or
  - substantially impairs the veterans’ ability to be gainful employed; or
  - resulted in the member’s enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Reasons for Leave

All eligible employees who meet FMLA requirements may be granted leave as provided in this policy and required by law for the following reasons:

1. for the birth of a child and to care for such child, or placement for adoption or foster care of a child;
  - If both parents are employed by the technology center, the combined amount of FMLA leave cannot exceed 12 workweeks
2. to care for a spouse, child or parent with a serious health condition;
3. for a serious health condition of the employee that makes the employee unable to perform his or her job functions;

4. for covered active duty leave with one or more of the following exigencies:
- Short-notice deployment: employees can take up to 7 calendar days leave to address issues that arise from servicemembers' call or order to active duty seven calendar days or less prior to the date of deployment;
  - Military events and related activities: employees can take leave to attend official ceremonies, programs, or events sponsored by the military that are related to servicemembers' active duty or call to active duty or attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to servicemembers' active duty or call to active duty;
  - Childcare and school activities: employees can take leave to arrange alternative childcare, provide childcare on an urgent, immediate need (but not every day) basis, enroll in or transfer a child to a new school or day care facility, or attend meetings with school or day care staff (such as parent-teacher conferences) due to servicemembers' active duty or call to active duty;
  - Financial and legal arrangements: employees can take leave to make or update financial or legal arrangements to address servicemembers' absence while on active duty or call to active duty, such as executing powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, or obtaining military identification cards and to act as the servicemembers' representative before governmental agencies to obtain, arrange, or appeal military service benefits while servicemembers are on active duty or called to active duty and for 90 days following termination of active duty status;
  - Counseling: employees can take leave to attend counseling that is provided by someone other than a healthcare provider for servicemembers or their children for needs arising from servicemembers' active duty or call to active duty;
  - Rest and recuperation: employees can take up to 15 days leave to spend time with servicemembers on short-term, temporary rest and recuperation leave during a period of deployment;
  - Post-deployment activities: employees can take leave to attend arrival ceremonies, reintegration briefings and events and other official ceremony or program sponsored by the military that occurs within 90 days following termination of servicemembers' active duty status or to address issues arising from servicemembers' death while on active duty, including meeting and recovering the body and making funeral arrangements; and

- Additional activities: employees can take leave to address any other events that arise from servicemembers' active duty or call to active duty when the technology center and employee agree that such leave qualifies as an exigency and agree upon the timing and duration of the leave.
5. for servicemember family caregiver leave, provided that the leave (when combined with other forms of FMLA leave) does not exceed 26 workweeks during a 12-month period;
  6. for parental care leave to care for (including making arrangements for care, patient transfer and meetings with staff at a care facility) a parent-in-law who is unable to care for him/herself while the servicemember is on active duty.

### Application for Leave

Employees who utilize FMLA leave must submit an application for leave (with all required supporting documentation) on the forms available through the superintendent's office (the technology center will utilize all required forms as provided by the US Department of Labor. The forms are available at <http://www.dol.gov/whd/fmla/index.htm#Forms>). The technology center requests that, when practical, FMLA requests be submitted at least 30 days prior to the use of the leave. In emergency circumstances, the technology center may provisionally place an employee on FMLA leave if conditions appear to warrant such action. The employee is ultimately responsible for completing the necessary paperwork to finalize the use of FMLA leave at least 15 days in advance.

### Medical Documentation (for Leave Related to a Serious Medical Condition)

In addition to all medical documentation required pursuant to the FMLA, the technology center may, in its sole discretion and at its own expense, require a second opinion related to the need for FMLA leave. If the first and second opinions differ regarding the need for FMLA leave, the technology center and the employee shall mutually agree upon a provider to conduct a third opinion of the employee's need for leave. The cost of this third opinion will be paid for by the employer.

The technology center may also require supplemental certifications of the employee's continuing need for leave. These certifications may not be more than one time per month unless the employee requests an extension of leave, changes circumstances regarding the illness or injury, or the technology center receives information that casts doubt on the validity of an existing certification.

In the event an employee wishes to request an extension of leave, such request must be promptly submitted to his/her supervisor with supporting documentation from the health care provider regarding the reason for the extension. The extension is only available as long as the employee does not exceed the maximum leave permitted by the FMLA.

### Right to Conduct Surveillance

In an effort to combat misuse of leave permitted by the FMLA, an employee may be surveilled to determine if the employee is not using the FMLA leave for the purpose for which it was

granted. The technology center may conduct non-workplace (off-site) surveillance of an employee based on an honest belief or suspicion that the employee is misusing the FMLA leave granted. If the employee is found to be misusing the FMLA leave, the employee will be subject to all disciplinary action allowed by law, including but not limited to dismissal or nonrenewal. Circumstances which may give rise to an honest belief or suspicion of FMLA leave misuse include, but are not limited to, an employee providing inconsistent reasons for the FMLA leave, an employee engaging in a suspicious pattern of absences over a short period of time, verifiable information from co-workers evidencing misuse by an employee and significant changes in the frequency or duration of an employee's absences.

#### Intermittent Leave Or Leave On A Reduced Leave Schedule

Eligible employees may request to use their available leave on an intermittent basis by following the same application and certification process as described above and under the following conditions:

- intermittent leave in connection with the arrival of a new child must be approved by the technology center;
- employees must coordinate the intermittent leave with their supervisor to attempt to reduce the negative impact of the leave on school operations;
- the technology center reserves the right to transfer the employee to a position better suited to intermittent leave;
- if an instructional employee will be absent more than 20% of the total working days in the period in which the leave will be used, the technology center may require the employee to either:
  - take leave for a "particular duration" or time which is not greater than the duration of the planned treatment, or
  - be transferred to an alternative position.

#### Leave Taken Near the End of an Academic Term

If an instructional employee begins any type of covered leave more than 5 weeks before the end of a semester, and if the leave will last at least 3 weeks and the employee would otherwise return to work during the 3 weeks before the end of the semester, the technology center may require the employee to continue taking leave until the end of the semester.

If an instructional employee takes leave (for a reason other than the employee's own serious health condition) which commences during the 5 weeks before the end of the semester, and if the leave will last more than 2 weeks and the employee would otherwise return to work during the last 2 weeks of the semester, the technology center may require the employee to continue taking leave until the end of the semester.

If an instructional employee takes leave (for a reason other than the employee's own serious health condition) which begins during the last 3 weeks of the semester, and if the leave will last more than 5 working days, the technology center may require the employee to take leave until the end of the semester.

#### The Effect of Leave on Benefits

During a period of FMLA leave, an employee will be retained on the technology center's medical insurance plan under the same conditions that applied before leave began, including making any payments the employee previously made. An employee's failure to timely pay his/her share of the medical premium may result in loss of coverage. The employee is required to pay all of the premiums for any other type of insurance coverage which may exist.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the technology center for payment of health insurance premiums during the FMLA leave, unless the reason for the failure to return to work are due to circumstances beyond the employee's control.

Employees do not accrue or lose any seniority or employment benefits during a period of FMLA leave.

#### Return to Work

Employees must update their supervisor regarding the intent to return to work, including providing all necessary releases and paperwork, at least 5 business days in advance of the expected return date.

Although the technology center cannot guarantee that an employee will be returned to his/her original position, employees will generally be restored to an equivalent position and employment conditions upon return from FMLA leave. Highly compensated employees are those individuals who are salaried and are among the highest paid 10% of the employees employed within 75 miles of the employee's worksite. A highly compensated employee may not be returned to work if it is necessary to prevent substantial and grievous economic injury to the operations of the technology center. The technology center will make all determinations regarding job duties upon an employee's return from FMLA leave.

#### Failure to Return from Leave

Employees who fail to return to work when scheduled (absent an approved extension) are subject to immediate termination for cause, subject to applicable due process hearing rights.



## **FAIR LABOR STANDARDS ACT COMPLIANCE**

The technology center will comply with all aspects of the Fair Labor Standards Act (FLSA). Any employee who has questions regarding overtime or believes that the FLSA is not being correctly followed should immediately report this to a district administrator.

The penalties for even inadvertent FLSA violations are severe. Any employee, regardless of position, who violates any aspect of this policy will be subject to disciplinary sanctions up to and including termination.

### Employee Classification

Employees will be notified of their FLSA classification as a part of their job description, but any employee who believes that a misclassification has occurred must immediately notify his/her supervisor of the suspected error.

*Exempt employees.* Exempt employees are not entitled to overtime or comp time for working more than forty (40) hours in a workweek. Exempt employees generally include positions such as superintendents and assistant superintendents, campus directors and assistant campus directors, certified counselors and psychologists, technology directors, CPAs, and teachers.

*Non-exempt employee.* Non-exempt employees are entitled to overtime or comp time for working more than forty (40) hours in a workweek. Non-exempt employees generally include positions such as bus drivers, cafeteria workers and dieticians, custodians, maintenance employees, secretarial and clerical assistants, and security personnel.

*Noncovered positions.* Board members and volunteers are not covered by the FLSA. Due to FLSA regulations, non-exempt employees may only volunteer as a parent/grandparent/etc. in a role typically assigned to volunteers. Additionally, those volunteer services must be unrelated to the employee's compensated duties.

### Multiple Assignments

Non-exempt employees are permitted to work multiple assignments as long as the combination of those assignments does not make it likely that the employee will work more than forty (40) hours per week. Non-exempt employees who work multiple positions at different hourly rates will be paid for authorized overtime at a blended rate.

Employment benefits for non-exempt employees will be granted based on the employee's primary position unless otherwise provided by law. The primary position is the position in which the employee works the most hours.

Exempt employees will not be employed in multiple positions if such employment would jeopardize the employee's exempt status. Exempt employees may be assigned an extra duty (activity sponsor, etc.) and receive a stipend in accordance with the terms of an extra duty contract.

### Time Keeping

Non-exempt employees are required to accurately track work hours in accordance with established district procedures. These employees must "clock in" and "clock out" within seven (7) minutes of their scheduled shifts. Time periods in excess of twenty (20) minutes during which the employee is not actually performing job duties will not be included as "hours worked" if the time can effectively be used for the employee's own purposes.

Employees must contact their supervisors if they notice an error on their time records. Falsifying time records, including under-reporting hours worked, is strictly prohibited.

### Required Pre-Authorization

No employee may work overtime without prior authorization. Supervisors are required to strictly enforce the technology center's prohibition on working unauthorized overtime.

### Paying Overtime and Comp Time

The FLSA extends flexibility to school districts in adopting arrangements that provide compensatory time off in lieu of monetary overtime compensation. Accordingly, the technology center will provide, within reasonable limits, compensatory time off. The calculation used to determine the amount of compensatory time available to a non-exempt employee is one and one-half hours of compensatory time for each hour of overtime worked. Compensatory time received by an eligible employee extinguishes the employee's entitlement to monetary overtime compensation. Compensatory time off is subject to all of the conditions provided in this policy. The district's administration shall, at all times, retain the authority to make the decision to permit an employee to accumulate and use compensatory time or to pay the employee for overtime worked; however, the standard of time and one-half for overtime hours worked shall apply in either instance. The technology center's policy and applicable procedures concerning compensatory time are more fully detailed below.

#### *Prior Approval of Overtime Required*

Except in the rare event of a bona fide emergency, overtime will not be allowed to any non-exempt support employee unless prior approval has been given, in writing, by the employee's supervisor or his/her designee. Non-exempt support employees working in excess of forty (40) hours per work week without prior written approval may be subject to appropriate disciplinary action, up to and including the possibility of dismissal.

#### *Calculation of Compensatory Time*

If a non-exempt support employee is properly assigned to work more than forty (40) hours in a work week, the technology center may provide compensatory time ("comp

time”) off in lieu of monetary overtime compensation at a rate of not less than one and one-half (1 1/2) hours of compensatory time for each hour of overtime worked. It shall be the responsibility of the employee and the employee’s supervisor to maintain accurate records of all comp time accrued. All overtime recorded to be accrued as comp time must be initialed by the employee and the immediate supervisor or his or her designee by the end of the week following the week in which the overtime is worked.

#### *Scheduling Use of Compensatory Time*

Any non-exempt employee who has accrued comp time and who requests the use of the comp time shall be permitted to use the comp time within a reasonable period, after making the request, as long as use of the comp time does not unduly disrupt district operations. Supervisors are encouraged to limit the accumulation of comp time to eight (8) hours per pay period, but special circumstances may justify a greater accumulation. All requests to use comp time must be in writing. If the request is denied, then the employee and supervisor are to arrange an alternate date for the comp time to be used. If no agreement can be reached, then a meeting will be conducted with the superintendent or designee to schedule a date for the comp time to be taken. The district, at its sole option, may require an employee to use accrued comp time at certain times.

#### *Maximum Accrual of Time*

Employees may accrue up to 240 hours of comp time if they qualify for comp time and the employee followed the proper pre-approval procedures before working comp time. (Because comp time is accumulated at time and one-half, this is 160 hours of actual overtime work.) Employees who work in a public safety activity, emergency response activity, or seasonal activity may accumulate up to 480 hours of comp time (320 actual overtime hours).

#### *When Hours are Not Considered Work Hours*

Time periods in excess of twenty (20) minutes during which the employee is not actually performing job duties will not be included as “hours worked” if the time can effectively be used for the employee’s own purpose.

#### *Payment for Comp Time Upon End of Employment*

Any non-exempt support employee whose employment with the district terminates and who has accrued but not used comp time shall be paid at his or her regular hourly or salary rate in effect at the time the employee receives the payment. The technology center reserves the right, at any time, to substitute a cash payment, in whole or in part, for comp time.

#### *Notice of Policy to Non-Exempt Employees*

A copy of this policy will be provided to all of the technology center’s non-exempt employees along with a compensatory time agreement that employees will sign and that the employee’s supervisor will sign. The agreement, unless withdrawn by the

district, will remain in effect while the employee works for the technology center. This compensatory time off policy shall be considered as a condition of employment for all non-exempt support employees of the district.

**PROFESSIONAL CREDENTIALS**

Each technology center employee is responsible for obtaining and maintaining the proper and necessary certification or licensure for the position to which he/she is assigned. Employees must provide a current copy of all credentials to the Human Resources office at the time of hire and promptly upon any renewal, retesting, achievement, etc.

## **PROFESSIONAL CONDUCT BY STAFF**

The board of education counts on staff to adhere at all times to recognized standards of professional conduct. Teachers, administrators, and support employees are role models and must exemplify ethical behavior in their relationships with students, patrons, and other staff members. The board expects staff to be mindful that they are professionals and their conduct, particularly in relation to students, patrons, and other staff, must be consistent with professional standards. Staff members must never engage in conduct which detracts from a safe, positive, or appropriate learning environment.

The board of education believes that all staff members have a responsibility and professional obligation to be familiar with and abide by the laws of Oklahoma, the policies of the board, and the administrative regulations designed to implement them – as they affect the employee's job and commitments to students and others.

The OSDE *Standards of Performance and Conduct* set forth standards for the professional conduct of teachers. The board, like the State Department of Education, requires teachers to adhere to this code. It expects its administrators also to adhere to requirements for administrators. In addition, the board approves specific ethical standards that must guide the conduct of all staff members.

### Specific Responsibilities

Essential to the success of ongoing technology center operations and the instructional program are the following responsibilities, required of all personnel:

1. Support and enforcement of policies of the board and regulations of the administration in regard to students.
2. Concern and attention toward their own and the technology center's legal responsibilities for the safety and welfare of students, including the need to assure that students are reasonably supervised within the constraints presented.
3. Avoidance of exploitation of relationships with students, other staff members, or school patrons.
4. Consistency and promptness in attendance at work.
5. Diligence in submitting required reports promptly at the times specified.
6. Care and protection of technology center property.

### Staff - Student Relationships

Exploitation of staff-student relationships is inconsistent with obligations owed to students. Commercial and business dealings between students and staff members are prohibited. A staff member may not use a teacher/administrator or similar relationship with a student for personal gain. Likewise, staff members may not use student property for personal use or benefit. Staff members who suspect or recognize an inappropriate relationship between a student or staff member or observe inappropriate conduct toward or contact with a student are required to report this in writing to their supervisor, the superintendent, or other administrator.

### Exploitation of a Student

Exploitation of a student may result from an improper personal relationship encouraged by a teacher, administrator, or support employee. Staff members should be aware that gestures and physical conduct, even though innocent and properly motivated, may be misinterpreted by students or parents. Therefore, teachers, administrators, and support employees must avoid any conduct that might be characterized as evidencing an improper or unprofessional personal attachment toward a student. Sponsors or chaperones shall not sleep in the same rooms with students on overnight activity trips unless the sponsor or chaperone is the parent or legal guardian of the student. Likewise, instructors, sponsors or chaperones shall not accompany a single student on a trip or activity unless written approval is received from parents or legal guardian of the student and the superintendent or superintendent's designee. Sexual or romantic involvement with a student and sexual harassment by any employee, regardless of the student's age or the student's placement in or out of the teacher's class, is prohibited. School officials will seek criminal investigation and prosecution of any employee suspected of engaging in child exploitation.

### Standards of Behavior

Staff is expected, in their capacity as role models, to establish an example of acceptable behavior for students in connection with classes and extracurricular activities. Teachers, administrators, and support employees must refrain from the use of vulgar or obscene language and conduct in the presence of students. Similarly, discussion with students of issues personal to the staff member, such as divorce, sexual issues, or similar highly personal subjects, is inappropriate. The use of alcohol by any staff member in the presence of students is prohibited. Likewise, the use of illegal or illicit drugs by employees, in or outside the presence of students, is prohibited and grounds for disciplinary action, including dismissal.

The technology center has adopted policies relating to employee and student use of wireless telecommunication devices and social networking sites and employees must adhere to these provisions.

Staff members are expected to refrain from comments or statements, even in jest, reflecting adversely on any person or group with reference to race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information. Racial, ethnic, or sexual slurs in the presence of students or during work or work-related activities or programs constitute unprofessional conduct.

### Exploitation by Supervisors of Subordinate Employees

The exploitation by supervisors of subordinate employees is improper and prohibited. In particular, any employee who supervises, directs, evaluates, or makes any employment recommendations with regard to any other employee (i.e. acts as a supervisor) is prohibited from engaging in any commercial, business, romantic, sexual, or other similar type of personal relationship with any employee who is or may be subordinate to the supervisor.

### Fiscal Management

It is imperative that sound fiscal management procedures be followed by staff to ensure maximum benefit for each dollar expended. Accordingly, misuse of technology center property and/or funds constitutes unacceptable behavior. Employees must adhere to accepted procedures of sound accounting, reporting, business, and purchasing practices.

**Every employee of the technology center has the duty to abide by this professional conduct policy in all respects. Failure to do so may lead to disciplinary action including dismissal or non-renewal from employment, referral to law enforcement authorities for prosecution, or other action appropriate to the nature, gravity, and effect of the relationship on students, other staff members, or school operations.**



### **EMPLOYMENT OF RELATIVES**

The board of education concurs with and supports the public policy stated in OKLA. STAT. tit. 70 §§ 5-113 and 113.1, limiting the employment of individuals related to members of the board of education. In addition, the board believes that the employment of individuals related by blood or marriage to current employees creates similar possibilities for conflicts of interest, favoritism or the appearance of favoritism, and disruption of the efficient and impartial administration of technology center business resulting from family conflicts.

Therefore, the board has determined that it is in the best interest of Canadian Valley Technology Center to adopt the following employment regulations:

1. "Family members" means individuals related within the third degree by consanguinity or affinity. Degrees of relationship shall be determined as provided by OKLA. STAT. tit. 84, §§ 217-221.
2. Canadian Valley Technology Center shall not employ any family member of a current technology center employee if (a) one family member would, directly or indirectly, supervise or have disciplinary authority over another family member or (b) if one family member would evaluate another family member or (c) if the hiring of family members could result in a conflict of interest with existing vendors of Canadian Valley Technology Center.
3. Instructors presently employed who are family members shall not be assigned to the same technology center site facility.
4. Non-certified individuals who are family members shall not be assigned to the same support departments.
5. Current employees who are family members and whose work assignments do not conform to these regulations may be reassigned as may be considered feasible by the administration. No current employee will be terminated because of such nonconformity with these regulations or because reassignment was not feasible.

**EMPLOYMENT REFERENCES - RELEASE OF INFORMATION REGARDING EMPLOYEES**

The technology center will respond promptly and professionally to reference requests regarding current and former employees. Human Resource Director is the technology center representative authorized to handle all such responses.

Unless an appropriate written release is submitted, Human Resource Director is only authorized to release public records related to employment, to confirm an employee's dates of employment, and identify the position(s) held by the employee.

If an appropriate written release is submitted, Human Resource Director will provide whatever information is authorized.

ESSA Mandate Compliance

All technology center employees are required to comply with the Every Student Succeeds Act's requirements related to employment references.

No employee may assist a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual knew or has probable cause to believe, that such employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

Reference: 40 OKLA. STAT. §61; 20 USC §8546

**CAMPAIGN ACTIVITIES  
DURING REGULAR SCHOOL  
DAY**

The board of education recognizes and supports the right of its employees to be involved in political activities and to campaign for candidates and issues. However, the exercise of this right must not interfere with the educational process -- the delivery of educational services to the students of this technology center. Campaign activities should not be conducted by employees on scheduled duty time and employees who are on duty should not be distracted from their duties by campaign activities conducted by employees who are not on duty. The board has determined that the following regulations are necessary to prevent such disruptions and to ensure that employees are properly performing their duties during the school day:

1. Employees may not engage in campaign activities during scheduled duty time.
2. "Campaign activities" include lobbying other employees for their support or contributions, circulating petitions, distributing literature, and planning or preparing for such activities, whether done individually or with other employees and any of which is done in regard to national, state, or local elections for offices or on referenda questions, including school board, millage levy, and bond issue elections, or in regard to elections for recognition or decertification of any employees' organization or for officers or any such organization.
3. "Scheduled duty time" means all times at which the employee is scheduled to engage in activities to fulfill his or her obligations under the employment contract, including but not limited to classroom instruction, lesson preparation, parent-teacher conferences, supervision of halls, classes and labs, or in the case of non-professional staff, their assigned duties in the administrative, food service, transportation, maintenance, or other non-educational support area.
4. Campaign activities may be conducted outside of employees' scheduled duty time only in those areas of the school facilities which are set aside for employees' use during other than scheduled duty times.
5. Employees may not direct campaign activities toward other employees who are performing scheduled duties.
6. The use of threats, duress, coercion, or intimidation in campaign activities directed at other employees is prohibited and constitutes grounds for immediate disciplinary action, including dismissal.
7. School bulletin boards and mail boxes may not be used to post or distribute campaign materials.
8. Campaign materials may not be posted on school property.
9. Violation of this policy by any employee is grounds for disciplinary action, including but not limited to dismissal.

**INSTRUCTOR PRESENCE IN THE SHOP/LAB OR CLASSROOM**

It is the policy of the board of education that for instructional, safety and legal purposes, an instructor must be present or within unobstructed sight of the shop/lab or classroom when the students are present. Under no circumstances should classes be left unattended whether or not equipment is being operated.

In the event that an instructor must temporarily leave the shop/lab or classroom, the authorized campus administrator or supervisor may assign another technology center employee (i.e. counselor, office staff) to be present in the shop/lab or classroom until the instructor returns.

## **EMPLOYEE APPEARANCE**

It is the intent of the Canadian Valley Technology Center Board of Education that all employees appear in an appropriate fashion to convey professionalism and serve as a positive example for students and the community.

### General Guidelines

1. Radical departures from conventional dress, appearance, personal grooming and hygiene standards are not permitted.
2. Hair should be clean, combed, and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length. Facial hair should be neatly trimmed.
3. Tattoos and jewelry should not conflict with an employee's ability to effectively perform their duties and responsibilities. Factors used to consider whether a conflict exists, include but are not limited to: safety, health, productivity, offensive nature, community norms, and customer complaints.
4. Fridays may be considered "Business Casual".
5. Specific dress may be required for special/certain occasions and events such as cleanup days, graduations, tours, business visitors, etc.
6. Supervisors are responsible for answering questions and resolving issues related to personal appearance on a case-by case basis. Every effort should be made to identify mutually appropriate solutions.

## **REPORTING THREATENING BEHAVIOR**

### Reports to Law Enforcement

All district officers, employees and school board members have a legal obligation under Oklahoma law to report to law enforcement verbal threats or acts of threatening behavior which reasonably have the potential to endanger students, school personnel or school property. Under this policy, “Threatening Behavior” means any verbal threat or threatening behavior, whether or not it is directed at another person, which indicates potential for future harm to students, school personnel or school property. If a District official, employee or school board member reasonably believes that a person has made a verbal threat or exhibited threatening behavior which has the potential to endanger students, school personnel or school property, and—given the immediacy of the behavior—it is reasonable to do so, the individual should first report the matter to school administration.

### Reports to Campus Director or Other School Officials

Instances of verbal threats or acts of threatening behavior which reasonably have the potential to endanger students, school personnel or school property should also be reported to the campus director or other school official. This reporting obligation exists in all instances, including conduct at school or connected with school activities and conduct that happens off of school property. Accordingly, all employees have an obligation to notify the campus director or other school official, if for any reason the employee believes that verbal threats or acts of threatening behavior have been made which reasonably have the potential to endanger students, school personnel or school property.

### Immunity for Good Faith Reports

Oklahoma law provides that any district employee who in good faith makes a report to an appropriate law enforcement office has immunity from civil liability and employment discipline that might otherwise be incurred or imposed if the employee reasonably believes a person is making verbal threats or exhibiting threatening behavior.

Reference: 70 OKLA. STAT. § 24-100.8

## **BENEFITS**

### Retirement

All eligible full-time personnel shall have retirement compensation as established by the Oklahoma Teacher's Retirement System (OTRS), plus any other type of eligible compensation paid by the district into the OTRS. All employees must give 60 days' written notice of intent to retire. Due to the passage of SB 683, effective July 1, 2021, eligible non-classified personnel that have previously opted out of membership in OTRS will receive an employer paid 457b annuity, paid at the same rate as the current employee contribution rate for OTRS.

Retiring personnel (as determined by application for retirement benefits under the Oklahoma Teacher's Retirement System) who have at least 30 days unused sick leave and have worked at Canadian Valley a minimum of 10 years, shall be paid for unused sick leave. Unused personal leave will also be paid if employee is completing contract year. Sick and personal leave will be paid earned at the rate of .002 x number of unused sick/personal leave days x annual base salary. Available sick leave will be paid up to a maximum of 72 days. Personal leave will be paid up to a maximum of 3 days. Any sick leave days transferred in from another district will not qualify for this payment.

These accumulated dollars will be paid out into an employer paid 403(b) Plan at the time of retirement. The employee may select from a list of approved 403(b) vendors through our Third-Party Administrator

### Early Notice Incentive

A full-time employee who has a minimum of five (5) consecutive years of service (to include current contract year) with the district is eligible to receive a one-time incentive payment of \$1,000 (payable upon the completion of the final employment contract) if retiring at the end of the employee's contract/fiscal year; and a written notification of retirement, to include the date of retirement, is received in the Human Resources office no later than 4:30 PM on August 31<sup>st</sup>. If the 31<sup>st</sup> is on a weekend, the deadline will be 5:00 PM on the first workday following August 31<sup>st</sup>.

### Health Insurance

The district shall pay each full-time employee's single health group premium rate.

Any insurance company who has the district health policy shall include all eligible retired employees who were on the plan in effect at the time of retirement. Any new plan by the same company or new company must provide retired eligible employees with the same coverage they had at the time of retirement, or the same coverage as provided to the employee covered by the new plan.

Any employee working a minimum of twenty hours per week may enroll in the health insurance program and may have the premium deducted from monthly compensation.

With the passage of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees may extend group health coverage. See the Human Resource Director for more information on COBRA.

#### Life Insurance

The district shall pay the premium for a term life insurance policy equivalent to the nearest thousandth of each full-time employee's (10, 11, and 12-month, contract employees excluding instructional assistants, technical assistants, child care lead teachers, assistant instructors, food service assistants, tutors, and child care cooks) salary not to exceed \$200,000. Employees may elect to have additional term life insurance for themselves and dependents through payroll deductions.

#### FICA

The district shall match the employee's FICA contribution on the maximum wages allowed by the Social Security Administration. If the wages are in excess of the maximum FICA contribution, the district shall pay the current Medicare tax up to the maximum amount established.

#### 403(b) Tax Sheltered Annuity Program

Employees may elect to participate in a 403(b) tax sheltered annuity program. A signed salary reduction agreement must be on file in the payroll office. Employees who choose not to participate in the program will be required to sign an annuity waiver.

#### Educational/Professional Certification and Licensure Assistance Plan

In order to encourage growth and self-development, Canadian Valley Technology Center provides financial assistance by reimbursement of approved educational courses taken at accredited institutions and approved job-related professional certification or licensure. Assistance is available to all full-time employees as of date of hire. Participants must obtain prior approval from their supervisor by submitting an Educational/Professional Certification and Licensures Approval Form. The Educational/Professional Certification and Licensure Assistance Plan provides reimbursement up to \$2,000 per Fiscal Year.

Educational reimbursement claims and supporting documentation, including proof of payment and successful completion, must be submitted to Human Resources by end of July. Successful completion is defined as a "C" or higher for undergraduate programs and a "B" or higher for graduate programs. Educational reimbursement is not a taxable benefit and will be processed and paid through accounts payable.

Certification and licensure reimbursement claim and supporting documentation, including proof of payment and successful completion, should be submitted to the Payroll Specialist using the Professional Certification and Licensure Reimbursement form. Employee is not to be reimbursed if certification test not passed. Reimbursement of certification or licensure is taxable based upon professional benefit to the employee and the District. As such, reimbursement of certification or licensure will be paid through payroll.



This benefit will be contingent upon district funds available and approval by the Superintendent and Board of Education on an annual basis.

#### Bus Driver License Reimbursement

Canadian Valley Technology Center will reimburse the initial cost of an employee's bus driver license after the employee has completed all required trainings. Renewal licenses will be reimbursed for the amount over and above the cost of Class D driver's license renewal. Reimbursements will be processed through payroll and detailed receipts should be sent to the Payroll Specialist no later than the month following the renewal. If renewal happens at the end of the fiscal year, all reimbursements must be submitted prior to processing the final fiscal year payroll.

#### Clothing Allowance

Canadian Valley Technology center will reimburse regular, fulltime employees up to the amount of \$125 for the purchase of approved clothing with the school logo. Reimbursements will happen three times a year in October, February and June. Employees must submit the reimbursement form and documentation to payroll but the first day of the month in which reimbursement is to be processed. Clothing reimbursement is a taxable benefit and as such, will be paid through payroll.

This benefit will be contingent upon district funds available and approved by the Superintendent and Board of Education on an annual basis.

#### Flexible Spending Allowance

Canadian Valley Technology Center will provide Flexible Spending Allowance (FSA) in the amount of \$2,400 per year for fulltime employees and \$1,200 per year for regular, part-time employees, to be divided into monthly increments. The FSA is to be used for any pre-tax expenditure including annuities. If the employee prefers a cash payment in lieu of the FSA, they will receive the full amount for which they qualify for as taxable compensation.

This benefit will be contingent upon district funds available and approved by the Superintendent and Board of Education on an annual basis.

#### 401(a) Employer Match Contribution

Canadian Valley Technology Center will provide a 401(a) Employer Match Contribution of up to \$200 per month to full-time employees. To participate, an employee must contribute to a pre-existing 403(b) or 457(b) tax-sheltered annuity with any district approved vendor or initiate a new 457(b) annuity with GWN Marketing/Horizon Financial. Canadian Valley Technology Center will match the employee's contribution into their annuity dollar-for-dollar up to \$200 per

month into a 401(a) account. The 401(a) account will be vested by employee's hire date after 5 years. If an employee separates employment prior to 5 years of service at Canadian Valley Technology Center, all employer paid contributions will be surrendered back to the district.

This benefit will be contingent upon district funds available and approved by the Superintendent and Board of Education on an annual basis.

<b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY	<i>Employees – General</i>  Adopted: 2/9/2021
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## Vehicles

### School Owned Vehicles

The District encourages employees to use school owned vehicles for travel rather than personal vehicles. Prior to being authorized to drive a school owned vehicle, employees will fill out an application in the Fiscal Office. Such application must be completed every school year. This application will include Consent to Release form for the District to request a Motor Vehicle Report (MVR). An MVR may be regularly requested for employees who drive for school-related business; individuals must meet the following criteria:

- Be a District Employee;
- Have a valid driver’s license for the class of vehicle to be operated;
- Have at least three (3) years driving experience;
- Have an Acceptable MVR; and
- Be insurable through the District’s Insurance Coverage.

An “Acceptable MVR” means that the individual’s MVR does NOT meet any of the following:

- Have a Major Violation within the past three years. Major violations include, but are not limited to:
  - Suspended or Revoked License;
  - Negligent Homicide;
  - Any alcohol or drug-related driving offense;
  - Reckless Driving;
  - Refusal to submit to an alcohol test;
  - Operating a vehicle more than thirty (30) mph over the posted speed limit;
  - Leaving the scene of an accident; and
  - Any felony committed with a vehicle.

The District, in its sole discretion, will determine what constitutes a Major Violation under this provision.

- Have three or more Minor Violations within the past three years. Minor Violations do not include parking or insurance related violations, but do include, but are not limited to:
  - Speeding Violations;
  - Right of Way Violations;
  - Seat Belt and other equipment violations; and
  - Certain administrative violations.

The District, in its sole discretion, will determine what constitutes a Minor Violation under this provision.

- Have one (1) at-fault accident and two or more Minor Violations in the past three years.
- Have two (2) or more at-fault accidents within the last three years.

Employees will not be authorized to drive for school-related business if they do not meet the criteria listed above. If an employee is operating a school owned vehicle in performing his/her job, the employee is completely responsible for any accidents, fines or traffic violations incurred. Only authorized employees will operate the school owned vehicle.

Certain employees, as authorized by the Superintendent, may drive a school owned vehicle to and from work. Vehicles assigned to employees are to be used strictly for school purposes and may not be used for personal purposes other than commuting. Any such assignments must be for the convenience of the school and the most efficient operation. Employees assigned to use such vehicles may obligate themselves to use such vehicles as contemplated in this paragraph may obligate themselves to a taxable income consequence. Such liability shall be reported on the employees Annual Statement of Earnings (W-2 Form).

This section is not applicable to District bus drivers, who must meet other requirements and standards described by law and other policies.

### Use of Personal Vehicles

District employees driving their personal vehicles for school-related business must meet the same criteria outlined above in section 3-4.3 for pre-approval. Employees shall be reimbursed on a per-mile basis. Based on the approved Internal Revenue Service amount. This reimbursement is intended to repay employees for their expenses in operating their vehicle, including the cost of gas, oil, tires, maintenance, and the cost of insurance.

The Board of Education authorizes the Superintendent to adjust the per-mile reimbursement to a rate equal to the approved IRS amount. The Board will be notified when a change has been made and the effective date of change. A memo will be issued to employees as well as listing the new rate on the travel reimbursement forms.

The District requires that all employees who drive personal vehicles on school business carry and maintain insurance on their vehicles in the amount required by state law. Employees are also required to follow all the rules of the road. The District does not inspect personal vehicles, and it is the owner's and passengers' responsibility to determine whether the vehicle is safe. Before receiving a reimbursement, the District requires that the employee provide a copy of a valid driver's license and insurance. Such documentation shall be required before the first reimbursement is issued pursuant to this policy each fiscal year.

Additionally, District employees must receive further authorization from a campus director or assistant superintendent prior to transporting students in a personal vehicle. Only those employees authorized to transport students are permitted to transport the students in the designated personal vehicle and in no case will a student be permitted to drive the personal vehicle.

If an employee is operating a personal vehicle in performing his/her job, the employee is completely responsible for any accidents, fines or traffic violations incurred. In the event of an accident while an employee is driving on District business, employees should be aware that their automobile insurance policy will be looked to for coverage and that they may face personal liability—including any deductible payments. The District's automobile insurance policy provides no coverage for personal vehicles or the driver thereof. In the case that there is a claim against the District for an accident that occurs in a personal vehicle, employees should be aware that even if the District's insurance policy provides coverage for claims brought against the District, their personal automobile insurance will be the primary coverage.

**LACTATION POLICY**

The purpose of this policy is to provide technology center employees who are lactating with accommodations should they desire to express breast milk during the workday while separated from their newborn child.

The board of education shall provide any employee who is lactating reasonable paid break time each day to use a designated lactation room for the purpose of maintaining milk supply and comfort. The break time may run concurrently with any break time, paid or unpaid, already provided to the employee.

The board shall make a reasonable effort to designate a private, secure and sanitary room or other location, other than a toilet stall, where an employee can pump or express her milk or breastfeed her child. The designated area shall be a space where intrusion from co-workers, students and the public can be prevented, and one where an employee who is using this area can be shielded from view.

Reference: 29 U.S.C. § 207(r); OKLA. STAT. tit. 70, § 5-149.3

**REPORTING STUDENT SUBSTANCE ABUSE**

The board recognizes the complexity of problems which may be associated with student substance abuse. The concern is for the well-being and best interests of students at all times. Therefore, the following procedure will be utilized by teachers in reporting students who appear to be under the influence, as defined by law, of: low-point beer, alcoholic beverages, or controlled dangerous substances.

When it appears to a teacher that a student may be under the influence of low-point beer, alcoholic beverages, or controlled dangerous substances (drugs), the teacher will report the matter to the campus director or his or her designee. The campus director or designee shall immediately notify the superintendent or designee. Whenever possible, the teacher should attempt to obtain a corroborative observation from another teacher or administrator.

The campus director or his/her designee will also immediately meet with the student, and if the student is a minor, notify the student's parent or legal guardian of the report. The notification to the student's parent or legal guardian may be verbal, but will be promptly confirmed in writing.

Reference: OKLA. STAT. tit. 70 § 24-138, OKLA. STAT. tit. 37 § 506, OKLA. STAT. tit. 63 § 2-101

<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY</p>	<p style="text-align: center;"><i>Employees – Certified</i></p> <p style="text-align: center;">Adopted: 2/9/2021</p>
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**STAFF DEVELOPMENT**

The technology center’s certified personnel must accumulate a minimum of seventy-five (75) points during a five-year period, with some points completed each year. These points must be authorized by prior approval of the activity by the superintendent and must follow the guidelines as established by the staff development committee and the board of education of the technology center. The local campus Staff Development Committee shall keep a record of each staff development activity and points accumulated.

Teachers will be notified in writing annually of their points earned. At the end of the school year, teachers will receive copies of total points earned for the school year and must review and sign the record sheet to signify their review and confirmation or dispute of points earned.

For accounting purposes, staff development points must be reported on or before the last day of the current school year. Re-employment may be contingent upon successful completion of the requirements of the local staff development policy. Points earned while teaching at another school may be transferred for CVTC credit.

Teachers must attend all meetings called or approved by the superintendent or individual building administrators. Teachers are expected to attend professional meetings for which they are given days off from instruction to attend. Teacher meetings will be called as needed by the superintendent or designee. An employee not attending required professional development will be treated as absent, must turn in leave appropriate to the reason for the absence, and must make arrangements to make up the professional development.

In addition to these requirements, all teachers will be required to participate in individual growth goals in accordance with the programs and guidelines established by the Oklahoma State Department of Education. These growth goals will be established in conjunction with a teacher’s evaluation (regardless of whether a teacher is evaluated during a school year) but will not increase the required number of professional development points needed under this policy.

Reference: OAC 210: 20-19-3

**SUSPENSION, DISMISSAL  
AND NONREEMPLOYMENT OF INSTRUCTORS**

1. Definitions and Scope

- A. "Instructor" means a duly certified or licensed person who is employed to serve as a counselor, librarian, school nurse, or any instructional capacity. An administrator shall be considered an "instructor" only with regard to service in an instructional, nonadministrative capacity.
- B. "Dismissal" means the discontinuance of the teaching service of an instructor during the term of a written contract.
- C. "Nonreemployment" means the nonrenewal of an instructor's contract upon expiration of the contract.
- D. "Suspension" means the temporary discontinuance of an instructor's services during the term of a contract pending dismissal or nonreemployment.
- E. "Career instructor" means an instructor who:
- i. was employed by the technology center prior to the 2017-2018 school year and has completed three (3) or more consecutive complete school years in such capacity in the technology center under a written teaching contract; or
  - ii. was first employed by the technology center during or after the 2017-2018 school year under a written teaching contract and:
    - completed three (3) consecutive, complete school years in the district and has an evaluation rating of "superior" for at least two (2) of those years; or
    - completed four (4) consecutive, complete school years in the district with averaged ratings of "effective" or higher for the four (4) year period with ratings of at least "effective" for the last two (2) of the four (4) years; or
    - Although the law permits an employee to establish career status after completing four (4) consecutive, complete school years in the district with a board approved principal and superintendent recommendation, the board will not approve any of these



recommendations.

- F. "Probationary instructor" means an instructor who:
- i. was employed by the district prior to the 2017-2018 school year and has completed fewer than three (3) consecutive, complete school years in such capacity in the technology center under a written teaching contract; or
  - ii. was employed by the district during or after the 2017-2018 school year under a written teaching contract and has not met the requirements to be a career instructor as described above.
- G. "Abandonment of contract" means an instructor's failure to report at the beginning of the contract term or otherwise perform the assigned duties when the instructor has accepted other employment or is performing work for another employer that prevents the instructor from fulfilling the obligations of the employment contract.
- H. This policy does not apply to:
- i. substitute instructors,
  - ii. adult education instructor or instructors,
  - iii. nonrenewal of instructors employed on temporary contracts for a complete year;
  - iv. nonrenewal and dismissal of instructors employed on temporary contracts for less than a complete school year.
  - v. administrators, except with regard to service in an instructional, non-administrative position.
- I. This policy does apply to instructors employed in positions *fully funded* by federal or private categorical grants in regard to dismissals or suspensions during the term of employment under the grant, but not in regard to "nonreemployment" at the expiration of the grant.

## 2. Grounds for Dismissal or Nonreemployment

- A. A career instructor may be dismissed or not reemployed for:
- i. willful neglect of duty,
  - ii. repeated negligence in performance of duty,
  - iii. incompetency,
  - iv. unsatisfactory teaching performance,
  - v. instructional ineffectiveness (starting in 2017-2018 this includes but is not

limited to being evaluated as “needs improvement” or lower for 3 consecutive years,

- vi. mental or physical abuse to a child,
- vii. commission of an act of moral turpitude,
- viii. abandonment of contract,
- ix. criminal sexual activity or sexual misconduct (as those terms are defined by law) which has impeded the effectiveness of the instructor's performance of school duties,
- x. failure to meet local school board staff development requirements (non-reemployment only),
- xi. engaging in acts which could form the basis of criminal charges sufficient to result in denial/revocation of a teaching certificate,
- xii. any other grounds hereafter allowed by law.

B. A career instructor shall be dismissed or not reemployed for

- i. conviction of a felony,
- ii. conviction of any sex offense subject to Oklahoma’s Sex Offenders Registration Act or another state’s or the Federal Sex Offender Registration Provisions, or
- iii. instructional ineffectiveness; starting in 2017-2018, this includes instructors with an ineffective rating for 2 consecutive school years.

Although the law permits the board to approve a superintendent’s recommendation that ineffective instructors be retained, the board will not approve such recommendations.

C. A probationary instructor may be dismissed or not reemployed for cause, including but not limited to engaging in acts which could form the basis of criminal charges sufficient to result in denial/revocation of a teaching certificate. Starting in 2017-2018, cause includes, but is not limited to, an ineffective rating for 2 consecutive school years or failure to obtain career status in 4 years.

D. A probationary instructor shall be dismissed or not reemployed for

- i. conviction of a felony,
- ii. conviction of any sex offense subject to Oklahoma’s Sex Offenders Registration Act or another state’s or the Federal Sex Offender Registration Provisions,

- E. A cause listed 2A(i) - (v) for a career instructor, or any cause related to inadequate teaching performance for a probationary instructor, shall not be a basis for a recommendation to dismiss or not reemploy an instructor unless corrective action procedures involving admonishment / plan for improvement have been followed. Dismissal or nonreemployment for any cause not listed in 2A(i) - (v) for a career instructor, or not related to inadequate teaching performance for a probationary instructor, shall not require corrective action procedures (i.e. admonishment) to be followed.
- F. Corrective Action – Admonishment / Plan for Improvement
- i. When an evaluator who has evaluated an instructor pursuant to technology center policy identifies poor performance, conduct or evaluation rating which the evaluator believes may lead to a recommendation for the instructor's dismissal or nonreemployment, the evaluator shall:
    - admonish the instructor, in writing, and make a reasonable effort to assist the instructor in correcting the poor performance or conduct; and
    - establish a reasonable time for improvement, not to exceed two (2) months, taking into consideration the rating on the evaluation or the nature and gravity of the instructor's performance or conduct.
  - ii. Whenever a member of the board of education, superintendent, or other administrator identifies poor performance or conduct that may lead to a recommendation for dismissal or nonreemployment of an instructor, the evaluator who has responsibility for evaluation of the instructor shall be informed and shall admonish the instructor as described above. If the evaluator fails or refuses to admonish the instructor within ten (10) days after being informed of the problem, the board, superintendent or other administrator who identified the problem shall admonish the instructor.
  - iii. If the instructor does not correct the poor performance or conduct cited in the admonition within the time specified, the admonishing official shall make a recommendation to the superintendent for the instructor's dismissal or nonreemployment. The superintendent shall furnish a copy of the recommendation to the board of education.
  - iv. The technology center will not prohibit, or take disciplinary action against, an instructor for:
    - a. Disclosing public information to correct what the instructor reasonably believes evidences a violation of the Oklahoma Constitution or law or rule promulgated pursuant to law;
    - b. Reporting a violation of the Oklahoma Constitution, or state or federal law;or

- c. Taking any of the above actions without giving prior notice to the instructor's supervisor or anyone else in the instructor's chain of command.

Reporting means providing a spoken or written account to a supervising instructor, administrator, school board member, representative from the State Department of Education, law enforcement official, district attorney and/or parent or legal guardian of a student directly impacted by the actions.

The technology center may discipline any instructor who violates a student or parent/legal guardian's confidentiality rights and protections pursuant to the Family Educational Rights and Privacy Act (FERPA) and any other state or federal law which requires confidentiality of information concerning students.

### 3. Procedures for Dismissal or Nonreemployment

#### A. Commencement of Action

- i. Whenever the superintendent determines that cause exists for an instructor's dismissal or nonreemployment, the superintendent shall submit a written recommendation to the board of education. The recommendation shall state the specific ground(s) (statutory grounds, in the case of a career instructor) and specify the underlying facts on which the recommended action is based.
- ii. In the absence of a recommendation from the superintendent pursuant to this section, or when the board of education chooses not to accept the superintendent's recommendation as to reemployment of an instructor, the board may initiate dismissal or nonreemployment action without a recommendation provided that it adheres to the other provisions of this policy and that the corrective action procedures, if applicable, have been followed.

#### B. Suspension

Whenever the superintendent believes cause exists for an instructor's dismissal and that the immediate suspension of the instructor would be in the best interests of students, the superintendent, or the board of education on the recommendation of the superintendent, may suspend the instructor without notice or hearing. The suspension shall not deprive the instructor of any teaching compensation or other benefits to which he/she would otherwise be entitled under the teaching contract or law. Within ten (10) days after the suspension becomes effective, the board of education shall initiate a hearing for dismissal pursuant to this policy. However, in a case involving a criminal charge or indictment, such suspension may extend to such time as the instructor's case is finally adjudicated, except such extension shall not include any appeal process.

#### C. Notice and Hearing

- i. Prior to taking action to dismiss or nonreemploy an instructor, the board clerk or designee shall deliver a copy of the recommendation (or comparable statement of the grounds and underlying facts if the board is acting on its own

volition) and notice of hearing rights to the affected instructor. The notice shall contain the date, time, and location of the hearing and shall be delivered by (i) certified mail, restricted delivery, return receipt requested; (ii) personal delivery, with a signed acknowledgment of receipt from the instructor; or (iii) process server. Delivery must be made to the instructor prior to the first Monday in June for a nonreemployment. The hearing shall be held between 20 and 60 days from the instructor's receipt of the hearing notice.

- ii. The instructor hearing before the board of education shall be conducted pursuant to procedures established by the State Department of Education. In the absence of or to the extent not inconsistent with those procedures, the hearing shall be conducted as prescribed in the paragraphs below.
- iii. The hearing shall commence with a statement to the instructor of the instructor's rights at the hearing. Following this statement, the school administration shall present facts showing the cause for the instructor's dismissal or nonreemployment. The instructor shall then have the right to present the instructor's side of the matter. After both the school administration and the instructor have fully presented their respective positions, the board of education shall deliberate on the evidence regarding the instructor's dismissal or nonreemployment in executive session.
- iv. At the hearing, the instructor shall be entitled to be represented by counsel, to cross-examine witnesses presented by the school administration, to present witnesses on the instructor's behalf and to present any relevant evidence or statement which the instructor desires to offer. The burden of proof for any dismissal or nonreemployment shall be on the superintendent (or designee), and the standard of proof shall be a preponderance of the evidence.
- v. After due consideration of the evidence and testimony presented at the instructor's hearing, the board shall vote, in open session, on the following: (1) findings of fact based on the evidence submitted and (2) whether to dismiss or nonreemploy the instructor. The decision shall be made by a majority of the board of education members present at the meeting and shall be final and nonappealable

The motion to dismiss or nonreemploy the instructor should state the specific cause for dismissal or nonreemployment, although such cause need not be a statutory cause for a probationary instructor.

- vi. The instructor shall be sent notice of the board's decision by certified mail, restricted delivery, return receipt requested, or substitute process. The notice shall state the basis for the board's decision.
- vii. The instructor shall receive any compensation or benefits to which the instructor is entitled until such time as the board's decision is final. If the instructor's hearing is for nonreemployment, and not for dismissal, the instructor's compensation and benefits may continue only until the end of the

instructor's current contract.

D. Criminal Matters

Whenever the superintendent (or board) makes a recommendation for an instructor's termination based on conduct which could form the basis of criminal charges sufficient to warrant revocation of the instructor's certificate, the superintendent shall forward a copy of the recommendation to the Oklahoma State Department of Education and the instructor at the conclusion of any due process provided to the instructor or upon acceptance of the instructor's resignation.

4. Instructors with a Suspended Certificate

An instructor whose certificate has been suspended by the State Board of Education pursuant OKLA. STAT. tit. 70, Section 3-104 and OKLA. STAT. tit. 75, Sections 314 and 314.1 shall be placed on paid suspension while proceedings for revocation or other action are pending before the State Board of Education. During the time the instructor's certificate is suspended, the technology center may initiate due process procedures in accordance with OKLA. STAT. tit. 70, Section 6-101.20 *et. seq.*

Reference: 70 O.S. §6-101, OAC 210-1-5-8

**REDUCTION IN FORCE  
CERTIFIED TEACHER  
PERSONNEL**

1. General Matters

- A. Reasons for a Reduction in Force. A teacher may be dismissed or nonreemployed when the board decides that due to (i) a financial exigency or (ii) a program change for institutional reasons or (iii) a decline in enrollment or (iv) other business necessity as determined by the board, a reduction in teaching staff is necessary.
- B. Definitions. For the purpose of this policy, the following terms have the stated meanings:
1. "Financial exigency" means a reduction in the technology center's financial resources resulting from declining enrollment or any other action or event that in the sole judgment of the board of education will result in a reduction in the technology center's current or future operating budget.
  2. "Program change" means any elimination, curtailment or reorganization of a curriculum offering, program or school operation or a reorganization or closing of a school or consolidation of two or more individual schools or districts that is unrelated to financial exigency.
  3. "Declining enrollment" means a decrease in the technology center's total enrollment or enrollment in a particular program or curriculum offering which in the sole judgment of the board of education may adversely affect the technology center's current or future allocation of funds and/or the necessity of maintaining certain current or future class sections or curriculum offerings.
- C. Criteria for Eliminating Positions. The primary criterion in effectuating any reduction in force shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the technology center. In evaluating its program, the superintendent and the board will consider the elimination of teaching positions, not the teachers occupying those positions. In deciding which positions to eliminate, the superintendent and the board will consider the curriculum, the needs of students and those extra duty assignments that require special skill or expertise.

However, CVTC will not usually give program priorities unless CVTC student enrollments in the program are adequate to justify its continuation. Other criteria used in effectuating a reduction in force shall be program enrollment and program placement. Probationary teachers in positions to be eliminated will be non-renewed or dismissed before career teachers.

- D. Bumping. If a teacher's position is eliminated and the teacher scheduled to be dismissed or nonreemployed (after going through the criteria in section "D" above) has a composite Marzano score of effective, as defined by the district's Marzano model, then in the administration's sole discretion, that teacher may be placed in another position for which the teacher is certified to teach, if the other position is currently held by a teacher who has a composite Marzano score that is below effective. Under those circumstances, the teacher with the Marzano composite below effective will be dismissed or nonreemployed. If two (2) or more teachers in a specific position have the same composite scores, then the process of section (C) will be used to determine who is dismissed or nonreemployed.
- E. Career Teachers. In determining which career teacher(s) will be non-reemployed when one or more of a number of identical positions is eliminated, the following criteria will be considered to determine which career teacher will "bump" the probationary teacher; however, the final decision will be made based on the interest of the district:
1. CVTC will retain the career teacher(s) with the greatest number of years of industrial experience, as defined in section I.D.2.a of this policy.
  2. If industrial experience under the above criterion is equal, CVTC will retain the career teacher with the most advanced academic degree status, as defined in section I.D.2.c of this policy.
  3. If degree status is equal, CVTC will retain the career teacher having the most versatile certificate in order to enable CVTC to have flexibility in planning future curriculum.
  4. If versatility of certificates is equal, CVTC will retain the career teacher having seniority, as determined by the number of complete, consecutive school years of employment in CVTC.
  5. If seniority is the same, CVTC will retain the career teacher chosen by lot.
- F. Adult Education Teachers. The dismissal and nonreemployment provisions of the Teacher Due Process Act of 1990 do not apply to adult education teachers. Accordingly, adult education teachers are not covered by the protections of this policy and, unless otherwise required by law, are subject to a reduction in force without notice and without compliance with this policy.



## 2. Procedures

- A. Action by Superintendent. The superintendent, upon receipt of the board's preliminary determination of the necessity for a reduction in force, or upon the superintendent's own volition, shall submit to the board the superintendent's written recommendations for terminating particular teaching positions. In making recommendations, the superintendent (i) shall not be limited to considering only positions in the areas or programs designated by the board and (ii) shall consult with each principal or other administrator in whose school or unit a position elimination/termination is proposed and (iii) shall take into consideration the criteria set out herein.
- B. Action by Board. In the absence of a recommendation from the superintendent pursuant to this section, or when the board of education chooses not to accept the superintendent's recommendation, the board may initiate action without such recommendation provided that it adheres to the other provisions of this policy.
- C. Notice and Hearing Procedures. Prior to taking any action to non-reemploy or dismiss a teacher due to a reduction in force, whether acting on a recommendation of the superintendent or on its own volition, the board shall provide notice and an opportunity for hearing to the affected teacher; provided, however, because the law does not provide nonrenewal hearings for teachers on temporary contracts, no hearing opportunity shall be afforded any teacher on a temporary contract with notice of the expiration of the temporary teacher's contract at the end of the school year being provided to the temporary teacher. The notice and board hearing procedures shall be the same as those provided by Oklahoma law and board policy regarding dismissal and nonreemployment of teachers for cause. Notice of a recommendation of nonreemployment shall be given to the teacher prior to the 1<sup>st</sup> Monday in June.
- D. Hearing. At the hearing, evidence may be presented by the administration and the teacher, as to (i) whether a reduction in force is reasonably necessary and is being made in good faith and for the best interests of the technology center and (ii) whether the recommendation to not renew (or dismiss) the specific teacher is being made in good faith and pursuant to the process set out herein.
- E. Effect of Board Decision. The decision of the board based on the evidence presented at the hearing shall be final and unappealable.

## 3. Reemployment or Other Employment After Reduction in Force

- A. Recall. The recall provisions in this process will only apply and be available to a teacher who had a composite Marzano score of at least effective at the time of his/her nonreemployment (or dismissal). For one school year after the effective date of nonreemployment (or dismissal) due to a reduction in force, the board of education shall not fill the specific position previously held by a teacher who was nonreemployed (or dismissed) due to a reduction in force without first offering such position to the nonreemployed (or dismissed) teacher. If more than one nonreemployed (or dismissed) teacher is both certified and qualified

for a position which the teachers previously held with the technology center and which becomes available, the board, after receiving the superintendent's advice, shall select the teacher it believes will best fill the position. Nothing in this policy shall give to any nonreemployed (or dismissed) teacher priority rights to fill a vacancy which becomes available and for which they are certified and qualified unless such position is identical to the position which they previously held with the technology center.

- B. Recall Procedures. The offer of reemployment shall be made personally or by certified mail, return receipt requested, and the teacher shall be notified that if he/she wishes to accept, he/she must do so in writing within five (5) calendar days of receipt of notice or within ten (10) calendar days of the postmark on the envelope in which the offer is mailed, whichever is shorter. Failure to receive timely acceptance of the offer of reemployment eliminates all reemployment rights of the teacher.
- C. Status After Recall. A career teacher who has been nonreemployed (or dismissed) and who is then reemployed within one school year shall be reinstated as a career teacher. A probationary teacher who is non-reemployed (or dismissed) but is then reemployed within one school year shall be given credit for the time already served as a probationary teacher for the purpose of determining eligibility for career teacher status.

#### 4. Interpretation and Application

The interpretation and application of any provision of this policy shall be the exclusive province of the Board of Education.

### **RESIGNATION OF CERTIFIED PERSONNEL**

Resignations must be dated and submitted in writing to the superintendent stating the effective date of resignation. Equivocal resignations will not be accepted. A resignation to be effective at the conclusion of a school year must be received prior to fifteen (15) days after the first Monday in June of that school year. A resignation to be effective at any other time or to be effective at the conclusion of the school year but received after fifteen (15) days after the first Monday in June does not sever the employment relationship for the subsequent school year unless and until approved by the board.

Resignations offered during the course of the school year will not be accepted unless the superintendent determines that arrangements can be made to avoid a detrimental impact on efficient operation of the school and the board of education concurs.

A resignation may not be withdrawn after it has been accepted by the superintendent and will be considered irrevocable from that date.

Upon receipt of a written resignation from a certified employee, the superintendent, or designee, shall:

1. Make a record of the date upon which the written resignation was submitted either by reference to a certified mail receipt or by writing on the face of the resignation the date of receipt and his/her initials.
2. If the written resignation is to be effective at the conclusion of the current school year and it is received prior to fifteen (15) days after the first Monday in June, notify the employee that his/her resignation is accepted.
3. If the written resignation is to be effective at any time other than the conclusion of the current school year or to be effective at the end of the school year but is not received until after fifteen (15) days after the first Monday in June, notify the employee that his/her resignation will be considered by the board of education.
4. Place upon the agenda of the next board of education meeting an agenda item for consideration and action on the resignation received.

The board of education may accept or decline to accept the resignation of a certified employee. Provided, that the board of education, by adoption of this policy, authorizes the superintendent to accept the resignation of those employees submitting resignations prior to fifteen (15) days after the first Monday in June to be effective at the conclusion of the then current school year.

Payment of final compensation shall be processed and disbursed at the scheduled times.

## **STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS**

Teachers are charged with the education of the youth of this state. In order to perform effectively, teachers must demonstrate a belief in the worth and dignity of each human being, recognizing the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles.

In recognition of the magnitude of the responsibility inherent in the teaching process and by virtue of the desire for the respect and confidence of their colleagues, students, parents and the community, teachers are to be guided in their conduct by their commitment to their students and their profession.

### **PRINCIPLE I**

#### **Commitment to the Students**

***Oklahoma Administrative Code (OAC) 210:20-29-3 – Effective June 25, 1993***

The teacher must strive to help each student realize his or her potential as a worthy and effective member of society. The teacher must work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the teacher:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning;
2. Shall not unreasonably deny the student access to varying points of view;
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress;
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety;
5. Shall not intentionally expose the student to embarrassment or disparagement;
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly:
  - A. Exclude any student from participation in any program;
  - B. Deny benefits to any students;
  - C. Grant any advantage to any student.

7. Shall not use professional relationships with students for private advantage; and
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose and is permitted by law or is required by law.

## **PRINCIPLE II**

### **Commitment to the Profession**

***Oklahoma Administrative Code (OAC) 210:20-29-4 – Effective June 25, 1993***

The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In order to assure that the quality of the services of the teaching profession meets the expectations of the state and its citizens, the teacher shall exert every effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages and exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement, or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist an unqualified person in the unauthorized practice of the profession.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

## **PRINCIPLE III**

1. Subject to the provisions of the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:
  - A. Willful neglect of duty.
  - B. Repeated negligence in performance of duty.
  - C. Mental or physical abuse to a child.
  - D. Incompetency.

- E. Instructional ineffectiveness.
  - F. Unsatisfactory teaching performance.
  - G. Commission of an act of moral turpitude.
  - H. Abandonment of contract.
2. Subject to the provisions of the Teacher Due Process Act, a probationary teacher may be dismissed or not reemployed for cause.
3. A teacher shall be dismissed or not reemployed unless a presidential or gubernatorial pardon has been issued, if during the term of employment the teacher is convicted in this state, the United States, or another state of:
- A. Any sex offense subject to the Sex Offender Registration Act in this state or subject to another state's or the federal sex offender registration provisions; or
  - B. Any felony offense.
4. A teacher may be dismissed, refused employment, or not reemployed after a finding that such person engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:
- A. "Criminal sexual activity" means the commission of an act defined in Section 886 of Title 21 of the Oklahoma Statutes, which is the act of sodomy; and
  - B. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity

As used in this section, "abandonment of contract" means the failure of a teacher to report at the beginning of the contract term or otherwise perform the duties of a contract of employment when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the contract of employment.

***Note: This is a reprint of OSDE Teacher Standards***

## **EVALUATION OF PROFESSIONAL STAFF**

Evaluation of professional staff is a continuous process; however, formal evaluation will be administered according to the following schedule.

### Teachers

For purposes of this policy, teachers are those certified individuals who are employed in an instructional capacity or as a counselor or librarian.

- Teachers with three (3) or more consecutive complete school years of service at the technology center shall be evaluated at least once each school year.
- Teachers with less than three (3) consecutive complete school years of service at the technology center will be evaluated at least once per school year. At a minimum, these teachers will receive formative feedback at least twice per school year, once during the fall semester and once during the spring semester of each school year.

### Administrators

The superintendent shall be evaluated by the board of education annually pursuant to the district's policy governing the evaluation of the superintendent. Other certified school administrators shall be evaluated annually by the superintendent or personnel designated by the superintendent. A written copy of the evaluation will be provided to the administrator.

Noncertified administrators are not covered by this policy. Noncertified administrators will be evaluated in accordance with the district's practices governing the evaluation of support employees.

### Other

Nothing in this policy shall prevent a formal written evaluation of any professional employee on occasions more often than set forth herein.

All evaluations shall be in writing and the evaluation documents and responses thereto will be maintained in the employee's personnel file.

This policy and the evaluation form utilized to effectuate this policy shall promptly be made available to all persons subject to this policy. Nothing in this policy shall require as a condition precedent to dismissal of any administrator that a prior written evaluation be made of the employee; provided, however, no action to nonreemploy a certified or noncertified administrator shall occur without a written evaluation of the employee.

Reference: OKLA. STAT. tit. 70 § 6-101.3

**DYSLEXIA/DYSGRAPHIA AWARENESS PROGRAM**

The technology center recognizes that many students suffer from dyslexia and dysgraphia, and may require further assistance in the classroom. Accordingly, starting with the 2020-2021 school year, the technology center will offer an annual dyslexia awareness program to provide instructors with training and resources on dyslexia and to foster a better learning environment for affected students. Starting with the 2023-2024 school year, the annual program shall include information and training regarding dysgraphia.

Beginning with the 2020-2021 school year, the annual dyslexia awareness program will, at a minimum, include:

1. Training in awareness of dyslexia characteristics in students;
2. Training in effective classroom instruction to meet the needs of students with dyslexia; and
3. Available dyslexia resources for instructors, students and parents.

Beginning with the 2023-2024 school year, the annual dyslexia and dysgraphia awareness program will, at a minimum, include:

1. Training in awareness of dyslexia and dysgraphia characteristics in students;
2. Training in effective classroom instruction to meet the needs of students with dyslexia and dysgraphia; and
3. Available dyslexia and dysgraphia resources for instructors, students and parents.

Reference: OKLA. STAT. tit. 70, § 6-194(F)



**EVALUATION OF SUPPORT PERSONNEL**

An approved evaluation instrument will be used to evaluate support personnel on the basis of job performance as listed on their job description. A copy of the evaluation will be given to the employee and a copy will be placed in the employee's personnel file. Evaluations of support employees will be completed prior to recommendation of rehire each year unless unforeseeable circumstances preclude evaluation prior to recommendations for re-hire or termination of employment.

**REDUCTION IN FORCE OF  
SUPPORT PERSONNEL**

The technology center believes that every reasonable effort should be made to avoid a reduction in force at any level. However, if it should become necessary to reduce the number of full-time support employees due to lack of funds or lack of work in a particular area or due to a reorganization, the position or program will be the determining factor and not the individuals who occupy the position or serve the program.

An employee is considered to be a full-time employee if the number of hours worked are the number of hours customarily worked in that position and if that position is designated as a full-time position by the board.

A reduction in force may occur for lack of funds, lack of work because of a decline in enrollment, consolidation of programs or positions, elimination of positions, or other circumstances as determined by the board.

If termination of employment should become necessary, notices of such terminations and all due process rights will be made as set forth in the policy governing suspension, demotion, or termination of support employees found elsewhere in this manual.

Any necessary terminations shall begin by dismissing temporary, seasonal, or part-time employees within the job category affected. These employees shall be terminated at the discretion of the board or the board's designee.

If normal attrition and the release of temporary and part-time employees does not sufficiently reduce the support staff, the following items will be considered in the reduction process in the order listed:

1. Performance history;
2. Job qualification by training and experience;
3. Attendance and punctuality; and
4. In the event that two or more employees in the affected category are equal in the above factors, termination shall be made on the basis of seniority within each general job category.

Supervisors and directors shall serve at the pleasure of the board and shall not be subject to the prescribed seniority order for reductions in force. Personnel whose positions are eliminated in one category may be considered for a position in another category.

Seniority shall be defined as the total length of continuous service as a support employee within this technology center. Employees who are terminated and subsequently reinstated shall retain cumulative seniority for all periods worked except for the period of termination.

Demotions in position, due to a reduction in force, shall follow the same procedure as terminations.

**SUSPENSION, DEMOTION,  
TERMINATION OR NONREEMPLOYMENT OF SUPPORT EMPLOYEES**

**1. Definitions**

- A. “Support Employee” shall mean an employee of the technology center who provides those services, not performed by professional educators or licensed teachers, which are necessary for the efficient and satisfactory functioning of the technology center.
- B. “Full-time Support Employee” shall mean a support employee who regularly works the standard period of labor which is generally understood to constitute full-time employment for the type of services performed by the employee and who is employed by the technology center for a minimum of 172 days per year.
- C. “Suspension without pay” shall mean the temporary denial of a support employee’s right to work and receive any pay and other benefits during the term of the suspension. “Suspension without pay” may be as a disciplinary measure as provided in paragraph 4.B(1), below or as a suspension pending investigation as provided in paragraph 4.B(2), below. If a final decision is made under the procedures stated below that a suspension without pay was improper, the support employee shall receive full pay and other benefits for the period of suspension.
- D. “Suspension with pay” may occur in those situations in which the superintendent or a supervisor of the support employee perceives a significant hazard in keeping the support employee on the job, in which event the support employee may be asked to immediately leave the technology center’s premises and the support employee is temporarily relieved of his or her duties pending a hearing under paragraph 4, below.
- E. “Demotion” shall mean a reduction in pay during the term of the support employee’s contract. “Demotion” shall not mean a change in job description or work assignment or duties.
- F. “Termination” shall mean the discharge of the support employee from his/her employment with the technology center during the term of his/her contract and does not include the cessation of employment upon expiration of the support employee’s contract.
- G. “Non-reemployment” shall mean the failure to offer a support employee a new contract for the next successive school year after the contract under which the support employee is presently employed has expired.
- H. References to the “superintendent” in this policy include the superintendent’s designee.

**2. Policy on Suspension, Demotion, Termination or Non-Reemployment of Full-Time Support Employees**

A full-time support employee who has been employed by the technology center for more than one year shall be suspended, demoted, terminated or non-reemployed during the term of his/her contract only for cause as provided in this policy. In addition to the definition of cause stated in section 3 of this policy, "cause" shall also specifically include lack of funds or lack of work. Any support employee who has been employed by the technology center for less than one year (12 months) is not entitled to invoke the procedures of this policy and such employee's contract can be terminated at any time without cause.

**3. Cause for Suspension, Demotion, Termination or Non-Reemployment**

- A. A support employee may be suspended, demoted, terminated or non-reemployed during the term of his/her contract for any of the following:
  - i. Violation of any rule, regulation or requirement issued by the office of the superintendent or board of education of the technology center; or
  - ii. Conduct not otherwise specified in the above rules, regulations or requirements which constitutes insubordination, neglect of duty, incompetency in job performance, dishonesty, or causing or allowing damage, destruction or theft of technology center property.
- B. The rules, regulations and requirements referred to above and the Rules for Conduct shall be furnished to each support employee at the time of his/her initial employment. In the event these rules are updated, a copy shall be timely distributed to support employees.

**4. Procedures for Suspensions Without Pay, Terminations and Demotions**

- A. Any full-time support employee is subject to disciplinary action in the form of a suspension without pay, demotion or termination. Prior to instituting any such disciplinary action, the full-time support employee shall receive the following hearing rights:
  - i. The superintendent shall orally advise the support employee of the cause or basis for the proposed disciplinary action;
  - ii. The superintendent shall explain to the support employee the evidence against the support employee;
  - iii. The superintendent shall allow the support employee an opportunity to present his or her side of the matter.
- B. After the support employee is afforded the above hearing rights the superintendent may take any of the following actions:
  - i. Suspension without pay for ten (10) working days or less as a disciplinary measure;
  - ii. Suspension without pay pending investigation as to whether cause exists for the termination of the support employee;

- iii. Demotion of the support employee;
  - iv. Termination of the support employee;
  - v. Conclude that no disciplinary action is appropriate.
- C. The support employee shall have the right to appeal to the board of education a suspension without pay as a disciplinary measure, a demotion or a termination as set forth in the Procedures for Appeal to the board of education in section 6 below.

## **5. Procedures for Non-Reemployment**

Prior to being non-reemployed, a full-time support employee who has been employed by the technology center for more than one (1) year shall be entitled to the following hearing rights:

- A. The board of education or the superintendent shall advise the support employee, in writing, of the board's intention to consider and act on the non-reemployment of the support employee for the subsequent fiscal year;
- B. The written notification shall set out the cause(s) for such action;
- C. The support employee shall have the right to contest non-reemployment before the board of education as set forth in the Procedures for Appeal to the board of education in section 6 below.

## **6. Procedures for Appeal to the Board of Education**

- A. After any suspension without pay as a disciplinary measure, or prior to the effective date of any demotion, termination during the term of his/her contract or non-reemployment, the support employee shall receive notice of the right to a hearing before the board of education as herein provided.
- B. All notices shall be sent to the support employee by certified mail at the address of the support employee shown on the school records. If the support employee refuses to accept the notice or fails or refuses to pick up the notice after being notified by the post office to do so, then the support employee shall be deemed to have received the notice on the date that the notice was postmarked. The postmark shall be used to determine the timeliness of the notice.
- C. A support employee who has been notified in writing of suspension without pay as a disciplinary measure, demotion or termination during the term of his/her contract or non-reemployment may notify the clerk of the board of education of the technology center within ten (10) working days of the postmark on the notice if the support employee desires a hearing before the board of education. If the support employee fails to notify the clerk of the board of education of the technology center in writing within ten (10) working days of the postmark on the notice that the support employee requests a hearing, the support employee shall be deemed to have waived the right to a hearing and the suspension without pay as a disciplinary measure, demotion or termination action shall be final and, in the case of a non-reemployment, the board may take final action to non-reemploy the employee without further notice or hearing rights.

D. Hearing before Board of Education:

- i. Upon timely notice as set forth above, the support employee shall be entitled to a hearing before the board of education. The hearing shall be conducted at the next, or next succeeding, regularly scheduled meeting of the board of education if the request for the hearing was received at least ten (10) days prior to the next, or next succeeding, regularly scheduled board of education meeting. At the request of the support employee or at the discretion of the board of education, the board of education shall call a special meeting to conduct the requested hearing, which special meeting shall be held no earlier than ten (10) days nor later than thirty (30) days after receipt of the support employee's request.
- ii. At the hearing before the board of education, the support employee shall be entitled to be represented by counsel, to cross-examine witnesses presented by the technology center, to present witnesses on his/her behalf and to present any relevant evidence or statement which the support employee desires to offer. The hearing shall be conducted in "open" session. The hearing shall commence with a statement to the support employee of his or her rights at the hearing. Following this statement, the technology center administration shall present facts showing the cause for the support employee's suspension without pay as a disciplinary measure, demotion, termination or non-reemployment. The burden of proof shall be upon the administration. The support employee shall then have the right to present his/her side of the matter. After both the technology center administration and the support employee have fully presented their respective positions, the board of education shall deliberate on the evidence in executive session. The board of education shall announce its findings and decision immediately in open session by individual voice vote. The decision shall be made by a majority of the board of education members present at the meeting.
- iii. As to suspension as a disciplinary measure, demotion or termination, the board of education may affirm, modify or reverse the action taken against the support employee, including increasing or decreasing the severity of the original action. As to non-reemployment, the board may reemploy or non-reemploy the employee for the subsequent fiscal year.
- iv. The decision of the board of education at the hearing shall be final and non-appealable.

**7. Miscellaneous**

This policy shall be effective immediately upon adoption by the board of education and shall supersede all previous policies regarding the subject matter contained herein. The board of education reserves the right to modify or amend this policy from time to time in any manner consistent with applicable law.

Nothing contained in this policy shall prevent the board of education from acting on its own volition in matters pertaining to suspension, demotion, dismissal or non-renewal of support employees.

**SUPPORT EMPLOYEE RULES FOR CONDUCT**

A support employee may be suspended, demoted, terminated or nonreemployed for violation of any of the following Rules for Conduct, as well as other standards of conduct included in school district policies:

1. Falsification of personnel or other records.
2. Unexcused failure to be at work station at starting time.
3. Leaving work station without authorization prior to lunch periods, or end of work day.
4. Abandonment of job (3 or more consecutive or non-consecutive absences in a rolling 6 month period without following the proper reporting procedures).
5. Unapproved or excessive absenteeism.
6. Chronic absenteeism for any reason.
7. Unapproved or excessive tardiness.
8. Chronic tardiness.
9. Wasting time or loitering during working hours.
10. Leaving work area during work hours, without permission, for any reason.
11. Possession of weapons on school premises<sup>1</sup>, in school district vehicles or while on duty.
12. Removing technology center property or records from the premises without proper authority.
13. Willful abuse, misuse, defacing, or destruction of technology center property, including tools, equipment, or property of other employees.
14. Theft or misappropriation of property of employees or students of the technology center.
15. Sabotage.
16. Distracting the attention of others.
17. Refusal to follow instructions of supervisor.

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<sup>1</sup> Support personnel who are either (a) over the age of twenty-one (21) or (b) who are a military member or veteran and over age eighteen may possess a firearm in the school parking lot but that weapon must be stored in the employee's vehicle pursuant to Oklahoma law.

18. Refusal or failure to do work assignment.
19. Unauthorized operation of machines, tools, or equipment.
20. Threatening, intimidating, coercing or interfering with employees or supervisors.
21. Threatening, intimidating, coercing or exploiting students or others connected with the district.
22. The making or publishing of false, vicious, or malicious statements concerning any employee or supervisor.
23. Creating a disturbance on school premises including but not limited to engaging in quarrelsome behavior and fighting.
24. Creating or contributing to unsanitary conditions.
25. Actions or omissions that jeopardize the health, safety, life, or property of self or others.
26. Practical jokes injurious to other employees, students or technology center property.
27. Possession, consumption, or reporting to work under the influence of beer, alcoholic beverages (including wine), non-prescribed drugs, or controlled dangerous substances.
28. Disregard of known safety rules or common safety practices.
29. Unsafe operation of motor driven vehicles or equipment.
30. Operating machines or equipment without using the safety devices provided.
31. Gambling, lottery, or any other game of chance on technology center property.
32. Unauthorized distribution of literature, written or printed matter of any description on technology center property.
33. Posting or removing notices, signs, or writing in any form on bulletin boards of school district property at any time without specific authority of the administration.
34. Poor workmanship.
35. Immoral conduct or indecency including abusive and/or foul language.
36. Excessive personal calls during working hours, except for emergencies. This includes in-coming and out-going calls.
37. Walking off job.
38. Clocking in or out on another employee's time card or time sheet.
39. Smoking or using tobacco products in an unauthorized area, including the use of e-cigarettes, personal vaporizers and other similar devices, regardless of whether those devices are used with cartridges containing nicotine.



40. Refusal of job transfer, if the transfer does not result in a demotion.
41. Abuse of "breaks" (rest periods) or meal period policies.
42. Insubordination of any kind.
43. Dishonesty of any kind, including withholding pertinent information from a supervisor.
44. Wrongdoing of any kind.
45. Violation of a law or regulation.
46. Sexual harassment of an employee, a student or a third party such as a patron or vendor.
47. Violation of a policy or rule enacted to ensure orderly and proper job performance or for the safety of self or others.
48. Misuse or abuse of any technology center leave policy or guidelines.
49. Any intentional act or omission which constitutes a material or substantial breach of job duties, responsibilities or obligations.
50. Any conduct which the employee knew or should have reasonably known was a violation of school rules or policies.
51. When it is in the best interest of the technology center, any support personnel may be suspended, demoted, terminated or nonreemployed.
52. Because of the substantial difficulty of retaining competent support employees on a temporary basis over an extended period of time, a support employee shall be subject to termination or nonreemployment for inability to perform the essential job requirements if the employee is unable due to illness or accidental injury to return to work for his or her regularly scheduled hours and to perform the essential duties of the position (with or without reasonable accommodation) within 12 work weeks or the number of work days equal to the employee's total accumulated sick leave days, whichever is longer, measured from the date of the first absence due to the condition resulting in the extended absence. The administration may, in its discretion, extend additional unpaid leave as an accommodation of a disability.

53. Unauthorized access of a computer, mobile phone or website.

54. Engaging in discriminatory conduct (including discrimination based on race, religion, color, national origin, sex, sexual orientation, gender expression, gender identity, pregnancy, disability, genetic information, veteran status, or age) against an employee, student, or third party.

**RESIGNATION OF SUPPORT EMPLOYEES**

Support employees may submit a written resignation from employment with the technology center at any time. The resignation must be written, dated, signed and specify the date upon which it is effective. The resignation must be mailed to the superintendent by certified mail, return receipt requested, or delivered to the superintendent's office. An acknowledgment of receipt of hand-delivered copies shall be placed on the face of the resignation.

The superintendent is authorized to accept the written resignation of any support employee and the support employee shall be advised in writing that the resignation has been accepted. The superintendent shall advise the board of education of the support employee's resignation and whether he/she has accepted the resignation.

Payment of final compensation shall be processed and disbursed at the scheduled times.

## **ALCOHOL AND DRUG TESTING FOR BUS DRIVERS**

### **Purpose**

The purpose of this policy is to prevent accidents and injuries resulting from alcohol or controlled substance use by drivers of commercial motor vehicles. This policy is intended to comply with the technology center's mandatory obligations under regulations issued by the United States Department of Transportation ("DOT").

### **Definition of Terms**

Certain terms used in this policy have the following meaning unless the context plainly shows otherwise:

1. "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.
2. "Alcohol concentration" means the number of grams of alcohol (for example: 0.04) in 210 liters of expired deep lung air.
3. "Alcohol confirmation test" means a subsequent test using an EBT (a breath testing device), following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.
4. "Alcohol screening device" ("ASD") means a breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration ("NHTSA") and appears on the Office of Drug & Alcohol Policy & Compliance's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids" because it conforms to the model specifications from NHTSA.
5. "Alcohol use" means the drinking or swallowing any beverage, mixture or preparation, including any medication, containing alcohol.
6. "BAT" means a qualified breath alcohol technician.
7. "Cancelled test" means a drug or alcohol test that has a problem identified and cannot be or has not been corrected. A cancelled test is neither a positive or a negative test.
8. "CDL" means commercial driver's license.
9. "Collection site" means a place selected by the employer where employees present themselves for the purpose of providing a urine specimen for a drug test.
10. "Confirmatory drug test" means a second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite.

11. "Confirmed drug test" means a confirmatory drug test result received by a MRO from a laboratory.
12. "Controlled substance" means amphetamines, cannabinoids, cocaine, phencyclidine (PCP), opioids, or a metabolite of any of these substances.
13. "Designated employer representative" ("DER") means an employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer.
14. "Dilute specimen" means a urine specimen with creatinine and specific gravity values that are lower than expected for human urine.
15. "Driver" means (i) a technology center employee who is required to have a CDL to perform the employee's duties; (ii) employees of independent contractors who are required to have CDLs; (iii) owner-operators; (iv) leased drivers; and (v) occasional drivers.
16. "EBT" means a device that is approved by NHTSA for the evidential testing of breath at the .02 and .04 alcohol concentrations, and appears on the Office of Drug & Alcohol Policy & Compliance's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids" because it conforms to the model specifications available from NHTSA.
17. "Federal Act" means the Omnibus Transportation Testing Act of 1991 and the regulations issued by the United States Department of Transportation pursuant to that Act.
18. "Oklahoma Act" means the Oklahoma Standards for Workplace Drug and Alcohol Testing Act.
19. "Initial drug test" means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.
20. "Initial validity test" means the first test used to determine if a specimen is adulterated, diluted, or substituted.
21. "Invalid drug test" means the result reported by an HHS-certified laboratory in accordance with the criteria established by HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.
22. "Medical review officer" ("MRO") means a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.
23. "Safety-sensitive function" means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.
24. "Screening Test Technician" ("STT") means a person who instructs and assists employees in the alcohol testing process and operates an ASD.

25. "Service agent" means any person or entity, other than an employee of the employer, who provides services to employers and/or employees in connection with DOT drug and alcohol testing requirements.
26. "Split specimen" means a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.
27. "Stand-down" means the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed a verified test.
28. "Substance Abuse Professional" ("SAP") means a person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.
29. "Substituted specimen" means a specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.
30. "Verified test" means a drug test result or validity testing result from a United States Department of Health and Human Services certified laboratory that has undergone review and final determination by the MRO.

### **Required Testing & Consent**

The following testing is required of all drivers:

#### ***Pre-Employment Testing and Consent***

A driver must pass an alcohol and controlled substance test prior to performing a safety-sensitive function. The test will be conducted during the hiring process or immediately before the driver first performs a safety-sensitive function.

##### **1. Alcohol Testing**

A driver may not commence the performance of duties unless the test shows a concentration of less than 0.04. If the test shows a concentration of between 0.02 and 0.04, no safety-sensitive duties may be performed for at least 24 hours.

A pre-employment alcohol test will not be required if:

- i. The driver has undergone an alcohol test required by the Federal Act within the previous six weeks and tested under 0.04; and
- ii. The driver provides evidence that no prior employer of the driver has any record of alcohol misuse by the driver within the previous six months.

## 2. Controlled Substances

The driver must receive a confirmed negative controlled substance test result from a medical officer, except that no testing is required if:

- i. The driver has participated within the previous 30 days in a drug testing program meeting the requirements of the Federal Act; and
- ii. While participating in the program, the driver either (a) was tested for controlled substances within six months prior to the date of employment application or (b) participated in a random controlled substance testing program for the 12 months prior to the date of the employment application; and
- iii. The employer ensures that no prior employer of the driver of whom the employer has knowledge has records of a violation of this part or the controlled substance use rule of another DOT agency within the previous six months.

## 3. Preemployment Consent

The technology center shall request the driver's written consent to obtain the following information from DOT-regulated employers who have employed the driver during the two (2) years before the date of the driver's application to a position requiring safety-sensitive duties:

- i. Alcohol tests with a result of 0.04 or higher alcohol concentration;
- ii. Verified positive drug tests;
- iii. Refusals to be tested (including verified adulterated or substituted drug test results);
- iv. Other violations of DOT agency drug and alcohol testing regulations; and
- v. Documentation of the driver's successful completion of return-to-duty requirements (for those drivers who have violated a drug or alcohol regulation). If the previous employer does not have this documentation, the technology center shall request that the driver produce it.

A driver may not perform safety-sensitive functions if s/he refuses to consent in writing to the release of the above information.

Drivers are responsible for furnishing the technology center with accurate information regarding their employment history, including accurate identification of all former DOT-regulated employers.

The technology center shall maintain a written, confidential record of the information obtained or of the good faith efforts made to obtain the information. This record shall be maintained for three years from the date of the driver's first performance of safety-sensitive functions.

Prior to the driver's first performance of safety-sensitive functions, the technology center shall ask the driver whether s/he has tested positive, or refused to test, on any pre-employment drug or alcohol test (1) administered by a DOT-regulated employer, (2) in connection with a position for which the driver applied, (3) involving the driver's failure to obtain safety-sensitive transportation work, and (4) over the period of two years preceding the date of the employee's application for employment with the technology center. If the driver admits to a positive test or a refusal to test within the past two years, the technology center shall not allow the driver to perform safety-sensitive functions until and unless the driver documents successful completion of the return-to-duty process.

4. **Consequences Associated with Preemployment Testing**

The technology center may decline to employ an applicant who fails drug testing, provides false information, or who fails to cooperate with the technology center in procuring testing and test results. To the extent the applicant has been offered employment or placed in an alternate position pending the receipt of test results, the offer may be withdrawn and alternate employment terminated in accordance with the technology center's policies and procedures applicable to employee termination.

***Post-Accident Testing***

1. **Alcohol**

As soon as practical following an accident, an alcohol test will be administered to the following drivers:

- i. Each surviving driver who was performing safety-sensitive functions with respect to the vehicle, if the accident involves loss of life.
- ii. Each surviving driver who received a moving traffic violation arising from the accident within eight hours of the occurrence, if the accident involved:
  - a. bodily injury to any person that necessitated immediate medical treatment away from the scene of the accident; or
  - b. at least one vehicle incurred disabling damage as a result of the accident that required the vehicle to be transported away from the scene by a tow truck or other vehicle.

If the test is not administered within two hours of the accident, the employer must prepare and maintain a record of why the test was not administered. If the test is not administered within eight hours of the accident, the driver's supervisor shall cease attempts to administer an alcohol test and shall prepare a written report explaining why a test was not given.

Drivers shall remain readily available for testing. A driver leaving the scene of an accident without a valid reason prior to submission to the test may be deemed to have refused to submit to testing.

A breath or blood alcohol test conducted by a law enforcement agency will be considered to meet these requirements if the test meets the requirements of the Federal Act and the test results are obtained by the technology center.

## 2. Controlled Substances

As soon as practical following an accident, a test for controlled substances will be administered to the following drivers:

- i. Each surviving driver who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life.
- ii. Each surviving driver who received a moving traffic violation arising from the accident, if the accident involved:
  - a. bodily injury to any person that necessitated immediate medical treatment away from the scene of the accident; or
  - b. at least one vehicle incurred disabling damage as a result of the accident that required the vehicle to be transported away from the scene by a tow truck or other vehicle.

The test is to be administered within thirty-two (32) hours of the accident. If no test is made within that time period, then no test will be made and the driver's supervisor will prepare a written report stating the reasons for not administering a prompt test.

Drivers shall remain readily available for testing. A driver leaving the scene of an accident without a valid reason prior to submission to the test may be deemed to have refused to submit to testing.

A urine test for controlled substances administered by a law enforcement agency will be considered to meet these requirements if the test meets the requirements of the Federal Act and the results are obtained by the technology center.

### ***Random Testing***

Random alcohol and controlled substances testing of drivers will be conducted throughout the year. Selection of the drivers to be tested will be made by a scientifically valid method, such as random-number table or a computer based random-generator matched with drivers' social security numbers, payroll identification numbers or other comparable identifying numbers. Dates for administering unannounced testing shall be unpredictable and spread reasonably throughout the calendar year.

Drivers are to be tested while performing safety-sensitive functions, just before performing those functions, or just after ceasing those functions. A driver who is notified of selection for random alcohol or controlled substances testing must proceed to the test site immediately, unless the driver is performing a safety-sensitive function other than driving, in which case the driver must cease performing the safety-sensitive function and proceed to the test site as soon as possible.

The minimum annual percentage rate for random alcohol testing will be ten percent (10%) of the average number of driver positions, subject to adjustment of the percentage by the Federal Highway Administration. The minimum annual percentage rate for random testing



for controlled substances will be fifty percent (50%) of the average number of driver positions.

### ***Reasonable Suspicion Testing***

Alcohol and controlled substance testing will be conducted when there is reasonable suspicion to believe that a driver has violated a provision in this policy. Reasonable suspicion shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. Reasonable suspicion for controlled substance use may also be based on indications of the chronic and withdrawal effects of controlled substances.

Alcohol testing is authorized only if the observations are made during, just preceding, or just after the period of the work day that the driver is performing a safety-sensitive function. A written record must be made as to why an alcohol test was not made within two hours following a determination of reasonable suspicion of misuse. No test is to be made if eight hours passed after the determination.

Persons designated to determine whether reasonable suspicion exists shall receive at least sixty (60) minutes of training on performance indicators of probable alcohol misuse. The required observations shall be made by a supervisor who has received training in detecting the symptoms of alcohol/controlled substance misuse. The supervisor who makes the determination that reasonable suspicion exists shall not conduct the alcohol test.

A written record will be made of the observations leading to a controlled substance reasonable suspicion test. The record will be signed by the supervisor who made the observations. The record will be made within twenty-four (24) hours of the observed behavior or before the test results are received, whichever is earlier.

### ***Return to Duty Testing***

#### **1. Returning after Reasonable Suspicion of Alcohol Abuse Determination**

A driver suspected of being under the influence of or impaired by alcohol will not be permitted to perform a safety-sensitive function until: (i) an alcohol test shows a concentration of less than 0.02; or (ii) 24 hours have elapsed following a determination that there was reasonable suspicion to believe the driver has violated the rules in this policy against alcohol misuse.

#### **2. Returning after Violation of Prohibitions in this policy**

A driver who has engaged in conduct prohibited by this policy shall not be permitted to perform safety-sensitive functions until s/he first passes a controlled substance test and/or an alcohol test with an alcohol concentration of less than 0.02.

A driver who has violated a provision in this policy cannot again perform any safety-sensitive duties for any employer until and unless the driver completes the SAP evaluation, referral, and education/treatment process.

## ***Follow-up Testing***

A driver who has been identified by a SAP as needing assistance in resolving problems with alcohol misuse or controlled substance use and who has returned to duty involving the performance of a safety-sensitive function will be subject to a minimum of six (6) unannounced follow-up alcohol and/or controlled substance tests over the following twelve (12) months. The SAP is the sole determiner of the number and frequency of follow-up tests, as well as whether the tests will be for drugs, alcohol or both. The SAP can direct additional testing during this period or for an additional period up to a maximum of sixty (60) months. The technology center must carry out the SAP's follow-up testing requirements.

## **Test Procedures**

Testing methodology will comply with the requirements of the Oklahoma Act, except that the requirements of the Federal Act stated in this policy supersede the provisions of the Oklahoma Act. Alcohol testing must be conducted in a location that provides visual and aural privacy to the driver, sufficient to prevent unauthorized persons from seeing or hearing the test.

### ***Alcohol Testing Procedures***

1. Initial Alcohol Screening Tests
  - i. Procedures for an Alcohol Screening Test Using an EBT or Non-Evidential Breath ASD
    - a. When the driver enters the testing location, the BAT or STT will require the driver to provide positive identification. If the driver requests, the BAT or STT will provide positive identification. The BAT or STT will explain the testing procedure. An individually-sealed mouthpiece is opened in the view of the driver and attached to the EBT. The driver will then blow into the mouthpiece for at least six (6) seconds or until the device indicates that an adequate amount of breath has been obtained. The BAT or STT will show the driver the displayed test result. If the EBT does not provide a printed result, the BAT or STT will record the test number, date, technician's name, location and test result in a log book. The driver will initial the log book. If the EBT provides a printed result, the result is either: (i) printed on the testing form; or (ii) affixed to the form with tamper-evident tape.
    - b. If the screening test result is less than 0.02, the BAT or STT will transmit the result in a confidential manner to the technology center's DER, who is designated by the board of education or the technology center superintendent to receive and handle alcohol test results in a confidential manner.
    - c. If the breath test is 0.02 or higher, a confirmation test is required.

- ii. Procedure for an Alcohol Screening Test Using Saliva ASD
  - a. When the driver enters the testing location, the STT will require the driver to provide positive identification. If the driver requests, the STT will provide positive identification. The STT will explain the testing procedure. The STT will check the expiration date on the device and show it to the driver. An individually wrapped package containing the device will be opened in the presence of the driver, and the driver will be instructed to insert the device into his or her mouth and use it in the manner described by the manufacturer. If the driver chooses not to use the device, the STT must insert the device into the driver's mouth and gather saliva.
  - b. If the screening test result is less than 0.02, the STT will transmit the result in a confidential manner to the technology center's DER, who is designated by the board of education or the technology center superintendent to receive and handle alcohol test results in a confidential manner.
  - c. If the test result is an alcohol concentration of 0.02 or higher, a confirmation test is required.

## 2. Alcohol Confirmation Tests

- i. All confirmation tests must be conducted using an EBT. The confirmation test must occur no less than fifteen (15) minutes after the completion of the screening test and should occur no more than thirty (30) minutes after the completion of the screening test.
- ii. Before a confirmation test is given, the BAT must conduct a "blank" test on the EBT to obtain a reading of 0.00. The remainder of the confirmation test is identical to the screening test for EBTs described in section 1.i.a above.
- iv. If the confirmation test result is lower than 0.02, nothing further is required of the driver.
- v. If the confirmation test result is 0.02 or higher, the driver must sign and date the ATF. The BAT will immediately transmit the result to the DER in a confidential manner.
- vi. Refusal to take a required test has the same consequences as if the driver had tested 0.04 or more. The following constitutes a refusal to take a test: (1) failure to appear for any test within a time required to appear; (2) failure to provide an adequate amount of saliva or breath for testing without a valid medical explanation; (3) failure to cooperate with any part of the testing process; (4) failure to sign the alcohol testing form or ATF certification; (5) failure to remain at the testing site until the testing process is complete, unless the test is a pre-employment test; (6) failure to undergo a medical examination or evaluation due to insufficient breath sampling; (7) leaving the scene of an accident before being tested, except when reasonably necessary to receive medical treatment.

## ***Controlled Substances Testing Procedures***

1. Procedures for Collection of Urine Specimens
  - i. All urine collections must be split specimen collections.
  - ii. The technology center must direct an immediate urine collection under direct observation with no advance notice to the driver, if:
    - a. the laboratory reported to the Medical Review Officer (“MRO”) that a specimen is invalid and the MRO has reported that there is not an adequate medical explanation for the result; or
    - b. the MRO reported that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed.
    - c. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation
  - iii. The technology center must direct a collection under direct observation of a driver if the drug test is a return-to-duty test or a follow-up test.
  - iv. A driver must receive an explanation of the reasons for a directly observed collection.
  - v. If a driver declines to allow a directly observed collection, that driver will be considered to have refused to test.
2. Procedures for Testing of Urine Specimens
  - i. Testing of urine samples for controlled substances shall be performed by a laboratory certified by the federal Department of Health and Human Services (“DHHS”) under the National Laboratory Certification Program.
  - ii. Controlled substance testing may only be performed for the following five drugs or classes of drugs: (a) marijuana metabolites, (b) cocaine metabolites, (c) amphetamines, (d) opioid metabolites, and (e) phencyclidine (PCP).
  - iii. If the driver requests a test of a split specimen, the first laboratory will ship the unopened split specimen to a second DHHS-approved laboratory for testing. If the test of the split specimen fails to confirm the presence of a controlled substance, the entire test is cancelled.
  - iv. The driver must request a split specimen test verbally or in writing within 72 hours of being notified of a verified positive drug test or refusal to test because of adulteration or substitution.

- v. If a driver does not make a request within 72 hours, the driver may present information to the MRO documenting that serious injury, illness, lack of actual notice of the verified test result, inability to contact the MRO, or other circumstances unavoidably prevented the driver from making a timely request.
- vi. If a driver makes a timely request for a split specimen test, the technology center must ensure that the MRO, first laboratory and second laboratory perform the split-specimen testing functions in a timely manner. If necessary, the technology center must pay for the split specimen testing and seek reimbursement from the driver.
- vii. The MRO will report split specimen test results to the DER and driver.
- viii. The laboratory will report results directly to the MRO. The laboratory will not report the results to anyone else.
- ix. When the MRO receives a confirmed positive, adulterated, substituted, or invalid test result from the laboratory, the MRO will attempt to contact the driver to determine whether the driver wants to discuss the test result. If the MRO cannot reach the driver after reasonable efforts to do so, the MRO must contact the DER but cannot tell the DER that the driver has a confirmed positive, adulterated, substituted, or invalid test result. The DER must then attempt to contact the driver. If the DER makes contact with the driver, the DER should simply direct the driver to contact the MRO immediately and inform the driver of the consequences of failing to contact the MRO within the next 72 hours. If the DER is unable to reach the driver after making three (3) attempts, spaced reasonably, over a 24-hour period, then the DER may place the driver on temporary medically unqualified status or medical leave. Documentation must be kept by the DER of any actual and/or attempted contacts with the driver, including the dates and times of the contacts. If the DER is unable to contact the driver within the 24-hour period, the DER must leave a message for the driver by voice mail, e-mail or letter to contact the MRO and inform the MRO of the date and time of this message.
- x. Confirmation testing for controlled substances will be performed in accordance with the Oklahoma Act, except when the Oklahoma Act conflicts with Federal law.
- xi. The MRO may conduct additional testing of a specimen as authorized by the DOT if doing so is necessary to verify a test result
- xii. The MRO must verify a confirmed positive test result for marijuana, cocaine, amphetamines, semi-synthetic opioids (*i.e.* hydrocodone, hydromorphone, oxycodone, and oxymorphone) and/or PCP unless the driver presents a legitimate medical explanation for the presence of the drug(s)/metabolite(s) in her or his system. In determining whether an employee's legally valid prescription consistent with the Controlled Substance Act for a substance in the categories constitutes a legitimate medical explanation, the MRO must not question whether the prescribing physician should have prescribed the substance.

- xiii. The MRO must verify a confirmed positive test result for opiates in the following circumstances:
  - a. The MRO must verify the test result positive if the laboratory confirms the presence of 6-acetylmorphine (6-AM in the specimen)
  - b. In the absence of 6-AM, if the laboratory confirms the presence of either morphine or codeine at 15,000 ng/mL or above, the MRO must verify the test result positive unless the employee presents a legitimate medical explanation for the presence of the drug(s)/metabolite(s) in her or his system.
  - c. For all other opiate positive results, the MRO must verify a confirmed positive test result for opiates only if they determine that there is clinical evidence, in addition to the urine test, of unauthorized use of any opium, opiate or opium derivate.
- xiv. As part of the verification decision, the MRO must conduct a medical interview that includes reviewing the driver's medical history and any other relevant biomedical factors presented by the driver, as well as directing the driver to undergo further medical evaluation.
- xv. DOT tests must be completely separate from non-DOT tests in all respects, and DOT tests must take priority over non-DOT tests. DOT tests must be completed before a non-DOT test is begun. The results of a DOT test shall not be disregarded or changed based on the results of a non-DOT test.

### **Prohibitions**

A driver will not be permitted to report to duty or to remain on duty requiring the performance of a safety-sensitive function if:

#### ***Alcohol***

- i. The driver has an alcohol concentration of 0.04 or higher as measured on a breath test.
- ii. The driver displays behavior or appearance characteristics of alcohol misuse.
- iii. The driver is under the influence of or is impaired by alcohol, as shown by behavioral, speech, and performance indicators of alcohol misuse.
- iv. The driver possesses alcohol while on duty.
- v. The driver uses alcohol during duty performance.
- vi. The driver has used alcohol within the four hours prior to performing duties.
- vii. The driver has had an accident within the last eight hours and has not taken a breath test showing clearance from prohibited alcohol levels.
- viii. The driver has refused to take a breath test for alcohol use.

- ix. The driver is taking any prescription or non-prescription medication containing alcohol, even if the driver has notified the driver's supervisor of the medication use.

### ***Controlled Substances***

- i. The driver uses any controlled substance, unless the use is pursuant to a physician's written certification stating that the use does not adversely affect the driver's ability to safely operate a motor vehicle.
- ii. A supervisor or administrative employee has actual knowledge that a driver has used a controlled substance.
- iii. The driver has a verified positive test for a controlled substance.
- iv. The driver displays behavior or appearance characteristics of controlled substance use.
- v. The driver has refused to take a controlled substance test.

### ***Refusal to Test***

A driver has refused to take an alcohol or controlled substance test if s/he:

- i. Fails to appear for any test as directed by the technology center.
- ii. Fails to remain at the testing site until the testing is complete.
- iii. Fails to provide a urine specimen.
- iv. Fails to provide a sufficient amount of urine when there is no adequate medical explanation for the failure.
- v. Fails to permit a directly observed or monitored collection.
- vi. Fails or declines to take a second test the technology center or collector has directed.
- vii. Fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process or as directed by the DER when the urine sample was insufficient.
- viii. Fails to cooperate with any part of the testing process (e.g. refuses to empty pockets when directed to do so, behaves in a confrontational way that disrupts the collection process).
- ix. Has a verified adulterated or substituted test result.

### **Standing Down Employees**

Stand-down is “the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.”

- i. DOT regulations prohibit employers from standing employees down, before the MRO has completed verification of the test result.
- ii. A verified test is a drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the MRO.
- iii. The technology center may assign a driver, non-driving duties pending the receipt of a verified test result when the technology center has reasonable suspicion to believe the employee is impaired.
- iv. When the technology center does remove an employee from service, following verification of the drug test result, it will do so consistent with the confidentiality requirements, within its control, imposed by law.

### **Referral and Treatment**

A driver who violates any of the prohibitions in this policy shall be advised of the resources available to the driver for evaluating and resolving problems associated with the misuse of alcohol or use of controlled substances, including the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs.

A driver who violates any of the prohibitions in this policy must be evaluated by a SAP who shall determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse or controlled substance use. The driver will not be permitted to perform safety-sensitive duties for any employer until and unless he or she completes the SAP evaluation, referral, and education/treatment process.

If the driver is identified as needing assistance in resolving problems associated with alcohol misuse or controlled substance use, the driver must be evaluated by a SAP to determine if the driver has properly followed the prescribed rehabilitation program. The driver must be subject to unannounced follow-up alcohol and/or controlled substance tests upon return-to-duty.

The SAP will provide a written report directly to the DER highlighting the SAP's specific recommendations for a course of education and treatment with which the driver must comply prior to returning to the performance of safety-sensitive functions. Neither the driver nor the technology center shall seek a second SAP's evaluation in order to obtain another recommendation. Only the SAP who made the initial evaluation may modify his or her initial recommendations.

If the SAP recommends that the driver continue treatment, aftercare or support group services after returning to safety-sensitive duties, the technology center may require the driver to participate in the recommended treatment or services as part of the return-to-duty agreement.

These requirements do not apply to drivers refusing to be tested or drivers having a preemployment test of 0.04 or more.

The technology center is not required to return a driver to safety-sensitive duties just because the driver complies with the SAP's recommendations.



### **Educational Materials**

Each driver shall receive educational materials that explain: (1) the alcohol misuse prevention requirements; (2) the technology center's policies and procedures; (3) the identity of a contact person knowledgeable about the materials; (4) factual information on the effects of controlled substance use and alcohol misuse on personal life, health and safety; (5) where help can be obtained, including information regarding the technology center's Employee Assistance Program; (6) categories of employees subject to testing; (7) a description of prohibited conduct and the circumstances that trigger testing; (8) testing procedures and safeguards; (9) what constitutes a refusal to submit to testing and the consequences; (10) signs and symptoms of an alcohol or controlled substance problem; (11) consequences for drivers with an alcohol test level of 0.02 or more but less than 0.04; and (12) the consequences of violating the rules in this policy. The technology center's staff will prepare and distribute appropriate educational materials as provided for in this section.

### **Maintenance of Records**

Upon written request, a driver is entitled to obtain copies of any technology center records concerning the driver's use of alcohol or controlled substances, including test results.

The technology center shall not release individual test results or medical information about a driver to third parties without the employee's specific written consent to the release of a particular piece of information to a particular person or organization. Notwithstanding this prohibition, the technology center may release information pertaining to a driver's drug or alcohol test without the employee's consent in certain legal proceedings.

### **Disciplinary Action**

Employees who violate any prohibition in this policy will be subject to disciplinary measures, including employment termination. Likewise, employees whose test results are positive for alcohol or controlled substances are subject to disciplinary actions, including employment termination. The same disciplinary consequences face individuals who provide false information in connection with the testing process or who fail to cooperate with the technology center's efforts to fulfill its testing obligations.

### **Other Policies**

This policy does not supersede any other technology center policy pertaining to alcohol misuse or controlled substance use by technology center employees, except to the extent that this policy is specific to drivers performing safety-sensitive functions. To the extent permitted by federal law, this policy is to be interpreted consistent with Oklahoma's Act regarding drug and alcohol testing of personnel.

## **STUDENT RECORDS**

### Purpose

This policy and the procedures included within it are intended to satisfy the requirements of the Family Educational Rights and Privacy Act (FERPA) and Oklahoma law. The board of education authorizes the superintendent to inform parents of minor students, adult students and the public of the policy and to take appropriate action to implement the policy and procedures.

### Definitions

For purposes of this policy, the following definitions apply:

**Student** - Any individual who attends or has attended a program of instruction sponsored by the board of education of the technology center and for whom it maintains education records.

**Eligible student** - A student who has reached age 18 or is attending a postsecondary school.

**Parent** – A parent of a student, including a natural parent, a guardian or an individual acting as a parent in the absence of a parent or guardian. The technology center will assume that either parent has a right of access to records regardless of custody orders unless the technology center has been provided with evidence that the right of access has been revoked. Documents such as a court order or other legally binding document relating to such matters as divorce, separation or custody that specifically revoke the right to inspect and review records must be provided to the technology center to prevent parent access to student records.

**Education records** - Any record (in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche or other method of recording information) directly related to a student and maintained by the technology center or a party acting for the technology center, except:

1. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Records of a law enforcement unit of the technology center, but only if education records maintained by the technology center are not disclosed to the unit, and the law enforcement records are maintained separately from education records; maintained solely for law enforcement purposes; and disclosed only to law enforcement officials of the same jurisdiction.
3. An employment record made and maintained in the normal course of business that is not available for use for any other purpose and that relates exclusively

to a student in his or her capacity as a technology center employee. (This provision does not include employment activities for which a student receives a grade or credit in a course.)

4. Records on an eligible student that are:
  - A. Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional capacity or assisting in a paraprofessional capacity;
  - B. Made, maintained or used only in connection with treatment of the student (treatment does not include remedial educational activities or activities that are part of the program of school instruction); and
  - C. Disclosed only to individuals providing the treatment.
5. Alumni records that relate to the student after he or she no longer attends classes provided by the technology center that are not directly related to the individual as a student.
6. Grades on peer-graded papers before they are collected and recorded by a teacher.

**Personally identifiable information** – The term includes, but is not limited to any information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty. The term also includes information requested by a person who the technology center reasonably believes knows the identity of the student to whom the education records relates. Personally identifiable information includes the student's name; the student's parents' or other family member's name; the student's or family's address; a personal identifier such as the student's social security number, student number or biometric record; and other indirect identifiers such as the student's date of birth, place of birth and mother's maiden name.

**Dates of attendance** -

1. The period of time during which a student attends or attended an educational agency or institution. Examples of dates of attendance include an academic year, a spring semester or a first quarter.
2. The term does not include specific daily records of a student's attendance at an educational agency or institution.

**Directory information** - Information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

**Authorized representative** – An individual directly employed by a local or state educational agency, an entity designated by the local or state educational agency, or an individual employed by such entity engaging in audits, evaluations or any other compliance or enforcement activity.

**Education program** – Elementary, secondary, postsecondary, career and technical institutes and schools or any program that is principally engaged in the provision of education.

## Annual Notice

The technology center will notify parents of minor students and eligible students annually of their rights under FERPA by means of a technology center newsletter, newspaper notice, school handbook or individual notice. The notice will inform parents of minor students and eligible students that they have the right to:

1. Inspect and review the student's education records. The notice will also identify the procedure for exercising this right.
2. Seek amendment of the student's education records that the parent of a minor student or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights. The notice will also identify the procedure for requesting amendment.
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and its implementing regulations authorize disclosure without consent. The technology center will also include in the notice its policy for disclosing education records to schools in which the student subsequently seeks or intends to enroll, its criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.
4. File a complaint with the U.S. Department of Education concerning the technology center's alleged failure to comply with FERPA.

The technology center will arrange to provide translations of its annual notice to non-English speaking parents of minor students in their native language and to effectively notify parents of minor students or eligible students who are disabled.

All rights and protections given parents under FERPA and this policy transfer to the student when he or she reaches age 18 or enrolls in a postsecondary school. The student then becomes an "eligible student."

### The Right to Inspect and Review the Student's Education Records

Parents of minor students and eligible students may inspect and review the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. The parent of a minor student or eligible student may also provide consent to have a representative inspect and review the records. Access will be provided during school hours and within no more than 45 days of the request.

Access to a student's confidential records will be provided upon request before any IEP meeting or hearing relating to the identification, evaluation or educational placement of a student or the provision of a free and appropriate education to the student and in all cases within no more than 45 days of a request.

The technology center will not withhold a parent's or eligible student's right to inspect and review student records because of debts owed the technology center.

The right to inspect education records also includes the right to an explanation and interpretation of the records by school officials.

Parents or eligible students should submit to the student's campus director a written request that identifies as precisely as possible the records he or she wishes to inspect. Since a

student's records may be maintained in several locations, the campus director should offer to collect copies of records or the records themselves from site locations, so they may be inspected at one site. However, if parents of a minor student and eligible students wish to inspect records where they are maintained, the campus director will make every effort to accommodate their wishes. The campus director will make the needed arrangements as promptly as possible and notify the parent of a minor student or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than the eligible student, the parent of a minor student or eligible student may not inspect and review the records of the other students.

The technology center is not required to give an eligible student access to treatment records (as defined by the term "education records" in the Definitions section of this policy), but the student may have those records reviewed by a physician or other appropriate professional of the student's choice.

### Copies of Records

The technology center will provide the parent of a minor student or eligible student with a copy of the student's education records under the following circumstances:

1. If mutually agreed by both the parent of a minor student or eligible student and the technology center.
2. If failure to provide copies would effectively prevent the parent of a minor student or eligible student from exercising the right to inspect and review the records. This may arise when a valid reason, such as working hours, the distance between record location sites or health, prevents a parent of a minor student or eligible student from personally inspecting and reviewing a student's education record.
3. At the request of the parent of a minor student or eligible student when the technology center has provided the records to third parties by the prior consent of the parent of a minor student or eligible student.
4. At the request of the parent of a minor student or eligible student when the technology center has forwarded the records to another school where the student seeks or intends to enroll.

The technology center reserves the right to charge a fee for copies of education records. When a fee represents an unusual hardship, the campus director may waive it in part or entirely. However, the technology center reserves the right to make a charge for copies such as transcripts it forwards to potential employers or to colleges and universities for employment or admissions purposes.

The technology center's fee for copies provided under FERPA will range from no cost to .25 per page (actual copying cost less hardship factor). The technology center will not charge for the costs of search and retrieval.

## Types and Locations of Education Records in the Technology Center

<b>TYPES</b>	<b>LOCATION</b>	<b>CUSTODIAN</b>
Cumulative Records (current students)	Student Services Office	Student Services Records Clerk
Cumulative Records (former Students)	Student Services Office	Student Services Records Clerk
Health Records	Student Services Office	Counselors
Speech Therapy Records Psychological Records Special Test Records	Student Services Office	Special Needs Counselors
Transportation Records	Administration Office	Director of Facilities and Transportation
Occasional Records (Student Education Records not identified above, such as those in superintendent's office, in the technology center attorney's office or in the personal possession of instructors)	Administration Office	Superintendent Administrative Assistant

## Directory Information

The technology center designates the following information contained in a student's record as "directory information," and it will disclose that information without the prior written consent of the parent or eligible student:

1. The student's name;
2. The student's address;
3. The student's telephone listing;
4. The student's date and place of birth;
5. The student's dates of attendance;
6. The student's grade level (i.e., 11<sup>th</sup>, 12<sup>th</sup> grade, etc.);
7. The student's participation in officially recognized activities;
8. The student's degrees, honors and awards received;
9. The most recent educational agency or institution attended;
10. The student's photograph; and

11. The student's electronic mail address.

The technology center will notify parents of minor students and eligible students annually of the designated items of directory information by means of a technology center website, newsletter, newspaper notice, school handbook or individual notice. Parents of minor students and eligible students have the right to exclude directory information from public access by notifying the campus director's office in writing of any or all of the items they refuse to permit the technology center to designate as directory information about that student. The student's records will be marked to indicate the items the technology center will designate as directory information about that student. This designation will remain in effect until it is modified by the written direction of the minor student's parent or the eligible student.

#### Use and Disclosure of Student Education Records

Technology center officials may release information from a student's education record if the minor student's parent or the eligible student gives his or her signed and dated prior written consent for the disclosure. The written consent must:

1. Specify the records that may be disclosed;
2. State the purpose of the disclosure; and
3. Identify the party or class of parties to whom the disclosure may be made.

The technology center will only release information from or permit access to a student's education record with a minor student's parent or eligible student's prior written consent, except in the following instances permitted by FERPA:

1. The disclosure is to other technology center officials, including instructors, within the technology center whom the technology center has determined to have legitimate educational interests.

A technology center official is a person employed by the technology center as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel; a person serving on the board of education; a person or company with whom the technology center has contracted to perform a special task, such as an attorney, auditor, medical consultant or therapist; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another technology center official in performing his or her tasks.

A technology center official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. The technology center will use reasonable methods to ensure that officials obtain access to only those education records in which they have legitimate educational interests. The technology center will ensure that its policy for controlling access to education records is effective and remains in compliance with the legitimate educational interest requirement of the FERPA regulations.

A contractor, consultant, volunteer or other party to whom the technology center has outsourced institutional services or functions may be considered a technology center official, provided that the outside party performs an institutional service or function for which the technology center would otherwise use employees; is under

the technology center's direct control concerning the use and maintenance of education records; and is subject to the requirements of FERPA regulations governing the use and re-disclosure of personally identifiable information from education records.

2. The disclosure is to officials of another school, school system or institution of post-secondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is related to the student's enrollment or transfer. (Parents of minor students and eligible students have a right to obtain copies of the records disclosed under this provision).
3. The disclosure is to authorized representatives of the Comptroller General of the United States, the U.S. Secretary of Education, or State and Local Educational authorities. Military services representatives shall have access to student directory information unless the parent, legal guardian or the student age 18 or older specifically denies such access in writing. Military services representatives have the same access to secondary school students as is generally provided to post-secondary institutions or prospective employers unless denied in writing by the parent, legal guardian or student age 18 or older.
4. The disclosure is in connection with financial aid for which the student has applied or that the student has received, if necessary to determine eligibility for the aid, the amount of the aid, the conditions for the aid, or to enforce the terms and conditions of the aid.
5. The disclosure is to organizations conducting studies for or on behalf of the technology center to develop, validate or administer predictive tests, administer student aid programs or improve instruction in compliance with Section 99.31(a)(6) of the FERPA regulations.
6. The disclosure is to accrediting institutions to carry out their accrediting functions.
7. The disclosure is to parents of a student if the parents claim the student as a dependent as defined in Section 152 of the Internal Revenue Code of 1986.
8. The disclosure is to comply with a judicial order or lawfully issued subpoena. The technology center will make a reasonable effort to notify a minor student's parents or the eligible student before making a disclosure under this provision unless:
  - A. the disclosure is in compliance with a federal grand jury subpoena and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
  - B. the disclosure is in compliance with any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
  - C. the disclosure is in compliance with an *ex parte* court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning the investigation or prosecution of an offense listed in the Patriot Act or an act of domestic or international terrorism as defined by law;



- D. the technology center initiates legal action against a parent or student, the technology center may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the technology center to proceed with the legal action as plaintiff; or
  - E. the parent or eligible student initiates legal action against the technology center, the technology center may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the technology center to defend itself.
9. The disclosure is to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In making this determination, the technology center may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the technology center determines that there is an articulable and significant threat, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.
  10. The disclosure contains only "directory information" as defined in this policy, and the parent of a minor student or eligible student has not refused to allow the technology center to designate that item as directory information for the student.
  11. The disclosure is made directly to the parent of a minor student or eligible student.
  12. If a state law adopted before November 19, 1974, allows certain specific items of information to be disclosed in personally identifiable form from student records to state and local officials or authorities concerning the juvenile justice system and the system's ability to effectively serve the student whose records are released or if a state law adopted after November 19, 1974, allows such information to be disclosed to state or local officials concerning the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released.

Prior to the release of education records without a parent or eligible student's advance written consent, the technology center will require an authorized representative of the entity receiving the records to complete a written agreement. The agreement will state, at a minimum:

- the identity of the authorized representative
- the specific personally identifiable information that is to be disclosed
- a clear description of the activity and purpose for the disclosure
- the authorized representative will not re-disclose the personally identifiable information
- the authorized representative will destroy the personally identifiable information within the time set forth in the agreement

The technology center will use reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the technology center discloses personally identifiable information from education records.

Upon request, the minor student's parent or eligible student may obtain a copy of any records disclosed under this provision.

## Record of Requests for Access and Disclosures Made From Education Records

The technology center will maintain an accurate record of each request for access to and each disclosure of personally identifiable information from the education records of each student. The technology center will maintain this record with the student's education records as long as the records are maintained.

For each request or disclosure the record will include:

1. The name of the party who requested or received personally identifiable information from the education records; and
2. The party's legitimate interests in requesting or obtaining the information.

The technology center will record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception in FERPA:

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
2. The parties to whom the technology center disclosed the information.

As permitted by FERPA, the technology center may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the minor student's parent or eligible student. The technology center will inform a party to whom such disclosure is made of this nondisclosure requirement.

In the alternative, the technology center may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosure of the information on the technology center's behalf if:

1. The disclosures meet the requirements of the Use and Disclosure of Student Education Records section of this policy (§99.31);
2. The technology center makes a record of the disclosure that includes the names of the additional parties to whom the receiving party may disclose the information on the technology center's behalf and the legitimate interests each additional party has in requesting or obtaining the information (§99.32(b)); and
3. The technology center maintains a record of the names of state and local educational authorities and federal officials and agencies that may make further disclosures of personally identifiable information from the student's education records without prior written consent and maintains this record with the student's education records as long as the records are maintained (§99.32(b)(2)).

## Procedures to Seek to Correct Education Records

Parents of minor students and eligible students have a right to seek to change any part of the student's record they believe is inaccurate, misleading or in violation of student rights. The technology center will not use this procedure to consider a request to change the grade a teacher assigns for a course.

For purposes of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is alleged to be inaccurate, misleading or in violation of student rights. The term "correct" will be used to describe a record that is alleged to be accurate, not misleading and not in violation of student rights. Also, in this section, the term "requester" will be used to describe the parent of a minor student or the eligible student who is asking the technology center to correct a record.

To establish an orderly process to review and correct an education record for a requester, the technology center may make a decision to comply with the request for a change at several levels in the procedure.

First level decision - When a parent of a minor student or eligible student finds an item in the student's education record that he or she believes is incorrect, he or she should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the record to the requester's satisfaction or the record does not appear to be obviously incorrect, the custodian will provide the requester a copy of the questioned record at no cost; ask the requester to initiate a written request for the change; and follow the procedure for a second level decision.

Second level decision - The written request to correct a student's education record through the procedure at this level should specify the correction the requester wishes the technology center to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item: is inaccurate and why; is misleading and why; or violates student rights and why. The requester must sign and date the request.

Within two weeks after the record custodian receives a written request, he or she will: study the request, discuss it with other school officials (such as the person who made the record or those who may have a professional concern about the technology center's response to the request), make a decision to comply or decline to comply with the request and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the record should be corrected, he or she will effect the change and notify the requester in writing that he or she has made the change. Each such notice will include an invitation for the requester to inspect and review the student's education record to make certain the record is in order and the correction is satisfactory.

If the custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of his or her findings in the matter. He or she will transmit this summary and a copy of the written request to the superintendent.

Third level decision - The superintendent or designee will review the material provided by the record custodian and, if necessary, discuss the matter with other officials (such as the technology center attorney or the board of education (in executive session)). He or she will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it will take longer, the superintendent or designee will notify the requester in writing of the reasons for the delay and a date when the decision will be made.

If the superintendent or designee decides the record is incorrect and should be changed, he or she will advise the record custodian to make the changes. The record custodian will advise

the requester of the change as he or she would if the change had been made at the second level.

If the superintendent or designee decides the record is correct, he or she will prepare a letter to the requester which will include:

1. The technology center's decision that the record is correct and the basis for the decision;
2. A notice to the requester that he or she has a right to ask for a hearing to present evidence that the record is incorrect and that the technology center will grant such a hearing;
3. Instructions for the requester to contact the superintendent or designee to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The technology center will not be bound by the requester's positions on these items, but will, so far as possible, arrange the hearing as the requester wishes.); and
4. Advise that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

Fourth level decision - After the requester has submitted (orally or in writing) his or her wishes concerning the hearing officer and the time and place for the hearing, the superintendent or designee will, within a week, notify the requester when and where the technology center will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education record is incorrect, as shown in the requester's written request for a change in the record (second level).

Within one week after the hearing, the hearing officer will submit to the superintendent or designee a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged.

The superintendent or designee will prepare the technology center's decision within two weeks of the hearing. That decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the technology center's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent or designee may overrule the hearing officer if he or she believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the technology center's decision, the superintendent or designee will take one of the following actions:

1. If the decision is that the technology center will change the record, the superintendent or designee will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second level decision.
2. If the decision is that the technology center will not change the record, the superintendent or designee will prepare a written notice to the requester, which will include:

- A. The technology center's decision that the record is correct and will not be changed;
- B. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the technology center's decision; and
- C. A notice that the requester may place in the student's education record an explanatory statement that states the reasons he or she disagrees with the technology center's decision and/or the reasons he or she believes the record is incorrect.

Final administrative step in the procedure - When the technology center receives an explanatory statement from a requester after a hearing, it will maintain that statement as part of the student's education record as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record, and whenever the questioned part of the record is disclosed, the explanatory statement will also be disclosed.

### Complaints

If a parent of a minor student, an eligible student or a citizen of the technology center believes that the technology center is violating FERPA, that person has a right to file a complaint with the Department of Education. The contact information is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5091  
Telephone: (202) 260-3887

### Availability of policy

Copies of this policy will be available for the parent of a minor student and eligible student review in the campus director's office of each technology center site and in the superintendent's office.

## **NOTIFICATION OF RIGHTS UNDER FERPA**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that affords parents of minor students and “eligible students” over 18 years of age certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days from the day the technology center receives a request for access.

Parents of minor students or eligible students must submit a written request to the campus director or appropriate technology center official that identifies the record(s) they wish to inspect. This administrator will make arrangements for access to the education records and will notify the parent of a minor student or eligible student of the time and place where these records may be inspected.

2. The right to request correction of the student's education records that the parent of a minor student or eligible student believes inaccurate, misleading or otherwise in violation of the student's privacy rights.

Parents of minor students or eligible students may ask the technology center to amend a record they believe is inaccurate, misleading or otherwise in violation of the student's privacy rights. They must submit a written request to the campus director or appropriate technology center official, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading or otherwise in violation of the student's privacy rights.

If the technology center decides not make changes in the record as requested, the technology center must notify the minor student's parent or eligible student of the decision and advise them of their right to a hearing regarding the request for correction. Additional information about hearing procedures will be provided to the minor student's parent or eligible student at the time of this notification.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (34 CFR § 99.31).

Technology center officials with legitimate educational interests are permitted disclosure without consent. An official is a person employed by the technology center as an administrator, supervisor, instructor, or support staff member, including health or medical staff and law enforcement unit personnel; a person serving on the board of education; a person or company with whom the technology center has contracted to perform a special task, such as an attorney, auditor, medical consultant or therapist; or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another official in performing his or her tasks.

An official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the technology center will disclose education records without consent to officials of another technology center in which a student seeks or intends to enroll.

Technology centers may disclose, without consent, “directory” information; however, the technology center must inform parents and eligible students about directory information, allowing them a reasonable amount of time to request that the technology center not disclose directory information about that student.

Technology centers must notify parents of minor students and eligible students annually of their rights under FERPA by means of a special letter, bulletin, student handbook and/or other means left to the discretion of each technology center.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the technology center to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

## **DIRECTORY INFORMATION NOTICE**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the technology center, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your or your minor child's education records. However, the technology center may disclose appropriately designated "directory information" without written consent, unless you have advised the technology center to the contrary in accordance with technology center procedures. The primary purpose of directory information is to allow the technology center to include this type of information from education records in certain school publications. Examples include:

- Recognition lists;
- Graduation programs; and
- Press releases.

Two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their minor child's information disclosed without their prior written consent. Directory information will not be released to outside organizations for commercial or non-commercial purposes.

If you do not want the technology center to disclose directory information from your or your minor child's education records without your prior written consent, you must notify the campus director in writing. The technology center has designated the following information as "directory information," and it will disclose that information without prior written consent:

1. The student's name;
2. The student's address;
3. The student's telephone listing;
4. The student's date and place of birth;
5. The student's dates of attendance;
6. The student's grade level (i.e., 11<sup>th</sup> grade, 12<sup>th</sup> grade, etc.)
7. The student's participation in officially recognized activities;
8. The student's degrees, honors and awards received;
9. The most recent educational agency or institution attended;
10. The student's photograph; and
11. The student's electronic mail address.



## **DOCUMENT RETENTION**

The technology center will maintain all documents and records in a manner consistent with current legal requirements and administrative best practices. Technology center employees are required to treat confidential information appropriately and to take reasonable precautions to ensure that private information is not unnecessarily disclosed to those who do not need such access. Health records will always be stored separately from other student and employee files.

Paper records will be stored in secure locations based on the sensitivity of the information. Electronic records will be properly secured and will be archived with adequate safeguards implemented to ensure that technological advancements do not cause the records to become inaccessible. The technology center's technology director will regularly evaluate the technology center's overall document retention program to determine whether its retention practices are current. The technology director is responsible for making recommendations regarding the program as needed to the superintendent.

No document will be destroyed if it pertains to a pending claim, even if the document was otherwise scheduled for destruction.

### Education Operations

Director of Instructional Services is responsible for maintaining adequate records to effectively plan, operate, evaluate, and make required reports on the technology center's education program. These records will be maintained as long as Director of Instructional Services determines appropriate based on the specific records.

### Student Records

All student education records will be maintained in compliance with the technology center's policy regarding FERPA. In addition to those standards, school personnel will comply with the following document retention standards:

- Student Transcripts

Student Services Records Clerk is responsible for maintaining student transcripts for 80 years from the student's last day of enrollment in the technology center. The transcript shall contain the following information:

- Name
- Address
- Telephone listing
- Date / place of birth
- Inventory of courses taken, with grades
- GPA and/or class rank
- Medical

Counselor is responsible for maintaining medical records. Medical records include items such as immunization verifications, allergy or diabetes plans, and child abuse reports. These records will be maintained 5 years from the student's last date of enrollment.

- **Special Education**

Special Education Counselor is responsible for maintaining special education records. All special education records will be retained for 5 years from the student's last date of special education services. Sixty days prior to destroying any special education record, the technology center will notify parents and eligible students of their right to retrieve the records rather than having the records destroyed.

- **Other**

All other student records will be retained for 5 years from the student's last day of attendance at the technology center. Student Services Records Clerk is responsible for overseeing maintenance and destruction of these records. Thirty days prior to destroying these records, the technology center will notify parents and eligible students of their right to retrieve the records rather than having the records destroyed. This notification will occur by notice to the parent/student's<sup>1</sup> last known email or physical address.

#### Board Records and District Financial Records

The Secretary to the Superintendent/CEO is responsible for permanently maintaining all board agendas and minutes.

The Chief Financial Officer is responsible for maintaining records related to the technology center's banking transactions and all federal and state program expenditures, as well as the deeds and titles to all technology center owned real property. The duration of records retained under this section will be determined by the schedule maintained in the Chief Financial Officer's office.

#### Employee Records

The Human Resource Director is responsible for retaining employee records. These records include wage and hour information, routine personnel records, and drug/alcohol testing records. The duration of records retained under this section will be determined by the schedule maintained in the Human Resource Director's office.

#### Electronic Records

All technology center emails will be retained as long as is practical given the technology center's technology constraints.

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<sup>1</sup> Destruction notices will be sent to the parent/guardian if the records pertain to a minor. Notices will be sent to the student if the records pertain to an individual who is over age 18.

**TRANSFER AND RELEASE  
OF CONFIDENTIAL  
INFORMATION**

The technology center adopts this policy pursuant to OKLA. STAT. tit. 10 § 620.5.

For purposes of this policy, "confidential information" means any information regarding a student receiving services supported in whole or in part by state or federal funds, a family member of such student, or other persons residing in the home of such student, and which is required by state or federal law or regulation to be maintained in a confidential manner.

The technology center will transfer and release confidential information in accordance with this policy to:

1. The Department of Human Services;
2. The Department of Mental Health and Substance Abuse Services;
3. The State Department of Health;
4. The State Department of Education;
5. The State Department of Vocational and Technical Education;
6. The Oklahoma Commission on Children and Youth;
7. The J.D. McCarty Center for Handicapped Children;
8. The Department of Corrections;
9. Private agencies receiving public funds pursuant to a grant or contract with one of the agencies listed in (1) through (8) and providing institutional, community residential or community-based services to children and families as defined by OKLA. STAT. tit. 10 § 1101;
10. Persons and agencies subject to the rules promulgated by the agencies listed in (1) through (8); and
11. Statutorily-constituted juvenile bureaus.

Unless otherwise permitted by state or federal law or regulation, confidential information will only be released to the above-described entities pursuant to (1) a court order or (2) an informed consent that has been executed by (a) the parent or guardian of the minor student or other person authorized by state or federal law to execute such consent, if the subject of the confidential information is a student or (b) the individual who was the subject of the confidential information or other person authorized by law to execute such consent on his or her behalf, if the subject of the confidential information is an adult. The technology center

will use the State of Oklahoma Standard Form Consent for the Release of Confidential Information.

The technology center will follow the rules promulgated by the State Department of Education or the Oklahoma Department of Career and Technology Education for authorizing access to confidential information for the purpose of gathering statistical information or conducting studies or researches otherwise authorized by law.

The technology center reserves the right to charge \$.25 per page for all copies made pursuant to this policy plus the actual cost of mailing the copies.

## **OPEN RECORDS**

The board of education adopts this policy in connection with the Oklahoma Open Records Act (the "Act").

### Philosophy

The technology center, as a tax supported institution, recognizes that the public has a right to be fully informed concerning its operations. The board strongly believes that informed citizens are vital to the successful functioning of the democratic government process which this technology center desires to exemplify to its students.

In order to achieve these goals, the board of education hereby states that all records of the technology center, except those records designated as confidential in this policy, or, otherwise, as required by federal or state law, shall be open to any person for inspection, copying and/or mechanical reproduction during regular business hours. All persons requesting the right to inspect non-confidential records of the technology center shall be accorded prompt access to those records.

### Confidential Records Not Available for Inspection

As permitted by the Act, the technology center hereby designates the following records as confidential and not open for public inspection:

1. Records which can be kept confidential under federal or state law.
2. Personnel records which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline or resignation.
3. Personnel records where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, and employment applications submitted by persons not hired, and transcripts from institutions of higher education.
4. Bid specifications for competitive bidding prior to publication; contents of sealed bids prior to bid opening; computer programs or software (but not the data thereon); and appraisals relating to the sale or acquisition of real estate prior to the award of a contract – if disclosure would give an unfair advantage to competitors or bidders.
5. Personal communications received from a person exercising rights secured by the Oklahoma or United States Constitution, except for the fact that a communication has been received and that it is or is not a complaint. Any response to such personal communications shall be confidential only to the extent necessary to protect the identity of the person exercising the right.

6. Individual student records, except for: (a) statistical information not identified with a particular student if such information is maintained in a composite form and (b) directory information as defined in the Act, if, pursuant to the Family Educational Rights and Privacy Act that information (i) has been designated by the school district as directory information and (ii) parents have been notified of and have not exercised their non-release rights.
7. Instructor lesson plans, tests and other teaching materials.
8. Personal communications concerning individual students.
9. Personal notes and personally created materials, when made prior to taking action, making a recommendation or issuing a report. Confidentiality does not extend to departmental budget requests prepared as an aid to memory or research leading to the adoption of a public policy or the implementation of a public project.
10. The home address of any person employed or formerly employed by the technology center.
11. The home telephone number of any person employed or formerly employed by the technology center, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

#### Records Custodian

The board of education hereby designates the Superintendent's Secretary or, if such person is not available during regular business hours, then its Human Resource Director as the person authorized to release non-confidential public records for inspection, copying or mechanical reproduction for HR related records only.

Under Oklahoma law, the board clerk is the custodian of the technology center's copy of required school board election related filings.

Copies of these documents can be obtained by making a request through the clerk's designee, Secretary to the Superintendent/CEO.

#### Fees for Records and for Search for Records

The following fees shall be charged for records reproduction and any compensable search for records:

*Paper Production:*

8 ½" x 11"	\$ .25 per copy
8 ½" x 14"	\$ .25 per copy
11" x 17"	\$ .50 per copy

*Electronic Production:*

Document conversion (TIFF or PDF)	\$ .25 per page
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In addition to the costs noted above, when a request for public records would clearly cause excessive disruption of the technology center's essential functions or is solely for commercial purpose the technology center will charge a reasonable search fee equaling the actual hourly cost to the technology center. This cost includes the base salary, benefits, taxes, burdens, and

retirement contributions paid by the technology center for the employee(s) involved in the search. The requestor will be charged this hourly rate for all search time, review time, and, if necessary, time spent redacting records prior to production.

The technology center does not consider publication in a newspaper or broadcast by news media as resale or use of data for trade or commercial purpose. However, the technology center shall charge the news media and others the direct cost of copying electronic data.

A search fee shall not be charged when the release of documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

Costs associated with reproduction of public records shall be paid by, or on behalf of the requestor, at the time documents requested are to be picked up. In the event of a large records request or a request that involves an outside cost to the technology center, the school may request a deposit, to be set by the records custodian, to be made at the time of the request.

#### Request for Records

Requests for public records shall be made to the attention of the superintendent or the records custodian. The request shall identify with specificity the record or records sought. Where the request for records is unclear or confusing, the records custodian may request that the requestor provide a more precise explanation or description of the records requested. The technology center shall produce records requested promptly, taking into consideration the accessibility of the record, the number and type of records requested, and the press of school business.

An individual requesting public records, pursuant to the Act, is requested to use the technology center's request form to expedite the processing of the request.

#### Appeal of Denial of Records

If inspection of documents designated as confidential is denied, the person requesting access to such documents shall have a right to appeal the denial to the superintendent.

**OPEN RECORDS ACT SCHEDULE OF FEES**

Black & white copy (not exceeding 8.5 x 14" in size)	<i>.25 per page</i>
Color copy (not exceeding 8.5 x 14" in size)	<i>Actual cost</i>
Certified copy	<i>\$1.00 per page</i>
Oversized copy (exceeding 8.5 x 14")	<i>Actual cost</i>
Video tape or DVD copy <sup>2</sup>	<i>\$10.00 per tape</i>
Audio tape or CD copy <sup>3</sup>	<i>\$10.00 per tape</i>
Mailing fee (if mail delivery is requested)	<i>Actual cost</i>
Research fee (for research, review, and redacting which exceeds 15 minutes)	<i>Actual cost</i>
Electronic data conversion (TIFF or PDF)	<i>\$.25 per page</i>

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<sup>2</sup> For each video tape or DVD copy requested, requestor must supply a new, blank standard VHS tape or DVD.

<sup>3</sup> For each audio tape copy requested, requestor must supply a new, blank standard audio cassette tape(s) or CD. No mini-audio cassette tapes will be accepted.



<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER BOARD OF EDUCATION POLICY</b></p>	<p style="text-align: center;"><i>Students</i></p> <p style="text-align: center;">Adopted: 2/9/2021 Revised: 5/8/2023</p>
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**STUDENT ADMISSION POLICY AND PROCEDURES  
FOR FULL-TIME PROGRAMS**

Secondary Students – Full-time Programs

Eligible secondary students may enroll in approved full-time programs with authorization from their sending school.

Home school students may enroll provided they are eligible and provide an affidavit and any other documentation, as requested, attesting to the grade level of their academic studies.

Credit is granted by each sending school for all programs and courses approved for such credit. The amount of credit is set and approved by each sending school in accordance with the rules set by the Oklahoma State Department of Education and the Oklahoma State Department of Career and Technology Education.

Post-secondary Students – Full-time Programs

Adult students are eligible to enroll in approved full-time programs based on student interest and ability for the student to benefit from career and technical education. Adults will be required to meet minimum admission criteria prior to enrollment and/or placement on the waiting list. Admission criteria are unique to each program. Some programs may require completion of additional applications, background check, immunization records, assessments, etc. Admission standards for each program are available in the career counselor’s office.

Adult Career and Community Development

Students enrolling in Adult Career and Community Development classes must be at least sixteen years of age. Consideration may be given to students less than sixteen years of age provided they enroll and attend with their parent or guardian and obtain prior administrative approval. Some courses may have additional admission requirements and prerequisites. Admission requirements are available in the adult career and community development office.

Special Needs Students

Secondary students identified under the provisions of the Individuals with Disabilities Education Act (IDEA) for special education purposes shall have an Individualized Education Program (IEP) on file prior to enrollment and participation in approved full-time programs. The student’s IEP will be developed with the participation of an appropriate Canadian Valley Technology Center representative after an appropriate evaluation of the student.

Post-secondary students choosing to enroll through Vocational Rehabilitation shall have undergone a complete diagnostic exam at the Vocational Rehabilitation Testing Center prior to enrollment and participation in any program and/or class at Canadian Valley Technology Center. Enrollment and participation are contingent upon the student’s ability to benefit and agreement with the appropriate Vocational Rehabilitation representative and the appropriate Canadian Valley Technology Center representative.

Continued enrollment, attendance requirements, and discipline for secondary or post-secondary students shall be applied within the parameters of all relevant statutes, regulations, and board policies.

### Project Connect

Students must be referred from Canadian Valley Technology Center partner school districts. Secondary students referred must be at least 16 years of age, or turning 16 within the first nine weeks of enrollment, and not older than 19 years of age. Referred students are assessed for basic academic skill levels. Admittance is based on the ability to benefit from the program and services offered.

### Readmission

Students who have withdrawn or been removed from any program or course for academic, attendance, or disciplinary reason(s) must have administrative approval prior to being admitted or readmitted to any program or course.

### Admission Priority

Students will be enrolled and/or placed on a waiting list in the following priority provided they meet the entrance requirements for the program or course.

1. Current students continuing enrollment in their program of study.
2. In-district incoming junior and senior high school students enrolling for the first time. (in the case of academies, in-district incoming sophomores enrolling for the first time.)
3. In-district adult residents enrolling for the first time.
4. In-district CVTech graduating students enrolling in a new program upon successful completion of a current program.
5. Residents of other technology center districts
6. Residents outside an Oklahoma technology center district.

### English Proficiency

Non-native English speakers must present evidence of proficiency in the English language for enrollment in some programs. Verification of English language competence includes a passing score on the Test of English as a Foreign Language (TOEFL) as a condition of enrollment.

### Advanced Standing

Students may be admitted to specified programs on an advanced standing status provided they meet certain criteria. Students transferring into CV Tech from another institution will be granted a maximum of 50% of program requirements towards advanced standing. The superintendent or designee may, in his/her best judgment, authorize exceptions to this rule for good cause shown.

### Appeal Procedures

The purpose of these procedures is to establish written guidelines to be followed if a person seeks to appeal a decision to deny him/her admission to a full-time program pursuant to the board's above policy.

### General Information

Any person seeking admission to the technology center or to a full-time program has the right to appeal a denial of admission as set forth in these procedures. The purpose of these guidelines is to

provide due process procedures for the appeal of admission denial decisions. All aspects of the appeal process shall be kept confidential. Only those individuals directly involved are to have access to any names or information. No reprisals of any kind shall be taken by the administration, faculty or any employee against any person seeking admission because the person is involved directly or indirectly in an appeal. Unless otherwise mutually agreed, the time limitations for appeal are binding on both the person seeking admission and the technology center.

### Filing an Appeal

A person denied admission shall file a letter request for an admission appeal hearing. The appeal hearing request shall be filed with the superintendent if admission is denied to the technology center or with the campus director if admission is denied to a program. This request must be filed after receipt of notification of denial of admission to the technology center or a program. The request for an appeal hearing must be completed with the following: (1) a brief statement of the basis for the appeal; and (2) a statement why the person appealing believes the decision was incorrect.

### Appeal Hearing

Within fifteen (15) school days of the receipt of the appeal request form, the superintendent or the campus director, as appropriate to the appeal, will convene a meeting of the appeal committee. The appeal committee consists of:

1. Voting members:
  - A. Chairperson is the superintendent (or designee) if admission is denied to the technology center.
  - B. The assistant superintendent.
  - C. A representative from the personnel department.
2. Non-voting member: recording secretary appointed by the chairperson.

Notice of the date, time and place for the appeal hearing shall be sent by U.S. Certified Mail to the person seeking admission or parent/guardian of secondary students under 18 years of age seeking admission. The appeal hearing will be closed. Only members of the appeal committee, the person seeking admission, parent/guardian of a secondary student under 18 years of age seeking admission, the person the complaint is against, and that person's supervisor, may be present for the entire meeting. The appeal hearing shall provide an opportunity for the person seeking admission to present a statement. The appeal committee will make a decision regarding the appeal by secret ballot. The recording secretary will record the votes in the minutes and give the results to the chairperson who will announce the results. Written notification will be sent by U.S. Certified Mail to the appellant. Minutes will be made available to the student or parent/guardian upon written request to the appeal committee chairperson. The decision of the appeal committee is final.

## **ENROLLMENT FOR THOSE CONVICTED OF FELONIES**

Although the technology center exists to provide educational opportunities, certain circumstances require careful review and consideration prior to student enrollment at the center. No person seeking admission will be unilaterally excluded solely on the basis of a felony conviction, but those with felony convictions are subject to administrative review. This review will seek to determine whether the individual poses a threat to other students or staff and will educate the potential student regarding limited employment opportunities in certain fields due to the felony conviction.

Any currently enrolled student who is charged with a felony must promptly disclose the charges to the campus director.

All situations will be evaluated on a case-by-case basis. This policy will apply to all programs and/or courses that require an application for enrollment.

### Administrative Review Process

Upon learning that an individual with a felony conviction has applied for enrollment at the technology center, an administrator will determine the nature of the crime, the applicant's version of the events, the amount of time which has passed since the crime was committed, rehabilitation which has occurred since the crime, the applicant's current status with the court system and any other factor deemed to be relevant to the specific circumstances.

### Career Counseling

Certain careers, especially health related careers, often prohibit licensure/employment of individuals who have been convicted of:

- Violent crimes (e.g., murder, assault, armed robbery)
- Sex crimes of any nature or kind
- Manufacture, sale or possession of drugs with intent to distribute
- Child or elder abuse

Because many clinical sites will not permit a convicted felon from participating in clinicals, enrollment in such a program will not be permitted due to a student's inability to complete the program requirements or obtain licensure/certification. Any applicant denied enrollment based on this policy may seek a review of the denial if he/she believes extenuating circumstances exist which would allow him/her to complete the program requirements.

This policy is not intended to prevent enrollment but is designed to protect students from investing in an education which cannot be completed due to circumstances beyond the technology center's control.

## Registered Sex Offenders

Individuals seeking admission to the technology center must disclose their status as a registered sex offender. A failure to make this disclosure will result in removal from the technology center. Applications for admission by registered sex offenders will be reviewed for the purpose of determining whether admission is in the best interest of other students and the center. In any instance involving the admission of a registered sex offender, the student will be subject to specific guidelines, provided by the superintendent. These guidelines will govern the student's school enrollment, attendance, and participation in school activities. Violation of administrative guidelines issued to the student will result in the student's removal.

<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY</p>	<p style="text-align: center;"><i>Students</i></p> <p style="text-align: center;">Adopted: 2/9/2021 Revised: 10/26/2022</p>
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**MINOR STUDENT RESIDENCY**

The technology center is established for the purpose of serving the educational interests of resident students. This includes homeless students, students who are not documented citizens, and students whose parents/guardians are not documented citizens. The district will not inquire into a student or parent/guardian’s citizenship status as a part of enrollment, and will only use information regarding a student’s living situation to better serve the student. The district will periodically review its practices and the documents it seeks as a part of establishing residency within the district to ensure that its processes are not overly burdensome and do not discourage the enrollment of homeless students and/or undocumented students.

Definitions

For purposes of this policy, the terms listed below have the following meanings:

"Residence," "residency" and "legal residence" mean the student's present place of abode, provided that it is a place where important family activities (such as sleeping, eating, working, relaxing, and playing) take place during a significant part of each day. Mere presence alone is not sufficient to establish residency. Documentary evidence that may be submitted to establish residency is identified below.

"Person having legal custody" means a person who is legally responsible for the care of the child pursuant to: the order of a court, a proper attorney-in-fact affidavit, or placement by a governmental agency responsible for making custody determinations and/or placements.

Basic Residency Requirements

State law provides that a child's residence for school purposes is the district in which the (1) parents, (2) guardian or (3) person having legal custody of the child holds legal residence. Children may also establish residency if their attorney-in-fact is a resident of the district. Children who are foster children are granted residency in the district if they attended the district prior to entering foster care, if their current/prior foster family is/was a resident of the district, or if another child in their current foster home attends school in the district pursuant to a transfer. The district does not permit students to establish residency based on the mere affidavit of a person who has assumed permanent care and custody of the child under OKLA. STAT. tit. 70 § 1-113 or based on an attorney in fact affidavit under OKLA. STAT. tit. 10 § 700.

Procedure for Resolving Residency Disputes

The technology center recognizes that there may be occasions when there is a dispute regarding residency. Upon enrollment in the school the technology center will verify that the student is a resident of the district or is otherwise entitled to attend school at the technology center for any reason authorized by law. As a part of this verification process the technology center will obtain an address

from each student or the student's parent, guardian, or person having legal custody of the child. In providing an address to the technology center that is within the district's boundaries the student and student's parent, guardian, or person having legal custody of the child represent that this address is the student's residence. The technology center may also require, in order to verify residency, certified copies of court orders, guardianship documents, written agreements and affidavits relating to the care, custody and control of the student and any other information the technology center deems relevant.

If at any time a technology center administrator has a reasonable belief that the reported residence may not be the residence of the child for purposes of school attendance, the administrator shall notify the student's parent, guardian, or person having legal custody of the child that there is a question regarding the student's legal residency. The student's parent, guardian, or person having legal custody of the child shall be given an opportunity to submit information regarding the student's residency to the technology center's residency officer. All notices required by this policy shall be in writing. Additionally, reasonable alternative arrangements for documenting communications will be made for those persons who are visually impaired or otherwise unable to communicate in writing.

Information or documentation to prove student residency in the technology center shall include but not be limited to proof of provision of utilities, payments of ad valorem taxes, local agreements or contracts for purchasing/leasing housing, driver's licenses, income tax returns, notes, mortgages, contracts and any other source of proof that is not in conflict with statutory provisions relating to the residence of students.

Any question or dispute as to the residence of a student not deemed to be a "homeless student" shall be determined by the residency officer and the board of education pursuant to the following procedures:

1. The student's parent, guardian, or person having legal custody of the child must notify the residency officer in writing of the review request within three (3) school days from the date of written denial of admittance or from the date of written notification that the student is considered not to be a resident of the technology center. Upon receipt of a request for review, the residency officer shall allow the parent, guardian, or person having legal custody to provide additional pertinent information in accordance with the technology center's criteria and the statutory provisions regarding residency. This information must be submitted with the request for review.
2. The residency officer must render a decision and notify the student's parent, guardian, or person having legal custody of the child of the decision and reasoning therefore in writing within three (3) school days of receipt of the request for review.
3. If the student's parent, guardian, or person having legal custody of the child disagrees with the residency officer's decision, such person shall notify the residency officer in writing within three (3) school days of his or her receipt of the residency officer's decision. The residency officer will submit his or her findings and all documents reviewed to the board of education. The board of education will review the decision and the documents submitted on behalf of the technology center and the student and will render a decision at the next board meeting. The decision of the board of education shall be the final administrative decision.
4. In an effort to place students in school as quickly as possible, timelines shall be followed unless due to emergency circumstances both parties agree to an extension of timelines.

### Miscellaneous Policy Provisions

Hearings involving more than one student where students are related or residing in the same household may be consolidated at the discretion of the residency officer and the board of education.

If the residency dispute involves an 18-year-old student, all notices will be delivered to the student.

If already enrolled and attending school in the district, a student or students involved in a dispute related to the student's residency may remain in school until available appeals are exhausted when the student or the student's parent, guardian, or person having legal custody of the child has filed an appeal in the manner and within the time permitted by this policy.

The residency officer shall be in charge of maintaining the files related to a residency dispute, ensuring that the administrators and others directly involved in such a dispute forward their records of the dispute following their involvement, and otherwise keeping all communications involving the dispute intact.

The district's residency officer is the Assistant Superintendent.

The board of education understands that there may be some instances where residency may be established on a date other than the date the student was enrolled in the technology center. For any period during which a student is enrolled at the technology center, but is not a resident of the district, the technology center may charge tuition if it is established that the student's parent, guardian, or person having legal custody of the child knew or should have known that the child or children who are the subject of the residency dispute were not residents of the district. The tuition shall be based on a per capita cost of educating a student in the technology center during the preceding year. This issue may be raised along with other issues related to the residency dispute and shall be heard in the same manner.

The technology center shall provide for educational services for homeless children as required by law.

The technology center reserves the right to require reverification of student residency at the beginning of each school term.

A copy of this policy shall be provided to the student's parent, guardian, or person having legal custody of the child as soon as possible following the inception of any residency dispute.



## **Special Definitions and Procedures Applicable to Homeless Children and Youth**

The *McKinney-Vento Homeless Assistance Act* (the “Act”) applies to all children and youth who lack a fixed, regular, and adequate nighttime residence, such as a children living in homeless shelters, domestic violence shelters, runaway and homeless youth shelters, transitional living facilities, cars, campgrounds, motels or children and youth living doubled up, and homeless and migratory children.

The Act provides that homeless children and youth:

- do not need a permanent address to enroll in school;
- have a choice of school placement;
- cannot be denied school enrollment because school records or other enrollment documentation are not immediately available;
- have the right to participate in all federal, state, or local programs and activities for which they are eligible;
- cannot be isolated or separated from the mainstream school environment; and
- have the right to receive prompt resolution of any dispute regarding educational placement.

Therefore, in accordance with the Act, the technology center shall make reasonable efforts to identify homeless children, encourage their enrollment, and eliminate existing barriers to their education that may exist. The technology center will not stigmatize or segregate homeless students and youth, and these students shall have access to the same public school programs available to other students of the technology center. The technology center will identify and provide equal access to secondary education and support systems for homeless students, runaway youths and youths separated from public schools. The technology center will also work to identify and remove those barriers which prevent youths from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school.

### Definitions

For purposes of the Act, and this policy, “homeless” children and youth” means students who lack fixed, regular and adequate nighttime residence, and includes:

1. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. children and youths who are living in cars, parks, public spaces, buildings, substandard housing, bus or train stations, or similar settings; and
4. migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless.

### Programs, Activities, and Social Services

The technology center will provide each homeless student or youth those programs, activities, and social services available to technology center students which are determined to be in the student's best interests. The programs, activities, and services include the following:

- Special education;
- Academic and extracurricular activities;
- Career and technology education;
- Advanced placement;
- Online learning; and
- Transportation.

The technology center will waive those fees which may present a barrier for homeless students or youths, including those associated with the school meal programs and transportation.

### Enrollment, Records and Immunizations

The Act provides that homeless children and youth, individually or through a parent, guardian, or person having legal custody may choose to attend the school in the area in which they are currently living. The technology center's residency officer will determine whether a student is a homeless child or youth for purposes of establishing residency and promptly advise the parent, guardian or person having legal custody of the child of the decision, both orally and in writing, if possible. If there is no such person, the residency officer will advise the student. Whenever possible, the technology center will comply with the wishes of either the parent, guardian, person having legal custody of the child, or student regarding enrollment. The technology center will enroll each homeless student and permit his or her full participation in all school programs, whether or not the student is accompanied by a parent, guardian or person having custody of the child, and without proof of residence, current immunizations and traditional enrollment documentation, such as school records and medical/immunization records. The technology center's homeless liaison may assist the student and school in obtaining those items. A parent, guardian or person having legal custody of the child who disagrees with the residency officer's determination may appeal the decision to the board of education under the procedure identified in this policy. If there is no parent, guardian or person having legal custody of the child available, the student may appeal the decision.

### Appeals Procedures

The technology center will make every effort to resolve disputes regarding homeless children at the lowest level possible by utilizing the following process:

1. At the time a homeless student seeks enrollment, the technology center will notify the student or his/her family of these procedures and provide the student/family with a copy of this policy.
2. The technology center will promptly notify the technology center's homeless coordinator that a homeless student seeks enrollment, and will seek to involve the coordinator in decisions regarding the student's education.
3. Students/families who disagree with a decision regarding the student's education may meet with the coordinator for an informal resolution. The coordinator will notify the student/family

that a written complaint may be submitted within five (5) days (or longer if agreed upon by the parties).

4. If the coordinator receives a written complaint, the coordinator will prepare a decision (plan of action) and provide it to the student/family within five (5) days of receipt of the written complaint. The coordinator will also notify the student/family of the right to appeal to the superintendent.
5. Students/families who are still dissatisfied with a decision regarding the student's education may file a written appeal with the superintendent within five (5) days of receipt of the coordinator's plan. The superintendent will meet with the student/family within five (5) days of receipt of the appeal. The superintendent will issue a decision within five (5) days of the meeting with the student/family. The superintendent will also notify the student/family of the right to appeal to the board of education.
7. Students/families who are still dissatisfied with a decision regarding the student's education may file a written appeal with the board of education by submitting a written notice to the superintendent within five (5) days of the superintendent's decision. The appeal will be placed on the next agenda (or the following agenda, if the appeal is received after the agenda posting deadline) and the board's decision is final at the technology center level. Students/families who are still dissatisfied with a decision regarding the student's education may file an appeal with the Oklahoma State Department of Education utilizing the procedures established by the OSDE.

**Special Definitions and Procedures Applicable to Students with Active-Duty Military  
Parents or Legal Guardians and  
Transitioning Military Children**

“Children of military families” means a school-aged child(ren), enrolled in kindergarten through twelfth grade, in the household of an active duty member.

“Active duty” means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Military Reserve on active duty orders pursuant to Title 10, Sections 1209 and 1211 of the United States Code.

“Military installation” means a base, camp, post, station, yard, center, homeport facility for any ship or other installation under the jurisdiction of the Department of Defense or the United States Coast Guard.

“Military student” means the child of a military family for whom the local education agency receives public funding and who is formally enrolled in kindergarten through twelfth grade.

“Transition” means (a) the formal and physical process of transferring from school to school or (b) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

“Sending state” means the state from which a child of a military family is sent, brought, or caused to be sent or brought.

“Receiving state” means the state to which a child of a military family is sent, brought, or caused to be sent or brought.

“Uniformed service(s)” means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and Public Health Services.

### Establishing Residency

A student shall be considered in compliance with residency provisions of this policy and state law if he or she is a student whose parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The parent or legal guardian of such a student must provide proof of residence in the technology center within ten (10) days after the published arrival date provided on their official documentation. The following may be used to establish proof of residency:

1. a temporary on-base billeting facility,
2. a purchased or leased home or apartment, or
3. federal government or public-private venture off-base military housing.

State law provides that transitioning military children placed in the care of a noncustodial parent or other person standing in loco parentis, may attend school in the district in which the noncustodial parent or person standing in loco parentis to the transitioning military child holds legal residence. Similarly, transitioning military children placed in the care of a noncustodial parent or other person standing in loco parentis may continue to attend the school in which the student was enrolled while residing with the custodial parent. A special power of attorney relating to the guardianship of a military child and executed under applicable law shall be sufficient for purposes of enrollment and all other actions requiring parental participation and consent.

### Enrollment

For a student whose parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order, the technology center shall accept applications by electronic means, including enrollment in a specific school or program within the technology center and course registration.

The technology center will promptly accept unofficial or “hand-carried” educational records and transcripts in lieu of official education records and transcripts for transitioning military children. Upon receipt of such records, the technology center will promptly enroll the transitioning military child. However, upon enrollment, the technology center will request official educational records and transcripts from the school in the sending state. The technology center’s residency officer will determine whether a student is a transitioning military student for purposes of establishing residency and promptly advise the parent or other person standing in loco parentis of the decision, both orally and in writing, if possible. A parent or other person standing in loco parentis who disagrees with the residency officer’s determination may appeal the decision to the board of education under the procedure identified above.

### Course Level and Educational Program Placement

To the extent that this technology center is in a receiving state, the technology center may subsequently perform course placement and educational program evaluations of a transitioning military student. However, the technology center will initially place the transitioning military student in courses and programs comparable to those in which the student was a participant while in the sending state. The technology center will make these accommodations whether or not the student has fulfilled the necessary prerequisites in the sending or the receiving state.

### Extracurricular Activities

When appropriate, the technology center will provide transitioning military children the opportunity to participate in extracurricular participation, regardless of application deadlines.

### Immunizations

Transitioning military children shall have thirty (30) days from the date of enrollment to obtain any immunizations required by Oklahoma law. For a series of immunizations, such children must obtain initial vaccinations within thirty (30) days.

### Tuition

The technology center may not charge tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a district other than that of the custodial parent if the parent or other person standing in loco parentis lives within the boundaries of this technology center.

Reference: 42 U.S.C. §11301 et seq.; OKLA. STAT. tit. 70 §§ 510.1, 1-113, 8-103.1 (2021)

### **PHYSICAL RESTRAINT OF STUDENTS WITH DISABILITIES**

The purpose of this policy is to define the circumstances under which technology center personnel may use physical restraint for students with disabilities in compliance with those guidelines set forth in the SDE's Special Education Handbook ("Physical Restraint Guidelines").

For purposes of this policy, the term "physical restraint" is defined as a person's restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does **not** include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

Physical restraint should never be used for the purposes of discipline or as a punishment, to force compliance, as a convenience for staff or to prevent property damage. The use of chemical and/or mechanical restraint, as defined in the Physical Restraint Guidelines, is prohibited.

Technology center personnel may use physical restraint for students with disabilities only under the emergency circumstances identified in the Physical Restraint Guidelines and only if the elements identified by the Physical Restraint Guidelines exist.

The use of physical restraint for students with disabilities shall also be subject to any written Procedures utilized by the district to further explain the responsibilities of technology center staff members.

## **SECLUSION OF STUDENTS WITH DISABILITIES**

The purpose of this policy is to define the circumstances under which technology center personnel may use seclusion for students with disabilities in compliance those guidelines set forth in the SDE's Special Education Handbook ("Seclusion Guidelines").

For purposes of this policy, the term "seclusion" means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This includes situations where a door is locked as well as where the door is blocked by other objects or held by staff. Any time a student is involuntarily alone in a room and prevented from leaving should be considered seclusion regardless of the intended purpose of the name applied to this procedure or the name of the place where the student is secluded. Seclusion does not include timeout, which is a behavior management technique implemented for the purpose of calming and redirecting.

Seclusion should never be used for the purposes of discipline or as a punishment, to force compliance, as a convenience for staff or to prevent property damage. Seclusion should not be used to manage behavior.

Technology center personnel may use seclusion for students with disabilities only under the emergency circumstances identified in the Seclusion Guidelines and only if the elements identified by the Seclusion Guidelines exist.

School personnel may only utilize seclusion procedures if they have training in:

1. Conflict de-escalation;
2. The crisis cycle and interventions at each stage;
3. Possible effects of seclusion;
4. Appropriate use of seclusion rooms (including escorting and placing a student in a seclusion room);
5. Hold current CPR and First Aid certification; and
6. Monitoring the wellbeing of students.

Seclusion training should be recurrent and with annual updates and result in some form of certification or credential.

Any student placed in seclusion based on the criteria in the Seclusion Guidelines must be continuously monitored visually and aurally by a school employee. Additionally, (a) the student

must be allowed to go to the bathroom upon request, (b) the student must be permitted water to drink upon request, and (c) immediate action must be taken if the student displays any signs of medical distress.

A “seclusion room” is defined as a room or other confined area in which a student with a disability is placed in isolation from other persons from which the student is prevented from leaving. A seclusion room must meet the following criteria:

1. It must be of adequate size permitting the student to sit or lie down;
2. It must have adequate lighting;
3. It must be equipped with heating, cooling, ventilation, and lighting systems that are comparable to those in other rooms throughout the building where the seclusion room is located;
4. It must be free of any objects that pose a potential risk of harm to the student with a disability;
5. If equipped with a door that locks, the lock must automatically disengage in case of an emergency, such as fire or severe weather; and
6. It must allow continuous visual and auditory monitoring of the student with a disability.

The use of seclusion for students with disabilities shall also be subject to any written procedures utilized by the district to further explain the responsibilities of technology center staff members.



## **DIRECT THREAT**

### **Definition**

“Direct threat” means an individualized determination that a student with a disability poses a direct threat to the health or safety of others, based upon reasonable judgment that relies on current medical knowledge or on the best available evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices or procedures or the provision of auxiliary aids or services will mitigate the risk.

### **Policy**

When the district intends to impose adverse action on a student based on a direct threat, notification in writing of the district direct threat inquiry will be provided to the parent of the student and/or the adult student who is the subject of the direct threat inquiry. This notification, subject to exceptional circumstances (as defined below), will include:

1. An invitation to provide documents and other information related to the inquiry and notice that if a response is not received within 24 hours, the direct threat inquiry will proceed with the documents and other information the district has available;
2. The name and contact information of the district employee conducting the inquiry;
3. Notice that the student will not be subject to disciplinary action on the basis of unfounded fear, prejudice, and stereotypes;
4. The district’s determination that a student poses a direct threat to the health or safety of others will be an individualized assessment based upon reasonable judgment that relies on current educational, psychological, medical knowledge, threat assessment inquiry, and any other available evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices or procedures or the provision of auxiliary aids or services will mitigate the risk
5. Notice that in exceptional circumstances, such as situations where safety is of immediate concern, the district may take interim steps pending a final decision regarding adverse action against the student so long as minimal due process (i.e., notice of the proposed action, the opportunity to present information on the student’s behalf, and a right to appeal) is provided in the interim and due process is offered later;

6. Notice of the student's applicable appeal rights in the event of discipline or other adverse action; and
7. A copy of this policy.

The building administrator shall be responsible for determining whether the student poses a direct threat. The administrator may consult with the student's medical, psychological, or therapeutic professional providers, if the parent or adult student consents to such consultation.

If the administrator determines that a student poses a direct threat to others, the district will communicate the nature of the adverse action to the parent of the student and / or the adult student. Additionally, the district may condition the student's future receipt of a benefit or service upon the student's provision of documentation showing the student is no longer a threat. Such evidence may include, but is not limited to, a treatment plan or periodic reports from a physician.

In cases resulting in the interim suspension or other adverse action, an appeal may be filed with the district's Superintendent. The adversely affected adult student or the student's parent shall have ten (10) calendar days from the notice of the interim suspension or other adverse action to appeal to the Superintendent. The Superintendent shall schedule a meeting to consider the interim suspension or other adverse action and the objections of the affected student. Following this meeting the Superintendent may adopt the decision of the administrator, enter the Superintendent's own decision, adopt the relief requested by the affected student, or take other action deemed necessary to achieve a reasonable resolution of the appeal. The decision of the Superintendent shall be final. The Superintendent's decision shall be rendered within fifteen (15) calendar days from the appeal meeting scheduled to discuss and consider the appeal.

Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur when required by school board policy or Oklahoma laws.

### **Special Education Direct Threat Policy**

When the district intends to impose adverse action on a student with a disability or perceived disability based on a direct threat, notification in writing of the district direct threat inquiry will be provided to the parent of the student and / or the adult student who is the subject of the direct threat inquiry, as well as, IDEA Parents Rights in Special Education: Notice of Procedural Safeguards or Section 504/Title II: Information and Procedural Safeguards, whichever is applicable. This notification, subject to exceptional circumstances (as defined below), will include:

1. An invitation to provide documents and other information related to the inquiry and notice that if a response is not received within 24 hours, the direct threat inquiry will proceed with the documents and other information the district has available;
2. The name and contact information of the district employee coordinating the inquiry;
3. Notice that the student will not be subject to disciplinary action on the basis of unfounded fear, prejudice, and stereotypes;
4. The district's determination that a student poses a direct threat to the health or safety of others will be an individualized assessment based upon reasonable judgment that relies on current educational, psychological, medical knowledge, threat assessment

inquiry, and any other available evidence to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will occur; and whether reasonable modifications of policies, practices or procedures, or the provision of auxiliary aids or services will mitigate the risk;

5. Notice that in exceptional circumstances, such as situations where safety is of immediate concern, the district may take interim steps pending a final decision regarding adverse action against the student so long as minimal due process (i.e., notice of the proposed action, the opportunity to present information on the student's behalf, and a right to appeal) is provided in the interim and more extensive due process is offered later;
6. Notice of the student's applicable appeal rights in the event of discipline or other adverse action; and
7. A copy of this policy.

The building administration, in consultation with the Special Needs Counselor shall be responsible for determining whether the student poses a direct threat. The administrator will consult with individuals within depth knowledge and experience in the area of the student's disability as part of the direct threat determination.

The administrator may consult with the student's medical, psychological, or therapeutic professional providers, if the parent or adult student consents to such consultation.

If the district determines that a student poses a direct threat to others, the district will communicate the nature of the adverse action to the parent of the student. The process for the appealing the imposition of the adverse action shall be the same as those outlined in the district's Board of Education policies for policies addressing discipline of special needs students, adult student behavior, and secondary student behavior. If the conduct giving rise to the adverse action (a) significantly contributed to the direct threat, and (b) is a manifestation of the student's disability, the district may condition the future receipt of a benefit of service until a showing has been made that the student has eliminated the conduct. This showing can be made through evidence that includes, but is not limited to, a treatment plan or periodic report from a physician. If the conduct giving rise to the adverse action (a) significantly contributed to the direct threat, and (b) is determined not to be a manifestation of the student's disability, the student's IEP or Section 504/Title II team will meet prior to the end of the change of placement to reconsider the student's educational setting. In determining educational setting, the IEP or Section 504/Title II team will consider whether the student continues to pose a direct threat.

**EDUCATIONAL SERVICES FOR STUDENTS UNDER SECTION 504 AND  
TITLE II OF THE AMERICANS WITH DISABILITIES ACT**

The technology center recognizes its responsibilities to students who are or may be qualified persons with disabilities under Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act ("Title II"). In an effort to ensure that technology center employees understand and implement the requirements of Section 504 and Title II, the board of education adopts the following policy.

**Qualified Individual with a Disability**

All qualified persons with disabilities within the jurisdiction of the technology center are entitled to a free appropriate public education ("FAPE"), regardless of the nature or severity of the person's disability. Section 504 and Title II define a person with a disability as any person who (a) has a physical or mental impairment that substantially limits one or more major life activities, (b) has a record of such an impairment or (c) is regarded as having such an impairment. The definition of disability shall be construed in favor of broad coverage of individuals, to the maximum extent permitted by Section 504 and Title II.

The term "physical or mental impairment" means (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or (b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The phrase "physical or mental impairment" includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism. The following are excluded from the term "physical or mental impairment:" (a) an individual who currently engages in the illegal use of drugs; (b) homosexuality and bisexuality; (c) transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders; (d) compulsive gambling, kleptomania, or pyromania; and (e) psychoactive substance use disorders resulting from current illegal use of drugs.

The term "major life activities" includes, but is not limited to, functions such as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A "major life activity" also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. Also, an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

### **Mitigating Measures**

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as:

1. medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;
2. use of assistive technology;
3. reasonable accommodations or auxiliary aids or services; or
4. learned behavioral or adaptive neurological modifications.

The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

For purposes of this policy, a "qualified person with a disability" is a person with a disability who is (a) of an age during which it is mandatory under Oklahoma law to provide such services to persons with disabilities; (b) of an age during which persons without disabilities are provided such services; or (c) a person for whom a state is required to provide a FAPE under the Individuals with Disabilities Education Act.

### **Appropriate Education**

An appropriate education may comprise education in cooperation with a sending school, which may offer education in regular classes, education in regular classes with the use of related aids and services, or special education and related services in separate classrooms for all or portions of the school day or education at the technology center. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions and may be accompanied by related services such as speech therapy, occupational and physical therapy, psychological counseling and medical diagnostic services necessary to the child's education. While the technology center may not be involved in many of these education opportunities, it may be a provider of specially selected options.

An appropriate education in the sending school will include:

- Regular or special education and related aids and services designed to meet the individual education needs of students with disabilities as adequately as the needs of nondisabled students are met;
- The education of each student with a disability with nondisabled students, to the maximum extent appropriate to the needs of the student with a disability;

- Evaluation and placement procedures established to guard against misclassification or inappropriate placement of students, and a periodic reevaluation of students who have been provided special education or related services; and
- Establishment of due process procedures that enable parents and guardians to receive required notices, review their child's records and challenge identification, evaluation and placement decisions, and that provide for an impartial hearing with the opportunity for participation by parents and representation by counsel, and a review procedure.

The technology center will work, as appropriate, with the sending school to design education programs for student with disabilities to meet their individual needs to the same extent that the needs of nondisabled students are met. The technology center will provide the quality of education services to students with disabilities that equals the quality of services provided to nondisabled students. The technology center will provide teachers for students with disabilities who are trained in the instruction of individuals with disabilities. The technology center will provide comparable facilities for students with disabilities and make appropriate materials and equipment available. The technology center will not exclude students with disabilities from participating in nonacademic services and extracurricular activities on the basis of disability. The technology center will provide persons with disabilities an opportunity to participate in nonacademic services that is equal to that provided to persons without disabilities. These services may include transportation, health services, recreational activities, special interest groups or clubs sponsored by the technology center, and referrals to agencies that provide assistance to persons with disabilities and employment of students.

### **Educational Setting**

The technology center will place students with and without disabilities in the same setting, to the maximum extent appropriate to the educational needs of the students with disabilities. The technology center shall place students in the regular education environment unless the technology center demonstrates that the education of the student in the regular education environment with the use of supplementary aids and services cannot be achieved satisfactorily. Students with disabilities will participate with nondisabled students in both academic and nonacademic services, including meals, to the maximum extent appropriate to their individual needs and the program in which they are enrolled.

As necessary, the technology center, in cooperation with the sending school and as related to the program in which the student is enrolled, will provide specific supplementary aids and services for students with disabilities to ensure an appropriate education setting. Supplementary aids may include, but are not limited to, interpreters for students who are deaf, readers for students who are blind, and equipment to make physical accommodations for students with mobility impairments.

### **Evaluation and Placement**

The district shall annually undertake to identify and locate every qualified child with a disability residing in the district's jurisdiction who is not receiving a public education and take appropriate steps to notify children with disabilities and their parents or guardians of the district's duties under Section 504 and Title II.

Examples of situations in which school personnel may reasonably conclude that a student needs or is believed to need special education or related aids and services includes (a) when a teacher, based on observation of or work with the student, expresses a view that an evaluation is needed, or (2) when the parent of a student has requested an evaluation.

The technology center will work cooperatively with the sending district to make evaluation and placement decisions in accordance with appropriate procedures required by law.

### **Section 504/Title II Plan**

When the sending school's multidisciplinary group determines that a student is eligible for educational services under Section 504 and Title II, it should work closely with the technology center to prepare a plan documenting how the technology center will participate to provide FAPE for that student. Any plan for a student will identify the educational services, related services and supplementary aids and services needed to meet the student's individual educational needs, the person(s) responsible for implementing each component of the plan, the starting and ending dates for each component and a date, no less than annually, on which the sending school will review the plan.

The technology center will provide appropriate education and related aids and services free of charge to students with disabilities and their parents or guardians, except for fees equally imposed on nondisabled persons or their parents or guardians.

### **Procedural Safeguards**

The technology center will employ procedural safeguards regarding the identification, evaluation or educational placement of persons who, because of disability, need or are believed to need special instruction or related services. Technology center personnel will rely on sending schools to notify parents or guardians of any evaluation or placement actions and will allow parents or guardians to examine the student's records maintained by the technology center. The technology center relies on sending schools to provide parents or guardians with a copy of its *Section 504 of the Rehabilitation Act of 1973/Title II of the Americans with Disabilities Act Information and Procedural Safeguards form* annually at the student's Section 504 plan meeting and when the sending school (a) seeks parent or guardian consent for Section 504 evaluation or reevaluation, (b) receives a complaint from the parent or guardian alleging failure to comply with Section 504 or Title II requirements, receives a request from the parent or guardian for a copy of the *Procedural Safeguards form*, and (d) takes any action with respect to the identification, evaluation, or educational placement of the student.

The technology center will participate in, as appropriate and consistent with its obligations to the student, an impartial hearing by an objective, neutral hearing officer that will allow parents or guardians to challenge identification, evaluation and placement procedures and decisions. If parents or guardians disagree with the technology center's decisions, they will be afforded an impartial hearing, with an opportunity for their participation and for representation by counsel. The technology center will participate fully in any impartial administrative review procedure by an objective, neutral review officer to parents or guardians who want to challenge the hearing decision. If the parent or guardian wants to challenge the administrative review decision, he or she may file an action in state or federal court. The technology center will defer, as appropriate, to the legal obligations of the sending school.

## **Retaliation**

The technology center prohibits retaliation, intimidation, threats, or coercion of any person for opposing discrimination or for participating in the technology center's discrimination complaint process or making a complaint, testifying, assisting, appealing, or participating in any other discrimination complaint proceeding or hearing. The technology center will take steps to prevent the alleged perpetrator or anyone else at the technology center from retaliating against the alleged victim or any person who acts to oppose discrimination or participates in the complaint process. These steps include notifying students and employees that they are protected from retaliation, making sure that victims know how to report future problems and making follow-up inquiries to see if there have been any new incidents. If retaliation occurs, the technology center will take strong responsive action. Persons with complaints or concerns about the application of this policy should contact:

Canadian Valley Technology Center  
Attention: Superintendent  
6505 East Highway 66 El  
Reno, OK 73036



<b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY	<i>Students</i>  Adopted: 2/9/2021 Revised 5/10/2022
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## ADULT STUDENT BEHAVIOR

### Purpose

The technology center serves adult and secondary students. A discipline code is provided for secondary students to inform students of the standards of conduct required of students, and of the consequences that attach to misconduct. School laws that prescribe procedures applicable to secondary students are, in some instances, not applicable to adult students. Accordingly, the technology center has established a separate policy applicable to adult students that explains the standards of conduct and civility expected of adult students and also explains the actions that may be taken when adult conduct violates those standards. Adults are held to standards of conduct that are no less than those which attach to secondary students attending the technology center. Educational opportunities available to adult students may be cut-short or terminated in instances where an adult student's conduct violates the approved standards or when a student, for other reasons, cannot fulfill program requirements essential to successful course completion.

In instances involving a student's dismissal or removal from a course or program, the technology center will utilize procedures that are fair and reasonable. The complete cooperation of students is encouraged to assure that all students have an opportunity to benefit from the educational opportunities available. Conduct which violates policies, rules and practices or which interferes with or disrupts learning must and will be addressed by school administration. This policy explains the technology center's standards of conduct and describes the procedure that will be used when it is necessary to remove a student from a course or program. Removal may involve a short or long period or may involve a permanent removal.

### References in Policy

Reference to "administrator" means an assistant superintendent or the technology center staff member to whom the administration has delegated the responsibility for student discipline.

Reference to the "superintendent" refers to the superintendent of schools or the superintendent's designee.

Removal or dismissal refers to taking a student out of a course or program for a short period, a longer period, or permanently.

### Procedures

1. Immediate Removal of a Student

Whenever an alleged violation of the *Adult Student Behavior Code* is reported to an administrator, he or she will ascertain whether the immediate removal of the student is required. This determination will be based on whether the student's continued

presence on campus would create, in the administrator's judgment, a dangerous and/or disruptive situation with regard to the continued operation and management of the school system. If dismissal is found necessary, the administrator shall document the justification in a report and immediately forward it to the superintendent, and contact the student.

2. Evidentiary Hearing

Upon notice of an alleged violation, the administrator will review the evidence relevant to the violation. If dismissal of the student is necessary before a hearing can be conducted, the hearing must be held as soon as possible, but not later than 72 hours of the dismissal. In case of waiver or non-attendance of the hearing by the student, summary disposition of the matter will be indicated in letter form and forwarded to the student with a copy to the superintendent.

If the student is unable to attend the original time and day specified by the administrator for the evidentiary hearing, the matter may be continued only once and, in such case, will be reset to be conducted within the next 72 hours, excluding weekends and holidays. Any further request for continuance will result in immediate disposition of the matter with notification in writing sent to the student.

3. Decision

Once the evidentiary hearing has been held, the administrator will summarize the findings in a written report, which will include the decision as to the student's innocence or guilt and recommended discipline, if applicable. This decision will be announced orally at the conclusion of the hearing with a written report to follow, or within three business days of the conclusion of the hearing, by issuance of the written report. The imposition of discipline will commence following announcement of the decision or issuance of the written report, whichever occurs first.

Should the punishment be one of short or long-term removal or dismissal, the administrator will notify the superintendent of the action.

4. Appeal

If all or any portion of the administrator's decision is not agreed to, the student has the right to appeal the decision to the superintendent. An appeal is commenced by letter to the superintendent delivered within 72 hours of the decision rendered by the administrator. The administrator, upon receipt of notice of the appeal, will forward the report of the hearing to the superintendent for decision. The superintendent shall have the authority to sustain, overrule, or modify the division administrator's decision.

If the student desires an appeal to the superintendent, he or she shall be permitted to remain in school unless the circumstances delineated under the "Dismissal" section, above, are met. At the hearing, the division administrator shall first present his/her evidence and be subject to cross-examination by the superintendent. This will be followed by the student's evidence. The decision of the superintendent shall be final. Such decision shall be communicated orally after the hearing or in writing to all parties, within three business days following the decision. An oral decision, when rendered

immediately following the hearing, shall be followed by issuance of the superintendent's written decision, which shall be placed in the mail within three (3) business days of announcing the decision.

5. Modification of Corrective Action

The imposition of corrective action is subject to modification upon the recommendation of the administrator at any time prior to the hearing before the superintendent. The discipline imposed by the administrator is based on one or more of the following guidelines:

- A. Seriousness of the offense.
- B. Student's disciplinary record during the course of the school year or in prior years.
- C. Any final action by civil authorities. (However, action by authorities, in criminal or civil matters, is not a condition precedent to disciplinary action by the school.)
- D. Cooperation and assistance of student during the disciplinary proceedings.
- E. Other circumstances as the administrator may deem relevant.

6. Readmission

A dismissed student is eligible to be readmitted upon proper application for readmission. However, the administration may consider the student's prior disciplinary and incident record in determining whether to grant a student's request for readmission.

Notification of Policy

Copies of any procedural regulations and the *Adult Student Behavior Code* shall be distributed to all adult students annually, and students are responsible for compliance with the school's behavior and conduct standards. Questions as to the interpretation of any part of the policy should be presented to the appropriate administrator.

Administrative Actions

Administrative actions provided in this policy may be taken by the administrator designated by this policy or the superintendent. An administrator, whether a division administrator, superintendent, or other administrator in charge, may appoint a designee to act in his/her place. With the exception of the superintendent, designees must be approved by the superintendent.

Adult Student Behavior Code

The following behaviors at the technology center, while in technology center vehicles or going to or from or attending technology center events will result in disciplinary action, including the possibility

of dismissal:

1. Arson
2. Altering or attempting to alter another individual's food or beverage
3. Assault (whether physical or verbal) and/or battery
4. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information by making or transmitting or causing or allowing to be transmitted, any telephonic, computerized or electronic message
5. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information by broadcasting, publishing or distributing or causing or allowing to be broadcast, published or distributed, any message or material
6. Academic Misconduct, including, but not limited to, cheating, plagiarism, unauthorized collaboration, alteration of academic materials or other academic misbehavior
7. Complicity in misconduct by others, including, but not limited to, attempting to or encouraging others to commit prohibited conduct. Apathy or acquiescence in the presence of prohibited conduct is violative of this policy.
8. Conduct that threatens or jeopardizes the safety of others
9. Cutting class or sleeping, eating or refusing to work in class
10. Disorderly conduct, including behaving in a disorderly, lewd, indecent manner or breaching the peace on technology center property or in technology center-sponsored activities. Examples include, but are not limited to, obscene language, profanity, inappropriate behavior or gestures, indecent exposure, nonconsensual photography, video, or audio recording of another person on technology center premises or at technology center-sponsored events when recording causes or is likely to cause injury or distress
11. Disruption of the educational process or operation of the school— as to disruptive behavior in the classroom specifically, engaging in behavior that a reasonable person would view as substantial or repeated interference with the instructor's ability to teach the class or the ability of other students to benefit from instruction
12. Extortion
13. Failure to attend assigned detention, alternative school or other disciplinary assignment without approval

14. Failure to comply with state immunization records
15. False reports or false calls
16. Fighting
17. Forgery, fraud, or embezzlement
18. Gambling
19. Gang-related activity or action
20. Harassment, intimidation, and bullying, including gestures, written or verbal expression, electronic communication or physical acts
21. Hazing (whether involving initiations, admission into, affiliations with, or as a continued involvement in a group or organization or not) in connection with any school activity, regardless of location. Hazing, includes, but is not limited to, any activity that recklessly or intentionally endangers the mental or physical health or safety of a student. Likewise, engaging in any action or activity that causes or is likely to cause physical or mental discomfort or distress that may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants is violative of this policy.
22. Immorality
23. Inappropriate attire, including violation of dress code
24. Intimidation or harassment because of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information, including but not limited to: (a) assault and battery; (b) damage, destruction, vandalism or defacing any real or personal property; or threatening, by word or act, the acts identified in (a) or (b)
25. Physical or verbal abuse, including, but not limited to, physically restraining or transporting someone against their will
26. Possession or distribution of a caustic substance (unrelated to course work)
27. Possessing, distributing or viewing obscene materials, including electronic possession, distribution or viewing (sexting)
28. Possession of synthetic urine, a warmer or any other item with the intent to use that item to tamper with a drug or alcohol test
29. Possession, without prior authorization, of a wireless telecommunication device

30. Possession, threat or use of a dangerous weapon<sup>1</sup> and related instrumentalities (i.e., bullets, shells, gun powder, pellets, etc.)
31. Possession, claimed possession, use, manufacture, distribution, sale, purchase, conspiracy to sell, distribute or possess or being in the chain of sale or distribution, or being under the influence of (a) alcoholic beverages, (b) any mind altering substance, except for medications taken for legitimate medical purposes pursuant to district policy, including but not limited to prescription medications for which the individual does not have a prescription, or medications used outside their intended therapeutic purpose, (c) paint, glue, aerosol sprays, salts, incense and other substances which may be used as an intoxicating substance, or (d) any substance believed or represented to be a prohibited substance, regardless of its actual content.
32. Possession, claimed possession, or distribution of illegal and/or drug related paraphernalia
33. Possession, claimed possession, distribution, or claimed distribution of supplements, prescription medicine and/or non-prescription medicine while at school and school related functions without prior administrative approval
34. Purchasing, selling and/or attempting to purchase or sell prescription and non-prescription medicine while at school and school related functions
35. Sexual or other harassment of individuals including, but not limited to, students, school employees, volunteers
36. Theft
37. Threatening behavior, including but not limited to gestures, written, verbal, or physical acts, or electronic communications
38. Truancy
39. Use, possession, claimed possession, distribution or selling marijuana or marijuana-related products in any form. "Marijuana" is defined as provided for in the Technology Center's policy on *Medical Marijuana, Hemp & Cannabidiol (CBD)*.
40. Use, distribution, or selling tobacco or tobacco related products in any form, including but not limited to cigarettes, cigars, loose tobacco, rolling papers, chewing tobacco, snuff, matches, and lighters, and vapor products which includes noncombustible products that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. A vapor product also includes any vapor cartridge or other container with or without nicotine or other form

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<sup>1</sup> Students who are members of JROTC and are participating in an authorized school program may, with prior approval from the campus director, bring an inoperable weapon to school for the sole and exclusive purpose of participating in the program. Students may only possess the inoperable weapon in a manner consistent with the authorization to participate in the program.

that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. Vapor products not included are any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.

41. Use or possession of missing or stolen property if property is reasonably suspected to have been taken from a student, a technology center employee, or the technology center
42. Using racial, religious, ethnic, sexual, gender or disability-related epithets
43. Use of the school's technology resources (i.e., computers, electronic mail, internet, and similar resources) in a manner prohibited by policies, in any manner not authorized by school officials, or in violation of law
44. Vandalism
45. Violation of board of education policies, rules or regulations or violation of school rules and regulations including, but not limited to, disrespect, lingering in restrooms, running in halls, bringing unauthorized items to school, inappropriate or unauthorized use of cellular phones or other electronic media, name calling, destroying or defacing school property
46. Vulgarity
47. Willful damage to school property
48. Willful disobedience of a directive of any school official

Students suspended for a violent offense directed toward an instructor shall not be allowed to return to the instructor's classroom without the instructor's prior approval. Whether an offense is considered a violent offense, requiring an instructor's approval as a condition of return to a particular classroom, shall be based on applicable provisions of the Oklahoma school law regarding student suspension and applicable criminal law distinguishing between violent and nonviolent offenses.

In addition, conduct occurring outside of the normal school day or off school property that has a direct and immediate negative effect on the discipline or educational process or effectiveness of the school, will also result in disciplinary action, which may include removal from school. This includes but is not limited to electronic communication, whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation or bullying at school.

School Safety and Bullying Prevention Act (OKLA. STAT. tit. 70, § 24-100.2)

The Oklahoma Legislature established the *School Safety and Bullying Prevention Act* with the express intent of prohibiting bullying in all schools. In addition to the prohibition listed in the student discipline code above, the board has adopted a separate policy prohibiting bullying and outlining the district's plan to address it.

### Dismissal of Students Because of Failure to Meet or Comply with Essential Course Requirements

The technology center's course offerings include those that incorporate requirements essential to successful completion of the course. An example is the clinical hours a part of and necessary to completion of many health care courses. When a student cannot complete essential course requirements the student may be dismissed from a program for a variety of reasons, including but not limited to conduct, behavior, or other inability to meet mandatory parts of the program. Students dismissed for reasons falling within this part of the policy, will have the same rights with regard to removal as adult students who violate the technology center's disciplinary code.

### Students Attending the Technology Center by Virtue of a Special Program

In some instances, adult students are participating in programs offered by the technology center as a result of their eligibility established by terms of a federal or state program. In these instances, the programs establish eligibility requirements as well as minimum standards which students must meet in order to remain a part of the program and recipient of program benefits. Student participation and dismissal of the student may be governed by the program criteria. Students have no property interest in these programs and, as a result, those who violate expectations related to attendance, participation, and otherwise fail to meet the obligations which accompany participation, may be removed from the program with notice to the student and the program director. Whether to allow the student to return to the program and, if so, under what conditions, will be a joint decision of the designated school representatives and the designees for the federal or state program. The student's dismissal or removal shall include written notice to the program or project director of the student's dismissal and the reasons for dismissal.



## **SECONDARY STUDENT BEHAVIOR**

### Discipline Code

The following behaviors at school, while on school vehicles or going to or from or attending school events will result in disciplinary action, which may include in-school placement options or out-of-school suspension:

1. Arson
2. Altering or attempting to alter another individual's food or beverage
3. Assault (whether physical or verbal) and/or battery
4. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information by making or transmitting or causing or allowing to be transmitted, any telephonic, computerized or electronic message
5. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information by broadcasting, publishing or distributing or causing or allowing to be broadcast, published or distributed, any message or material
6. Academic Misconduct, including, but not limited to, cheating, plagiarism, unauthorized collaboration, alteration of academic materials or other academic misbehavior
7. Complicity in misconduct by others, including, but not limited to, attempting to or encouraging others to commit prohibited conduct. Apathy or acquiescence in the presence of prohibited conduct is violative of this policy.
8. Conduct that threatens or jeopardizes the safety of others
9. Cutting class or sleeping, eating or refusing to work in class
10. Disorderly conduct, including behaving in a disorderly, lewd, indecent manner or breaching the peace on school property or in school-sponsored activities. Examples include, but are not limited to, obscene language, profanity, inappropriate behavior or gestures, indecent exposure, nonconsensual photography, video, or audio recording of another person on school premises or at school-sponsored events when recording causes or is likely to cause injury or distress

11. Disruption of the educational process or operation of the school — as to disruptive behavior in the classroom specifically, engaging in behavior that a reasonable person would view as substantial or repeated interference with the instructor's ability to teach the class or the ability of other students to benefit from instruction
12. Extortion
13. Failure to attend assigned detention, alternative school or other disciplinary assignment without approval
14. Failure to comply with state immunization records
15. False reports or false calls
16. Fighting
17. Forgery, fraud, or embezzlement
18. Gambling
19. Gang related activity or action
20. Harassment, intimidation, and bullying, including gestures, written or verbal expression, electronic communication or physical acts
21. Hazing (whether involving initiations, admission into, affiliations with, or as a continued involvement in a group or organization or not) in connection with any school activity, regardless of location. Hazing, includes, but is not limited to, any activity that recklessly or intentionally endangers the mental or physical health or safety of a student. Likewise, engaging in any action or activity that causes or is likely to cause physical or mental discomfort or distress that may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants is violative of this policy.
22. Immorality
23. Inappropriate attire, including violation of dress code
24. Intimidation or harassment because of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information, including but not limited to: (a) assault and battery; (b) damage, destruction, vandalism or defacing any real or personal property; or threatening, by word or act, the acts identified in (a) or (b)
25. Physical or verbal abuse, including, but not limited to, physically restraining or transporting someone against their will

26. Possession or distribution of a caustic substance (unrelated to course work)
27. Possessing, distributing or viewing obscene materials, including electronic possession, distribution or viewing (sexting)
28. Possession of synthetic urine, a warmer or any other item with the intent to use that item to tamper with a drug or alcohol test
29. Possession, without prior authorization, of a wireless telecommunication device
30. Possession, threat or use of a dangerous weapon<sup>2</sup> and related instrumentalities (i.e., bullets, shells, gun powder, pellets, etc.)
31. Possession, claimed possession, use, manufacture, distribution, sale, purchase, conspiracy to sell, distribute or possess or being in the chain of sale or distribution, or being under the influence of (a) alcoholic beverages, (b) any mind altering substance, except for medications taken for legitimate medical purposes pursuant to district policy, including but not limited to prescription medications for which the individual does not have a prescription, or medications used outside their intended therapeutic purpose, (c) paint, glue, aerosol sprays, salts, incense and other substances which may be used as an intoxicating substance, or (d) any substance believed or represented to be a prohibited substance, regardless of its actual content.
32. Possession, claimed possession, or distribution of illegal and/or drug related paraphernalia
33. Possession, claimed possession, distribution, or claimed distribution of supplements, prescription medicine and/or non-prescription medicine while at school and school related functions without prior administrative approval
34. Purchasing, selling and/or attempting to purchase or sell prescription and non-prescription medicine while at school and school related functions
35. Sexual or other harassment of individuals including, but not limited to, students, school employees, volunteers
36. Theft
37. Threatening behavior, including but not limited to gestures, written, verbal, or physical acts, or electronic communications
38. Truancy

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<sup>2</sup> Students who are members of JROTC and are participating in an authorized school program may, with prior approval from the campus director, bring an inoperable weapon to school for the sole and exclusive purpose of participating in the program. Students may only possess the inoperable weapon in a manner consistent with the authorization to participate in the program.

39. Use, possession, claimed possession, distribution or selling marijuana or marijuana related products in any form. "Marijuana" is defined as provided for in the Technology Center's policy on *Medical Marijuana, Hemp & Cannabidiol (CBD)*.
40. Use, possession, claimed possession, distribution, or selling tobacco or tobacco related products in any form, including but not limited to cigarettes, cigars, loose tobacco, rolling papers, chewing tobacco, snuff, matches, and lighters, and vapor products which includes noncombustible products that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. A vapor product also includes any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. Vapor products not included are any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.
41. Use or possession of missing or stolen property if property is reasonably suspected to have been taken from a student, a technology center employee, or the technology center
42. Using racial, religious, ethnic, sexual, gender or disability-related epithets
43. Use of the school's technology resources (i.e., computers, electronic mail, internet, and similar resources) in a manner prohibited by policies, in any manner not authorized by school officials, or in violation of law
44. Vandalism
45. Violation of board of education policies, rules or regulations or violation of school rules and regulations including, but not limited to, disrespect, lingering in restrooms, running in halls, bringing unauthorized items to school, inappropriate or unauthorized use of cellular phones or other electronic media, name calling, destroying or defacing school property
46. Vulgarity
47. Willful damage to school property
48. Willful disobedience of a directive of any school official

In addition, conduct occurring outside of the normal school day or off technology center property that has a direct and immediate negative effect on the discipline or educational process or effectiveness of the school, will also result in disciplinary action, which may include in-school placement options or out-of-school suspension. This includes but is not limited to electronic communication, whether or not such communication originated at school or with technology center equipment, if the communication is specifically directed at students or technology center personnel and concerns harassment, intimidation or bullying at school.

## School Safety and Bullying Prevention Act (OKLA. STAT. tit. 70, § 24-100.2)

The Oklahoma Legislature established the *School Safety and Bullying Prevention Act* with the express intent of prohibiting bullying in all schools. In addition to the prohibition listed in the student discipline code<sup>7</sup> above, the board has adopted a separate policy prohibiting bullying and outlining the technology center's plan to address it.

### Sample Disciplinary Options

- *Instructor or Administrator Intervention*

May include, but is not limited to: warning conference with student, parent conference, referral to counselor, behavioral contract, restriction of privileges, requirement of corrective action by student, changing student's seat or class assignment, involvement of local authorities or agencies, or other appropriate action as required or indicated by the circumstances.

- *Detention or In-School Intervention*

Detention is a correctional measure used when it is deemed appropriate. Students are to report to the appropriate teacher/campus director at the specified time with class work to be studied. Detention may be assigned on a week-day or on a Saturday, as deemed appropriate.

- *Alternative In-School Placement*

Alternative in-school placement is an optional correctional measure that may be used by the administration when deemed appropriate. It involves assignment to a site, designated by the technology center, for a prescribed course of education as determined by school representatives. Any such placement will be made in accordance with applicable special education procedural safeguards.

- *Alternative Out-of-School Placement*

Alternative out-of-school placement is an optional correctional measure specifically authorized in cases when a student has made electronic communications intended to terrify, intimidate, harass, or threaten injury or harm to faculty or students. Any such placement will be made in accordance with applicable special education procedural safeguards.

- *School Service*

School service may be required of students when an administrator believes that it would allow the student to understand the logical consequences of his/her conduct. Examples include, but are not limited to, cleaning after vandalism or littering, helping a teacher after disrupting a class, etc. School service will not be utilized to augment the district's workforce, in ways which are likely to endanger a student, or in a manner which is designed to unduly embarrass a student.

- *Out of School Student Suspension*

Students may be suspended out of school pursuant to the technology center's policy regarding student suspension.

#### Student Privileges While Under Suspension

Participation in the extracurricular activities of the technology center is a privilege and not a right. Accordingly, when a student's behavior results in a determination by the campus director to impose disciplinary or other correctional measures against a student, the student will not be permitted to participate in any extracurricular activities offered by the technology center during the term of the discipline unless, in the sole judgment of the director, such participation is appropriate given the nature of the offense.

"Extracurricular activities" include, but are not limited to, all technology center sponsored teams, clubs, organizations, ceremonies, student government, etc.

**SECONDARY STUDENT SUSPENSIONS  
(Out-of-school)**

This policy applies only to out-of-school suspensions and, unless otherwise noted, all references to "suspension" in this policy mean out-of-school suspension. References to "parent" in this policy means a student's parent(s) or legal guardian(s).

Behavior or Conduct that May Result in Suspension:

Secondary students may be suspended for:

1. violation of a school regulation (which includes but is not limited to any policy, rule, regulation, directive, etc.);
2. possession of an intoxicating beverage, low-point beer, as defined by OKLA. STAT. tit. 37, § 163.2, or missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities;
3. possession of a dangerous weapon or a controlled dangerous substance while on or within two thousand (2,000) feet of public-school property, or at a school event, as defined in the Uniform Controlled Dangerous Substances Act. Possession of a firearm shall result in suspension as provided in the technology center's policy related to firearms;

Students who are suspended under categories 1 or 2 will be provided with an education plan as outlined below. No education plan will be required for students who are suspended under category 3.

Violent Acts Toward School Personnel

Any student in grades 6 through 12 found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or person volunteering for the school shall be suspended for the remainder of the current semester and the next consecutive semester. For good cause and considering the totality of the circumstances, the district's superintendent or designee may modify the term of the suspension. Final action as to any such suspension, including its term, remains with the board of education or designated hearing officer, pursuant to a timely appeal.

Students suspended for a violent offense directed toward a classroom teacher shall not be allowed to return to the teacher's classroom without the teacher's prior approval. Whether an offense is considered a violent offense, requiring an affected teacher's approval as a condition of return to a particular classroom, shall be based on applicable provisions of the Oklahoma school law regarding student suspension and applicable Oklahoma criminal law distinguishing between violent and nonviolent offenses.

### Technology Center's Obligations Prior to Suspension

Before the technology center recommends suspension, other disciplinary options will be considered, including but not limited to placement in an alternative school setting, reassignment to another classroom, and detention. The technology center will provide additional procedural safeguards as required by law for students identified as having disabilities under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act/Title II of the Americans with Disabilities Act.

### Pre-Suspension Conference

When a student engages in behavior or conduct that may result in suspension the administrator shall conduct an informal conference with the student.

At the conference the administrator shall read the regulation that the student is charged with having violated and shall discuss the student's conduct. The student shall be asked whether he/she understands the regulation and be given a full opportunity to explain and discuss his/her conduct.

If the administrator concludes that suspension is appropriate, the student shall be advised that he/she is being suspended and the length of the suspension. The administrator shall immediately notify the parent by phone and in writing that the student is being suspended and that other disciplinary options were considered and rejected. The written notice will state which alternative disciplinary options were considered and why they were rejected.

A student may be suspended without a pre-suspension conference only in situations when the administrator reasonably believes that the student's continued presence in the building will constitute an immediate danger to the health or safety of students, school employees, school property, or would be a substantial disruption of the educational process. In such cases, a conference with the student and parent will be scheduled as soon as possible after the student has been removed from the building.

### Conferences with Parents

The administrator will seek to hold a conference with the parent as soon as possible after the suspension has been imposed. The parent should be advised of his/her right to a conference with the administrator at the time he/she is verbally notified that a suspension has been imposed. The conference will be held during the regular school hours, Monday through Friday, with consideration given whenever possible to the hours of working parents.

At the conference, the administrator will read the regulation the student is charged with having violated and will briefly outline the student's conduct. The administrator will also explain the reason for rejecting other disciplinary options. The parent should be asked by the administrator if he/she understands the regulation and the charges against the student.

At the conclusion of the conference the administrator shall state whether he/she will terminate or modify the suspension. In all cases the parent will be advised of the right to have the suspension reviewed by the superintendent, board of education, a hearing officer appointed by the board, or the suspension committee as provided by this policy. If the parent is in agreement with the administrator's decision, he/she will be requested to sign a waiver of review.



### Individualized Plans

Suspensions in excess of five (5) days shall include an Individualized Plan ("Plan") that shall describe either a home-based schoolwork assignment setting or other appropriate work assignment setting. The Plan shall be prepared by the administrator with the assistance of other school employees in cooperation with sending schools.

The Plan shall provide for the core units in which the student is enrolled. Core units shall consist of the minimum English, Mathematics, Science, Social Studies and Art units required by the Oklahoma State Department of Education for high school graduation.

A copy of the Plan shall be provided to the student and parent. The parent shall be responsible for providing a supervised, structured environment monitoring the student's educational progress until the student is readmitted into school. The Plan shall set out the procedure for education and shall also address academic credit for work satisfactorily completed.

### Records

The administrator will keep written records of each suspension conference. The records will contain the date of the conference, names of participants, time and duration of the conference, and the basis for rejecting alternative disciplinary options. The administrator shall also maintain records related to the Plan and the student and/or parent's compliance with the Plan.

### Suspension Terms

All suspensions will have a definite start and end date. The term of a suspension may be reduced if a student performs a specified remedial act if those conditions are agreed to at the time of the suspension. Suspension lengths will be as consistent as possible between students considering the nature of the conduct and the previous disciplinary history of the student.

Long-term suspensions are those suspensions in excess of ten (10) school days. Suspensions will not extend beyond the current school semester and succeeding semester, except in the case of possession of a firearm, in which case a suspension shall be for a period of not less than one (1) calendar year. Suspensions involving firearms are governed by the school district's Gun-Free Schools Student Suspension policy.

Short-term suspensions are those suspensions of ten (10) or fewer school days. Long-

### Term Suspension Appeals

A parent/student may appeal the suspension to the superintendent and board of education, or a hearing officer appointed by the board. The administrator shall inform the parent/student of the right to appeal the suspension and the method for appealing. At the parent/student's option the appeal may be directly to the board or the board's appointed hearing officer.

A written appeal must be received by the superintendent within five (5) calendar days after the parent/student receives the administrator's decision. If the superintendent does not receive a written appeal within five (5) calendar days of the campus director's decision, the administrator's suspension decision is final.

### *Appeals to the Superintendent or Designee ("Superintendent")*

If the superintendent receives a timely written appeal request, the superintendent will hold a conference with the parent or guardian as soon as possible. The conference will be held during regular school hours, Monday through Friday, with consideration given to the hours of working parents whenever possible.

At the conference, the superintendent will read the regulation the student is charged with having violated and will briefly outline the student's conduct. The parent will be asked if he/she understands the regulation and the charges against the student. The student/parent will be given an opportunity to provide his/her version of events.

At the conclusion of the conference the superintendent will state whether he/she shall terminate or modify the suspension. In all cases the parent shall be advised of the right to have the suspension reviewed by the board of education or a board-appointed hearing officer. If the parent is in agreement with the superintendent's decision, he/she shall be requested to sign a waiver of review by the board.

### *Appeals to the Board of Education or Designated Hearing Officer*

An appeal must be presented by letter to the superintendent within five (5) calendar days after the parent/student receives the superintendent's decision. If the superintendent does not receive a written appeal within five (5) calendar days of the superintendent's decision, the superintendent's suspension decision is final.

If the board receives a timely written appeal request, the board or an appointed hearing officer will hear the appeal as soon as possible. This decision is final and nonappealable.

The parent/student will be notified in writing of the date, time and place of the hearing and will have the right to choose an "open" or "closed" hearing. Reasonable efforts will be made to accommodate the work schedule of parents. The following procedures will be followed:

1. The board president or the appointed hearing officer should:
  - a. Announce that the next agenda item is a suspension review hearing.
  - b. Ask whether the parent/student wants the hearing to be open to the public or in executive session. The offer of an open hearing and the response is to be made a part of the minutes of the meeting. If the parent/student requests a closed hearing, a motion to go into executive session per their request should be made and voted on.
2. The board president or hearing officer should advise the parent/student:
  - a. That they are entitled to legal counsel, if they desire it.
  - b. That the administration will present its witnesses first and that after each witness the parent or their legal counsel will be given an opportunity to cross-examine.
  - c. That the parent/student will be given an opportunity to call any relevant witnesses and present any relevant evidence, subject to cross-examination by the administration's legal counsel.

- d. That the board or its hearing officer will consider the evidence and documents and reach a decision that will be recorded by vote in open session.
  - e. That the parent/student may ask any questions about the procedure.
3. Administration may call witnesses and present documents subject to cross-examination.
  4. Parent/student may call any witnesses and present documents subject to cross-examination.
  5. After each witness is presented board members or the hearing officer may ask the witness questions.
  6. Parent/student's closing statement.
  7. Administration's closing statement.
  8. Deliberate in private. (If the hearing is not in executive session, the board or its hearing officer may deliberate in executive session only with permission of the parent/student.)
  9. Return to open session and vote. After adopting a motion making certain findings of fact the board must make a motion to: (1) affirm the suspension; (2) modify the suspension (increase or decrease severity of the suspension); or (3) revoke the suspension. If the hearing is before a hearing officer, no motions will be required as a part of the hearing process; otherwise, the hearing officer will have the same obligations as the board when rendering a decision.

#### *Attendance at School Pending Appeal Hearing*

Pending an appeal of the student suspension, the student will have the right to attend school under such "in-house" restrictions as the administrator deems proper, except that at the discretion of the administrator, the student may be prohibited from attending school pending any appeal hearing if in the judgment of the administrator the student's continued presence in the building will constitute an immediate danger to the health or safety of students, school employees, school property, or would be a substantial disruption of the educational process.

#### Short-Term Suspension Appeals

A parent or student may appeal the suspension decision to a suspension review committee established by the superintendent. The administrator shall inform the parent/student of the right to appeal the suspension and the method for appealing.

An appeal must be presented by letter to the administrator within five (5) calendar days after the parent/student receives the administrator's decision. If the administrator does not receive a written appeal within five (5) calendar days of the decision, the administrator's suspension decision is final.

Upon receipt of the request, the administrator shall confirm that the student's suspension falls within the category of suspensions to which an appeal to the committee is authorized. If the administrator determines that the suspension is a long-term suspension, or the original short-term suspension is extended beyond ten (10) school days prior to the hearing, the procedures applicable to long-term suspensions must be followed and the student must be given the opportunity to appeal any adverse decision to the board of education.

### *Hearing the Appeal*

1. The superintendent shall appoint a review committee consisting of not less than three certified administrators and/or teachers and shall designate a chairperson for the committee. No administrator or teacher is eligible to serve on the committee who was a witness to the student's conduct, nor is any teacher eligible to serve who has the student in his/her class for the current school term.
2. The superintendent shall schedule the committee hearing as soon as possible during regular school hours, Monday through Friday. Reasonable consideration shall be given to accommodate the work schedules of the parent whenever possible. The parent/student will be notified in writing of the date, time and place of the hearing. The administrator shall attend the hearing. Either party choosing to have legal counsel at the hearing shall give the other party twenty-four (24) hours advance notice. The failure to give such notice will preclude the party's right to have counsel attend the hearing.
3. The committee will conduct a full investigation of the student's suspension in an informal manner. The administrator will briefly outline the student's conduct, read the regulation that the student's conduct violated, and present any evidence and witnesses that support the suspension decision. The parent/student will be asked by the committee if they understand the regulation and charges against the student. The parent/student will then briefly explain the student's conduct and present any evidence and witnesses that support the student's position.
4. At the conclusion of the presentation of the evidence, the committee shall retire to render a decision by a majority vote as to the guilt or innocence of the student. The committee shall also determine the reasonableness of the term of the suspension. The committee's decision shall be confirmed in writing and a copy will be mailed to the parent, the administrator and the superintendent.
5. The decision of the committee shall be final and nonappealable.

### Student Privileges While Under Suspension

Participation in school extracurricular activities is a privilege and not a right. Accordingly, students who are suspended are immediately ineligible to participate in extracurricular activities, notwithstanding the filing of an appeal. "Extracurricular activities" include, but are not limited to, all school sponsored teams, clubs, organizations, ceremonies, student government, and all other school sponsored activities and organizations.

Reference: OKLA. STAT. tit. 70 § 24-101.3

**DISCIPLINARY REMOVAL OF SECONDARY  
STUDENTS WITH DISABILITIES**

Definitions

For purposes of this policy, the following definitions apply:

"Child with a disability" includes students who have been identified as having a disability or for whom an initial evaluation has been sought under the Individuals with Disabilities Act, Section 504 of the Rehabilitation Act, or Title II of the Americans with Disabilities Act.

"Controlled substance" means a drug or other substance identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. § 812(c).

"Illegal drug" means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

"School day" means any day, including a partial day, that students are in attendance at the technology center for instructional purposes.

"Serious bodily injury" means bodily injury that involves –

1. a substantial risk of death;
2. extreme physical pain;
3. protracted and obvious disfigurement; or
4. protracted loss or impairment of the function of a bodily member, organ or mental faculty.

"Weapon" means a dangerous weapon as defined by 18 U.S.C. § 930(g)(2), specifically, a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length.

Case-By-Case Determination

Technology center personnel must consider any unique circumstances on a case-by-case basis when determining whether a change of placement is appropriate for a student with a disability who violates the code of student conduct.

### Short-Term Disciplinary Removal

District personnel may remove a student with a disability who violates the code of student conduct from the student's current placement to an appropriate interim alternative educational setting, another setting or suspension, for not more than ten (10) consecutive school days and for additional removals of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct, as long as those additional removals do not constitute a change of placement.

A change of placement occurs if:

1. the removal is for more than ten (10) consecutive school days; or
2. the student has been subjected to a series of removals that are ten (10) days or less during the same school year that constitute a pattern.

School personnel determine whether a pattern exists by considering the following factors:

- the series of removals total more than ten (10) school days in a school year;
- the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
- such additional factors as the length of each removal, the total amount of time the student has been removed and the proximity of the removals to one another.

However, in an effort to promote uniformity in the decision-making process, the board of education has determined that it is in the district's best interest that it not require school personnel to weigh these factors to determine the existence of a pattern in each instance. Instead, when the student's short-term removals exceed ten (10) school days over the course of the school year, the district will follow the process identified in this policy for implementing a long-term removal.

In school alternative placements for more than ten (10) consecutive school days or that may constitute a pattern of exclusion may be a change of placement if the student does not receive education services required under the student's IEP or Section 504 / Title II Plan.

### Educational Services During a Short-Term Disciplinary Removal

The technology center will provide a student with a disability the same level of services it provides students without disabilities during removals for ten (10) school days or less during the school year.

After a student with a disability has been removed from his or her current placement for ten school days in the same school year, if a subsequent removal is imposed for not more than ten (10) consecutive school days and is not a change of placement, technology center personnel, in consultation with the student's special education teacher and the sending school district, will determine the extent to which services are needed, so as to enable the student to continue to appropriately progress in the general curriculum, although in another setting, and to appropriately advance toward meeting the goals set out in the student's IEP or Section 504 / Title II Plan.

### Notification

On the date on which the decision is made to make a disciplinary removal that constitutes a change of placement of a student with a disability because of a violation of the district's code of student conduct, technology center personnel will notify the sending school district as well as the minor student's parents of the decision and ensure that the sending school provides the parents of students who are eligible for special education and related services under the IDEA with a copy of the *Parents Rights in Special Education: Notice of Procedural Safeguards* form. Personnel will provide the parents of students who are eligible for special education and related services only under Section 504/Title II with a copy of the district's *Section 504 Information and Procedural Safeguards* form.

### Special Circumstances

Technology center personnel may also remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. carries or possesses a weapon at school, on school premises, or to or at a school function;
2. knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance at school, on school premises or at a school function; or
3. has inflicted serious bodily injury upon another person while at school, on school premises or at a school function.

### Making a Manifestation Determination

The technology center will notify the sending school of any incidents involving the need to make a manifestation determination. These determinations will be made with full notice to and cooperation with the sending school. Except for removals that will be for not more than ten (10) consecutive school days and will not constitute a change of placement, within ten (10) school days of any decision to change the placement of a student with a disability because of a violation of the technology center's code of student conduct, the student's sending school's IEP or Section 504 / Title II team will meet to review all relevant information in the student's file, including the student's IEP or Section 504 / Title II Plan, any teacher/instructor observations psychological evaluation date related to the student's current behavior, and any relevant information provided by the sending school and parents to determine:

1. if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
2. if the conduct in question was the direct result of an inappropriate placement or the technology center's failure to implement the IEP or Section 504 / Title II Plan.

The conduct will be determined to be a manifestation of the student's disability if the student's IEP or Section 504 / Title II team determines that a condition in either (a) or (b) of this paragraph was met.

If the student's IEP or Section 504 / Title II team determines that the conduct in question was the direct result of the technology center's failure to implement the IEP or 504 Plan, immediate steps will be taken to remedy those deficiencies.

#### Determination that Behavior Is a Manifestation of the Student's Disability

If the IEP team determines that the conduct was a manifestation of the student's disability, the team will either:

1. conduct a functional behavior assessment, unless the technology center had conducted a functional behavior assessment before the behavior that resulted in the change of placement occurred and further functional behavior assessment is deemed unnecessary, and implement a behavior intervention plan for the student; or
2. if a behavior intervention plan already has been developed, review the behavior intervention plan and modify it, as necessary, to address the behavior.

If the Section 504 / Title II team determines that the conduct was a manifestation of the child's disability, the team will determine what, if any, modifications to the student's educational placement are necessary, including conducting a functional behavior assessment and developing or revising a behavior intervention plan (if appropriate).

A parent or guardian who disagrees with the manifestation determination may file a complaint requesting an impartial due process hearing.

Except as provided in this policy, the IEP or Section 504 / Title II team will return the student to the placement from which the student was removed, unless the parent, sending school and the technology center agree to a change of placement as part of the modification of the behavior intervention plan.

#### Determination that Behavior Is Not a Manifestation of the Student's Disability

If the behavior that gave rise to the violation of the technology center's code of student conduct is determined not to be a manifestation of the student's disability, then school personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

A parent or guardian of a minor student who disagrees with the manifestation determination may file a complaint requesting an impartial due process hearing.

#### Educational Services During a Long-Term Disciplinary Removal

During a long-term disciplinary removal, a student eligible for special education and related services under the IDEA will:

1. continue to receive educational services so as to enable the student to continue to appropriately progress in the sending school's general education curriculum, although in another setting, and to appropriately advance toward achieving the goals set out in the student's IEP; and



2. receive, as appropriate through the sending school, a functional behavior assessment and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

The student's IEP team will determine appropriate services and the location in which services will be provided. These services may be provided in an interim alternative educational setting determined by the IEP team.

During a long-term disciplinary removal, a student eligible for special education and related services only under Section 504/Title II will receive educational services to the same extent that a student without disabilities would receive educational services during a disciplinary removal for the same offense. In some instances, a long-term disciplinary removal may effectively remove the student from the technology center and may limit or eliminate the student's return to the technology center.

#### Appeal to Hearing Officer Under the IDEA

The parent of a student eligible for special education and related services under the IDEA who disagrees with any decision regarding placement or the manifestation determination under this policy, or the technology center, if school personnel believe that maintaining the current placement of the student is substantially likely to result in injury to the student or others, may appeal the decision by filing a due process hearing complaint seeking an expedited hearing.

In making the determination, the technology center acknowledges that the hearing officer may:

1. return the student with a disability to the placement from which the student was removed if the hearing officer determines that the removal was a violation of the applicable provisions of the IDEA or that the student's behavior was a manifestation of the student's disability; or
2. order a change of placement of the student to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

These procedures may be repeated, if the sending school or technology center believes that returning the student to the original placement is substantially likely to result in injury to the student or to others.

When an appeal has been requested by either the parent, sending school or the technology center, the student will remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period set for the placement, whichever occurs first, unless the parent, sending school and the technology center agree otherwise.

The sending school or technology center may also seek a court order to remove a student with a disability from the technology center or change the student's current educational placement if technology center personnel believe that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

### Providing Records to Disciplinary Decisionmaker

If the technology center initiates disciplinary procedures that it concludes would constitute a change of placement for a student with a disability, school personnel will ensure that the student's special education and disciplinary records are provided for consideration to the sending school personnel making the final determination regarding the disciplinary action.

<p align="center"><b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY</p>	<p align="center"><i>Students</i></p> <p align="right">Adopted: 2/9/2021</p>
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**GUN-FREE SCHOOLS  
SECONDARY STUDENT SUSPENSION**

Any student who is determined to have:

- brought a weapon to a school under the jurisdiction of the district; or
- possessed a weapon within two thousand (2,000) feet of public-school property;  
or
- possessed a weapon at a school event

shall be suspended out of school for a period of not less than one calendar year. This policy does not apply to students who are members of the JROTC and who possess or bring an inoperable weapon to school for participation in a school program, provided the student obtained prior permission from the campus director, the weapon remains inoperable while at school and the weapon is used consistent with the permission granted.

Any out-of-school suspension imposed under this policy may be modified for any student on a case-by-case basis by the chief administrative officer of the technology center.

For the purposes of this policy, the following definitions shall control:

- The term "weapon" means a firearm as such term is defined in Section 921 of Title 18 of the United States Code.
- The term "chief administrative officer" means the superintendent or the board of education.
- The term "determined to have brought a weapon to a school under the jurisdiction of the district" means any student being in possession or control of a weapon on property owned, leased or rented by the technology center, including, but not limited to, school buildings, parking lots and motor vehicles and any student who is in possession or control of a weapon at any technology center sponsored function regardless of whether such function is conducted on technology center property.

Enforcement of this policy shall be consistent with state and federal laws dealing with discipline of students with disabilities.

Students who violate this policy will be referred to the appropriate criminal justice or juvenile delinquency system. Any firearm seized from a student by any technology center employee shall immediately be delivered to a law enforcement authority for disposition pursuant to applicable law.

Any out-of-school suspension initiated pursuant to this policy shall be subject to the procedural safeguards set forth in the technology center's policy for the out-of-school suspension of students.

Consistent with Oklahoma law, for an out-of-school suspension under this policy, no education plan shall be implemented during the term of the suspension. This policy does not apply to student suspensions for non-weapon violations.

Reference: OKLA. STAT. tit. 70 § 24-101.3

<b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY	<i>Students</i>  Adopted: 2/9/2021
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**STUDENT BULLYING**

Statement of Legislative Mandate and Purpose

This policy is a result of the legislative mandate and public policy embodied in the *School Safety and Bullying Prevention Act*, 70 OKLA. STAT. § 24-100.2 et seq. (“Act”). The technology center intends to comply with the mandates of the Act and expects students to refrain from bullying. Bullying is expressly forbidden and students who bully are subject to disciplinary consequences as outlined in the technology center’s policy on student behavior. Bullies may also be provided with assistance to end their unacceptable behavior, and targets of bullies may be provided with assistance to overcome the negative effects of bullying.

Definition of Terms

A. Statutory definition of terms:

“Bully” means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school’s educational mission or the education of any student.

“Threatening behavior” means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

“Electronic communication” means the communication of any written, verbal, pictorial information or video content by means of an electronic device, including, but not limited to, a telephone, a mobile or cellular telephone or other wireless telecommunication device, or a computer.

Note: Bullying by electronic communication is prohibited whether or not such communication originated at school, or with school equipment, if the communication is specifically directed at students or school personnel and concerns bullying at school.

“At school” means on technology center grounds, in technology center vehicles, at technology center sponsored activities, or at technology center sanctioned events.

B. The “Reasonable Person” Standard

In determining what a “reasonable person” should recognize as bullying, staff will consider the point of view of the intended target, including any characteristics unique to the intended target. Staff may also consider the discipline history and physical characteristics of the alleged bully.

## C. Types of Bullying

“Physical Bullying” includes harm or threatened harm to another’s body or property, including but not limited to threats, tripping, hitting, pushing, pinching, pulling hair, kicking, biting, starting fights, daring others to fight, stealing or destroying property, extortion, assaults with a weapon, other violent acts, and homicide.

“Emotional Bullying” includes the intentional infliction of harm to another’s self- esteem, including but not limited to insulting or profane remarks or gestures, or harassing and frightening statements.

“Social Bullying” includes harm to another’s group acceptance, including but not limited to gossiping; spreading negative rumors to cause a targeted person to be socially excluded, ridiculed, or otherwise lose status; acts designed to publicly embarrass a targeted person, damage the target’s current relationships, or deprive the target of self-confidence or the respect of peers.

“Sexual Bullying” includes harm of a sexual nature, including but not limited to making unwelcome sexual comments or gestures to or about the targeted person; creating or distributing vulgar, profane or lewd words or images about the target; committing a sexual act at school, including touching private parts of the target’s body; engaging in off-campus dating violence that adversely affects the target’s education opportunities; making threatening sexual statements directed at or about the target; or gossiping about the target’s sexuality or sex life. Such conduct may also constitute sexual harassment which is prohibited by the technology center.

### Understanding and Preventing Bullying

A full copy of this policy will be posted on the technology center’s website and included in all handbooks. Parents, guardians, community members, and volunteers will be notified of the availability of this policy through the technology center’s annual written notice of the availability of the anti-bullying policy. Written notice of the policy will also be posted at various places in all campuses.

Students and staff will be periodically reminded throughout the year of the availability of this policy, the technology center’s commitment to preventing bullying, and help available for those affected by bullying. Anti-bullying programs will be incorporated into the technology center’s other violence prevention efforts.

All staff will receive annual training regarding preventing, identifying, reporting, and managing bullying. The technology center’s bullying coordinator and individuals designated as campus investigators will receive additional training regarding appropriate consequences and remedial action for bullies, helping targets of bullies, and the technology center’s strategy for counseling and referral for those affected by bullying.

Students will receive annual education regarding behavioral expectations, understanding bullying and its negative effects, disciplinary consequences for infractions, reporting methods, and consequences for those who knowingly make false reports. Parents and guardians of minors may participate in a parent education component.

### Student Reporting

Students are encouraged to inform school personnel if they are the target of or a witness to bullying. To make a report, students should notify a teacher, counselor, or campus administrator. The employee will give the student an official report form, and will help the student complete the form, if needed.

Students may make an anonymous report of bullying, and such report will be investigated as thoroughly as possible. However, it is often difficult to fully investigate claims which are made anonymously, and disciplinary action cannot be taken against a bully solely on the basis of an anonymous report.

### Staff Reporting

Staff members will encourage students to report bullying. All employees are required to report acts of bullying to the campus director on an official report form. Any staff member who witnesses, hears about, or suspects bullying is required to submit a report.

### Bullying Investigators

Each campus will have a designated individual and an alternate to investigate bullying reports. These individuals will be identified in the site's student and staff handbooks, on the technology center's website, and in the bullying prevention education provided annually to students and staff. The technology center's anti-bullying program is coordinated at the district level by its bullying coordinator(s), Campus Director.

### Investigating Bullying Reports

For any alleged incidents of bullying reported to technology center officials, the designated official will investigate the alleged incident(s) and determine (i) whether bullying occurred, (ii) the severity of the incident(s), (iii) the potential for future violence, and (iv) the reason for the actual or perceived bullying.

In conducting an investigation, the designated official shall interview relevant students and staff and review any documentation of the alleged incident(s). Technology center officials may also work with outside professionals, such as local law enforcement, as deemed appropriate by the investigating official. In the event the investigator believes a criminal act may have been committed or there is a likelihood of violence, the investigator will immediately call local law enforcement and the superintendent.

At the conclusion of the investigation, the designated employee will document the steps taken to review the matter, the conclusions reached, and any additional action taken, if applicable. Further, the investigator will notify the district's bullying coordinator that an investigation has occurred and the results of the investigation. In the event the investigation reveals that bullying occurred, the technology center's bullying coordinator will refer the student who committed the act of bullying to a delinquency prevention and diversion program through the Office of Juvenile Affairs.

Upon completion of an investigation, the campus director may recommend that available community mental health care or substance abuse options be provided to a student, if appropriate. The campus director may provide a student with information about the types of support services available to the student bully, target, and any other students affected by the prohibited behavior. These resources will be provided to any individual who requests such assistance or will be provided if a technology center official believes the resource might be of assistance to the student/family. The technology center is not responsible for paying for these services. No technology center employee is expected to evaluate the appropriateness, or the quality of the resource provided, nor is any employee required to provide an exhaustive list of resources available. All technology center employees will act in good faith.

The technology center may request the disclosure of information concerning students who have received substance abuse or mental health care (pursuant to the previous paragraph) if that information indicates an explicit threat to the safety of students or school personnel, provided the disclosure of the information does not violate the requirements and provisions of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, OKLA. STAT. tit. 12 § 1376, OKLA. STAT. tit. 59 §1376 of the Oklahoma Statutes, or any other state or federal laws regarding the disclosure of confidential information. The technology center may request the disclosure of information when it is believed that the student may have posed a danger to him/herself and having such information will allow technology center officials to determine if it is safe for the student to return to the regular classroom or if alternative education arrangements are needed.

#### Parental Notification for Minor Students

The assigned investigator will notify the parents (minor students only) of a target within one (1) school day that a bullying report has been received. Within one (1) school day of the conclusion of the investigation, the investigator will provide the parents (minor students only) of a target with the results of the investigation and any community resources deemed appropriate to the situation.

If the report of bullying is substantiated, within one (1) school day of the conclusion of the investigation, the investigator will contact the parents (minor students only) of the bully to discuss disciplinary action and any community resources deemed appropriate to the situation.

The timelines in this parental notification section may be reasonably extended if individual circumstances warrant such an extension.

#### Parental Responsibilities

All parents/guardians of minor students will be informed in writing of the technology center's program to stop bullying and will be given a copy of this policy upon request. An administrative response to a reported act of bullying may involve certain actions to be taken by parents of minor students. Parents of minor students will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

- Report bullying when it occurs;
- Take advantage of opportunities to talk to their children about bullying;



- Inform the administration immediately if they think their child is being bullied or is bullying other students;
- Watch for symptoms that their child may be a target of bullying and report those symptoms; and
- Cooperate fully with technology center personnel in identifying and resolving incidents.

### Monitoring and Compliance

In order to assist the State Department of Education with compliance efforts pursuant to the *School Safety and Bullying Prevention Act*, 70 OKLA. STAT. § 24-100.2 et seq., the technology center will identify a Bullying Coordinator who will serve as the contact responsible for providing information to the State Board of Education. The Bullying Coordinator shall maintain updated contact information on file with the State Department of Education and the technology center will notify the State Department of Education within fifteen (15) days of the appointment of a new Bullying Coordinator.

A copy of this policy will be submitted to the State Department of Education by December 10th of each school year as part of the technology center's Annual Performance Report.

Reference: OKLA. STAT. tit. 70 § 24-100.2

## **HAZING**

Hazing constitutes unethical and unacceptable conduct that will not be tolerated at the technology center. To that end, the technology center adopts the following policy prohibiting hazing.

1. "Hazing" means any activity which recklessly or intentionally endangers the physical or mental health or safety of a student, required as a condition of membership in an organization, regardless of willing participation, including but not limited to physical brutality such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, alcohol, drugs, or other substances, and activities which would induce extreme mental stress such as prolonged sleep deprivation, prolonged isolation, and conduct which could cause extreme embarrassment or humiliation.
2. Endangering the physical health shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage, low-point beer, drug, controlled dangerous substance, or other substance, or any other forced physical activity which could adversely affect the physical health or safety of the individual.
3. Endangering the mental health shall include, but not be limited to, any activity except those authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could adversely affect the mental health or dignity of the individual.
4. No organization having student members which is sponsored by the technology center or which is permitted to hold meetings or other events on technology center property (a "Student Organization") and no student member of a Student Organization shall engage or participate in or directly or indirectly condition membership on participation in or submission to a hazing activity.
5. Students violating these prohibitions shall not be permitted to participate in any extra-curricular activity sponsored by the technology center, shall be subject to disciplinary measures which may include suspension or removal, and shall, when appropriate, be referred to local law enforcement authorities for prosecution.
6. Student Organizations which violate these prohibitions shall forfeit all rights, privileges, and recognition from the technology center for a minimum of one (1) year, and shall be referred to local law enforcement authorities for prosecution.
7. Hazing will be dealt with as outlined in the Code of Student Conduct. Technology center employees who are linked to hazing shall be subject to discipline - including dismissal or non-renewal.

### **STUDENT POSSESSION OF DANGEROUS WEAPONS**

In order to provide a safe environment for the students and staff of the technology center, the board of education adopts this policy prohibiting the possession and/or use of dangerous weapons, replicas or facsimiles of dangerous weapons and items or instrumentalities which are used to threaten harm or are used to harm any person.

Dangerous weapons, including but not limited to firearms, are a threat to the safety of the students and staff of the technology center. In addition, possession of dangerous weapons, or replicas or facsimiles of dangerous weapons, disrupts the educational process and interferes with the normal operation of the technology center.

For the foregoing reasons and except as specifically provided below, possession by any student of a dangerous weapon, as that term is defined in this policy, or a replica or facsimile of a dangerous weapon, while on technology center property, at a technology center-sponsored activity, or on a technology center bus or vehicle, is prohibited. Further, use of any item or instrumentality by a student to threaten harm to any person or which is used to harm any person, while on technology center property, at a technology center sponsored activity, or on a technology center bus or vehicle, is prohibited.

For purposes of this policy, "possession of a dangerous weapon" includes, **BUT IS NOT LIMITED TO**, any person having a dangerous weapon: (1) on his or her person; (2) in his or her locker; (3) in his or her vehicle; (4) held by another person for his or her benefit; or (5) at any place on technology center property, a technology center bus or vehicle, or at a technology center activity.

A dangerous weapon includes, **BUT IS NOT LIMITED TO**, a pistol, revolver, rifle, shotgun, air gun or spring gun, B-B gun, stun gun, hand grenades, fireworks, slingshot, bludgeon, blackjack, brass knuckles or artificial knuckles of any kind, nun-chucks, dagger, bowie knife, dirk knife, butterfly knife, any knife the blade of which can be opened by a flick of a button or pressure on the handle, any pen knife, "credit card" knife, razor, dart, ice pick, explosive smoke bomb, incendiary device, sword cane, hand chains, firearm shells or bullets, garrotes, choking devices, mace, pepper spray, and any item whose principal purpose is for use as a weapon, whether offensive or defensive, and any replica or facsimiles of any of the foregoing items, or any item or instrumentality which is used to threaten harm or is used to harm any person or any chemical, material or substance which can cause an irritation to or reacts with human tissue, or any chemical, material or substance used, given, applied to or administered to another person without that person's consent. **THE FOREGOING LIST OF "DANGEROUS WEAPONS" IS DESCRIPTIVE AND BY WAY OF EXAMPLE ONLY AND IS NOT TO BE CONSIDERED AN EXCLUSIVE OR LIMITING LIST OF DANGEROUS WEAPONS. IT WILL NOT BE A DEFENSE TO ANY DISCIPLINARY ACTION UNDER THIS POLICY THAT THE STUDENT POSSESSING THE DANGEROUS WEAPON DID NOT KNOW THAT IT IS A DANGEROUS WEAPON, BUT**

**SUCH CLAIM OF A LACK OF KNOWLEDGE MAY BE CONSIDERED IN MITIGATION OF ANY DISCIPLINARY PENALTY.**

Any student in possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, in violation of this policy or who uses any item or instrumentality to threaten harm to any person or is used to harm any person may be placed under emergency suspension from technology center, pending an investigation of the incident by the appropriate technology center or legal authorities. Students who violate this policy may be suspended from technology center, barred from technology center property and all technology center activities for any period of time up to the maximum period authorized by law. Additionally, appropriate technology center staff members may seek to file criminal charges against the student.

If a teacher or other technology center employee has a reasonable suspicion to believe that a student is in possession of a dangerous weapon, or a replica or facsimile of a dangerous weapon, the teacher or employee shall immediately investigate the matter and shall confiscate any such weapon found if this can be accomplished without placing any students or staff in jeopardy, and shall immediately notify the superintendent or the superintendent's designee. If the teacher or employee does not believe that the weapon can be confiscated safely, the teacher or employee shall immediately notify the superintendent or the superintendent's designee of the situation.

If the superintendent or his/her designee learns that a student is believed to be in possession of a dangerous weapon or replica or facsimile thereof, the superintendent or designee shall observe the following procedure:

1. Immediately investigate the matter and contact the police or campus security, if appropriate.
2. If not already confiscated by an employee of the technology center and if it can be accomplished without risk of injury, the superintendent or designee should take possession of the dangerous weapon or replica or facsimile.
3. Notify the superintendent or designee.
4. Notify the student's parents.
5. Cooperate fully with the police.
6. Transfer confiscated weapon to the police department, if feasible.

A student who has been suspended from a K-12 school or another technology center because of the possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, shall not be accepted as a transfer student into the technology center.

An exception to this policy may be granted for students participating in an authorized curricular or extracurricular activity or team involving the use or demonstration of a dangerous weapon, or replica or facsimile of a dangerous weapon. For this exception, prior written approval by the superintendent is required. Students who participate in JROTC may also be granted an exception to bring an inoperable weapon onto campus for the limited purpose of participating in a school program. The campus director must approve this exception in advance, the weapon must remain inoperable at all times while on campus, and the weapon must not be used in a manner which is inconsistent with the permission granted.

A student's inadvertent or unintentional possession of a dangerous weapon or replica or facsimile thereof on technology center property, a technology center bus or vehicle, or at a technology center activity is no defense or excuse to compliance to this policy, but may be considered in determining the length or severity of any punishment for violation of this policy.

Notwithstanding any of the foregoing provisions, rights of due process for all students and rights of disabled students must be observed in accordance with applicable law and technology center board policies.

### **Adult Students and Handguns on School Campus**

HB 1652 amended OKLA. STAT. tit. 21 § 1277 by designating the limited areas in which concealed handguns can be located on a technology center campus. Adult students may not carry a gun into any technology center school facility (including offices, common areas, or structures of whatever type or kind). Likewise, it is unlawful for any adult student to carry a handgun onto the campus of a K-12 school whether or not the adult student is engaged in an activity related to the technology center in which the student is enrolled. Students found in possession or control of a handgun in violation of school policies and applicable state or federal laws will suffer the most severe disciplinary consequences available, including removal from school, and referral of unlawful handgun possession or storage to authorities for criminal prosecution. The only area adult students, who have a valid handgun license issued pursuant to the provisions of the Oklahoma Self-Defense Act, may have a handgun on a technology center campus is in a parking lot of the school campus, provided the handgun is carried or stored as required by law.

Reference: OKLA. STAT. tit. 21 § 1272

**TESTING STUDENTS WITH REGARD TO THE USE OF  
ALCOHOL AND ILLEGAL CHEMICAL SUBSTANCES**

The board, with the intent that all students have notice and knowledge of the ramifications concerning alcohol and illegal chemical substance use, possession, purchase, sale or distribution when the student is on technology center property, at a technology center sponsored event, in technology center vehicles, or going to or from a technology center sponsored event hereby adopts the following policy.

Statement of Purpose and Intent

The safety of students and employees of the technology center is of paramount concern to the board.

Students who are under the influence of alcohol or an illegal chemical substance when the student is on technology center property, at a technology center sponsored event, in school vehicles, or going to or from a school sponsored event pose serious safety risks to students, employees and the public.

The use of alcohol and illegal chemical substances by students has a direct and adverse effect on the safety, personal health, attendance, productivity and quality of education of all students.

The board recognizes that all students have certain personal rights guaranteed by the Constitutions of the United States of America and the State of Oklahoma. This policy will not infringe on those rights.

Due to the devastating impact that the use by students of alcohol and illegal chemical substances can have on the safety of students and employees and their adverse effect on a student's ability to perform as a student, the board will not tolerate students who use, possess, distribute, purchase, sell or are under the influence (as defined in the policy) of alcohol or illegal chemical substances while on technology center property, at a technology center sponsored event, in school vehicles, or going to or from a sponsored event.

This policy will apply to all students of the technology center.

Violations of this policy will subject the student to disciplinary action, including out-of- school suspension from classes for secondary students and removal from school with no possibility for readmission for adult students.

Definitions

"Illegal chemical substance" means any substance which an individual may not sell, possess, use, distribute or purchase under either Federal or Oklahoma law. "Illegal chemical substance"

includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substances Act, all prescription drugs obtained without authorization and all prescribed drugs and over the counter drugs being used for an abusive purpose. By way of example only, the drugs which may be tested for include but are not limited to: amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, or any metabolite of any of these substances.

"Alcohol" means ethyl alcohol or ethanol and includes "low point" beer.

"Under the influence" means any student of the technology center who has any alcohol or illegal chemical substance or the metabolites thereof present in the student's body in any amount which is considered to be "positive" for such alcohol or drug or drug metabolites using any scientifically substantiated alcohol or drug use screen test and alcohol or drug use confirm test.

"Positive" when referring to an alcohol or drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of alcohol or an illegal chemical substance or the metabolites thereof using the cutoff standards or levels determined by the State Board of Health for drug or alcohol testing of students or in the absence of such State Board cutoff levels, the cutoff levels customarily established by the testing laboratory administering the alcohol or drug use test.

"Technology center property" means any property owned, leased or rented by the technology center, including but not limited to buildings, parking lots and motor vehicles.

"Drug or alcohol use test" means a chemical test administered for the purpose of determining the presence or absence of alcohol or illegal chemical substances or their metabolites in a student's blood, bodily tissue, fluids, products, urine, breath or hair.

"Reasonable suspicion" means a belief that a student is using or has used alcohol or drugs in violation of this policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in the light of experience, and may be based upon, among other things:

1. Observable phenomena, such as:
  - A. the physical symptoms or manifestations of being under the influence of alcohol or a drug while on technology center property, at a school sponsored event, in school vehicles, or going to or from a technology center sponsored event; or
  - B. the direct observation of alcohol or drug use while on technology center property, at a sponsored event, in school vehicles, or going to or from a technology center sponsored event.
2. A report of drug or alcohol use while on technology center property, at a sponsored event, in school vehicles, or going to or from a technology center sponsored event, provided by reliable and credible sources;

3. Evidence that a student has tampered with an alcohol or drug test; or
4. Evidence that a student is involved in the use, possession, sale, solicitation or transfer of alcohol or drugs while on technology center property, at a technology center sponsored event, in technology center vehicles, or going to or from a technology center sponsored event.

#### Procedures for Alcohol or Illegal Chemical Substance Testing

1. Any alcohol or drug use test administered under the terms of this policy will be administered by or at the direction of a professional laboratory licensed by the Oklahoma State Department of Health and using scientifically validated toxicological methods that comply with rules promulgated by the State Department of Health. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the samples, proper labeling, proper laboratory control and scientific testing, with all samples to be taken under the supervision of appropriate laboratory employees at a technology center site or site designated by the laboratory. All aspects of the alcohol and drug use testing program, including the taking of samples, will be conducted so as to safeguard the personal and privacy rights of students to the maximum degree practical and shall be conducted under reasonable sanitary conditions. The test sample shall be obtained in a manner which minimizes its intrusiveness.

In the case of urine samples, the samples must be collected in a restroom or other private facility behind a closed stall; a sample shall be collected in sufficient quantity for splitting into two (2) separate samples, pursuant to rules of the State Board of Health, to provide for any subsequent independent confirming analysis of the first sample; the test monitor shall not observe any student while the sample is being produced but the test monitor may be present outside the stall to listen for the normal sounds of urination in order to guard against tampered samples and to insure an accurate chain of custody; and the test monitor may verify the normal warmth and appearance of the sample. If at any time during the testing procedure the test monitor has reason to believe or suspect that a student is tampering with the sample, the test monitor may stop the procedure and inform the test coordinator. The test monitor shall be of the same gender as the student giving the sample.

If a student is determined to have tampered with any specimen or otherwise engaged in any conduct which disrupts the testing process of any student, then the student will be deemed to have violated this policy and will be subject to disciplinary action, including out-of-school suspension from classes.

The test monitor shall give each student a form on which the student may, but shall not be required to, list any medications he has taken or any other legitimate reasons for having been in recent contact with alcohol or illegal chemical substances.

2. If the initial drug use test is positive for the presence of an illegal chemical substance or the metabolites thereof, the initial test result will be subject to confirmation by a second and different test of the same sample. The second test will use a technique involving a scientifically accepted method of confirmation with equal or greater accuracy as approved by rules of the State Board of Health, at the cutoff levels



determined by board rules. A student will not be subject to disciplinary procedures unless the second test is positive for the presence of illegal chemical substances or the metabolites thereof.

3. If an initial alcohol use test is positive for the presence of alcohol, the initial test result will be subject to confirmation by a second test using any scientifically accepted method approved by rules of the State Board of Health, at the cutoff levels determined by board rules.
4. Upon written request, the student, or parent in the instance of minor students, will be furnished with a copy of all test results (at no charge) performed under this policy. All test records and results will be confidential and kept in files separate from the student's cumulative records. All tests required of a student by the technology center under this policy shall be at technology center expense.
5. Any student who is subject to disciplinary action as a result of being under the influence of alcohol or an illegal chemical substance while on technology center property, at a technology center sponsored event, in technology center vehicles or going to or from a technology center sponsored event will be given a reasonable opportunity, in confidence, to explain or rebut the alcohol or drug use test results. If the student asserts that the positive test results are caused by other than consumption of alcohol or an illegal chemical substance by the student, then the student will be given an opportunity to present evidence that the positive test result was produced by other than consumption of alcohol or an illegal chemical substance. The technology center will rely on the opinion of the technology center's laboratory which performed the tests in determining whether the positive test result was produced by other than use of alcohol or an illegal chemical substance.
6. The laboratory reports and results of alcohol and drug use testing will be maintained on a confidential basis except as otherwise required by law. The laboratory performing alcohol or drug use tests for the technology center will not report on or disclose to the technology center any physical or mental condition affecting a student which may be discovered in the examination of a sample other than the presence of alcohol or illegal chemical substances or the metabolites thereof. The use of samples to test for any other substances will not be permitted.

#### Student Alcohol and Drug Use Tests - When Required

1. Any student whose behavior while on technology center property, at a technology center sponsored event, in school vehicles, or going to or from a sponsored event creates a reasonable individualized suspicion that the student is under the influence of alcohol or an illegal chemical substance may be required to take an alcohol and/or drug use test. Nothing in this policy shall require alcohol and/or drug use testing of any student nor prohibit the technology center from disciplining any student in the absence of an alcohol or drug use test of the student.
2. Any student who refuses to take an alcohol or drug use test when so required under the provisions of this policy will be deemed to have violated this policy and will be subject to disciplinary action, including out-of-school suspension from classes, or in the case of adult students, removal from school without the possibility of readmission,

to the same extent as if the student tested positive for the presence of alcohol or illegal chemical substances.

### Medical Marijuana

1. Pursuant to OKLA. STAT. tit. 63, § 420 *et. seq.*, unless failure to do so would cause the technology center to imminently lose a monetary or licensing related benefit under Federal law or regulations, the technology center will not discriminate against a student in enrollment or otherwise penalize a student solely on the basis of the student's status as a medical marijuana license holder.
2. The technology center will not subject a student holding a valid medical marijuana license to disciplinary action based solely on a positive drug test for marijuana or the metabolites thereof. Students who use, possess, sell, distribute, purchase or are under the influence of medical marijuana or medical marijuana product may be subject to discipline pursuant to this policy regardless of license holder status.
3. As used in this section, a determination of whether a student is "under the influence of medical marijuana or medical marijuana product" shall be based on the totality of circumstances. Circumstances that may contribute to a determination that the student is under the influence may include, but are not limited to:
  - A. Observation of any of the conduct or phenomenon described below:
    - (1) the smell of marijuana on or around the individual;
    - (2) Disorganized thinking;
    - (3) Paranoia and/or confusion;
    - (4) Bloodshot eyes;
    - (5) Increased heart rate;
    - (6) Increased appetite; or
    - (7) Loss of Coordination and
  - B. Any circumstance that would permit the technology center to engage in "reasonable suspicion" drug or alcohol testing of the student under this policy.

### Student Use, Sale, Possession, Distribution, Purchase or Being Under the Influence of Alcohol or Illegal Chemical Substance

Any student who possesses, uses, distributes, purchases, sells or is confirmed by alcohol or drug use tests to be under the influence (as defined by this policy) of alcohol or an illegal chemical substance while on technology center property, at a technology center sponsored event, in technology center vehicles, or going to or from a technology center sponsored event or as a result of alcohol or drug use tests conducted under this policy will be subject to disciplinary action, including out-of-school suspension from classes.

### Persons Authorized to Order Alcohol or Drug Testing

The following persons have the authority to require alcohol or drug use testing of students under this policy:

1. The superintendent;
2. Any employee designated for such purposes by the superintendent or the board of education.

### Out-of-School Suspension Due Process Procedures

Any student who is subject to an out-of-school suspension, or in the case of adult students, removal from the technology center, for the violation of this policy shall be afforded appropriate due process procedures allowed by the technology center's policy on student behavior.

### Clinical Experience

Canadian Valley Technology Center enters into contracts with various organizations to provide clinical experience for our students enrolled in certain programs. Some of these organizations require the student to provide a negative drug screen in order to participate in such clinical experience at their facility. Where clinical experience is required in order to successfully complete the program or course of study, the student will be required to provide Canadian Valley Technology Center with a copy of a negative drug screen.

### Testing

All student drug testing in accordance with this policy will be conducted by a testing facility licensed by the Oklahoma State Department of Health as per O.S. 40-558. The sample collection and testing will be conducted by the facility utilizing procedures and methods required in O.S. 40-559.

### Test Results

A copy of the test results will be delivered to the Director of Student Services or designee. The results will be shared with the program instructor and the facility providing the clinical experience.

### Costs

Costs for testing under this policy will be the responsibility of postsecondary students. Canadian Valley will incur the cost of initial testing for secondary students. Retest expenses will be the responsibility of secondary students.

### Confidentiality

All records concerning drug testing under this policy will be treated as the same as any student record and will carry the protections provided by the Federal Education Rights and Privacy Act (FERPA).

### Circulation of Policy

This policy shall be given broad circulation to all students of the technology center which shall include prominent posting in the technology center.

**STUDENTS, DRUGS, AND ALCOHOL**

1. **Illegal and Illicit Drugs and Alcohol**

- A. Use of illicit drugs and unlawful possession and use of alcohol is wrong and harmful, resulting in poor academic performance, poor social interactions, and jeopardy to future job prospects.
- B. Students are prohibited from using, being under the influence of, possessing, furnishing, distributing, selling, conspiring to sell or possess or being in the chain of sale or distribution of alcoholic beverages, non-intoxicating alcoholic beverages (as defined by Oklahoma law, i.e., 3.2 beer), illegal or illicit drugs, or other mood-altering substances at school, while on school vehicles, or at any school-sponsored event.
- C. "Illicit drugs" includes steroids and prescription and over-the-counter medications being used for an abusive purpose, i.e., when they are not used in compliance with the prescription or directions for use and are not being used to treat a current health condition of the student.
- D. "Mood-altering substances" include, but are not limited to, paint, glue, aerosol sprays, salts, incense, and other substances which may be used as an intoxicating substance.
- E. Violation of this policy will result in imposition of disciplinary measures, pursuant to the technology center's policy on student behavior.
- F. Student violation of this rule which also constitutes illegal conduct will be reported to law enforcement authorities.

2. **Necessary Medications**

- A. Students may not retain possession of and self-administer any medication at school for any reason except as permitted by the school's policy on the administration of medicine to students.
- B. Minor students who have a legitimate health need for over the counter or prescription medication at school shall deliver such medications to the campus director with a parental authorization, in compliance with Oklahoma law and school policy and procedures regarding administering medicine to students.
- C. Violations of this rule will be reported to a minor student's parents and may result in discipline which can include suspension.

3. Distribution of Information

- A. Information for students and the parents of minor students about drug and alcohol counseling and rehabilitation and reentry programs in this geographic area is available from the campus director at each site.
- B. Copies of this policy shall be included in the student handbook.

### **STUDENT SEARCH AND SEIZURE**

The superintendent, campus director, or designees are authorized to detain and search any student and any property in the student's possession while on technology center premises, at technology center activities, or in transit under authority of the technology center, for any item possession of which by the student is illegal or prohibited by technology center policy, or for property believed to have been stolen from another student, an employee, or the technology center. The search shall be conducted according to the following guidelines:

#### Reasonableness

1. The decision to search must be based upon a reasonable suspicion that:
  - A. A violation of the law or school policy or rules has occurred or is occurring;
  - B. The student to be searched has committed the violation; and
  - C. Particular evidence of the violation will be discovered in the search.
2. In deciding whether a suspicion is reasonable, all the circumstances surrounding the case should be considered, including:
  - A. The student's age, history, and record in school;
  - B. The prevalence and seriousness of the suspected violation;
  - C. The school officials' prior experience in detecting the problem or recognizing suspicious behavior;
  - D. The need to make a search without delay and further investigation;
  - E. The specificity and source of the information used as justification for the search; and
  - F. The particular instructor or official's experience with the student.

#### Scope

1. The scope or extent of the search shall be reasonably related to the kind of objects being searched for, and not excessively intrusive in light of the student's age and sex and the nature of the suspected violation.

2. A search commenced to discover a particular kind of item may be expanded or continued for additional items if circumstances warrant.

#### Discovered Items

1. Illegal items or other possessions or substances reasonably determined to be a threat to the safety or security of others may be seized by technology center authorities. These items will immediately be turned over to law enforcement officials for disposition as they see fit.
2. Items which are used to disrupt or interfere with the educational process may be temporarily removed from student possession.

#### Refusal to Submit to Search

A student who refuses to peaceably submit to a search based on reasonable suspicion or who refuses to turn over items discovered as a result of a search may be suspended for such refusals.

#### Reports

The person conducting the search shall prepare a report to be maintained by the superintendent and campus director, including the date, time, place, names of witnesses, purpose, basis, and result of the search.

**SEARCH AND SEIZURE OF TECHNOLOGY CENTER PROPERTY  
ASSIGNED TO STUDENT**

In order to maintain discipline and to ensure the proper functioning of the educational process, school administrators must have access at all times to all technology center property, including lockers, cabinets, desks, etc. assigned to students. The administration will maintain a confidential file of all lockers (if any) and their combinations and will retain master keys to all lockers, cabinets, etc., as applicable. Thus, although students have privacy rights in their locker/cabinet contents and other technology center property assigned to them as against other students, they do not have privacy rights in their locker/cabinet contents and other technology center property assigned to them as against technology center administrators. No technology center property will be used to store objects or materials that violate school regulations or state and local ordinances. The technology center maintains the right to ensure that lockers, cabinets, desks and other technology center property assigned to students are properly cleaned, and that they do not contain items which should not be kept on technology center property. Lockers, cabinets, desks, and other technology center property assigned to students will be opened periodically for cleaning purposes and to locate class materials. In addition, administrators may open and examine student lockers, cabinets, desks and all technology center property assigned to students for general and specific inspections at any time.

"Sniffer" dogs may properly be used to discover prohibited items concealed in technology center property assigned to students.

Illegal items or other possessions or substances reasonably determined to be a threat to the safety or security of others will be seized by technology center authorities. These items will immediately be turned over to law enforcement officials for disposition as they see fit.

Items which are used to disrupt or interfere with the educational process will be temporarily removed from student possession.



<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY</p>	<p style="text-align: center;"><i>Students</i></p> <p style="text-align: center;">Adopted: 2/9/2021 Revised: 12/14/2021</p>
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**ADMINISTRATION OF MEDICINE TO MINOR STUDENTS**

**Purpose**

The purpose of this policy is to identify when technology center personnel are authorized to administer medication to minor students, when minor students are authorized to self-medicate and how technology center personnel will maintain, administer, monitor and dispose of minor student medication.

**Definitions**

For purposes of this policy, these terms have the following definitions:

“Inhaler” means a device that delivers a bronchodilator to alleviate symptoms of respiratory distress that is manufactured in the form of a metered-dose inhaler or dry-powder inhaler and that may include a spacer or holding chamber that attaches to the inhaler to improve the delivery of the bronchodilator.

“Medicine” or “medications” includes prescription medications, opiate antagonists and over-the-counter medicines such as but not limited to aspirin, cough syrup, medicated ointments and any other item used to treat an illness, disease or malady. This term shall not include “Sunscreen” as defined below

“Parent” means a parent, a court appointed guardian or a person having legal custody of a minor student.

“Respiratory distress” means the perceived or actual presence of coughing, wheezing or shortness of breath.

“Sunscreen” means a compound topically applied to prevent sunburn.

**Policy**

Under Oklahoma law, a school nurse, an administrator or a designated district employee may administer prescription and nonprescription medications and assist in applying sunscreen to minor students. Only designated employees who have successfully completed specific training in the administration of nonprescription and prescription medications may administer medication to minor students with legitimate health needs.

Except as provided in this policy and in the technology center’s diabetes care and management policy, minor students may not retain possession of or self-administer any medicine. Violation of this rule will be reported to the minor student’s parent and may result in discipline, including out-of-school suspension.

As further set out below, the technology center retains the discretion to reject requests for the administration of medication or application of sunscreen and to discontinue the administration of medication or application of sunscreen.

The parent must deliver the minor student's medicine to the technology center administrator in its original container with the parent's written authorization for administration of the medicine. Sunscreen for application by an administrator must be delivered to the technology center administrator in its original container with the parent's written authorization for application of sunscreen. The parent's authorization for either medicine or sunscreen must identify the minor student, the medicine or sunscreen, and include or refer to the label for instructions on administration of the medicine. The administrator or a designated employee will administer the medicine to the minor student or assist the minor student in applying sunscreen pursuant to the parent's instructions and the directions for use on the label or in the physician's prescription. The parent must complete a new authorization form annually and for each change of medication or sunscreen. The technology center will maintain the authorization form as a part of the minor student's health record. Authorization forms will be available in the student services office. A parent who chooses to do so may come to the technology center and personally dispense medication or apply sunscreen to the minor student.

The administration of each campus will keep a record of the minor students to whom medicine is administered or sunscreen is applied, the date of administration or application, the person who administered the medicine or applied the sunscreen and the name or type of medicine or sunscreen administered.

Medications and sunscreen will be stored in a separate locked drawer or cabinet that is readily accessible only to the persons who will administer the medication or sunscreen. Medications requiring refrigeration will be refrigerated in a secure area.

Any person administering medicine or applying sunscreen to a minor student will participate in training by October 1 of each year conducted by an administrator or other health care professional. The training will include:

- Review of state statutes and technology center rules and regulations (including this policy) regarding administration of medication by technology center personnel;
- Procedures for administration, documentation, handling and storage of medication and sunscreen; and
- Medication needs of specific minor students, desired effects, potential side effects, adverse reactions and other observations.

Only those persons who successfully complete the training are authorized to administer medication or apply sunscreen. Each campus site will maintain a current list of those authorized to administer medication and apply sunscreen at that site.

Minor students who are able to self-administer specific medications, such as inhaled asthma medication, anaphylaxis medication, replacement pancreatic enzymes, or use specialized equipment, such as an inhaler or Epinephrine injector, may do so provided such medication and specialized equipment are transported and maintained under the minor students' control in compliance with the following rules:

- A licensed physician or dentist must provide a written order that the minor student has a particular medical condition (asthma, anaphylaxis, cystic fibrosis, etc.), is capable of and has been instructed in the proper method of self-administration of medication. It is the parent's responsibility to contact the physician and have the physician complete and return the required order.
- Parents who elect self-administration understand and agree that the technology center, its agents and employees shall incur no liability for any adverse reaction or injury the minor student suffers as a result of self-administration of medication and/or use of specialized equipment.
- The written authorization will terminate at the end of the technology center year and must be renewed annually.
- If the parent and physician authorize self-medication, the technology center is not responsible for safeguarding the minor students' medications or specialized equipment.
- Minor students who self-medicate are prohibited from sharing or playing with their medication or special equipment. If a minor student engages in these activities the parent will be contacted and a conference will be scheduled with the parent, minor student, nurse and other appropriate persons.
- Minor students will not be allowed to self-administer:
  - Narcotics;
  - Prescription pain killers;
  - Medication used to treat ADD/ADHD or other psychological or behavior disorders; and
  - Other medication hereafter designated in writing by the technology center.
- Except as otherwise provided by an individual minor student's technology center health plan, minor students may self-administer non-diabetes and non-anaphylaxis-related injectables only in the campus director's office in the presence of authorized technology center personnel. Diabetes-related injectables will be administered in accordance with the technology center's diabetes care and management policy.
- Minor students who self-medicate are encouraged to wear Medic Alert bracelets or necklaces.
- The parent will provide an emergency supply of a minor student's inhaled asthma medication or anaphylaxis medication or replacement pancreatic enzymes to be administered by technology center personnel, as required by state law.

Minor students who are able to self-apply sunscreen may do so provided such sunscreen is regulated by the Food and Drug Administration. Minor students may self-apply sunscreen without the written

authorization of a parent, legal guardian or physician. All students are permitted to possess sunscreen that is regulated by the Food and Drug Administration.

### **Nonprescription Medication**

Technology center staff will only administer nonprescription medication with the parent's written authorization and according to label directions or written instructions from the minor student's physician. The medication must be in the original container that indicates:

- Minor student name (affixed to the container);
- Ingredients;
- Expiration date;
- Dosage and frequency;
- Administration route, i.e., oral, drops, etc.; and
- Other directions as appropriate.

Technology center staff will only administer aspirin (acetylsalicylic acid) and products containing salicylic acid with written instructions from the minor student's physician. The parent must provide and maintain a supply of nonprescription medication for the minor student.

### **Prescription Medication**

Technology center staff will only administer prescription medication with written authorization and instructions. Prescription medication must be in the original container that indicates:

- Minor student name;
- Name and strength of medication and expiration date;
- Dosage and directions for administration;
- Name of the licensed physician or dentist;
- Date, name, address and phone number of the pharmacy.

The parent must provide and maintain the supply of prescription medication for the minor student.

The parent must reclaim any remaining medication by the last official day of the technology center closing or within seven days after the prescribing physician discontinues the medication. The designated employee will destroy in a nonrecoverable fashion in the presence of a witness any medication not timely reclaimed. The person who destroys the medication will record the following information:

- Date of destruction;
- Time of destruction;

- Name and quantity of medication destroyed; and
- Manner of destruction of medication

Any and all controlled substances will be destroyed according to state law.

The designated employee will advise the principal if discontinuance of medication to a minor student is appropriate and assist in informing the parent. Legitimate reasons for discontinuing administration of medication include, but are not limited to the following:

- A legitimate lack of space or facility to adequately store specific medication;
- Lack of cooperation by the minor student, parent and/or prescribing doctor;
- An unexpected and/or adverse medical reaction to the medication at technology center, i.e., mood change, allergic reaction, etc., considered to be harmful to the health and well-being of the minor student;
- Any apparent change in the medication's appearance, odor, or other characteristics that raise reasonable doubts about the quality of the medication; and
- The medication expiration date has passed.

### **Seizure-Rescue Medication (*Seizure-Safe Schools Act*)**

Beginning January 1, 2022, at every technology center site that has a student enrolled who (1) has a seizure disorder and (2) has a seizure rescue medication or other medication prescribed to treat seizure disorder symptoms approved by the Food and Drug Administration and any successor agency that is prescribed by the student's health care provider, the technology center shall have at least one employee who has met the training requirements necessary to (1) administer or assist with the self-administration of seizure medication, and (2) recognize the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms. For purposes of this training, the technology center is permitted by law to use any adequate and appropriate training programs or guidelines for training of technology center personnel in the seizure disorder care tasks covered under this policy.

Before a seizure rescue medication can be administered to a student to treat seizure disorder symptoms, the student's parent or legal guardian shall do the following:

- A. provide the technology center with **written authorization** to administer the medication at the technology center;
- B. provide a **written statement** from the student's health care provider that shall contain the following information:
  - the student's name,
  - the name and purpose of the medication,
  - the prescribed dosage,
  - the route of administration,

- the frequency that the medication may be administered, and
  - the circumstances under which the medication may be administered;
- C. provide the **prescribed medication** to the technology center in its unopened, sealed package with the label affixed by the dispensing pharmacy; and
- D. collaborate with technology center personnel to create a “**seizure action plan**,” which means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder.

The written authorization and seizure action plan shall be kept on file in the office of the technology center nurse or technology center administrator, and it shall be distributed to any technology center personnel or volunteers responsible for the supervision or care of the student. The written authorization and seizure action plan shall be effective only for the school year in which written authorization is granted and may be renewed each following school year upon fulfilling requirements A–D above. The technology center shall follow all administrative rules promulgated by the State Board of Education for the development and implementation of the seizure education program and the procedures for the development and content of seizure action plans.

Pursuant to state law, a technology center employee may not be subject to any disciplinary proceedings resulting from an action taken in compliance with *Seizure-Safe Schools Act*, and any employee acting in accordance with the provisions of that act shall be immune from civil liability unless the actions of the employee rise to the level of reckless or intentional misconduct. Any technology center-employed nurse shall not be responsible for and shall not be subject to disciplinary action for actions performed by a volunteer.

### **Administration of Opiate Antagonists (e.g., Narcan) by Technology Center Personnel**

Technology center medical personnel (certified school nurse or any other nurse employed by or under contract with the technology center) or any other person designated by the Superintendent may administer an opiate antagonist for a suspected opiate overdose by a student or other individual exhibiting signs of an opiate overdose.

The Superintendent may authorize one or more technology center employees to receive training offered by the Department of Mental Health and Substance Abuse Services, a law enforcement agency or any other entity in recognizing the signs of an opiate overdose and administering an opiate antagonist. The Superintendent may designate persons to receive this training who have been required to receive annual training in cardiopulmonary resuscitation and the Heimlich maneuver (70 Okla. Stat. §1210.199). Furthermore, if a person or persons designated and trained to administer an opiate antagonist are absent, the Superintendent or designee may authorize any person to administer an opiate antagonist to a student or other individual exhibiting signs of an overdose.

Any person administering an opiate antagonist to a student or other individual at a technology center site or technology center-sponsored event, in a manner consistent with addressing opiate overdose, shall be covered by Oklahoma’s Good Samaritan Act. In the event of a suspected overdose, the technology center and its employees or designees shall be immune from civil liability in relation to the administration of an opiate antagonist.

Reference: OKLA. STAT. tit. 70 § 1-116.2, 70 § 1-116.3

OKLA. STAT. tit. 70 § 1210.199

OKLA. STAT. tit. 70 §1210.242

OKLA. STAT. tit. 63 §1-2506.1

OKLA. STAT. tit. 70, § 1210.183

<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY</p>	<p style="text-align: center;"><i>Students</i></p> <p style="text-align: right;">Adopted: 2/9/2021</p>
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**STUDENT DIABETES CARE AND MANAGEMENT**

Purpose

The purpose of this policy is to implement the requirements of the Diabetes Management in Schools Act (“Act”), OKLA. STAT. tit. 70 § 1210.196.

Definitions

For purposes of this policy, these terms have the following definitions:

“Diabetes medical management plan” means the document a student’s personal health care team develops that identifies the health services the student may need at school.

“Personal health care team” means the team responsible for managing a student’s diabetes and includes the campus director or designee, the volunteer diabetes care assistant, if any, the parent or guardian of a minor student, and to the extent practicable, the physician responsible for the student’s diabetes treatment.

“Volunteer diabetes care assistant” means a technology center employee who has volunteered to be a diabetes care assistant and successfully completed the training required by this policy and state law.

Policy

Any technology center employee aware of a student who has diabetes-related needs while at school or while participating in school activities will promptly advise the campus director. The parent of any minor student who will have diabetes-related needs at school or in school activities should promptly advise the campus director.

A personal health care team will develop a written Diabetes Medical Management Plan (“Plan”) for each student who may seek care for diabetes while at school or while participating in a school activity. The Plan will identify the health services the student may need at school. Each member of the student’s personal health care team, including the parent of a minor student, will sign the Plan. The personal health care team will review the Plan at least annually. The campus director will make a reasonable effort to find one or more technology center employees willing to serve as a volunteer diabetes care assistant (“Assistant”) to assist the student with diabetes care as provided in the student’s Plan. The campus director will make a reasonable effort to ensure that an Assistant is available at the school to assist the student when needed. The technology center will not restrict the assignment of a student with diabetes based on the presence of an Assistant.

Technology center personnel will request that the parent or guardian of a minor student provide written authorization for the campus director or Assistant to have access to the student’s



physician at all times. The technology center will maintain the Plan and related documentation as student health records.

Before undertaking responsibilities as an Assistant, a volunteer must first complete training provided by the State Department of Health in accordance with the Act. The training will include instruction in the following:

- Recognizing the symptoms of hypoglycemia and hyperglycemia;
- Understanding the proper action to take if the student's blood glucose is outside the range indicated in the Plan;
- Understanding the details of the Plan;
- Performing finger sticks to check blood glucose levels, check urine ketone levels and record the results of those checks;
- Properly administering insulin and glucagon and recording the results of the administration;
- Recognizing complications that require the assistant to seek emergency assistance; and
- Understanding the recommended schedules and food intake for the student's meals and snacks, the effect of physical activity on blood glucose and the proper action to be taken if the student's schedule is disrupted.

To continue as an Assistant, the volunteer must annually demonstrate competency in the above training. The campus director or designee will maintain a copy of the training guidelines and the records associated with the training.

With permission from the student or the parent(s) of a minor student, the technology center will provide each technology center employee responsible for supervising or transporting a student with diabetes a form with the following information:

- Student's name;
- Telephone number of a contact person in case of an emergency involving the student; and
- Potential emergencies that may occur due to the diabetes and appropriate responses to such emergencies.

Any technology center employee provided the above information will be informed of applicable health privacy policies.

In accordance with his or her individual Plan and this policy, a student may attend to the management of his or her diabetes, which may include:

- Performing blood glucose level checks;
- Administering insulin through the student's insulin delivery system;
- Treating hypoglycemia and hyperglycemia;
- Unless changed in accordance with this policy, possessing on his or her person at any time, any supplies or specialized equipment necessary to monitor and care for his or her diabetes; and
- Otherwise attending to the management of his or her diabetes in the classroom, any area of the school or grounds, or at any school related activity.

The technology center will provide a private area where the student can attend to his or her diabetes-related needs.

Students who manage their diabetes and personally possess the necessary specialized equipment and supplies under this policy are prohibited from sharing or playing with their equipment or supplies. If a student engages in these activities, a meeting of the personal health care team will be scheduled to address the situation. The technology center is not responsible for safeguarding the specialized equipment or supplies of a student who personally possesses those items.

Students with diabetes are encouraged to wear Medic Alert bracelets or necklaces.

No technology center employee will be subject to any penalty or disciplinary action for refusing to serve as an Assistant. No technology center employee will be subject to any disciplinary proceeding resulting from any action taken in compliance with this policy. Any employee acting in accordance with this policy and law will be immune from civil liability unless the employee's actions rise to the level of reckless or intentional conduct.

## **FOOD ALLERGIES**

The technology center is committed to ensuring equal access to its programs for all students, including students with food allergies. The technology center will make reasonable accommodations to allow students with food allergies to participate in all its programs. The technology center will not tolerate any retaliatory or bullying conduct toward a student due to a food allergy.

### Food Allergy and Anaphylaxis Action Plan

A Food Allergy and Anaphylaxis Action Plan (“Plan”) will be developed for each student who has a food allergy. The Plan will be based on an interactive meeting between the parent/guardian (or adult student) and the Special Needs Counselors and will be supported by medical documentation provided by the student’s healthcare provider. The Plan will include, at a minimum, the following information:

- specific allergens / ingredients to be avoided
- preventative measures
- method by which employees can easily identify the student
- type of reaction to the allergen
- actions to be taken in case of suspected exposure when no reaction is observed
- actions to be taken when symptoms are present
- reasonable accommodations which will be provided for the student

Reasonable accommodations may include actions such as an alternative meal which is as nutritionally comparable as reasonably possible, a meal prepared in a separate area of the kitchen, a meal served at a separate table in the cafeteria, etc. The reasonable accommodations identified during the interactive development of the student’s Plan are subject to final approval by school officials. In the event the parent/guardian (or adult student) is not satisfied with the results of the interactive meeting or the established Plan, the parent/guardian (or adult student) may request a review of the accommodations and/or the Plan by contacting the superintendent in writing within five (5) school days of the development of the Plan.

The Plan will be reviewed/updated through the interactive process at least once per school year.

### Cafeteria Employees

The technology center provides training regarding food allergies to all individuals who work in the cafeteria. Although the technology center will attempt to protect student confidentiality to the extent safely possible, cafeteria workers are considered individuals who have a need to know information regarding student food allergies. Accordingly, relevant all cafeteria staff will have access to all Plans.

The technology center will clean all cafeteria surfaces in accordance with accepted standards. Tables and work areas which are specifically designated as allergen free, if applicable, will be cleaned with designated cloths/sponges to avoid cross contact.

#### Food Consumption Outside of Cafeterias

Instructors planning on permitting food consumption for a special occasion or activity must take reasonable precautions to ensure that a student with a food allergy is not inadvertently exposed to an allergen, and that the student may participate in the activity in a meaningful way with other students.

## **TUITION AND FEES**

### Full-time Programs

Adult students and out-of-district secondary students are responsible for all applicable tuition and fees. Tuition and fees are due upon admission unless arrangements have been made through the financial aid office. Financial aid is available for qualified students in approved programs and career majors.

Students may enter into an agreement with the district to pay tuition and fees on a monthly basis. The agreement is initiated by the career counselor and/or the financial aid counselor. Payment terms and conditions are contained in the agreement.

Failure to pay tuition will result in removal from the program. Students may be readmitted to the program provided space is available, they were in good standing otherwise, and tuition and fees are paid in full.

The Board approved tuition and fee rate schedule is available in the student services office.

### Adult Career and Community Development

Students enrolling in adult career and community development classes are responsible for all applicable tuition and fees. Tuition and fees are due upon or before the start of class unless other arrangements have been made through the adult career and community development office. Written authorization is required if tuition and fees are to be paid by a company or other organization.

The Board approved tuition and fee rate schedule is available in the adult career and community development.

## **TUITION REFUND**

It is the policy of the technology center board of education that students who have paid tuition for adult programs be given full or partial refunds under conditions stated in established guidelines. This policy applies when a student officially withdraws from a full- time or short-term adult program or short-term multi-client classes prior to the specified time within the instructional period for which he/she has been charged and includes full or partial refund of tuition, fees and other charges.

The term “withdrawal” shall mean written notification by a student of his/her intention to discontinue class attendance.

### Procedures

The purpose of these procedures is to establish a set of guidelines for the refund of tuition to students who wish to withdraw from full-time, or short-term adult courses.

### General Guidelines

1. 100% tuition and supply fees are refundable to the student if the technology center cancels the program.
2. A \$5.00 processing fee will be assessed to all refund requests on short-term courses. Under extenuating circumstances, the ACCD (Adult Career and Community Development) Coordinator may waive the fee.
3. A student eligible for a refund should expect a maximum of three weeks (15 working days) from the date of refund request approval to receipt of a refund check.
4. No refund is given for book purchases.
5. Nonattendance of classes does not constitute official withdrawal. The student must complete an official withdrawal form in order to be eligible for a refund.
6. A refund request will not be approved unless all financial obligations to the technology center have been met.
7. When a student is eligible for a refund, the amount of the refund may be credited toward enrollment in another technology center course.

**Full-Time Programs**

1. 100% of the tuition will be refunded if the student withdraws before classes start.
2. Full-time programs shall be refunded at:
  - A. 100% if a student drops on or before the tenth class meeting date.
  - B. No refund if a student drops after the tenth class meeting date.
3. Tuition will not be refunded for courses in which the student has earned a final grade.

**Short-Term Adult**

1. A 100% refund will be given if a student formally drops on or before the first class meeting date.
2. A \$5.00 processing fee will be assessed to all refund requests.
3. No refund will be given after the first class meeting date.

## **TUITION WAIVERS**

Tuition waivers are for tuition only. No waivers will be given for fees, books, materials, supplies, or any other course required purchases.

### Educator Tuition Waiver

Employees, or retired employees, of a sending school district may receive a 100% tuition waiver on one qualifying short-term Adult Career and Community Development (ACCD) course per semester.

Proof of eligibility is required.

### Employee Tuition Waiver

Canadian Valley Technology Center employees, or retired employees, may receive a 100% tuition waiver on one qualifying short-term Adult Career and Community Development (ACCD) course per semester. Current employees may also receive a 100% tuition waiver on one full-time program.

### Military Tuition Waiver

Individuals who are currently a member of the armed forces or have received a discharge from the armed forces other than a dishonorable discharge may receive a 100% tuition waiver on one qualifying short-term Adult Career and Community Development (ACCD) course per semester.

The individual may also receive a 100% tuition waiver on one full-time program.

Individual must live in Oklahoma and one of the following military documents is required to establish eligibility:

- DD-214 (must include Character of Service)
- Military LES
- Discharge Certificate
- Military Orders
- Retirement Certificate
- Valid retired military ID
- Valid current military ID
- A veteran designated driver's license
- Veteran health insurance card

### Senior Citizen Tuition Waiver

Individuals who are 65 and older may receive a 100% tuition waiver on one qualifying short-term Adult Career and Community Development (ACCD) course per semester.

Individuals must live in the Canadian Valley Technology Center district and provide identification to establish eligibility.



## **TUITION WAIVER CONDITIONS**

### Full-time Program

Individuals must make satisfactory progress towards completion of the program, maintain a B average, stay in compliance with attendance policy, and have no disciplinary problems.

Students may be placed on probation for violating the terms. Continued violations will cause a loss of tuition waiver and require payment of applicable tuition.

### ACCD

Waiver must be requested at time of enrollment and proof of eligibility must be provided. The waiver does not apply to the following courses: CPR, Code Update, Professional CEU, Ed2Go courses, employer paid courses, and other courses as designated by the district.

<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER BOARD OF EDUCATION POLICY</b></p>	<p style="text-align: center;"><i>Students</i></p> <p style="text-align: right;">Adopted: 2/9/2021</p>
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**POST MILITARY EDUCATION**

The board of education recognizes that service members acquire knowledge and skills during military duty. The technology center will award appropriate educational credit in its education programs consistent with the experience earned by military personnel.

In order to be considered for an award of education credit at the technology center, an applicant must have been honorably discharged from the United States Armed Forces within three (3) years from the date of enrollment at the technology center.

The registrar or other employee designated by the superintendent is authorized to meet with the applicant and compare the applicant’s education, training and experience with the requirements of the applicant’s proposed program of study. The applicant is responsible for supplying the requisite information and records essential to any award of credit. The technology center shall utilize the *Guide to the Evaluation of Educational Experiences in the Armed Services* (published by the American Council on Education) to make this analysis and determine appropriate credit to be awarded. The process of awarding credit for military experience shall be conducted in a manner similar to the review process for transfer of education credits earned at another institution. The decision of the technology center regarding an award of credit is a final decision that is not subject to appeal.

## **INDUSTRY CERTIFICATIONS**

### **Policy**

Canadian Valley Technology Center recognizes the importance for students to obtain industry and trade-specific certifications and licenses. In an effort to maximize the number of students earning certifications and licenses, the District authorizes the expenditure of general funds to cover the direct costs of industry and trade-specific certification examinations and licenses related to the approved programs of study.

### **Procedure**

The District will pay for ~~up to four~~ industry or trade-specific certification examinations and licenses related to the student's approved program of study, not to exceed \$350.00 per student, per program. This benefit is intended for the initial attempt only and not intended for any retakes.

A student must be currently enrolled in or recently completed (within the current year) an approved program and be in good standing at Canadian Valley Technology Center.

The student must have the program instructor recommendation to take the certification and/or licensure exam, which must be taken within 12 months of completing the program.

Only the industry and trade-specific certification examinations and licenses approved by the administration will be considered for this benefit.

**STUDENT GRADES  
FULL-TIME PROGRAMS**

It is the policy of the technology center board to issue a grade to each student enrolled according to the grading options for full-time and short-term students outlined below.

Certain terms used in this policy shall have the following meanings:

**Audit Grade Option.** A grading option available to any short-term student who is enrolled in a course for “self-improvement.” The student does not intend to work toward a certificate nor present course records to an employer. The audit option does not ordinarily allow the student to take part in examinations or be graded unless requested by the student.

**Course.** A portion of a total program for which a grade is issued and entered on a transcript.

**Full-Time Student.** A secondary or post-secondary student enrolled in a full-time program.

**Grading Option.** Grading options are available for short-term students.

**Grading Period.** A predetermined length of time for which instructors issue grades that reflect student performance in a course/ program.

**Part-Time/Short-Term Student.** A student enrolled in any short-term course.

**Pass/Fail Grade.** A minimum passing grade is predetermined for a course. A student earning the required minimum grade is issued a pass (P) grade. A student who does not earn the minimum required grade is issued a fail (F) grade. Minimum passing scores for courses may vary according to outside agency or employer requirements.

**Satisfactory Academic Progress.** A student is considered to be making satisfactory academic progress if the student maintains a grade of “C”, makes consistent progress in all areas of the program, and the student’s attendance is within limits prescribed in the attendance policy. Minimum passing scores for courses may vary according to outside agency or employer requirements. Some programs may have special grading requirements different from “C” to satisfy state and national accreditation guidelines.

**Truant.** A student is considered to be truant if he/she intentionally fails to comply with the Oklahoma School Attendance Law.

**Unsatisfactory Academic Progress.** A student is considered to be making unsatisfactory academic progress if the student’s grades fall below a “C”, consistent progress is not being made in all areas of the program, or absences exceed the limits prescribed in the attendance policy. Unsatisfactory academic progress may be defined differently in programs or courses for which special grading scales exist to meet state or national certifications or other special requirements. Requirements are defined in the applicable student handbook.

## **Full-Time Programs**

### Grades

1. **Student Responsibility.** In order to receive a grade, it is the student's responsibility to complete course requirements, return all school-owned books and equipment or pay for the same, and pay all tuition, fees and any other indebtedness. Student indebtedness may result in a "hold" being placed on report cards, transcripts and/or other student records until the debt is paid in full.
2. **Letter Grades, Grading Scales and Percentages.** The following criteria will be used for the assignment of letter grades, grading scales and percentage grades for students participating in full-time courses:

A	4.0 – 3.5	100 – 90 %
B	3.4 – 2.5	89 – 80
C	2.4 – 1.5	79 – 70
D	1.4 – 0.7	69 – 60
F	0.6 – 0.0	59 – 00
P/F	Pass/Fail	
I	Incomplete	
W	Withdraw	

Special grading scales may be used to meet state and national certification, apprenticeship program and other special requirements.

3. **Incomplete Grades.** When a grade of I is issued, the student has ten (10) school days from the end of the grading period to correct the I grade or the I shall be recorded as an F.
4. **Recording Grades.** Grades earned are recorded by the instructor in an official grade book or electronic grading system. A copy will be archived on the campus at the end of the school year.

### Calculating Student Grades

**Course Grades.** Grading patterns are calculated and established by the instructor(s) and may include but are not limited to: practice of technical skills grades; written work grades; test grades; project grades; WBE grades. Instructors will give the students a copy of the grading pattern at the beginning of each course. There is no intent in this policy to minimize the value of instructional emphasis on students' attitude, attendance or development of a positive work ethic.

### Attendance Impact on Grades

**Arrangements to Complete Work Missed.** It is the responsibility of the student to contact the instructor and make arrangements to complete work missed. No penalty on course work will be assessed if work is made up in the required time frame. The normal time frame is considered to be one (1) day for each day missed. In situations which require more time due to the nature of the program, the instructor is to set the date when make-up work is due.

## Student Progress

1. **Secondary Student Progress Reports.** At the end of the 5<sup>th</sup> week of each grading period, Secondary Student Progress Reports will be issued to any full-time student, or student with an identified IEP, not making satisfactory academic progress. Student Progress Reports may be issued for satisfactory or excellent academic progress. Student Progress Reports may be issued at other times if deemed necessary by the instructor.
2. **Academic Probation.** A student having unsatisfactory academic progress will be notified by an administrator or his/her designee and placed on probation. All student placed on probation may have up to five (5) weeks to achieve satisfactory academic progress. Failure to achieve satisfactory academic progress may result in removal from the program.
3. **Failing Grades.** A secondary student failing a semester may be dropped from the course(s) and/or returned to his/her sending school. A post-secondary student who receives financial aid and fails to maintain satisfactory academic progress may be disqualified for further financial aid. A post-secondary student who fails to maintain satisfactory academic progress may be dropped from the program. In programs where requirements by an outside agency exist, criteria for failure of the course(s) are defined in the applicable student handbook. If a student fails a course within a program, guidelines for any permitted repeat of that course are defined in the applicable student handbook. Student removal from a course or program shall be based on recommendation by the instructor and approved by the campus director or assistant director.
4. **Reporting Grades.** Full-time instructors will enter into the permanent records semester grades as well as course grades for each secondary student by the last day of the semester of the sending school. The campus registrar will maintain the permanent student records and issue official transcripts. Secondary student grades will be sent by the campus registrar to each secondary student's high school. Semester grades are recorded on the student's transcript and become a part of his/her permanent high school record. Report cards may be issued at the conclusion of each grading period.

### **Grades for Students in Short-Term Courses**

#### Grading Options

During the first class session, the instructor will explain the grading options available in the course. The student must choose a grading option at the beginning of the course before any testing/grading, and there can be no changes once the course is underway. The options are:

A	4.0 – 3.5	100 – 90 %
B	3.4 – 2.5	89 – 80
C	2.4 – 1.5	79 – 70
D	1.4 – 0.7	69 – 60
F	0.6 – 0.0	59 – 00
P/F	Pass/Fail	
AU	Audit	

The grade of "I" (Incomplete) will NOT be used at the completion of a course.

## Reporting Grades

Grades are recorded by the instructor and reported at the end of the course to the campus short-term supervisor (or assistant director). The supervisor (or assistant director) will direct the entry of grades into the technology center system. At the end of the course, the student services office will print grade reports and mail the grades to the students.

<b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY	<i>Students</i>  Adopted: 2/9/2021
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## **WORK-BASED EXPERIENCE**

It is the policy of the technology center to provide structured and meaningful Work-Based Experience (WBE) for students. The board recognizes the value of providing students with WBE in addition to the traditional training received in the classroom, laboratory and/or shop setting. Students will participate in on-campus or on-site occupationally related activities, conjoined with business/industry personnel, when students demonstrate the appropriate level of readiness.

### General Guidelines

The following options are approved for WBE in all programs:

1. **Clinical.** In most cases, a group of students assigned to worksites with the instructor being available on-site.
2. **Cooperative Education.** A paid part-time work experience in which the student is released from school for part of the day.
3. **Enterprise.** A small business operated within the program that replicates a business in the larger community.
4. **Expert in Residence.** An industry expert regularly visits the school to work with students and instructors and hosts them at worksite (also by on-line visits).
5. **Internship.** An on-the-job training experience that is highly selective and intensive. May require a commitment to additional training beyond high school or subsequent employment at the worksite, which may include mentoring or on-line experience, and service learning.
6. **Integrated Project.** A special project integrating studies/experiences from two (2) or more program areas of the technology center, exploring career directions and connections.
7. **Job Shadowing.** A student “shadows” an employee at a worksite to learn about a particular skill, occupation or industry.

Each student may be given the opportunity to participate in one or more WBEs, with the specific assignments chosen by the instructor and mutually agreed upon by sponsor company and student. In programs that include a WBE as a curriculum unit with a required length, one or more of the seven WBE options may be used (or combined) to satisfy the requirement. WBE activities may be paid or unpaid. The WBE must be directly related to the program competencies for which the student has been trained. The student, instructor and sponsor company will mutually agree upon the hours of participation of on-site WBE activities. The student must be at least 16 years



of age and provide transportation if performing as the only technology center participant in an on-site WBE activity at a sponsor company. Students driving personal vehicles must have a valid driver's license and liability insurance. Drivers transporting students are required to have written permission of ALL parent/guardians of minor age passengers. Minor age drivers must have parent/guardian authorization to transport students. WBE activities may be assigned at any point during the program, with the essential criteria being as follows: (1) the WBE must be appropriate for the student's level of development and competence; and (2) schedules and training plan will be mutually agreeable between student, sponsor company, and the technology center. A student performing as the only technology center participant in an on-site option extending beyond two (2) weeks must have maintained a 90% program attendance. A student performing as the only technology center participant in an on-site option extending beyond two (2) weeks must maintain a minimum grade of "C" prior to participation. A Memorandum of Understanding must be on file signed by student and parent/guardian of minor age student. A WBE Agreement must be on file signed by a representative of the sponsor company.

### Procedures

The instructor and program supervisor will determine the WBE option(s) that are appropriate with the approval of campus director. The instructor will verify that WBE Agreements, student/parent/guardian Memorandum of Understanding, and all information forms are on file. The instructor will verify that the sponsor company has been toured by technology center personnel and determined appropriate. The campus director or designee will be notified of the name of student(s) participating in a WBE option, the location, date and time.

### Appraisal

An appraisal will be completed by the student(s) participating in the WBE at the end of the activity or every two (2) weeks for extended options. An appraisal will be completed by a representative of the sponsor company at the end of the activity or every two (2) for extended options. An appraisal will be completed by the instructor at the end of the activity or every two (2) weeks for extended options. The appraisals may be hand-delivered, emailed, faxed or conveyed electronically to the instructor. It is the responsibility of the student to assure the sequence of the above steps is completed. The ratings will be recorded in the instructor's grade book under the appropriate objective and identified as a WBE. The grade will be recorded on the scope and sequence grade sheet under the appropriate course code and identified as a WBE.

<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY</p>	<p style="text-align: center;"><i>Students</i></p> <p style="text-align: right;">Adopted: 2/9/2021</p>
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**LIVE WORK**

It is the technology center board’s policy that Live Work projects shall be allowed within the instructional programs, as long as the projects are directly related to the instructional objectives of the individual programs. The term “Live Work” shall mean work performed on personal property items for employees, students, or clients by technology center students as a part of the instructional process. The term “Live Work” shall also mean services provided for employees, students, or clients by technology center students as a part of the instructional process. However, it is also the policy of the board that Live Work projects will not be performed for Canadian Valley Technology Center board members, superintendent, assistant superintendents, directors, program administrators, and other persons deemed to have supervision responsibilities of programs, including any immediate family members of these individuals. Instructors and substitute teachers must have supervisor approval prior to authorizing Live Work for their own personal projects when the students are under their supervision. Live Work shall cause no gift of technology center resources, no conflict of interest to occur, or no use of student labor for profit.

Live Work is performed by students under the direction and supervision of technology center instructors. Live Work is an integral part of the instructional process to assist students in achieving competency in the occupational area and to provide students with “hands on” experience.

Qualifications

All Live Work projects are selected in relation to the instructional objectives of the individual program and student(s). Live Work projects should enhance the instructional process rather than replace it. The program instructor shall have the responsibility to inform the customer whether the proposed project does or does not fit into the instructional process. The campus director shall have final approval of whether a Live Work project will be allowed in the instructional program. Instructional benefit to the student will be the major determining factor in approval/disapproval of a project.

Signs stating “Live Work Performed by Students” will be displayed in shops and other areas Live Work is performed. When appropriate, the Live Work Fee Schedule may be posted as well.

Live Work projects may be done either on campus or off campus. Any off-campus projects must have: (a) campus director or designee approval; and (b) parent/guardian approval for secondary students and students under 18 years of age, with appropriate technology center local field trip permission form completed.

Technology center transportation may be required for off campus work projects. Instructors shall take the entire class of students or make arrangements with the campus director or designee for supervision of those who stay behind.

Proposals for extensive single or multi-program Live Work projects shall be reviewed by a committee consisting of the technology center superintendent or designee, the campus

director or designee, the instructor(s) involved, and the potential customer(s). A contract will be developed and agreed upon by all parties before the start of the proposed Live Work project.

### Fees

The total cost of all parts and materials required to complete the project will be charged to the customer. A 15% markup will be charged on all parts and materials provided by the technology center. A shop fee will be charged to cover consumable items used in the project. Parts, materials, and shop fee will be credited to the program resale account. An additional service fee will be charged that replicates typical industry standard for the program area. The service fee should represent 10 – 25% of the typical rate charged by local industry. The service fee will be credited to the campus vending account to be used to benefit student related activities and expenses. The service fee will be waived for students working on their own Live Work project. With approval from campus director, service fees may be waived for non-profit community organizations, partner public sending schools, and other public community agencies and organizations.

Prior to beginning any Live Work, program instructors will submit a proposal for Live Work Fee Schedule to the campus director for approval. Like programs within the district will be expected to work together to develop one Live Work Fee Schedule.

### Live Work Orders

All projects shall be documented on work orders. Work order design and structure may be customized to fit specific program requirements. Work orders shall be issued through the business office. Documentation for each Live Work project will contain pre-numbered work orders, instructor's authorization signature, customer's name, address, telephone number, authorization signature of the project owner, estimated amount, amount paid and/or deposited, scope of work, estimated completion date and received by signature.

The customer must make a 50% deposit for all Live Work projects estimated to cost \$300.00 or more. The deposit must be made prior to students beginning the project.

A copy of the Live Work order will be visible on the project when possible. All Live Work orders will be available for daily inspection. Parts, supplies and costs will be listed on the Live Work order.

The instructors shall be responsible for completing work orders on all projects and shall insure that invoices and necessary documentation is submitted. Invoices for resale materials and parts shall be sent to business office daily.

Live Work order copies will be distributed to the customer, technology center business office, campus administrative office, and instructor.

### Material Purchasing

Technology center purchasing procedures will be followed when requesting materials to complete a Live Work project. All requisitions will have the Live Work order number placed on the form and will be coded to the Live Work account.

Subcontractor work will be done with a purchase order. The cost of the subcontractor work will be included on the Live Work order.

With instructor approval, parts may be supplied by the customer. The parts and “customer provided, no charge” will be shown on the Live Work order.

Payment for Completed Live Work

The instructor will notify the customer when the Live Work project is completed. All payments for Live Work projects will be made in the campus administrative office by the customer. At no time will the instructor receive payment for Live Work projects. The instructor will verify complete payment has been made before releasing the Live Work project to the customer. No Live Work project is to leave the campus until complete payment is made. No refunds will be issued once a Live Work project has been paid for and accepted.

## **NEXT STEP SCHOLARSHIP**

### **Policy**

The Canadian Valley Technology Center Board of Education recognizes the importance of providing access to quality career and technical education. The Next Step Scholarship has been established to provide educational opportunities for eligible citizens under the age of twenty-four who reside in the district. The Next Step Scholarship will cover tuition for Canadian Valley Technology Center full-time programs and eligible short-term courses that prepare students for a new career, develop new and emerging job skills, ease workforce transition, and/or enhance career development. The Next Step Scholarship will cover tuition and general enrollment fees for high school students taking short-term courses. The Next Step Scholarship is available for up to two full-time programs and an unlimited number of eligible short-term course.

### **Procedure**

#### Student Eligibility

Applicant must be twenty-three years of age or younger on the first day of class. Applicant must live in the Canadian Valley Technology Center school district. A current in-district high school student attending a full-time program who moves out of the district is eligible until completion of their program or until dropped from the program. Enrollment must be continuous. Adult students must have a high school diploma or equivalent to be eligible for full-time programs. High school students or students working on their high school equivalency are eligible for short-term course provided they are in good standing and on track to earn a diploma.

#### Application

The Next Step Scholarship Application is available for download on the district website. It is also available in the student services office or adult and continuing education office.

In addition to submitting a completed application, additional documentation of age, residency, and/or high school diploma or equivalent may be required. High school students may be required to submit documentation of good standing and graduation progression.

#### Performance and Behavior

Students must make satisfactory progress towards completion of the program, maintain a B average, stay in compliance with the CV Tech attendance policy, and have no disciplinary problems.

Students may be placed on probation for violating the terms of the Next Step Scholarship. Continued violations will cause a loss of scholarship benefits and require payment of applicable tuition.

<b>CANADIAN VALLEY TECHNOLOGY CENTER</b> BOARD OF EDUCATION POLICY	<i>Students</i>  Adopted: 2/9/2021 Revised: 06/28/2022
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## LEAVE OF ABSENCE

### Policy

Canadian Valley Technology Center recognizes post-secondary students enrolled in full-time programs may encounter situations during their enrollment that may require a leave of absence from school. A leave of absence is a temporary interruption in a student's program of study and is not a withdrawal from school. There must be a reasonable expectation the student will return from the leave. This leave can only be used for extenuating circumstances, which may include but is not limited to: serious injury, hospitalization, death of family member, etc. Only 2 leaves of absence can be granted during twelve-month period. The leave must be taken consecutively, must be a minimum of 5 days. The 2 leaves together cannot extend beyond 20 class days. Canadian Valley Technology Center will not assess any additional institutional charges caused by the leave, the students' need may not increase, and therefore, the student will not be eligible for any additional federal student aid. Approval must be obtained from the assigned program administrator before leave is taken unless unforeseen circumstances prevent a student from doing so.

### Procedure

A post-secondary student requiring extended time away from school must request a leave of absence in writing. The form is available in the student services office.

The form must be filled out completely including reason for requesting leave, student signature, and date. The completed form is then submitted to the program administrator for approval. Upon approval, the form is then copied to the financial aid officer, counselor, and attendance officer/clerk.

This leave can only be used for extenuating circumstances. Only 2 leaves of absence can be granted during twelve-month period. The leave must be taken consecutively, must be a minimum of 5 days. The 2 leaves together cannot extend beyond 20 class days. Approval must be obtained before leave is taken unless unforeseen circumstances prevent a student from doing so. For example, if a student were injured in a car accident and needed extended time away from school, the student would not have been able to request the leave of absence in advance and the request for leave would be completed as soon as reasonable.

Financial aid payments will be adjusted accordingly for PELL recipients. The maximum time for program completion is not extended by the leave.

All students returning from an approved leave of absence must enter through the counselor's office. If the student does not return at the end of approved leave, the student is considered withdrawn as of the last recorded date of attendance.

Unapproved leaves of absence will be considered as a withdrawal.

## **SUICIDE AWARENESS, TRAINING, AND PREVENTION**

**PURPOSE:** Suicide is a leading cause of death among young people. The health and well-being of students is of utmost importance to the technology center, and the technology center is committed to actively preventing suicide through awareness, effective training, outreach, and prevention. This policy outlines strategies, procedures, and resources for preventing suicide, identifying potentially-suicidal students and high-risk behavior, as well as intervention and postvention mechanisms.

**SCOPE:** This policy is applicable to actions that occur in technology center buildings, premises, or property, including vehicles, at technology center-sponsored functions and activities, and governs the entire technology center community, including, but not limited to, staff, students, parents and guardians, and volunteers.

**SUICIDE PREVENTION TRAINING:** The technology center shall provide training and education to all staff members on suicide awareness and prevention on a biennial basis. The training will include evidence-based approaches to suicide prevention or curriculum made available or approved by the Department of Mental Health and Substance Abuse Services, including how to recognize changes in behavior that may be indicative of distress, how to approach students to discuss concerns, and how to refer a parent or student to appropriate resources.

**PUBLICATION AND DISTRIBUTION:** The course outline for the training curriculum shall be made available on the technology center's website.

**NOTIFYING PARENTS AND LEGAL GUARDIANS:** Teachers, counselors, principals, administrators and other technology center personnel, upon determining a student is at risk for attempting suicide, shall notify the parents or legal guardians of the student immediately upon determining such risk exists.

**IMMUNITY FROM EMPLOYMENT DISCIPLINE AND CIVIL LIABILITY:** Teachers, counselors, principals, administrators and other technology center personnel shall be immune from employment discipline and any civil liability with respect to the following actions:

1. Calling 911, law enforcement, or the Department of Human Services if they believe a student poses a threat to themselves or others or if a student has committed or been the victim of a violent act or threat of a violent act;
2. Providing referral, emergency medical care or other assistance offered in good faith to a student or other youth; or
3. Communicating information in good faith concerning drug or alcohol abuse or potential safety threat by or to any student to the parents or legal guardians of the student, law enforcement officers or health care providers.

**NO SPECIFIC DUTY OF CARE OR CAUSE OF ACTION:** The training required by this policy, or lack thereof, shall not be construed to impose any specific duty of care. No person shall have a cause of action for any loss or damage caused by any act or omission resulting from the implementation of this policy or resulting from any training, or lack thereof, required by this policy, unless the loss or damage was caused by willful or wanton misconduct.

**COMMUNITY INTERVENTION AND PREVENTION SERVICES:** The technology center may enter into agreements with designated Youth Services Agencies for the provision of intervention and prevention services.

Reference: OKLA. STAT. tit. 70, § 24-100.7



## **TRANSGENDER AND NONBINARY STUDENT RECORDS**

### Definitions

Transgender and nonbinary students may use different terms to describe their lives and experiences of gender. Terminology and language may differ and evolve based on region, language, race or ethnicity, age, culture, and many other factors. These terms often mean different things or refer to different experiences. Technology center employees should use the terms that students use to describe themselves, and avoid terms that make these students uncomfortable.

The following definitions are not provided for the purpose of imposing labels, but rather to assist in understanding this policy and the obligations of technology center personnel. Students may or may not use these terms to describe themselves or their experiences.

“Gender Identity” is a person’s deeply held knowledge of their own gender, which can include being a man, woman, another gender, or no gender. Gender identity is an intimate part of a person’s identity. One’s gender identity may or may not align with society’s expectations for sex assigned at birth (e.g., male, female, or intersex).

“Gender Expression” refers to one’s expression of gender, whether through hair styles, makeup, or personal fashion, which changes over the course of a lifetime.

“Transgender/Trans” is an adjective used to describe a person whose gender identity differs from the sex they were assigned at birth. A trans woman is a woman whose sex was assigned male when she was born. A trans man is a man whose sex was assigned female when he was born. Some transgender people are neither male nor female, and may use terms like nonbinary to describe their gender.

“Cisgender” is an adjective describing a person whose gender identity corresponds with the gender that society typically associated with the sex they were assigned at birth. For example, a cisgender woman’s sex was assigned female at birth, and she identifies her gender as female. As another example, a cisgender man’s sex was assigned male at birth, and he identifies his gender as male.

“Gender Nonconforming” is a term sometimes used to describe people whose gender expression differs from social expectations, such as “feminine boys,” “masculine girls,” and people who are perceived as androgynous in some way. Being gender nonconforming is distinct from being transgender, although some trans people may consider themselves to be gender nonconforming. For example, a cisgender woman who has short hair and likes sports might consider herself nonconforming, but may not identify as transgender.

“Nonbinary” is a term used to refer to people whose gender identity is not exclusively male or female, including those who identify with a different gender, a combination of genders, or no gender.

Nonbinary may be considered a subset of transgender or a distinct identity. Other similar or more specific terms may include genderqueer, gender fluid, agender, or Two-Spirit (for Native American students).

“Sexual Orientation” refers to a person’s romantic and/or sexual attraction to other people. This includes being straight, gay, bisexual, queer, asexual, or many other terms used to describe sexual orientation. This is different and distinct from gender identity.

“Transition” is the process through which a person begins to live according to their gender identity. This process is different for everyone, and it may or may not involve specific medical treatments or changes to official documents. There is no single step or set of steps that an individual must take in order to have their gender identity affirmed and respected.

“LGBTQ+” is an acronym that stands for lesbian, gay, bisexual, transgender, and questioning (or queer). The acronym sometimes includes an “I” for intersex, an “A” for asexual, a “P” for pansexual, and other letters. A “+” is sometimes placed at the end of the acronym to signal that there are additional letters/identities that fall under a similar umbrella.

“QTBIPOC” is an acronym that stands for queer/trans, black, indigenous, and people of color.

### Privacy and Confidentiality

The technology center will ensure that all personally identifiable and medical information relating to transgender and nonbinary students is kept confidential in accordance with applicable state, local, and federal privacy laws. Technology Center employees and staff shall not disclose any information that may reveal a student’s gender identity to others, unless the student, parent, or legal guardian has authorized such disclosure, or there is another compelling need.

Prior to disclosing any such information about a transgender or nonbinary student, technology center employees will work with the student and any parent or legal guardian to discuss the appropriate manner, time, and message of the disclosure. This will include providing the student with appropriate support services they may need to make the disclosure in a safe and supportive environment.

Transgender and nonbinary students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much private information to share. The fact that a student chooses to use a different name, to transition at school, or to disclose their gender identity to staff, educators, or other students does not authorize technology center employees to disclose a student’s personally identifiable or medical information to anyone.

### Use of Preferred Name, Pronoun, or Gender

All students have the right to be addressed by a name, pronouns, and other terms that correspond with their gender identity. This respect should not depend on whether a student has access to a legal name change or gender marker change on official documents. The technology center and its employees should always use the pronouns and name with which a student identifies or requests. The technology center and its employees are expected to respect and use a student’s name and pronouns, once they have been made aware of said student’s correct information.

## Student Records

The technology center shall maintain an official, permanent record with the legal name and gender appearing on the student's birth certificate. On all other school-related records or documents, however, at the request of or with the consent of the student's parent/legal guardian as appropriate (unless the student is over 18), the technology center will use a student's requested name and gender pronouns. This would include physical records and documents, diplomas and other certificates of advancement, electronic records and documents, and school IDs. Reasonable efforts will be made to update student records with the student's requested name and gender pronoun or gender marker, and not to circulate records with the student's assigned birth name or gender marker. The technology center will also make reasonable efforts to also identify routine areas where a student's privacy could be violated by the improper usage of the legal name and gender marker. These include but are not limited to pre-printed labels, standardized tests, student IDs or library cards, school photos, notices from the main office, attendance slips, grade books, posted lists of student names, lesson plans, seating charts and roll sheets used by substitute teachers, and any other places where students' names are commonly written.

In order to protect a student's privacy, and to prevent accidental disclosure of a student's status, the technology center will maintain the official, permanent record in a secure location, separate from the student's other records. If the official record is maintained electronically, similar security measures shall be implemented to protect student privacy.

In the event that a student identifies as transgender or nonbinary, but is unable to obtain consent from a parent or legal guardian, a school administrator will meet with the student to discuss how the student would like to be addressed at school and implement an appropriate plan to ensure that the student's privacy is protected.

When a student or parent/legal guardian presents the technology center with documentation of a court-ordered legal name and/or gender change, the technology center will then change the official, permanent pupil record, to reflect the student's new legal name and gender, in a timely manner.

Transgender and nonbinary students who transition after having graduated or transferred out of the technology center may request that the technology center amend school records, a diploma, or transcripts that include the student's birth name and gender. When requested, the technology center will amend the student's records, including reissuing a school diploma or transcript, to reflect the student's current name and gender.

## Contact Information

Any student who has experienced gender-based harassment, discrimination, bullying, or similar misconduct, or has additional questions regarding the information contained in this policy should contact:

Bullying Coordinator  
Dr. James White  
Canadian Valley Technology Center  
6505 E Hwy 66  
El Reno OK 73036  
405-345-3375

Outside Assistance may be obtained from:

U.S. Department of Education  
Office for Civil Rights  
One Petticoat Lane  
1010 Walnut Street, Suite 320  
Kansas City, MO 64106  
(816) 268-0550  
(816) 268-0599 (Fax)  
(877) 521-2172 (TTY)  
E-mail: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

### **STUDENT MENTAL HEALTH CRISIS PROTOCOL**

As required by OKLA. STAT. tit. 70, § 24-159, the Technology Center will develop and maintain a protocol for responding to students in mental health crisis with the goal of preventing student suicide, self-harm, and harm to others.

#### Provider Partners

The Technology Center shall develop, maintain and implement its student mental health crisis protocol (the "Protocol") in partnership with one or more local mental health treatment providers certified by the Oklahoma Department of Mental Health and Substance Abuse Services ("Provider Partner(s)"). At least one Provider Partner that participates in the Protocol shall meet the following criteria:

- A. The provider must have the ability to serve all school-aged children regardless of insurance status; and
- B. The provider must have the ability and certification to provide mental health crisis services in the region where students attend school.

#### Contents of Protocol

The Technology Center's Protocol shall:

- A. Provide a definition of mental health crisis involving potential for harm to self or others.
- B. Document how mental health crises may be identified by school administrators, instructors, support employees, and school-based mental health professionals.
- C. Outline nonpunitive steps to safeguard student health and safety in response to an immediate or potential mental health crisis.
- D. Identify local treatment providers and resources available to support students and families in mental health crisis and ensure appropriate referrals to treatment.
- E. Outline a process for ensuring parent and caregiver notification and involvement during an actual or potential mental health crisis. In the event that a student who is under eighteen years of age is identified as being in or at risk of a mental health crisis, the Protocol shall call for Technology Center employees to inform the student's parent or legal guardian and offer the treatment referral information contained in the Protocol. The Protocol shall further provide that parent or legal guardian consent shall be required for any subsequent action taken by the Technology Center as part of the protocol except in cases of immediate and life-threatening danger to self or others.

- F. Document how student privacy will be protected in compliance with applicable state and federal laws, including, but not limited to the Health Insurance Portability and Accountability Act (“HIPAA”) and the Family Educational Rights and Privacy Act (“FERPA”).

#### Working Agreement

The Board of Education and each of the Technology Center’s Provider Partner(s) shall enter into a working agreement establishing all obligations of the parties under the established Protocol and a strategy for regularly reviewing its effectiveness using anonymous, nonidentifiable data (the “Working Agreement”).

#### Review and Updates

Not less than every two years, the Technology Center and its Provider Partner(s) shall jointly review the Protocol and Working Agreement and consider whether updates to the Protocol are necessary to better meet the needs of students. This process shall include a review of information gathered from the Oklahoma Prevention Needs Assessment Survey or an alternative survey conducted by the Technology Center as provided for in OKLA. STAT. tit. 70, § 24-158.

#### State Agency Review

The Technology Center will submit the most recent version of its Protocol and Working Agreement to the Oklahoma State Department of Education, which will in turn submit those documents to the Oklahoma Department of Mental Health and Substance Abuse Services. These agencies may require revisions to the Protocol in order to ensure compliance with applicable laws/regulations and/or established evidence-based practices.

#### Access/Training

The Technology Center will provide administrators, instructors, support employees and school-based mental health providers with ready access to the Protocol and regular training regarding the Protocol.

Reference: OKLA. STAT. tit. 70, §§ 24-158 and 24-159.

## **MENTAL HEALTH ACCOMMODATIONS**

### Purpose

Pursuant to OKLA. STAT. tit. 70, § 3-169, beginning with the 2023-2024 school year, the parent or guardian of a student shall have the option to disclose to the Technology Center prior to enrollment that the student has received certain types of mental health treatment so that a meeting can be scheduled to discuss whether the student requires accommodations.

### Definition

For purposes of this policy, a “mental health facility” is defined as a public or private hospital or related institution offering or providing inpatient mental health services, a public or private facility accredited as an inpatient or residential psychiatric facility by the Joint Commission on Accreditation of Healthcare Organizations, or a facility operated by the Department of Mental Health and Substance Abuse Services and designated by the Commissioner of the Department of Mental Health and Substance Abuse Services as appropriate for the inpatient evaluation or treatment of minors.

### Procedures

The following procedures apply to parent disclosures of mental health treatment and the holding of meetings to discuss accommodations that may be needed as a result of a student’s mental health condition:

- A. Prior to the enrollment of a student who has received inpatient or emergency outpatient services from a mental health facility in the previous twenty-four (24) months, the parent of that student shall have the option (but is not required) to disclose the student’s history of mental health treatment to the Technology Center.
- B. If a student’s parent/guardian makes a disclosure to the Technology Center as set forth above, the Technology Center will schedule a meeting to determine whether the student is in need of any accommodations, including, but not limited to, an individualized education program (“IEP”). The participants in this meeting shall include:
  1. The parent or legal guardian of the student.
  2. One or more designated Technology Center employees, which may include members of the student’s IEP team.
  3. One or more representatives of the mental health facility.

- C. The meeting required by this policy may take place in person, via teleconference, or via videoconference.
- D. The meeting shall be conducted in accordance with applicable state and federal laws, including, but not limited to the Health Insurance Portability and Accountability Act (“HIPAA”) and the Family Educational Rights and Privacy Act (“FERPA”).

Reference: OKLA. STAT. tit. 70, § 3-169; OKLA. STAT. tit. 43A, § 5-502.



## **NONDISCRIMINATION**

There will be no discrimination in the district because of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information in its programs, services, activities and employment. The district also provides equal access to the Boy Scouts of America and other designated youth groups. The following people have been designated to handle inquiries regarding the district's non-discrimination policies:

Section 504/Title II of the Americans with Disabilities Act Coordinator (for questions or complaints based on disability)

Human Resources Director (Employees)  
Special Needs Counselor/Coordinator (Students)  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Title VI of the Civil Rights Act Coordinator (for questions or complaints based on race, color and national origin)

Director of Communications and Marketing  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Title IX Coordinator (for questions or complaints based on sex, pregnancy, gender, gender expression or identity)

Chief Financial and Operating Officer  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Age Act Coordinator (for questions or complaints based on age)

Human Resources Director  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Any individual, who has experienced some other form of discrimination, including discrimination not listed above, may contact:

Chief Financial and Operating Officer  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Outside Assistance may be obtained from:

U.S. Department of Education  
Office for Civil Rights  
One Petticoat Lane  
1010 Walnut Street, Suite 320  
Kansas City, MO 64106  
(816) 268-0550  
(816) 268-0599 (Fax)  
(877) 521-2172 (TTY)  
E-mail: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

**DISCRIMINATION, HARASSMENT, AND  
RETALIATION**

The technology center is committed to providing all students and employees with a safe and respectful school environment. Both state and federal law specifically prohibit harassment of or by employees and students in connection with the district.

The district prohibits discrimination, harassment or retaliation based on real or perceived race, color, sex, pregnancy, gender, gender identity or expression, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information. This prohibition applies to students, employees and board members in any aspect of the district's programs, including during school hours, extracurricular activities, technology center sponsored events, or outside of school hours if the conduct affects the education or working environment.

**Definitions**

**"Employee"** for purposes of this policy, includes all technology center employees, board members and volunteers.

**"Student"** refers to any person who is enrolled in any program.

**"Discrimination"** means unfair treatment which is based on a person's real or perceived race, color, sex, pregnancy, gender, gender identity or expression, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information.

Examples of discrimination include but are not limited to: Refusing to consider a person for a position or declining to enroll a student in a program based on legally discriminatory factors. Harassment can be a specific form of legally prohibited discrimination.

**"Harassment"** means repetitive, unwelcome conduct which is based on a person's real or perceived race, color, sex, pregnancy, gender, gender identity or expression, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information.

Examples of harassment include, but are not limited to: slurs, epithets, insults, jokes or derogatory comments; verbal or physical abuse; intimidation (physical, verbal or psychological); impeding or blocking a person's movement; unwelcome touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, pressure for sexual activity whether written, verbal or through physical gestures, display or sending of pornographic pictures or objects, obscene graffiti, and spreading rumors related to a person's alleged sexual activities. Demeaning comments about a student's ability to excel in a class historically considered a "boy's" or a "girl's" subject may also constitute harassment.

**“Sexual harassment”** is a type of harassment which includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature which:

- is made an explicit or implicit term or condition of an employee’s employment or a student’s ability to obtain an education; or
- is used as a basis for decisions impacting either an employee’s employment or a student’s education; or
- has the purpose or effect of unreasonably or substantially interfering with an employee’s work performance or a student’s educational performance, or creating an intimidating, hostile, or offensive environment.

In order to constitute sexual harassment, the conduct at issue must be unwelcome. Sexual conduct between minor students and employees will always be considered unwelcome. Sexual harassment also includes conduct such as rape, sexual assault, stalking, and any other form of sexual violence.

Sexual harassment may occur between persons of the same gender or sex.

Nothing in this policy precludes legitimate, nonsexual physical contact to avoid physical harm to persons or property.

**“Retaliation”** is any negative conduct which is taken in response to an individual’s complaint of harassment or discrimination, or participation in any investigation of a harassment or discrimination complaint.

### **Reporting**

Students who have been harassed or discriminated against, or who witness such conduct, are encouraged to report the offensive conduct to any instructor, counselor, administrator, or board member.

Employees who witness, suspect or receive a report of harassment or discrimination must immediately report the incident to the superintendent or a board member – even if that report must be made after hours to the superintendent or board members home or cell phone.

Any employee who receives a harassment, discrimination or retaliation report will immediately refer the matter to the superintendent or the Title IX coordinator, unless the superintendent or Title IX coordinator is the alleged malfeasant. In such circumstances, the complaint will be referred to the board president or the district’s legal counsel. To ensure impartiality, no person who is the subject of a complaint shall conduct any investigation into the improper conduct.

If possible, reports should be made in person and/or in writing and be signed by the reporting party. However, in order to encourage full, complete and immediate reporting, any person may report such incidents anonymously in writing by mailing the report to the personal attention of either the superintendent or a board member. All reports should state:

- the name of the alleged harasser;

- the person(s) being harassed;
- the nature, context and extent of the prohibited activity;
- the dates of the prohibited activity, and;
- any other information necessary to a full report and investigation of the matter.

Any employee who is subjected to job related sexual harassment is entitled to protection under Title VII of the Civil Rights Act of 1964 and the Oklahoma Anti-Discrimination Act. Individuals may simultaneously report an allegation of this type of misconduct to school officials and to the United States Equal Employment Opportunity Commission, the Oklahoma Human Rights Commission, or local law enforcement.

### **Administrative Response**

The district will promptly, thoroughly and impartially investigate all reports of harassment and discrimination. This process will include:

- A statement from the individual who was allegedly harassed;
- Appropriate and reasonable steps to separate and protect both the alleged victim and alleged harasser pending conclusion of the investigation and necessary remedial action;
- Reasonable updates to the alleged victim of the investigation's progress, subject to federal and state laws and regulations;
- Interviews with the alleged harasser, alleged victim and witnesses; and
- Review of relevant documents, including district files and records.

The district will review all relevant facts and take into account the totality of the circumstances - including the nature, extent, context and gravity of the activities. At the conclusion of this process, the superintendent, in conjunction with the Title IX coordinator, will issue findings based on the preponderance of the evidence and take appropriate measures, including but not limited to: education, information on available outside resources, training and counseling, transfer, suspension, removal from a program, and any other appropriate remedy under the circumstances. Employees may also be terminated for engaging in harassment, discrimination or retaliation.

Confidentiality shall be maintained during and after the investigation to the extent reasonably possible. However, public disclosure of personal or confidential employee information may be made during the course of any suspension, dismissal, non-renewal hearing or resulting litigation.

### **Penalties**

Penalties shall be imposed based on the facts taken as a whole and the totality of the circumstances such as the nature, extent, context and gravity of such activities or incidents. Any disciplinary decision will be made as a proportional response to the violation.

Any employee or student engaging in harassment, discrimination or retaliation will be subject to any and all disciplinary action allowed by school policy and Oklahoma law.

**GRIEVANCE PROCEDURE FOR  
FILING, PROCESSING AND RESOLVING COMPLAINTS (OTHER THAN TITLE IX)  
ALLEGING DISCRIMINATION, HARASSMENT AND RETALIATION**

This Grievance Procedure is applicable to complaints of discrimination involving race, color, national origin, religion, disability, veteran status, age or genetic information. It is not applicable to sex discrimination or sexual harassment and, complaints related to these areas are addressed by Canadian Valley Tech's policy *Title IX—Sex Discrimination and Sexual Harassment*.

Definitions

Complaint: A written or verbal complaint alleging any action, policy, procedure or practice that discriminates on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information (including harassment and retaliation).

Grievant: Any person enrolled in or employed by the technology center or a parent/guardian of a minor student, or member of the public who submits a complaint alleging discrimination based on race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information (including harassment or retaliation). For purposes of this policy, a parent or guardian's complaint or grievance shall be handled in the same manner as a minor student's complaint.

Coordinator(s): The person(s) designated to coordinate efforts to comply with and carry out responsibilities under Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act and any other state and federal laws addressing equal educational opportunity. The Coordinator under Title VI, IX, Section 504/Title II and the Age Act is responsible for processing complaints. The Coordinator of each statutory scheme may be the same person or different persons, but each coordinator will receive relevant training in order to perform his/her duties. Grievances filed pursuant to the technology center's Title IX policy are subject to the Title IX complaint process.

Section 504/Title II Coordinator (for questions or complaints based on disability)

Students:

Kari Stomprud, Special Needs Coordinator El Reno Campus,

[kstromprud@cvtech.edu](mailto:kstromprud@cvtech.edu)

Melissa Holcomb, Assessment/Special Needs Counselor, Cowan Campus,

[mholchomb@cvtech.edu](mailto:mholchomb@cvtech.edu)

Denise Burns, Assessment/Special Needs Counselor, Chickasha Campus,

[dburns@cvtech.edu](mailto:dburns@cvtech.edu)

Employees:

Courtney Aguilar, Human Resources Director, [aguilarc@cvtech.edu](mailto:aguilarc@cvtech.edu)  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Title VI Coordinator (for questions or complaints based on race, color and national origin)

Dr. James White, Assistant Superintendent, [james.white@cvtech.edu](mailto:james.white@cvtech.edu)  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Title IX Coordinator (for questions or complaints based on sex, pregnancy, gender, gender expression or identity)

Tammy Ridgeway, Chief Financial and Operating Officer, [ridgewayt@cvtech.edu](mailto:ridgewayt@cvtech.edu)  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Age Act Coordinator (for questions or complaints based on age)

Courtney Aguilar, Human Resources Director, [aguilarc@cvtech.edu](mailto:aguilarc@cvtech.edu)  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

Any individual who has experienced some other form of discrimination, including discrimination not listed above, may contact:

Dr. James White, Assistant Superintendent, [james.white@cvtech.edu](mailto:james.white@cvtech.edu)  
Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

**Respondent:** The person alleged to be responsible for the alleged discrimination contained in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.

**Day:** Day means a working day when the technology center's main administrative offices are open. The calculation of days in complaint processing shall exclude Saturdays, Sundays and legal holidays.

#### **Pre-Filing Procedures**

Prior to the filing of a written complaint, the student or employee is encouraged to visit with the campus director or the technology center's ADA, Title VI and VII or 504 Coordinator, as

applicable, and reasonable effort should be made at this level to resolve the problem or complaint.

#### Filing, Investigation, Hearing and Review Procedures

The Grievant submits a written or verbal complaint to one of the Coordinators, as applicable, stating the basis, nature and date of the alleged discrimination, harassment or retaliation, the names of persons responsible (where known) and requested action. If the applicable Coordinator is the person alleged to have committed the discriminatory act(s), then the complaint should be submitted to the superintendent for assignment. Complaint forms are available from the offices of the technology center's Coordinators.

The responsible Coordinator conducts a complete and impartial investigation within 10 days of receiving the complaint, to the extent reasonably possible, which shall include but not be limited to, interviewing the Grievant and any witnesses, review of documents and interviewing the Respondent. The Coordinator will ask the Respondent to • confirm or deny facts; • indicate acceptance or rejection of the Grievant's requested action; and • outline alternatives.

The Coordinator will not delay the investigation of the discrimination complaint, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations, and the Coordinator will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by the technology center's grievance policy. However, a simultaneous investigation by law enforcement may limit or in some instances make it impossible to proceed with the district's investigation. Under no circumstances will the district impede or obstruct a criminal investigation.

As to complaints of discrimination by students, parents/guardians of minors, and school employees, the Coordinator will disclose the complaint, the identity of the Grievant and information regarding the person who allegedly committed the discriminatory act only to the extent necessary to fully investigate the complaint and only when the disclosure is required or permitted by law. If the Grievant wishes to remain anonymous, the Coordinator will advise the Grievant that such confidentiality may limit the technology center's ability to fully respond to the complaint. If the Grievant asks to remain anonymous, the Coordinator will still proceed with the investigation.

Within 5 days after completing the investigation, the applicable Coordinator will issue a written decision to the Grievant and Respondent. The report will include (a) a summary of facts, (b) an analysis of the appropriate legal standards applied to the facts, and (c) findings regarding whether the alleged discrimination occurred. If a finding is made that discrimination occurred, the Coordinator's report shall also contain (a) recommended interim and permanent steps, including examples of the range of possible disciplinary sanctions and remedies available to address the discriminatory effects on the grievant and other, necessary to eliminate the discrimination, prevent its reoccurrence, and remedy its effects, as well as (b) the resources, including medical and counseling resources, that are available to students and witnesses. The decision will be based on a preponderance of evidence standard (i.e., it is more likely than not that the alleged discrimination occurred).

If the Grievant or Respondent is not satisfied with the decision, he or she must notify the applicable Coordinator, in writing, within 5 days and request an appeal to the superintendent. The written appeal shall contain a specific statement explaining the basis for the appeal.

Within 5 days after receiving the appeal request, the applicable Coordinator will refer the matter to the superintendent for a hearing. The Grievant and Respondent will be afforded



similar rights (i.e., timely access to information that will be used at the hearing, opportunity to present his or her side of the story, presentation of character witnesses, review of party statements). If the superintendent is the person alleged to have committed the discriminatory act(s), then a different decision maker will be appointed to maintain impartiality. The Coordinator will schedule the hearing with the Grievant, the Respondent and the superintendent. Advanced written notice of the hearing will be provided to both the Grievant and Respondent so as to provide each reasonable time to prepare for such hearing. The hearing will be conducted within 10 days after the Coordinator refers the matter to the superintendent for hearing.

The superintendent will review the information collected through the investigation and may ask for additional oral or written evidence from the parties and any other individual he or she deems relevant. The applicable Coordinator will make arrangements to audiotape any oral evidence presented.

Within 5 days after completing the investigation the superintendent will issue a written decision to the Grievant and Respondent.

If the Grievant or Respondent is not happy with the decision, he or she must notify the superintendent, in writing, within 5 days, and request an appeal. The written appeal shall contain a specific statement explaining the basis of the appeal.

The superintendent will notify the board of education, in writing, within 5 days after receiving the appeal. Within 30 days from the date of notification to the board of education the board will designate an impartial hearing officer to oversee the appeal. The hearing officer will act as an appellate official by reviewing the decisions and the evidence presented below, holding a hearing within 10 days to consider any additional evidence the parties may wish to present. The hearing officer will make arrangements to audiotape any oral evidence presented. The hearing officer will issue a written decision within 5 days of the hearing to both Grievant and Respondent. The decision of the hearing officer is a final decision.

### General Provisions

Duty of Technology Center Employees to Report Alleged Discrimination: Technology center employees, supervisors and administrators are required to immediately report any complaints, reports, observations, or other information of alleged discrimination, including harassment and retaliation, to the designated Coordinator, even if that technology center employee is investigating the alleged discrimination as part of the technology center's student or employee disciplinary process, and provide the Complainant with information for filing a complaint form if requested, and contact information for the technology center's designated Coordinator. If the technology center is using its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the technology center's standards for a prompt and equitable grievance procedure.

Extension of Time: Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total number of days from the date the complaint is filed until the board of education issues a final decision shall be no more than 120 days.

Access to Regulations: Upon request, the Coordinator shall provide copies of any policies prohibiting discrimination on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information.

**Confidentiality of Records:** Complaint records will remain confidential, to the extent allowed by law, unless permission is given by the parties involved to release such information. All complaint records will be kept separate from any other records of the technology center. No complaint record shall be entered in any personnel file unless adverse employment action is taken against an employee. Complaint records shall be maintained on file for three years after complaint resolution.

**Representation:** The Grievant and the Respondent may have a representative assist them through the grievance process and accompany them to any hearing.

**Corrective Action:** After all facts and circumstances are reviewed, the technology center shall take any and all disciplinary actions to prevent further harassment or discrimination. Possible disciplinary or remedial actions include, but are not limited to: education, training and counseling, transfer, and/or suspension of a secondary student, expulsion of an adult student, and education, training, counseling, transfer, suspension and/or termination of an employee.

**Retaliation:** The technology center prohibits retaliation, intimidation, threats, or coercion of any person for opposing discrimination or for participating in the technology center's discrimination complaint process or making a complaint, testifying, assisting, appealing, or participating in any other discrimination complaint proceeding or hearing. The technology center will take steps to prevent the alleged perpetrator or anyone else at the technology center from retaliating against the alleged victim or any person who acts to oppose discrimination or participates in the complaint process. These steps include notifying students and employees that they are protected from retaliation, making sure that victims know how to report future problems and making follow-up inquiries to see if there have been any new incidents. If retaliation occurs, the technology center will take strong responsive action.

**Basis of Decision:** At each step in the grievance procedure, the decision maker will take or recommend the taking of appropriate measures based on the facts, as revealed by the investigation and hearing, taken as a whole, and the totality of the circumstances, such as the nature, extent, context and gravity of the activities or incidents. Any disciplinary decision will be made as a proportional response to the violation.

**Designees:** The designation of a technology center official responsible for prescribed actions shall automatically include the official's designee in instances where an official is unable, unavailable or it appears that the official may have a conflict of interest that causes the official to recuse from involvement in the matter. The designee shall have the same authority as the official in matters involving this policy and the duties it imposes.

**Section 504 Due Process Procedures:** For information concerning the impartial hearing and review procedures under Section 504, the Grievant should contact:

**Students:**

Kari Stomprud, Special Needs Coordinator El Reno Campus,  
[kstromprud@cvtech.edu](mailto:kstromprud@cvtech.edu)

Melissa Holcomb, Assessment/Special Needs Counselor, Cowan Campus,  
[mholcomb@cvtech.edu](mailto:mholcomb@cvtech.edu)

Denise Burns, Assessment/Special Needs Counselor, Chickasha Campus,  
[dburns@cvtech.edu](mailto:dburns@cvtech.edu)

**Employees:**

Courtney Aguilar, Human Resources Director, [aguilarc@cvtech.edu](mailto:aguilarc@cvtech.edu)

Canadian Valley Technology Center  
6505 East Highway 66  
El Reno, Oklahoma 73036  
(405) 262-2629

**Notice:** The technology center will notify all students, parents or guardians, members of the public and employees of the name, office and telephone number of each Coordinator and this Grievance Procedure in writing via school publications and/or postings at each campus to which employees or students are assigned.

**Outside Assistance:** Individuals may also file complaints alleging discrimination, harassment or retaliation with the Office of Civil Rights. The OCR may be contacted at:

U.S. Department of Education  
Office for Civil Rights  
One Petticoat Lane  
1010 Walnut Street, Suite 320  
Kansas City, MO 64106  
(816) 268-0550  
(816) 268-0599 (Fax)  
(877) 521-2172 (TTY)  
E-mail: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

<p style="text-align: center;"><b>CANADIAN VALLEY TECHNOLOGY CENTER BOARD OF EDUCATION POLICY</b></p>	<p style="text-align: center;"><i>Discrimination</i></p> <p style="text-align: center;">Adopted: 2/9/2021 Revised: 10/20/2022</p>
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**TITLE IX—SEX DISCRIMINATION AND SEXUAL HARASSMENT**

**Policy and Purpose**

Canadian Valley Technology Center will address all incidents of sex discrimination and sexual harassment reported to the technology center’s Title IX Coordinator in compliance with Title IX of the Education Amendments of 1972, as amended. The Title IX Coordinator Tammy Ridgeway is located in the technology center’s Administration Building, 6505 East Highway 66, El Reno OK 73036, in room #2000-D, phone number 405-422-2220, or email [ridgewayt@cvtech.edu](mailto:ridgewayt@cvtech.edu).

This policy informs all students and all technology center employees of policies and procedures regarding sex discrimination and sexual harassment to which all students, instructional staff, and non-instructional personnel are expected to adhere. In addition, comprehensive information is provided regarding the reporting of sex discrimination and sexual harassment and avenues to seek immediate assistance.

The technology center seeks to create a positive educational environment on and off campus through our academic programs, services, activities, policies and procedures aimed at providing protection against sex discrimination and harassment. To that end, the technology center condemns discrimination in its education programs and activities based on sex or gender, sexual orientation, gender identity or expression, sexual harassment, sexual violence, dating violence, and stalking. Notice of sex discrimination or a sexual harassment incident to the technology center’s Title IX Coordinator charges the technology center with actual knowledge and triggers its response obligations.

**Scope of the Policy**

The technology center must respond when sex discrimination and harassment occur in the district’s education programs or activities. Education programs and activities include locations, events, or circumstances in which the technology center exercises substantial control over both the respondent and the context in which the discrimination or harassment occurred. Title IX applies to all of the technology center’s education programs or activities, whether such programs or activities occur on-campus or off-campus, including online instruction.

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment. Reports may be made in person, by USPS mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Individuals are responsible for immediately reporting any knowledge or information concerning sexual harassment to the technology center’s Title IX Coordinator. The technology

center encourages victims of sexual harassment to talk with a counselor.

- Technology center **Employees** are required to report all the details of an incident (including the identities of both the complainant and respondent) to the Title IX Coordinator. A report to technology center employees (called “responsible employees”) constitutes a report to technology center and places technology center on notice to take appropriate steps to address the situation.

This policy also applies to retaliation by technology center or any person against any other person for the purpose of interfering with Title IX rights, or because the person has participated or refused to participate in any manner in a proceeding under Title IX that is prohibited.

### **Assistance Following an Incident of Sexual Harassment**

- Immediate Assistance:

Persons who have complaints of sexual harassment may file their complaints with the Title IX Coordinator Tammy Ridgeway located in the technology center Administration Building, 6505 East Highway 66, El Reno OK 73036, in room #2000-D, phone number 405-422-2220, or email [ridgewayt@cvtech.edu](mailto:ridgewayt@cvtech.edu).

Victims of sexual violence should get to a place of safety and call Police. Obtain necessary medical treatment; time is a critical factor for evidence collection and preservation. An assault should be reported directly to a law enforcement officer, and technology center officials will assist in facilitating this process. Filing a police report will not obligate the complainant to prosecute, nor will it subject the reporting party to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a victim of sexual violence receives the necessary medical treatment and tests, at no expense to the complainant to the extent provided for by Oklahoma law, and provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

**COMPLAINANT OR WITNESS: CALL POLICE FOR IMMEDIATE ASSISTANCE.**

- Ongoing Assistance:

In order to ensure the safety and well-being of the complainant, technology center may take interim measures such as changing academic schedules, extracurricular activity modifications, addressing transportation issues, withdraw from/retake a class without penalty, academic support (e.g., tutoring), leave of absence, counseling, campus escort services, distance learning arrangements, work schedule modifications, or similar measures. In addition, while an investigation is pending, technology center may initiate a “no contact order” between the parties that carries a sanction of short- or long-term suspension (for secondary students) or removal (for adult students) if violated.

The technology center offers internal counseling options. Technology center officials and representatives are available to facilitate access to support services. Several service organizations in Oklahoma have provided telephone numbers and made available other services for students, staff and campus community members. Technology center will assist any interested person, needing assistance, in contacting these agencies.

- Statewide Support Services:

Oklahoma Safeline - 1-800-522-7233 (SAFE)

Oklahoma Safeline - Oklahoma City Metro Area - 405-522-7233 (SAFE)  
National Domestic Violence Hotline - 1-800-799-7233 (SAFE)  
Rape, Abuse & Incest National Network Hotline - 1-800-656-4673 (HOPE)  
Communication Services for the Deaf (TTY) - 1-800-252-1017 (TTY)  
Communication Services for the Deaf (Voice) - 1-866-845-7445 (Voice)  
Oklahoma Coalition Against Domestic Violence/Sexual Assault 405-524-0700 (M-F/9-5)  
Child Abuse and Neglect Hotline – 1-800-522-3511

- **Local Support Services**

A detailed list of support services is available in Career Counselors Office at each campus location.

Red Rock Behavioral Services – Chickasha – 405-222-0622  
Red Rock Behavioral Services – El Reno/Cowan – 405-422-8809  
Southwest Youth and Family Services – Chickasha – 405-222-5437  
Youth and Family Services – El Reno/Cowan – 405-262-6555  
Intervention and Crisis Advocacy Network – Chickasha – 405-222-1818  
Intervention and Crisis Advocacy Network – El Reno/Cowan – 405-262-4455

### **Title IX Coordinator and Staff**

- Title IX Coordinator has primary responsibility for overseeing the process of coordinating technology center's compliance efforts, receiving complaints, investigations, hearing, sanctions, appeals, and education and training associated with this policy. To file a complaint or submit questions concerning actions governed by this policy contact the Title IX Coordinator.
- Deputy Title IX Officers have the secondary responsibility and assist with the duties of the Title IX Coordinator. Deputy Title IX Officers include:

Courtney Aguilar, Human Resources Director, 405-422-2215, [aguilarc@cvtech.edu](mailto:aguilarc@cvtech.edu)  
Joe Meziere, Cowan Campus Director, 405-422-2301, [mezierej@cvtech.edu](mailto:mezierej@cvtech.edu)  
Jennie Croslin, El Reno Campus Director, 405-422-2348, [jcroslin@cvtech.edu](mailto:jcroslin@cvtech.edu)  
Ronnie Bogle, Chickasha Campus Director, 405-222-7527, [rbogle@cvtech.edu](mailto:rbogle@cvtech.edu)

- Title IX Investigators may include but not be limited to technology center administration. The primary responsibility of the investigator relates to formal complaints. The investigator is to collect statements and any evidence directly related to any allegations of a Title IX policy violation as directed by the Title IX Coordinator. Investigators will receive appropriate Title IX training.
- Title IX Hearing Officer (decision-maker) may include a technology center administrator, legal counsel or specially designated officer. The primary responsibility of the hearing officer is to ensure both parties receive due process in the event allegations of a Title IX policy violation are directed to a hearing by the Title IX Coordinator. Hearing Officers will receive appropriate Title IX training.

### **Definitions**

The technology center defines sex discrimination and sexual harassment broadly to include any of three types of misconduct on the basis of sex (or gender), all of which jeopardize the equal access to education that Title IX is designed to protect:

1. Any instance of quid pro quo harassment by a district's employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; and
3. Any instance of sexual assault, dating violence, domestic violence, or stalking as defined by Federal law.

Offenses prohibited under the technology center's policy include, but are not limited to: sex discrimination (including sexual orientation discrimination and gender identity or gender expression discrimination), sexual harassment, sexual violence to include non-consensual sexual contact, non-consensual sexual intercourse, sexual coercion, domestic/dating violence, stalking, and sexual exploitation.

A. **Sex Discrimination:** includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their education or employment, or school-related benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

B. **Sexual Harassment:** is unwelcome and discriminatory speech or conduct undertaken because of an individual's gender or is sexual in nature and is so severe, pervasive, or persistent, objectively and subjectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or employment access, benefits, activities, or opportunities. Students, vendors and visitors who are subject to or who witness unwelcome conduct of a sexual nature are encouraged to report the incident(s) to the Title IX Coordinator or any technology center employee. Technology center employees who witness or learn of such conduct are required to report it to the Title IX Coordinator.

1. **Hostile Environment:** Sexual harassment includes conduct that is sufficiently severe, pervasive, or persistent, objectively and subjectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to the following:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the conduct was deliberate, repeated humiliation based upon sex;
- The effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and
- Whether the speech or conduct deserves constitutional protections.

2. **Quid Pro Quo Sexual Harassment** exists when individuals in positions of authority over the complainant engage in the following behaviors:

- Make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
- Indicate, explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or technology center activity or benefit is conditioned upon the complainant's submission to such activity.

Examples of Harassment:

- An instructor insists that a student have sex or engage in sexual acts with him/her in exchange for a good grade. This is harassment regardless of whether the student agrees to the request.
- A student repeatedly sends sexually oriented jokes around in an email list that the student created, even when asked to stop, causing one recipient to avoid the sender on campus or in connection with classes or district sponsored events in which both are involved.
- An instructional assistant probes for explicit details, and demands that students respond to him or her, though the student is clearly uncomfortable and hesitant.
- An administrator asks a student for nude or semi-nude pictures to be sent via Snapchat or other social media.
- An adjunct instructor provides explicit details of his sexual past or describes his sexual relationship with his spouse or girlfriend.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to his clear discomfort and embarrassment.

C. Sexual Violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by district employees, other students, or third parties.

1. Nonconsensual Sexual Contact is any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, buttock or breast) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator or any contact in a sexual manner even if not involving contact of or by breasts, buttocks, groin, genitals, mouth or other orifice. This definition includes sexual battery and sexual misconduct.
2. Nonconsensual Sexual Intercourse is defined as any sexual intercourse or penetration of the anal, oral, vaginal, genital opening of the victim, including sexual intercourse or penetration by any part of a person's body or by the use of an object, however slight, by one person to another without consent or against the victim's will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.
  - a) Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. Sexual penetration means the penetration, no matter how slight, of the vagina or



anus with any body part or object, or oral penetration by a sex organ of another person. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

3. Sexual Coercion is the act of using pressure (including physical pressure, verbal pressure or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone's will or with someone who has already refused. This includes rape, sexual assault, sexual exploitation and sexual misconduct.
4. Dating Violence is violence between individuals:
  - The party is or has been in a social relationship of a romantic or intimate nature with the victim;
  - The existence of such a relationship shall be determined based on a consideration of the following factors:
    - Length of the relationship
    - Type of relationship
    - Frequency of interaction between the persons involved in the relationship
- D. Advisor - a person who has agreed to assist a complainant or respondent during the Title IX process. The advisor may be a person of the student's choosing, including but not limited to a technology center faculty or staff member, a friend or an attorney.
- E. Complainant - an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- F. Respondent – an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment.
- G. Formal complaint – a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation(s) of sexual harassment and stating the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient details to make a determination regarding basic elements of the formal complaint process.
- H. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed.
- I. Supportive measures - individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

## **Consent**

Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” and the absence of “No” may not mean “Yes”.

- A. Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
- B. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
- C. Previous relationships or consent does not imply consent to future sexual acts.
- D. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity.
- E. In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one should know to be, or based on the circumstances, reasonably should have known to be, mentally or physically incapacitated, is not consent. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent. Note: indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of the other person.

Examples of when a person should know that another is incapacitated include, but are not limited to the following:

- The amount of alcohol, medication or drugs consumed,
  - Imbalance or stumbling,
  - Slurred speech,
  - Lack of consciousness or inability to control bodily functions or movements, or vomiting, or
  - Mental disability or incapacity.
- F. Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.

## **Reporting**

### **A. Mandatory Reporting**

All technology center employees are responsible for taking all appropriate actions to prevent sex discrimination or sexual harassment, to correct it when it occurs, and must promptly report it to the Title IX Coordinator. Failure to do so may result in disciplinary action up to and including termination. All technology center employees are considered responsible employees with a duty to report any incident to the Title IX Coordinator. The only exception to the mandatory duty to report is a licensed counselor for whom the report is considered a privileged exchange.

### **B. Confidential Reporting**

Resources are available through staff and counselors. Victims' advocates are available to speak with any person who wishes to report an incident and remain anonymous. All forms of sexual harassment should be reported, no matter the severity. In addition, the technology center should be made aware of possible threats to the campus community in order to issue timely warnings.

### C. Reporting to the Police

The technology center strongly encourages anyone to report sexual violence and any other criminal offenses to the police. This does not commit a person to prosecution, but will allow the gathering of information and evidence. The information and evidence gathered preserve future options regarding criminal prosecution, technology center disciplinary actions and/or civil actions against the respondent.

- If the incident happened on campus, it can be reported to the technology center's SRO or SRO Officer or an officer of the Police Department. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred. Please know that the information you report can be helpful in supporting other reports and/or preventing further incidents.
- Reporting for Faculty and Staff (Non-Student) Instances: Faculty and staff shall report any instances of sexual harassment by another faculty or staff member to the Title IX Coordinator. As stated above, the technology center also strongly encourages reporting any instances to the police.
- Employee Obligation to Report (Student Instances): In compliance with Title IX, employees who become aware of a student instance of sexual harassment shall immediately report such instance to the Title IX Coordinator, including the name(s) of the persons involved.

### D. Student Reporting

Students shall report any instances of sex discrimination or sexual harassment to any technology center employee and/or the Title IX Coordinator. Only victims or their parents or guardians can file a formal complaint of sexual harassment. A complaint should be filed as soon as possible. If either the complainant or the respondent is a student, the incident will be addressed through the Title IX process. The report can be made in person, by phone, mail, or email using the contact information listed for the Title IX Coordinator or by any other means that result in the Coordinator receiving the report. The report can be made any time, even during non-business hours.

After receiving a report or notice of an incident, the Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. A complainant's wishes with respect to whether the technology center investigates will be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

The technology center will promptly take necessary steps to protect the complainant and ensure safety as necessary, including taking interim steps before the final outcome of any investigation once a report or knowledge of sexual harassment has occurred. In some instances, the technology center may implement an emergency removal of a student when a safety and risk analysis indicate that an imminent threat exists to the physical health or safety of a party. A party subject to an emergency removal shall have an opportunity to challenge the decision immediately following the removal. An employee may be placed on administrative leave or suspended during the pendency of the grievance process. Periodic updates on the status of the investigation will be provided to the complainant. If the school determines that sexual violence occurred, the technology center will continue to take steps to protect the complainant and ensure safety at school or related activities. The technology center will provide the complainant with available resources, such as victim advocacy, academic support, counseling, disability services, health and mental health services, and assistance in reporting a crime to local law enforcement.

### **Written Notice of Complaint**

Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice includes:

- a. Notice of the grievance process, including any informal resolution process;
- b. Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the conduct, if known) to allow the respondent to prepare a response;
- c. A statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
- d. Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
- e. Notice that knowingly making false statements or providing false information in the grievance process is a violation of the code of conduct of students or a violation of performance and conduct standards for employees.

### **Investigation**

An investigator will be designated to investigate the allegations contained in the complaint or which are developed in the course of the investigation. The burden of gathering evidence and burden of proof must remain on the technology center—not on the parties.

An investigation will be conducted by a technology center Title IX official. This investigation will include:

- Meeting personally with the complainant (unless extraordinary circumstances prevent a personal meeting);
- Meeting personally with the respondent (unless extraordinary circumstances prevent a personal meeting);
- Presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made;
- Collecting any physical evidence;
- Meeting personally with any witnesses (unless extraordinary circumstances prevent a personal meeting with one or more witnesses);
- Reviewing any documentary evidence; and
- Preparing a report of the investigation.

The investigation of complaints will be adequate, reliable and impartial. The investigation process can take up to 60 days. When investigating a complaint and throughout the grievance process, the technology center must do the following:

1. Ensure that the burden of proof and of gathering evidence rests on technology center rather than the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations or gather and present evidence;
4. Provide the parties with the same opportunities to have others present during interviews or related proceedings, including an advisor;
5. Provide, to a party who is invited or expected to attend, written notice of the date, time, participants, purpose, and location of any investigative interview, hearing or other meeting with enough time to allow the party to prepare and participate;
6. Provide both parties and their advisors an equal opportunity to review all evidence directly related to the allegations in the formal complaint (both exculpatory and inculpatory) at least 10 days prior to the completion of the final investigation;
7. Ensure that if the technology center obtains additional information from or about the respondent or complainant, during the course of the investigation, that was not included in the original notice to the parties—both parties will be provided written notice of additional allegations and a reasonable opportunity to respond in writing to the new information or documents;
8. Prepare a written report that fairly summarizes the relevant evidence and provide the report to both parties and their advisors for review and written response at least 10 days before a hearing or determination of responsibility; and
9. Ensure that parties will have at least 10 calendar days to respond to the investigator's report; any response will be considered in connection with any hearing that is conducted.

The Title IX Coordinator will determine if a Title IX hearing is necessary. In making this determination, the Coordinator will consider whether both parties request or consent to a hearing and will agree to participate in a hearing. If it is determined that the technology center will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing.

### **Mandatory or Permissive Dismissal**

Mandatory dismissal must occur when it is determined in the course of the investigation that allegations in a formal complaint: (1) did not occur in the technology center's program or activity; (2) did not constitute sexual harassment as defined, or (3) did not occur against a person within the United States. Both parties must receive written notice of a mandatory dismissal and reasons.

Permissive dismissal may occur at any time during the investigation or hearing when: (1) a complainant notifies the Title IX Coordinator in writing that they would like to withdraw; (2) the respondent is no longer enrolled or employed by the technology center; or (3) specific circumstances prevent the technology center from gathering evidence sufficient to reach a determination. Both parties must receive written notice of a permissive dismissal and reasons.

The technology center may still address allegations of misconduct under the Student Code of Conduct or employee disciplinary procedures.

### **Technology Center Action**

A. Informal resolution is available in some circumstances. Informal resolutions are unavailable unless a formal complaint of sexual harassment is filed. Informal resolution may include conflict resolution or a restorative agreement between the parties with a trained Title IX Officer presiding over the informal resolution conference. Participation in informal resolution is never mandatory, and will only take place with the full consent of both parties involved. Informal resolution may only be used:

1. When a formal complaint of sexual harassment is filed;
2. Prior to a Notice of Hearing being issued;
3. When a Title IX Officer determines this is a suitable option for resolving the concern, and both the complainant and respondent agree to use the process;
4. When the complaint does not involve sexual violence as defined in the Title IX Policy; and
5. When both parties acknowledge receipt of written notice of their rights under this policy and both parties provide written, voluntary consent.

Informal resolution is not available when the complaint alleges a technology center employee sexually harassed a student.

Because the outcomes of voluntary resolution conversations are mutually developed and agreed upon by parties involved, an appeal of the process and its result is not permitted. However, either the Complainant or the Respondent may withdraw from informal resolution at any time prior to the entry of a voluntary resolution agreement and proceed with the Title IX hearing. If the parties are unable to agree on a voluntary resolution, the matter will be referred by the Title IX Coordinator to a Title IX Hearing. No offers to resolve the conflict that were made or discussed during the informal voluntary resolution process may be introduced during the Title IX Hearing.

## B. Title IX Hearing

The technology center has determined that the hearing process will be conducted through written exchanges, if the parties are secondary students, but a live hearing will not be conducted.

The Title IX Hearing Officer's responsibilities include but are not limited to the following, regardless of whether a hearing is conducted through written exchanges or a live hearing:

- Read and understand the Title IX Policy and Procedures, which include the hearing process;
- Read and understand all of the information of the Title IX case provided by the Coordinator prior to the hearing as part of a hearing packet;
- Read and understand the procedures of the Title IX hearing (live or non-live) provided by the Coordinator prior to the hearing as part of a hearing packet;
- Have a clear understanding of the incident(s) in question before making a decision;
- Decide the outcome and sanctions if needed based on the information presented, hearing notes, and the technology center Title IX Policy;
- Maintain copies of all notes made. The hearing officer will inform the parties of the decision at the live hearing and send a letter as described in this policy;

- Ensure that parties have had ample time and opportunity to ask questions and obtain responses before the hearing officer renders a decision (live or non-live); and
- Ensure that the determination (decision) includes a statement of and rationale as to each allegation, a determination of responsibility, any disciplinary sanctions, and whether remedies to restore equal access to the technology center's educational programs or activities will be provided to the complainant.

#### Complainant's Rights:

- Be given a written explanation of the allegations and the hearing process;
- Have access to evidentiary material in advance of the hearing;
- Be present during the entire live hearing or fully aware of the process used in a non-live hearing;
- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students should provide technology center with the name and contact information for the student's advisor as soon as practical but at least three (3) business days prior to the hearing;
- Be given, as applicable, a timely live or non-live hearing;
- Be assured of exclusion of evidence of the victim's past sexual history from discussion during the hearing. The past sexual history of the victim with persons other than the respondent shall be presumed irrelevant;
- Be permitted to clarify that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent (remember secondary students cannot consent to sexual harassment) or preclude a finding of sexual harassment;
- Be provided written notification of the outcome of the hearing including any sanctions, remedies/accommodations for the complainant, additional remedies for the school community;
- Be provided written notification of any internal or external counseling services that may be available;
- Be provided written notification of options for changing academic, extracurricular, transportation, school-site, or work-site situations, if reasonable;
- Be provided written notification of an avenue for appeal.

#### Respondent's Rights:

- Be given written notice of the allegations and the hearing process;
- Be given access to evidentiary material in advance of the hearing;
- Be present during the entire hearing if a live hearing is conducted or fully aware of the process utilized in a non-live hearing;
- Have no violation presumed until found responsible;
- Be given a timely hearing;
- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students should provide the technology center with the name and contact information for the student's advisor as soon as practical but at least three (3) business days prior to the hearing;
- Be informed that evidence of the victim's past sexual history will be excluded from discussion during the hearing or hearing process. Similarly, the past sexual history of the victim with persons other than the respondent shall be presumed irrelevant;

- Be provided written notification of the outcome of the hearing including any sanctions, remedies/accommodations for the complainant or respondent, additional remedies for the school community;
- Be provided written notification of internal or external counseling services that may be available;
- Be provided written notification of options for changing academic, extracurricular, transportation, school-site, or work-site situations, if reasonable; and
- Be provided written notification of an avenue for appeal.

### **Live Hearings**

A live hearing will not be conducted unless students who are parties to the complaint are at least 18 years of age, extraordinary circumstances are present, or adult program students are the parties. The complainant and respondent will be notified in writing of the hearing date, the alleged policy violation(s) and issued a notice to appear at the hearing. The Notice of Hearing will be hand-delivered or mailed to the physical or electronic addresses of the parties. Parties are responsible for ensuring that a current physical and electronic mail address is included in technology center records. The live hearing will include opening statements, each party's evidence and witnesses, cross-examination, and closing statements. Students are permitted to have an advisor accompany the Student throughout the disciplinary hearing. Students should provide technology center with the name and contact information for the Student's advisor at least 3 business days prior to the hearing. Parties are present during the disciplinary hearing (except during deliberations of the hearing officer). Parties are permitted to make statements, present witnesses and present evidence during the hearing which evidence has been previously collected and approved for relevance during the investigative process.

### **Non-Live Hearings**

Non-live hearing parties will have similar rights and responsibilities, except that the hearing officer will conduct the hearing via written or oral exchanges and neither the complainant nor the respondent will confront one another and no cross-examination will occur. However, both parties will be invited to submit questions, receive answers, and present relevant written arguments in connection with the parties' claims and defenses. Parties will have at least 10 days to respond to the receipt of information or documents to which they wish to respond. The investigator's report, all submissions by the parties, the exchange of information, documents and arguments will provide the basis for the hearing officer's decision.

### **All Hearings**

Witnesses and evidence must be directly related to the claims. Parties will be notified in any instance in which responses, information or documents are not available because of a privilege (not waived by the party who asserts the privilege) or irrelevant information is involved (.e.g., information involving prior sexual behavior or sexual predisposition is irrelevant; a privilege such as an attorney-client or doctor-patient or other privilege bars introduction of certain evidence). The standard of proof used in technology center Title IX Hearings is the preponderance of the evidence, which means the determination to be made is whether it is more likely than not a violation occurred. This is different than proof beyond a reasonable doubt, which is required for a criminal prosecution.

### **Outcomes**



If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is not responsible for a Sexual Harassment policy violation—the complaint will be dismissed.

If it is determined under the preponderance of evidence standard that the respondent is responsible for a Sexual Harassment policy violation the following sanctions will be considered. The listing of sanctions below is not intended to be exclusive; actions may be imposed singularly or in combination when a violation of this policy is found.

Discrimination (includes gender discrimination) may include the following sanctions on the student(s) found responsible:

- **Restriction** – A limitation on a student’s privileges for a period of time and may include but not be limited to, the denial of the use of facilities or access to parts of campus, denial of the right to represent the technology center, or denial of participation in extracurricular activities.
- **Service Project** – Community service or an education class or project beneficial to the individual and campus or community.
- **Probation** – A specified period of time during which the student is placed on formal notice that the student is not in good social standing with the technology center and that further violations of regulations will subject the student to suspension from the technology center.
- **Suspension** – If warranted by the severity of the incident, removal from classes or programs and other privileges or activities for a definite period of time not to exceed (for secondary students) the remainder of the semester in which the incident occurred and the following semester and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from the technology center are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the Superintendent. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the student’s transcript will not be made; however, a permanent record of the action will be maintained in the student’s record.
- **Removal** – If warranted by the severity of the incident, adult students may be removed from the technology center with no right to return to classes or programs or a future right to apply to return. Conditions to which the adult student is subject will be stated in the written notification of outcome. Notation on the student’s transcript will not be made; however, a permanent record of the action will be maintained in the student’s record.

Sexual Harassment may include the following sanctions on the student(s) found responsible.

- **Restriction** – A limitation on a student’s privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent technology center.
- **Service Project** – Community service or an education class or project beneficial to the individual and campus or community.
- **Behavioral Change Requirement** – Required activities including but not limited to, seeking academic counseling, substance abuse assessment, decision making class, writing a reflection paper, etc.
- **Probation** – Students are prohibited from participating in or holding leadership positions in any extracurricular activities not directly associated with academics (e.g., Skills USA, tech demonstration events, student organizations/clubs/associations, or other

sanctioned events or competitions). Students must apply to be removed from probation by submitting documentation of their significant active efforts to become good citizens of the community and engage in responsible, productive behavior.

- Suspension – If warranted by the severity of the incident, removal from classes, programs, and other privileges or activities for a definite period of time not to exceed the remainder of the semester in which the incident occurred and the following semester, if a secondary student, and for a longer period of time, if an adult student, and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended or removed from technology center are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension or removal, unless otherwise directed by the Superintendent. Conditions to conclude a suspension or removal and reinstatement process will be stated in the written notification. Notation on the student's transcript will not be made; however, a permanent record of the action will be maintained in the student's record.
- Removal – If warranted by the severity of the incident, adult students may be removed from the technology center with no right to return to classes or programs or a future right to apply to return. Conditions to which the adult student is subject will be stated in the written notification of outcome. Notation on the student's transcript will not be made; however, a permanent record of the action will be maintained in the student's record.

Sexual Violence may include the following sanction on the student(s) found responsible.

- Long-term Suspension or removal – Suspension of student status for an indefinite period not to exceed the maximum period permitted by law. Secondary students may only be suspended for the rest of the current semester and the succeeding semester; adult students may be suspended for a period to be determined or may be removed from the technology center with no right to return. The conditions for readmission, if any, shall be stated in the hearing outcome letter. In addition, a student, though readmitted to the district by operation of law, may be denied the opportunity to participate in extracurricular activities for as long as the student is enrolled in the technology center. Notation on the student's transcript will not be made; however, a permanent record of the action will be maintained in the student's record. Removal should be reserved and used only in cases involving the most severe instances of misconduct.

Both parties will be notified of the outcome in writing at the same time by certified mail or other agreed upon form of notice within five business days after the hearing. Both parties have the right to appeal the decision reached through the hearing process within five days after receipt of the hearing decision.

### **Appeal Procedures**

An appeal is not a new hearing, but is a review of the record of the original hearing. It serves as a procedural safeguard for the student or other party. The burden of proof shifts from the technology center to the party found responsible for the policy violation. The appealing party must show one or more of the listed grounds for an appeal.

- A. Appeals must be submitted in writing to the Superintendent within five (5) technology center calendar days of receiving the decision. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.
- B. The appeal must cite at least one of the following criteria as the reason for appeal and include supporting argument(s):

1. The original hearing was not conducted in conformity with prescribed procedures and substantial prejudice to the complainant or the respondent resulted.
  2. The evidence presented at the previous hearing was not “sufficient” to justify a decision against the student or group.
  3. New evidence which could have substantially affected the outcome of the hearing has been discovered since the hearing. The evidence must not have been available at the time of the original hearing. Failure to present information that was available is not grounds for an appeal.
  4. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with technology center procedures or precedent. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.
- C. The Superintendent will review the record of the original hearing, including documentary evidence. It is the Superintendent’s discretion to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to the original hearing officer for review/or reconsideration. If there is new evidence (unavailable at the time of the hearing through no fault of the parties) which is believed to substantially affect the outcome, or evidence presented at the previous hearing was “insufficient” to justify a decision against the student or group, or a finding that a substantial procedural error resulting in prejudice occurred, the matter may be remanded to either a rehearing of the entire matter or reconsideration of specific issues. If remanded to the original hearing officer, either or both students may appeal the hearing officer’s decision to the Superintendent and the procedures set out above shall control the appeal.
- D. The final decision will be communicated in writing by the Superintendent to both parties. The decision will be communicated within ten (10) calendar days of receiving the hearing officer’s decision.
- E. The decision of the Superintendent on appeal shall be final.

### **Retaliation**

The Federal civil rights laws, including Title IX, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. This means that if an individual brings concerns about possible civil rights problems to a technology center’s attention, including publicly opposing sexual harassment or filing a sexual harassment complaint with the technology center or any State or Federal agency, it is unlawful for the technology center to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she testified, or participated in any manner, in an OCR or technology center’s investigation or proceeding. Therefore, if a student, parent, instructor, sponsor, administrator, or other individual complains formally or informally about sexual harassment or participates in an OCR or technology center investigation or proceedings related to sexual harassment, the technology center is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual’s complaint or participation. Individuals who, apart from official associations with technology center, engage in retaliatory activities will also be subject to technology center’s policies insofar as they are applicable to third party actions.

The technology center will take steps to prevent retaliation against a student who filed a complaint on his or her own behalf or reported on behalf of another student, or against those who provided information as witnesses. Complaints of retaliation will follow the same process of investigation, hearing, and appeal.

If it is determined under the preponderance of evidentiary standard (more likely than not to have occurred) that a student is responsible for retaliation the following sanction will be imposed.

- **Suspension or Removal** – Removal from classes and other privileges or activities for a definite period of time not to exceed the maximum period permitted by law and until the conditions which are set forth in the hearing outcome letter are met. Suspension of secondary students is limited to the current and succeeding semester; adult students may be suspended for a designated period of time or removed from the district with no right to return to a district program. Students who are suspended or removed from technology center are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the Superintendent. Conditions applicable to the suspension, removal or reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record.

### **Technology Center Officers and Designees**

The designation of a technology center official responsible for prescribed actions shall automatically include the official's designee in instances where an official is unable, unavailable or it appears that the official may have a conflict of interest that causes the official to recuse from involvement in the matter. The official's designee shall have the same authority as the official in matters involving this policy. In connection with an appeal the Superintendent may appoint a neutral individual, not employed by the technology center, to consider and decide the appeal.

### **Recordkeeping Protocol**

The technology center will document all reports and complaints of sex discrimination and provide copies of those reports to the Title IX Coordinator. The technology center Title IX Office will maintain a secured electronic file system of all Title IX cases, reports, and complaints by academic year. The cases will include all information related to the individual case, which includes but is not limited to the initial complaint, letters sent to all parties, response from the respondent, immediate or other assistance, investigation notes, informal resolution agreement (if applicable), notice of hearing, committee selection, hearing notes, hearing decision, written notice of the outcome, and any recordings made of the live hearing or in the course of the investigation. The time period to maintain the case records will be no less than seven (7) years from the date of technology center's final action or decision (whether through report of the investigation, informal resolution, hearing, or appeal). The confidential reporting of the number of incidents and types will be sent to technology center Security for the preparation of the Annual Crimes Report.

### **Prevention and Education**

#### **A. Education**

Technology center requires all employees to take sexual harassment educational training courses on an annual basis. Failure to have a confirmation of this required training may result in appropriate disciplinary action. Additional in-person trainings are also offered periodically and upon request.

#### **B. Bystander Intervention**

If you witness sexual harassment, or behaviors that may lead to sexual harassment (both of which are violations of technology center policy), there are a variety of things you can do as a bystander:

- Divert the intended victim (e.g., “help me—I am sick and need help fast—hurry!”)
- Distract the perpetrator (e.g., “looks like that car is being towed and a police officer is on the way”; “Those 3 guys are headed this way”; Yell, “over here—they are over here!”)
- Delegate to a person of authority (e.g., if at a party let a friend, parent, or other adult know of the situation in explicit terms; always have one of your group designated as a non-drinker for the evening and trust that person to make good decisions)
- Direct, confront the perpetrator (e.g., “don’t speak to her in that voice; you are in big trouble; I saw you and so did that woman who is calling the police”)

### C. Risk Reduction Tips

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to blame victims, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you reduce your risk of experiencing a nonconsensual sexual act.

- Make your personal limits known as early as possible.
- Be aware of your alcohol or drug intake. Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Never leave a party or event with a person you don’t know.
- Never consent to send another person a picture of any part of your body without clothing.
- Take care of your friends or colleagues and ask that they take care of you.
- Never leave a friend at a party or allow the friend to leave a party with someone not known to them. Contact trusted adults, friends or family members to intervene.
- If you suddenly feel very drunk, think about the possibility that you have been drugged and yell for help immediately.

### D. Potential Aggressor

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- **DON’T MAKE ASSUMPTIONS** about consent; about age; about someone’s sexual availability; about whether they are attracted to you; about how far you can go; or about whether they are physically and/or mentally able to consent.
- If there are any questions or ambiguity, then you **DO NOT** have consent.
- Remember that secondary students cannot consent to sexual behavior.

Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. You must respect the boundaries for sexual behaviors.

- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size.
- Don't abuse that power. Understand that consent to one form of sexual behavior (e.g., kissing) does not automatically imply consent to other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent.
- Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

## **Training**

Training on sexual misconduct: discrimination, harassment, and violence is included in technology center's education program.

In-person training for student groups and students will be conducted through a variety of presentations, student orientation, and other means. In-person training for Active Bystander Intervention skills may include: on-going campus campaigns and information at a variety of events concerning this policy and appropriate behaviors, including specific intervention strategies. Informational website and brochures devoted to educating students will be presented at prevention workshops.

Mandatory training for employees will be provided through in-person training on sexual misconduct: discrimination, harassment, and violence. Mandatory reporting will be emphasized through new employee orientations, periodic training opportunities and upon request. In-person training for Active Bystander Intervention skills may include: ongoing campus campaigns and information at a variety of events concerning the policy and appropriate behaviors; inclusion of information on the district's website; and brochures devoted to educating employees.

Resources available to all of the technology center community:

Dial 911 for ALL emergencies

Chickasha Police                      405-222-6050 - non-emergencies

El Reno Police                        405-262-6941 - non-emergencies

OKC Police                              405-297-1000 - non-emergencies

Canadian County Sheriff        405-262-3434 - non-emergencies

Grady County Sheriff            405-224-0984 - non-emergencies

Rape Crisis Hotline - 405-943-7273

Oklahoma Coalition Against Domestic Violence and Sexual Assault (405)524-0700 - provides confidential resources off campus

Oklahoma Safeline - (800) 522-7233 – provides confidential resources off campus

Local Support Services:

A detailed list of support services is available in Career Counselors Office at each campus location.

Red Rock Behavioral Services – Chickasha – 405-222-0622  
Red Rock Behavioral Services – El Reno/Cowan – 405-422-8809  
Southwest Youth and Family Services – Chickasha – 405-222-5437  
Youth and Family Services – El Reno/Cowan – 405-262-6555  
Intervention and Crisis Advocacy Network – Chickasha – 405-222-1818  
Intervention and Crisis Advocacy Network – El Reno/Cowan – 405-262-4455

### **Free Speech and Academic Freedom**

Members of the technology center community enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution. This policy is intended to protect members of the technology center community from discrimination and is not designed to regulate protected speech. No provision of this policy shall be interpreted to prohibit conduct that is legitimately related to course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic or literary expression of students in classrooms and public forums. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state antidiscrimination laws.

### **Availability of other Complaint Procedures**

In addition to seeking criminal charges through local law enforcement, members of the technology center community may also file complaints with the following entities regardless of whether they choose to file a complaint under this procedure:

Office for Civil Rights

400 Maryland Avenue, SW

Washington, D.C. 20202-1100

Customer Service Hotline: (800) 421-3481

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Office for Civil Rights:

Kansas City Field Office: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov), (816) 268-0550;

Washington D.C.: [OCR@ed.gov](mailto:OCR@ed.gov) 1-800-421-3481

Equal Employment Opportunity Commission:

Oklahoma City Field Office: 1-800-669-4000;

Washington D.C.: 1-800-669-4000, [Eeoc.gov/contact](http://Eeoc.gov/contact)

### **Distribution**

The technology center shall: prominently display on its website the required contact information for the Title IX Coordinator; post training materials used to train Title IX Coordinators and related Title IX Officials, Investigators, and Hearing Officers on its website; and notify applicants for employment, parents or legal guardians of secondary school students, and employee organizations—of the name or title, office address, electronic mail address, and telephone number of the Title IX Co

## **DISABILITY ACCOMMODATIONS**

It is the policy of the board of education to take reasonable steps to accommodate our employees, patrons and students with disabilities.

Employment opportunities will not be withheld from any qualified person solely because of a known disability. The technology center will make reasonable accommodations to the known physical or mental limitations of a qualified person, unless it can be shown that the accommodation would impose an undue hardship on the operation of this technology center.

For the purposes of this policy, the term "reasonable accommodation" may include making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and job restructuring, part-time or modified work schedules, re-assignment to a vacant position, acquisition or modification of equipment, modifications or examinations and training, the provision of qualified readers and other similar and reasonable accommodation.

### **Plan for Assessing Undue Hardship**

The technology center is not required to provide an accommodation if it will impose an undue hardship on the operation of its business. Undue hardship is defined by the Americans with Disabilities Act ("ADA") as an action that is excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business.

The technology center will evaluate and determine whether a particular accommodation will impose an undue hardship on a case-by-case basis. The factors to be considered are as follows:

1. The nature and cost of the accommodation needed.
2. The financial resources of the facility making the accommodation, the number of employees, at the facility, and the effect on expenses and resources of the facility.
3. The overall financial resources, size, number of employees, and type and location of facilities of the entity covered by the ADA.
4. The operation of the technology center including the structure and functions of the work force, the geographic separateness, and the administrative or fiscal relationship of the facility involved in making the accommodation to the larger entity.
5. The impact of the accommodation on the operation of the facility that is making the accommodation.



Each of the related factors will be considered in determining whether an accommodation will pose an undue hardship. The ADA compliance officer will investigate the accommodations under consideration and will issue a report examining the accommodations in view of the factors listed.

## **SERVICE ANIMALS**

### **Purpose**

The purpose of this policy is to establish procedures for the use of service animals in the technology center, including school buildings, school vehicles and other school property.

### **Policy**

The technology center acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a service animal in its facilities and programs and intends to comply with all state and federal laws, rules and regulations regarding the use of service animals by technology center employees, students and visitors with disabilities.

The technology center does **not** allow the following types of animals in its facilities and programs unless specifically authorized by the technology center's board of education:

1. "Emotional support animal" meaning an animal selected to reside with an individual with a disability that does not work or perform tasks for the benefit of an individual with a disability and does not accompany at all times an individual with a disability; and
2. "Therapy animal" meaning a personal pet who is certified to make therapeutic visits with a trained volunteer to places including, but not limited to, nursing facilities, schools and hospitals to bring therapeutic benefit, comfort and cheer to others.

### **Definitions**

"Service animal" is defined by the Americans with Disabilities Act (ADA) as any service dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Service animals are limited to the animals defined under the ADA and do not include any other species of animal, wild or domestic, trained or untrained. Service animals do not include an animal used or relied upon for crime deterrence, emotional support, well-being, comfort, or companionship.

"Employee" is defined as a person who is employed by the technology center on a part-time or full-time basis, with or without compensation, and elected or appointed members of the technology center's board of education.

"Student" means a child who is currently enrolled at the technology center, and includes the parents and guardians of a child who is (a) under the age of 18, or (b) otherwise unable to manage their own affairs.

“Visitor” means an individual other than an employee or student who is present in areas of technology center property that have been made available by the technology center to the general public and/or specified members of the public, including, but not limited to family members of students/employees and individuals attending a public event held on technology center property.

### **Procedures/Requirements for Employees and Students**

The use of service animals by employees and students with disabilities is subject to the following procedures and requirements:

- A. The employee or student will submit a notification of the intent to use a service animal to the technology center's building administrator. The notification will identify whether the service animal is required because of the person's disability, and, if so, identify and describe the manner in which the service animal will meet the individual's particular need(s).
- B. Notifications for the use of service animals on technology center property by an employee or student will, whenever possible, be made at least one week prior to the proposed use of the service animal.
- C. As part of the technology center's consideration of the use of a service animal, the technology center may require certification of proper vaccinations verified by a veterinarian.
- D. The technology center's review of use of a service animal may include consideration of a student's IEP or Section 504 records. The technology center may also request a meeting with the employee or student.
- E. The use of a service animal on technology center property may be subject to a plan that introduces the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by the technology center. The technology center's approval of the use of a service animal on technology center property is subject to periodic review, revision, or revocation by technology center administration.
- F. It is the responsibility of the employee or student who uses a service animal pursuant to this policy to serve as the handler or arrange for a third-party handler to provide proper handling of the service animal. Any cost incurred to handle the service animal will be the responsibility of the employee or student who uses the service animal.
- G. Service animals will be allowed in technology center vehicles when:
  - 1. The inclusion of the service animal is documented as required on technology center transportation forms; and
  - 2. The service animal is under the control of the handler at all times, including entering and exiting the vehicle.

## **Procedures/Requirements for Visitors**

The use of service animals by visitors with disabilities is subject to the following procedures and requirements:

- A. When a visitor seeks to bring a service animal onto school property, staff may ask the visitor to provide the following information in order to confirm that the animal qualifies as a service animal under this policy:
  - 1. Whether the visitor's animal is a service animal required because of a disability.
  - 2. The work or task the visitor's animal has been trained to perform.

Staff shall not question visitors regarding their use of a service animal except as set forth above. Staff shall not inquire as to the nature of the visitor's disability, request documentation regarding a visitor's service animal, or request that the service animal demonstrate the work/task it has been trained to perform.

- B. Except as provided in this policy, visitors with disabilities shall be permitted to be accompanied by their service animals in all areas of school facilities where similarly situated non-disabled visitors are permitted to be present.
- C. Visitors shall not be allowed to bring a service animal into an area of school property where the presence of the service animal would pose a risk to the health or safety of others.
- D. When a visitor requires accommodations to be made to technology center policies, practices or procedure to allow a service animal to accompany the visitor on school property, the visitor must, whenever possible, provide prior written notice to building administration no later than one (1) week before the service animal will be present on technology center property.

## **Control and Supervision of Service Animals**

- A. The owner/handler of a service animal must be in full control of the animal at all times.
- B. Service animals must always be on a leash or other form of restraint mechanism, unless impracticable or unfeasible due to the disability of the employee, student or visitor.
- C. The responsibility for the care and supervision of the service animal rests solely on the employee, student or visitor. The technology center is not responsible for providing any staff member to walk the service animal or provide any other care or assistance to the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator.
- D. Pursuant to federal law, the technology center retains discretion to exclude or remove a service animal from technology center property and/or transportation if:

1. The service animal is out of control and/or the service animal's handler does not effectively control the service animal's behavior;
2. The service animal is not housebroken;
3. The service animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications; or,
4. Permitting the service animal would fundamentally alter the nature of the service, program, or activity.

### **Miniature Horses**

- A. The technology center will make reasonable modifications in policies, practices, or procedures to accommodate a miniature horse that qualifies as a service animal under this policy and the ADA, but doing so may not be possible in all circumstances.
- B. In determining whether it is feasible to allow a student, employee or visitor to be accompanied by a miniature horse that qualifies as a service animal in a specific technology center facility, the technology center will consider:
  1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
  2. Whether the handler has sufficient control of the miniature horse;
  3. Whether the miniature horse is housebroken; and
  4. Whether the miniature horse's presence in the specific facility compromises legitimate safety requirements that are necessary for safe operation.

### **Liability**

An employee, student or visitor accompanied by a service animal will be responsible for any damage to technology center or personal property and any injuries to individuals caused by the service animal. Individuals who use a service animal on technology center property will hold the technology center harmless and indemnify the technology center from any such damages.

### **Appeals and Grievances**

Any person dissatisfied with a decision concerning a service animal can file a grievance, using the technology center's grievance procedures.

### **Requirements for Service Animals**

**Vaccination:** Service animals must be immunized against diseases common to that type of animal. [Okla. Admin. Code 310:599-3-9.1] All vaccinations must be current. Dogs must wear a rabies vaccination tag.

**Licensing:** All service dogs must be licensed as may be required by state and/or local law.

**Identification:** It is recommended, but not required, that service animals have proper identification.

**Owner ID and Other Tags:** Dogs may be required to wear a current dog license and rabies-vaccination tag, unless the dog is permanently and uniquely identified with a microchip implant or tattoo.

**Collar:** A service dog used by a person who is deaf or hard-of-hearing must wear an orange identifying collar. [Okla. Stat. tit. 7, § 19.1(C)]

**Cleanup Rule:** The handler of the service animal, whether it be the employee, student or a third party, must clean up after the animal defecates or urinates, as well as follow any municipal ordinance applicable thereto.

**Grooming:** All service animals must be treated for, and kept free of, fleas and ticks. All service animals must be kept clean and groomed to avoid shedding and dander.

Reference: 28 C.F.R. Part 36; OKLA. STAT. Tit. 4, § 801 (2019)

## **INTERNET AND TECHNOLOGY SAFETY**

It is the policy of the technology center to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic or digital communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 U.S.C. §254(h)]. and Oklahoma law [OKLA. STAT. tit. 70, § 11-201]

### Definitions

The determination of what is "inappropriate" for minors shall be determined by the technology center. It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research and activity.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measures," "sexual act," and "sexual contact" shall be defined in accordance with the Children's Internet Protection Act, Oklahoma law, and any other applicable laws/regulations as appropriate and implemented by the technology center.

### Access to Inappropriate Material

To the extent practical, technology protection measures (or "Internet Filters") shall be used to block or filter Internet (or other forms of electronic or digital communications) access to inappropriate information. Specifically, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes with written permission from the Campus Director and IT Director.

### Inappropriate Network Usage

Any individual who uses the technology center's resources to access the Internet or engage in any electronic or digital communication is required to participate in the technology center's education efforts (undertaken pursuant to the Children's Internet Protection Act) and comply with the technology center's acceptable use policy.

### Supervision and Monitoring

All employees are responsible for supervising and monitoring student use of the Internet in accordance with the technology center's policies, the Children's Internet Protection Act, and Oklahoma law. The technology center's IT director shall establish and implement procedures regarding technology protection measures. No individual will be permitted to use the technology center's technology resources in a manner inconsistent with the technology center's policies.

## Personal Safety

Employees and students shall not use the technology center's technology resources in any manner that jeopardizes personal safety. Students and employees must follow the technology center's technology policies, including the acceptable use policy which details the technology center's safe use standards.

## Certification and Verification

The technology center shall provide certification, pursuant to the requirements of the Children's Internet Protection Act, to document the technology center's adoption and enforcement of its Internet and Technology Safety Policy, including the operation and enforcement of technology protection measures for all technology center computers with Internet access.

The technology center shall also obtain verification from any provider of digital or online library database resources that all the resources they provide to the technology center are in compliance with Oklahoma law and the technology center's Internet and Technology Safety Policy. If any provider of digital or online library resources fails to comply, the technology center shall withhold payment, pending verification of compliance. If any provider of digital or online library resources fails to timely verify compliance, the technology center shall consider the provider's act of noncompliance a breach of contract.

## Reporting

No later than December 1 of each year, Oklahoma law provides that libraries shall submit to the Speaker of the Oklahoma House of Representatives and President Pro Tempore of the Oklahoma State Senate an aggregate written report on any issues related to provider compliance with Internet technology measures as required under Oklahoma law.

## Employee Liability

Employees of the technology center shall not be exempt from prosecution for willful violations of state law prohibiting indecent exposure to obscene material or child pornography as provided under Oklahoma law [OKLA. STAT. tit. 21, § 1021].

Reference: 47 U.S.C. § 254(h); OKLA. STAT. tit. 70, § 11-201; OKLA. STAT. tit. 21, § 1021.



**ACCEPTABLE USE OF INTERNET AND  
ELECTRONIC AND DIGITAL COMMUNICATIONS DEVICES**

The forms of electronic and digital communications change rapidly. This policy addresses common existing forms of electronic and digital communication (email, texting, blogging, tweeting, posting, etc.) but is intended to cover any new form of electronic or digital communication which utilizes a computer, phone or other digital or electronic device.

As a part of the resources available to students and employees, the technology center provides Internet access at each campus and at its administrative offices. The technology center intends for this resource to be used for educational purposes and not to be used for conduct which is harmful. This policy outlines the technology center's expectations regarding Internet access. The ability to access the Internet while on technology center property is a privilege and not a right. Access cannot be granted until an individual has completed an "Internet Access Agreement" and access may be revoked at any time.

Any individual using technology center resources to engage in electronic or digital communications has no expectation of privacy. Further, employees and students must be cognizant of the fact that electronic or digital communications which occur on private equipment are often permanently available and may be available to school administrators.

Employees and students are expected to use good judgment in all their electronic or digital communications - whether such activities occur on or off campus or whether the activity uses personal or school technology. Any electronic or digital communication which can be considered inappropriate, harassing, intimidating, threatening or bullying to an employee or student of the technology center - regardless of whether the activity uses technology center equipment or occurs during school/work hours - is strictly forbidden. Employees and students face the possibility of penalties, including student suspension or dismissal and employee termination, for failing to abide by technology center policies when accessing and using electronic or digital communications.

The Internet provides users the ability to quickly access information on any topic - even topics which are considered harmful to minors. The technology center's IT department has attempted to filter this access in order to protect students from harmful content. In the event inappropriate material is inadvertently accessed, students should promptly report the site to their instructor so that other students can be protected. No individual is permitted to circumvent the technology center's privacy settings by accessing blocked content through alternate methods. In the event an employee needs access to blocked content, he/she should make arrangements through the campus director or IT director.

Although the technology center's IT department has taken appropriate steps to block offensive material, users may unwittingly encounter offensive material. All users of the technology center's electronic resources are required to exercise personal responsibility for the material they access, send or display, and must not engage in electronic conduct which is prohibited by law or policy. If a student inadvertently accesses or receives offensive material, he/she should report the communication to the assigned instructor. If an employee accesses or receives offensive material, he/she should report the communication

to the campus director or IT director. No individual is permitted to access, view or distribute materials which are inappropriate or create a hostile environment.

### **Internet Access - Terms and Conditions**

**Acceptable Use - Students.** Students agree to access material in furtherance of educational goals or for personal leisure and recreational use which does not otherwise violate this policy. No student may make an electronic or digital communication which disrupts the education environment - even if that communication is made outside of school or on personal equipment. Types of electronic or digital communications which can disrupt the education environment include, but are not limited to:

- Sexting
- Harassing, intimidating, threatening or bullying posts, tweets, blogs, images, texts, etc.
- Distributing pictures, recordings or information which is harmful or embarrassing

Students who engage in electronic or digital communications which disrupt the education environment are subject to disciplinary action, including suspension or dismissal from school. Depending on the nature of the electronic or digital communication, students may also be subject to civil and criminal penalties.

### **Acceptable Use - Employees**

Employees agree to access material in furtherance of educational goals, including research and professional development. Employees are also permitted to judiciously use the technology center's electronic resources for limited personal use, provided that the use is of no cost to the technology center, does not preempt business activity, impede productivity, or otherwise interfere with work responsibilities. Electronic or digital communications made using technology center owned equipment must be professional in nature and cannot be used for the exercise of the employee's free speech rights.

Any electronic or digital communication in which the employee can be identified as an employee of the technology center – regardless of whether the communication is made with technology center owned equipment or during work hours - must be a professional communication. Accordingly, if the individual is identifiable as a technology center employee, electronic or digital communications must not contain sexual, harassing, discriminatory or immoral content. Further, the communication cannot promote the use of tobacco, drugs, alcohol or be otherwise inconsistent with the technology center's objectives.

Employees are required to maintain appropriate electronic boundaries with students. Such boundaries require that employees refrain from engaging in electronic or digital communications which show an undue interest in select student(s), are of a personal nature, model inappropriate conduct, or are otherwise inconsistent with the technology center's mission and goals. In order to maintain appropriate boundaries, the technology center encourages employees to:

- Send group texts or emails
- Use separate personal and school electronic accounts
- Obtain written parental permission prior to posting pictures of minors
- Respect individual privacy, including privacy rights granted by FERPA

Employees are expressly forbidden from using electronic or digital communication in a manner inconsistent with their position as a role model for students. Any employee who engages in inappropriate electronic or digital communication with students is acting outside the scope of his/her employment with the technology center.

### **Prohibited Use**

Users specifically agree that they will not use the Internet to access material which is: threatening, indecent, lewd, obscene, or protected by trade secret. Users further agree that they will not use the technology center's electronic resources for commercial activity, charitable endeavors (without prior administrative approval), product advertisement or political lobbying.

### **Parental Consent**

Parents of minor students must review this policy with their student and sign the consent form prior to a minor student being granted Internet access.

### **Privilege of Use**

The technology center's electronic resources, including Internet access, is a privilege which can be revoked at any time for misuse. Prior to receiving Internet access, all users will be required to successfully complete an Internet training program administered by the technology center.

### **Internet Etiquette**

All users are required to comply with generally accepted standards for electronic or digital communications, including:

- a. Appropriate Language. Users must refrain from the use of abusive, discriminatory, vulgar, lewd or profane language in their electronic or digital communications.
- b. Content. Users must refrain from the use of hostile, threatening, discriminatory, intimidating, or bullying content in their electronic or digital communications.
- c. Safety. Minor students must not include personal contact information (name, address, phone number, address, banking numbers, etc.) in their electronic or digital communications. Minor students must never agree to meet with someone they met online and must report any electronic or digital communication which makes them uncomfortable to their teacher.
- d. Privacy. Users understand that the technology center has access to and can read all electronic or digital communications created and received with technology center resources. Users agree that they will not use technology center resources to create or receive any electronic or digital communications which they want to be private.
- e. System Resources. Users agree to use the technology center's electronic resources carefully so as not to damage them or impede others' use of the technology center's resources. Users will not:
  - install any hardware, software, program or app without approval from the IT department
  - download large files during peak use hours
  - disable security features
  - create or run a program known or intended to be malicious
  - stream music or video for personal entertainment

- f. Intellectual Property and Copyrights. Users will respect others' works by giving proper credit and not plagiarizing, even if using websites designed for educational and classroom purposes (See [www.copyright.gov/fls/fl102.html](http://www.copyright.gov/fls/fl102.html)) Users agree to ask their instructor for assistance in citing sources as needed.

### **Limitation of Liability**

The technology center makes no warranties of any kind, whether express or implied, for the services provided and is not responsible for any damages arising from use of the technology center's technology resources. The technology center is not responsible for the information obtained from the use of its electronic resources and is not responsible for any charges a user may incur while using its electronic resources.

### **Security**

If a user notices a potential security problem, he/she should notify the IT director immediately but should not demonstrate the problem to others or attempt to identify potential security problems. Users are responsible for their individual account and should not allow others to use their account. Users should not share their access code or password with others. If a user believes his/her account has been compromised, he/she must notify the IT director immediately. Any attempt to log on to the technology center's electronic resources as another user or administrator, or to access restricted material, may result in the loss of access for the remainder of the school year or other disciplinary measures.

### **Vandalism**

No user may harm or attempt to harm any of the technology center's electronic resources. This includes, but is not limited to, uploading or creating a virus or taking any action to disrupt, crash, disable, damage, or destroy any part of the technology center's electronic resources. Further, no user may use the technology center's electronic resources to hack vandalize another computer or system.

### **Inappropriate Material**

Access to information shall not be restricted or denied solely because of the political, religious or philosophical content of the material. Access will be denied for material which is:

- a. "Obscene to minors", meaning (i) material which, taken as a whole, lacks serious literary, artistic, political or scientific value for minors and, (ii) when an average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to an obsessive interest in sex by minors.
- b. "Libelous", meaning a false and unprivileged statement about a specific individual which tends to harm the individual's reputation.
- c. "Vulgar, lewd or indecent", meaning material which, taken as a whole, an average person would deem improper for access by or distribution to minors because of sexual connotations or profane language.
- d. "Display or promotion of unlawful products or services", meaning material which advertises or advocates the use of products or services prohibited by law from being sold or provided to minors.
- e. "Group defamation or hate literature", meaning material which disparages a group or a member of a group on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age or genetic information or advocates illegal conduct or

violence or discrimination toward any particular group of people. This includes racial and religious epithets, "slurs," insults and abuse.

- f. "Disruptive school operations", meaning material which, on the basis of past experience or based upon specific instances of actual or threatened disruptions relating to the information or material in question, is likely to cause a material and substantial disruption of the proper and orderly operation of school activities or school discipline.

### **Application and Enforceability**

The terms and conditions set forth in this policy shall be deemed to be incorporated in their entirety in the Internet Access Agreement executed by each user. By executing the Internet Access Agreement, the user agrees to abide by the terms and conditions contained in this policy. The user acknowledges that any violation of this policy may result in access privileges being revoked and disciplinary action being taken. For students, this means any action permitted by the technology center's policy on student behavior. For employees, this means any action permitted by law, including termination of employment.

### **Education of Students Regarding Appropriate On-Line Behavior**

In compliance with the Protecting Children in the 21<sup>st</sup> Century Act, Section 254(h)(5), the technology center provides education to minors about the appropriate use of the technology center's electronic resources, including interacting with others on social networking and chat sites, and cyber bullying. As a part of that education, guidelines on cyber bullying and internet safety for students are attached to this policy.

## **PERSONAL WIRELESS DEVICES AND ELECTRONIC ACCOUNTS**

The technology center requires that all individuals devote their full attention to education while at school or during education activities. Accordingly, the technology center expects both employees and students to limit their use of personal wireless devices (including, but not limited to, hand-held mobile telephones) and personal electronic accounts at school or when engaged in school-related activities. Wireless devices include, but are not limited to, cell phones, laptops, cameras, GPS systems, any type of device capable of intercepting or recording a conversation, any type of device capable of providing visual surveillance or images, recorders, Google Glass, etc. Electronic accounts include, but are not limited to, accounts that allow digital communication such as email and social media accounts.

Google Glass and similar technology is prohibited on campus by all individuals at all times. Regardless of the type of technology used, no individual may make any type of surreptitious recording of others on technology center property. Additionally, no person may use any type of technology to remotely monitor, listen to, or view actions occurring at school or school activities. Personal wireless devices not otherwise prohibited shall be turned off and out-of-sight in locations such as restrooms, locker rooms, changing rooms, etc. (“private areas”). The use of any audio/visual recording and camera features are strictly prohibited in private areas. Students who observe a violation of this provision shall immediately report this conduct to a teacher or the campus director. Employees who observe a violation of this provision shall immediately report this conduct to a supervisor, the campus director or other administrator.

### **Students**

It is the district's policy that students who possess a personal wireless device at school must keep that device turned off and out of sight during class time. No student will be permitted to access his/her personal wireless device during class time except with teacher permission. Students may use their personal wireless devices during breaks and lunch.

Students who violate this policy will have their personal wireless device confiscated until after a parent conference, and may lose the privileges of possessing such a device at school or school-related activities for the remainder of the school year. Students are also subject to other disciplinary action.

Students may not use any personal wireless device to:

- send or receive answers to test questions or otherwise engage in cheating;
- record conversations or events during the school day, on school property or at school activities;
- threaten, harass, intimidate, or bully;
- take, possess, or distribute obscene or pornographic images or photos;
- engage in lewd communications;
- violate school policies, handbook provisions, or regulations.

## Employees

Employees will make reasonable efforts to use district resources rather than personal wireless devices or personal electronic accounts for electronic or digital communications with other employees, parents, and students and for tasks related to their employment. By using personal wireless devices or personal electronic accounts to communicate with other employees, parents, and students or to perform tasks related to their employment, employees acknowledge that they are creating records that may be subject to Oklahoma's laws related to Open Records (51 OKLA. STAT. § 24A.1 *et seq.*). Employees consent to retain and provide access to such communications or records to technology center administration upon request. This consent survives any changes in the employment relationship.

Authorized transportation employees are permitted to utilize cell phones for business reasons to make or receive voice calls while operating a school bus or van, provided:

- the employee is using "hands free" technology to make the calls; or
- the employee has safely pulled the vehicle to the side of the road or is otherwise stopped and not impeding the flow of traffic;

Transportation employees are not permitted to text or otherwise use a personal wireless device while operating a technology center vehicle except as necessary to communicate with law enforcement officials, emergency services, or to and from the technology center's campus.

Personal wireless devices may not be used to photograph or record conversations or events outside private areas without first obtaining consent to record from all parties. In the case of students, permission from the building principal must be obtained. Administrative approval for recordings of students will take into consideration whether prior approval has been granted from parents/guardians and whether the recording would identify a specific category of students such as special education students.

Personal wireless devices may only be shared with students for emergency use.

No employee may use a personal wireless device to engage in conduct which is illegal or which could be construed as inappropriate conduct with a student or students. In the event an employee receives an inappropriate electronic or digital communication from a student or parent, the communication must be promptly reported to the employee's supervisor.

The technology center fully acknowledges that personal wireless communications devices are the personal property of the employee. Unless an administrator has reasonable suspicion that an employee's personal equipment contains prohibited content, an administrator may not inspect an employee's personal equipment without the employee's express consent.

**Warning:** Possessing, taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal images, photographs, or communications, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, and other modes of electronic or digital communication) may constitute a CRIME under state and/or federal law. Any person possessing, taking, disseminating, transferring, or sharing obscene, pornographic, lewd or otherwise illegal images, photographs, or communications will be reported to law enforcement and/or other appropriate state or federal agencies, which may result in arrest, criminal prosecution, and inclusion on sexual offender registries.

### **ACCEPTABLE USE OF FILE SHARING TECHNOLOGY**

Employees and students may choose to use file sharing/storing technology (Google Docs, Ever Note, etc.) in connection with school learning or business. Individuals who choose to use such technology are required to follow all other district technology and acceptable use protocols, as well as adhere to the specific guidelines in this policy.

Individuals using file sharing/storing technology in connection with their association with the district are expressly prohibited from using the technology in a malicious manner or in any way which violates this or other district policies.

The Instructional Services Director is responsible for regularly reviewing all contracts with potential file sharing/storing technology vendors to ensure the district's interests are safeguarded. This responsibility includes making arrangements with vendors which ensure:

- the district maintains appropriate ownership of all data connected with the district
- data connected with the district is stored in a secure manner
- data connected with the district will not be used to market to students
- users (or parents) will not be required to waive their rights in order to create an account

#### **District Data**

District data encompasses all school records. This information may include:

- information which is protected by FERPA or HIPAA
- confidential information such as home addresses, phone numbers, social security numbers, license numbers, dates of birth, and banking account numbers
- disciplinary or grievance information
- information about criminal investigations, including SRO records and notes
- safety sensitive information, including building layouts, evacuation routes, crisis response plans, etc.
- confidential or attorney client privileged information

District data may only be shared or stored with a file sharing/storing vendor after the board has approved an agreement, recommended by the Instructional Services Director, with the vendor.



## **Other Data**

Other data encompasses all other types of school-related data such as routine documents for individual use or shared items for collaboration projects. Other data may be shared or stored with the district's approved file sharing/storing vendor or on another platform at the discretion of the user.

## **All Data**

Regardless of whether district data or other data is involved, file sharers specifically agree not to share or store files which contain malware, viruses, worms, etc.

Questions regarding whether information is acceptable for file sharing/storing technology should be directed to the Instructional Services Director at (405) 262-2629. Any individual who discovers that information has been improperly shared or stored is required to promptly notify Instructional Services Director of the violation. Individuals who violate this policy are subject to disciplinary action as outlined in district policies.

## **SOCIAL MEDIA AND SOCIAL NETWORKING**

Canadian Valley Technology Center (the “Technology Center”) recognizes the appropriate use of social media as a method for communicating ideas and information. The forms of electronic and digital communications change rapidly. Social media includes all means of communicating or posting information or content of any nature on the Internet, including but not limited to one’s own or another’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat-room, whether or not associated or affiliated with the technology center, as well as any other form of electronic communication. This policy addresses common existing forms of electronic and digital communication (e.g., email, texting, blogging, tweeting, posting, etc.) but is intended to cover any existing or new form of electronic or digital communication which utilizes a computer, phone, tablet or other digital or electronic device.

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### **Definitions**

“Blog” means an online journal that contains entries or posts that consist of text, links, images, video or other media and is usually between 300-500 words.

“Comment” means a response to an article or social media content submitted by a commenter.

“Copyrights” protect the right of an author to control the reproduction and use of any creative expression that has been fixed in tangible form, such as literary works, graphic works, photographic works, audiovisual works, electronic works and musical works. It is illegal to reproduce and use copyrighted content publicly on the Internet without first obtaining the permission of the copyright owner.

“Hosted content” means text, pictures, audio, video or other information in digital form that is uploaded and resides in the social media account of the author of a social media disclosure. If an employee downloads content off of the Internet, and then uploads it to their own social media account, they are hosting that content. This distinction is important because it is generally illegal to host copyrighted content publicly on the Internet without first obtaining the permission of the copyright owner.

“Professional social media” is a work-related social media activity that is either school-based or non-school based.

“Cyberbullying” means the use of electronic information and communication devices, including, but not limited to email, instant messaging, text messaging, cellular telephone communications, Internet blogs, Internet chat rooms, Internet postings and defamatory websites.

“Social media account” means a personalized presence inside a social networking channel, initiated at will by an individual. YouTube, Twitter, Facebook, Instagram, SnapChat TikTok and other social networking channels allow users to sign-up for their own social media account, which they can use to collaborate, interact and share content and status. When a user communicates through a social media account, their disclosures are attributed to their User Profile.

“Social media channels” means blogs, micro-blogs, wikis, social networks, social bookmarking services, user rating services and any other online collaboration, sharing or publishing platform, whether accessed through the web, a mobile device, text messaging, email or other existing or emerging communications platforms.

“Social media disclosures” are blog posts, blog comments, status updated, text message, posts via email, images, audio or video recordings, or any other information made available through a social media channel. Social media disclosures are the actual communications a user distributes through a social media channel, usually by means of their social media account.

“Social networking” or “social media” means interaction with external websites or services based upon participant contributions to the content. Types of social media include social and professional networks, blogs, micro blogs, video or photo sharing and social book marking.

### **Official Use of Social Media**

The technology center is responsible for creating and maintaining its “official” online presence. Unless specifically authorized in writing by the Superintendent, or designee, no technology center employee may create an “official” technology center presence on or in any form of social media, now in existence, or created in the future, or represent themselves as a spokesperson or authorized representative of the technology center. Employees or students are not permitted to use the Canadian Valley Technology Center logo without the marketing department’s approval and/or make endorsements on behalf of the technology center.

### **Professional Conduct**

The technology center is committed to creating an environment in which all persons can interact together in an atmosphere free of all forms of harassment, exploitation or intimidation. Therefore, when communicating via social networks, employees are expected to act with honesty, integrity, and respect for the rights, privileges, privacy, and property of others. By doing so employees will be abiding by applicable laws, technology center policy and the core values of the technology center. The technology center prohibits abusive or offensive online behavior of employees at work or when engaged in work-related activities; likewise, technology center resources are not to be used in abusive or offensive ways. The technology center also discourages out-of-school online abusive or offensive behavior because of its potential to interfere with and disrupt work and student relationships.

Employees are responsible for the material they publish online as well as the messages they send via computers and wireless telecommunication devices. Any conduct that negatively reflects upon the technology center, consists of inappropriate behavior, or creates disruption on the part of an employee may expose that employee to disciplinary action up to and including termination. Inappropriate behavior is defined as any activity that harms students, compromises an employee’s objectivity, undermines an employee’s authority or ability to maintain discipline among students or work with or around students, is disruptive to the educational environment, or is illegal. Moreover, employees should not engage in personal social media during working hours.

### **Expectations**

Technology center employees are role models and must exemplify ethical behavior in their relationships with students, parents/guardians, patrons, and other staff members. Online activity, including personal online activity, is public and is therefore a reflection on the technology center as an organization. Employees should exercise good judgment and common sense, maintain professionalism, and immediately address inappropriate behavior or activity discovered on these technology center networks. Inappropriate behavior or activity should be immediately communicated to a direct supervisor. The following should inform and guide employee judgment and actions:

1. The line between professional and personal relationships can become blurred; therefore, technology center employees should always exercise discretion and maintain professionalism when communicating with students via computers or wireless telecommunication devices. Employees should limit this type of communication with students to matters concerning a student's education or extra-curricular activities for which the staff member has assigned responsibility. Excessive school-related messaging or other social media communication to an individual student should be avoided and an employee should only engage in social media communication with a student for a school-related purpose and with the consent of the employee's supervisor and the student's parent/guardian.
2. Technology center employees are prohibited from engaging in private digital exchanges with students, and should only communicate with groups or in such a manner that the communication can be publicly viewed.
3. Photos of and videos featuring students should not be posted on social media without the informed consent of a parent/guardian. For personal protection, employees should never take a photo of an individual student.
4. Photos and videos of fellow employees should not be posted without their express permission.
5. Group student photos may be submitted to the communications and marketing department for inclusion on official technology center accounts.
6. Students should not be cited, obviously referenced, or depicted in images without proper written approval of the student's parent/guardian; the confidential details of these individuals should never be disclosed.
7. Externally communicating any confidential information or information related to the technology center that is not intended for public dissemination is always forbidden and may be grounds for termination and legal action. Public information will be released through the superintendent or designee.
8. Copyright and fair use laws must be respected at all times. Trademarks such as logos, slogans, and digital content such as art, music, or photographs, may require permission from the copyright owner. It is the responsibility of the employee to seek and obtain written permission for any such trademarked content.
9. Technology center employees are prohibited from sharing content or comments

containing the following when it is directed at a colleague, parent, student or citizen of the State of Oklahoma or the United States:

- a. Obscene and/or sexual content or links to obscene and/or sexual content;
- b. Abusive and bullying language or tone;
- c. Conduct or encouragement of illegal activity; and
- d. Disclosure of information which a technology center and its employees are required to keep confidential by law, regulation or internal policy.

Content or comments of the type listed above are especially concerning when directed at or exchanged with a student and, may result in disciplinary action up to and including termination of employment and, possible, referral to law enforcement or licensing and certification bodies.

10. The technology center is not interested in limiting an employee's ability to participate in personal social networks with a personal email address outside of the workplace. However, what is published on these sites should never be attributed to the technology center. Employees should make it clear that they are speaking for themselves. Furthermore, even if you do not mention the technology center, that information is readily ascertainable and could reflect poorly upon the employee and the technology center. Employees are encouraged to use common sense when making online comments, even if they intend for those to be purely personal in nature.
11. Employees are cautioned to be aware of their association with the technology center online social networks. If an employee identifies themselves as a technology center employee, the employee should ensure their profile, photographs, and related content are consistent with how the employee wishes to present themselves with colleagues, students, parents/guardians, and others.

**Personal Use of Social Networking Sites (e.g., Facebook, TikTok, Twitter and Instagram, etc.)**

1. Employees are personally responsible for all comments/information and hosted content published online. Employees should always be mindful that social media posts like tweets and status updates will be visible and public for an extended time.
2. By posting comments, having online conversations, etc. on social media sites, employees should remember that they are broadcasting to the world; accordingly, they should be aware that even with the strictest privacy settings, what one "says" online should be within the bounds of professional discretion. Comments expressed via social networking pages under the guise of a "private conversation" may still be shared by others in a more public domain.
3. Comments related to the technology center, its employees, and technology center events, should always meet the highest standards of professional discretion. Employees should always assume that every one of their postings is in the public domain.
4. Before posting personal photographs, employees should first consider how the posted images reflect on an employee's professionalism.
5. Technology center employees are not permitted to encourage students enrolled in the technology center to create social media accounts of any kind unless specified in the curriculum.

6. All technology center employees who choose to utilize Facebook, TikTok, Twitter, Instagram or any other social media platform to provide classroom or extracurricular activity information to students and parents must create a “teacher” page, and posts must be exclusively about classroom or school activities.

### **Accountability**

All staff are expected to serve as positive ambassadors for the technology center and appropriate role models for students. Failure to do so could put an employee in violation of technology center policy. This guidance and emphasis on personal judgment is provided because violation of technology center policies and procedures may result in disciplinary action up to and including termination of employment. All employees who have reason to believe that their online conduct has generated public or media attention are expected to immediately report their activity and attention generated to their supervisor.

### **Staff-Student Relationships**

Employees are prohibited from establishing personal relationships with students that are unprofessional and thereby inappropriate. Examples of unprofessional relationships include, but are not limited to: employees fraternizing or communicating with students as if employees and students were peers, e.g. writing personal letters or emails; “texting” students; calling students on a cell phone or allowing students to make personal calls to them unrelated to homework or class work; sending personal or inappropriate pictures to students; discussing or revealing to students personal matters about their private lives or inviting students to do the same (other than professional counseling by an assigned school counselor); and engaging in sexualized dialogue, whether in person, by phone, via the Internet or in writing.

Employees who post information on Facebook, Twitter or other similar platforms that include inappropriate personal information such as, but not limited to, provocative photographs, sexually explicit messages, use of alcohol, drugs or anything students are prohibited from doing must understand that if students, parents or other employees obtain access to such information, the employee’s actions will be investigated by technology center officials; if warranted, an employee will be disciplined up to and including termination, depending on the severity of the offense, and may have their case forwarded to the Oklahoma State Department of Education for review and possible sanctions.

### **Privacy**

Staff and students are expected to use discretion when posting on all social media channels as these sites are not private and security and privacy are not guaranteed. Use of these sites is voluntary, and any staff or student using them assumes the risk associated with the use of social networking sites and agrees to release and hold harmless the technology center for any claims, causes of action, or damages that may arise relating to the use of these sites.

### **Removal of Content**

The technology center reserves the right to remove any and all content and comments at its discretion. **Comments will be removed if they meet any of the following criteria:**

- Profane, defamatory, offensive or violent language
- Attacks on specific groups or any comments meant to harass, threaten or abuse an individual

- Hateful or discriminatory comments regarding race, ethnicity, religion, gender, disability, sexual orientation or political beliefs
- Links or comments containing sexually explicit content material
- Discussion of illegal activity
- Spam, link baiting or files containing viruses that could damage the operation of other people's computers and/or mobile devices
- Acknowledgement of intent to stalk an individual or collect private information without disclosure
- Commercial solicitations
- Violations of copyright or intellectual property rights
- Content that relates to confidential or proprietary information
- Content determined to be inappropriate or in poor taste.

### **Disclaimer**

The technology center is not responsible for the content posted by members of this community or the accuracy of such content. The views expressed on this site do not necessarily reflect those of the technology center, its faculty, staff or students.

The technology center reserves the right to block and/or prohibit the posting ability of a user who is in violation of this policy.

### **Reporting**

The Technology Center encourages followers to report infringing content to the appropriate site according to each site's terms of service.

### **Distribution of Policy**

This policy shall be distributed to all employees via the technology center's email system at the beginning of each school year and at the time of hiring to all new employees hired after the start of the school year.

Reference: 74 O.S. §840-8.1